

# **DRAFT** Minutes of the Regular Meeting of the City Council City of Santa Ana, California



March 15, 2022

**CLOSED SESSION MEETING – 5:00 pm**

**REGULAR OPEN MEETING – 5:45 pm**

*(Immediately following the Closed Session Meeting)*

**CITY COUNCIL CHAMBER**

22 Civic Center Plaza Santa Ana, CA 92701

## **CLOSED SESSION**

### **CALL TO ORDER**

#### **ATTENDANCE**

#### **Council Members**

**Johnathan Ryan Hernandez**

**Jessie Lopez**

**Nelida Mendoza**

**David Penaloza**

**Thai Viet Phan**

**Phil Bacerra**

**Vicente Sarmiento**

**Mayor Pro Tem**

**Mayor**

**City Manager**

**City Attorney**

**Clerk of the Council**

**Kristine Ridge**

**Sonia R. Carvalho**

**Daisy Gomez**

***MINUTES:*** Mayor Sarmiento called the Closed Session meeting to order at 5:03 p.m.

### **ROLL CALL**

**MINUTES:** Clerk of the Council Daisy Gomez conducted roll call. All councilmembers were present. Councilmember Hernandez joined the Closed Session meeting at 5:10 p.m.

Mayor Sarmiento recused himself from closed session Item 1A out of an abundance of caution due to a conflict of interest.

**PUBLIC COMMENTS** – Members of the public may address the City Council on Closed Session items.

**MINUTES:** No public comments on Closed Session items.

**CLOSED SESSION ITEMS** – The Brown Act permits legislative bodies to discuss certain matters without members of the public present. The City Council finds, based on advice from the City Attorney, that discussion in open session of the following matters will prejudice the position of the City in existing and anticipated litigation:

1. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:
  - A. City of Santa Ana v. Orange County Association for Mental Health, Orange County Superior Court, Case No. 30-2020-01124174-CU-MC-CJC
  - B. Kingsley Management Corp., et al v City of Santa Ana, U.S District Court (Central District), Case No. 8:22-cv-00076-CJC-JDE

**CLOSED SESSION REPORT** – The City Attorney will report on any action(s) to be taken at the Regular Open Session which will begin immediately following the Closed Session.

**RECESS** – City Council will recess to Closed Session for the purpose of conducting regular City business.

**MINUTES:** Mayor Sarmiento recessed the portion of the meeting to consider the Closed Session item(s) at 5:05 p.m.

**RECONVENE** – City Council will reconvene to continue regular City business.

**MINUTES:** Mayor Sarmiento adjourned Closed Session meeting at 5:35 p.m. and convened to the Regular Open Session.

## **CITY COUNCIL REGULAR OPEN SESSION**

### **CALL TO ORDER**

**MINUTES:** Mayor Sarmiento called the Regular Open Session meeting to order at 5:46 p.m.

### **ROLL CALL**

**MINUTES:** Clerk of the Council conducted roll call. All councilmembers were present.

### **PLEDGE OF ALLEGIANCE** Mayor Sarmiento

**MINUTES:** Councilmember Mendoza led the pledge of allegiance.

### **WORDS OF INSPIRATION** Hussam Ayloush

### **CEREMONIAL PRESENTATIONS**

1. Proclamation presented by Mayor Pro Tem Bacerra to Lydia Salvetta from Republic Homes for Outstanding Contributions to the Community.

**MINUTES:** A certificate of recognition was presented to Lydia Salvetta.

2. Certificate of Recognition presented by Councilmember Lopez to Santa Ana Pony Board in Recognition of their Outstanding Contributions to the Community.
3. Certificate of Recognition presented by Councilmember Mendoza to Santa Ana Police Department, Homicide Unit in Recognition of their 2021 Orange County Homicide Investigation Case of the Year and Outstanding Acts of Heroism.

### **STAFF PRESENTATIONS**

4. OC Streetcar Project – Orange County Transportation Authority

**MINUTES:** Executive Director of Public Works Agency Nabil Saba provided a brief presentation.

Community Development Agency Economic Development Manager Marc Morely provided

*an update on the Business Interruption Fund to accommodate downtown businesses.*

*Orange County Transportation Authority (OCTA) representatives Ross Lew and Tresa Olivari provided a brief presentation on Orange County Streetcar Community Outreach and Public Engagement effort.*

*Public comments for said item were heard.*

*Valentin Martinez spoke on the challenges the small businesses are facing as a result of the pandemic and the Orange County Streetcar project.*

*Delilah Snell spoke on the challenges the small businesses are facing and requested OCTA to financially support impacted businesses.*

*Karla on behalf of Charlie's Tattoos spoke on the struggles their business is faced with due to the Orange County Streetcar project.*

*Leyla on behalf of Charlie's Tattoos spoke on the struggles their business is faced with due to the Orange County Streetcar project. Expressed that the current economic stimulus is insufficient. Requested that the project be expedited.*

*Guadalupe Barragan thanked Mayor Sarmiento and Councilmember Hernandez, for their support. Noted various public safety hazards and asked council for OCTA to provide assistance.*

*Danielle Barragan spoke on the hardships her family and business has experienced as a result of the Orange County Streetcar project.*

*Business owner Marcella Prado thanked council for the assistance provided unfortunately it is not enough. Requested further assistance. Shared the various struggles her business is experiencing. Asked council for continued support and to hold OCTA responsible.*

*An unidentified speaker asked council for assistance. Noted the various customers that come to her establishment. Pointed out that the closed streets do not help. Pleaded with OCTA to provide more financial assistance.*

*Alfredo thanked Santa Ana staff for their support. Expressed that the assistance provided is not enough. Noted lost revenue and the struggles his business is experiencing. Requested additional assistance for their businesses.*

*Maribel Gomez thanked council for the economic stimulus received. Noted it is not enough and requested additional assistance.*

*Maria Perez thanked council and all staff who assisted with the economic assistance.*

*Expressed that it is not enough and shared the struggles the businesses are faced with. Asked council to urge OCTA to help the businesses.*

*Juan Romo thanked council and city staff. Noted that the economic stimulus received is not enough. Asked council to request OCTA to provide further aide.*

*Ana Laura Padilla an owner in downtown Santa Ana thanked Mayor Sarmiento for his assistance. Emphasized the need for OCTA to provide economic stimulus. Spoke on the street closures and pictures she submitted. Thanked city for the economic support however it is not sufficient to cover the losses since the OC Streetcar began. Asked council to consider the amended proposed guidelines and to provide further assistance.*

*Council discussion ensued and provided input to OCTA representatives.*

*Mayor Pro Tem Bacerra spoke on the unsecured barricades. Asked OCTA representatives for more oversight on signs and assure that safety guidelines are met for community and businesses. Noted that the financial assistance provided thus far is not enough. Requested OCTA to assist and respond.*

*Councilmember Hernandez expressed concern with fencing and the safety hazards. Requested from OCTA representatives areas to be fenced along with banners marketing surrounding businesses. Asked OCTA to match the \$1.5 million.*

*Jim Beil Executive Director of Capital Programs at OCTA noted that staff is looking into parameters to see if they can match or provide financial assistance to affected businesses.*

*Councilmember Hernandez expressed an openness to support the amended guidelines.*

*Councilmember Phan expressed concern on pending OCTA lawsuit and impact on timeline. Expressed concern with the temporary bridge that goes over Fourth Street. Asked OCTA and staff speak with utility providers and offer reduced rates during construction phase to affected businesses.*

*Councilmember Lopez requested a clean and safe working environments, signage, and security. Demands that staff work with OCTA representatives to move the staging area away from the NOVA Academy. Requested an update on the litigation. Asked staff to compile a list of business and spotlight them and share their information on social media.*

*Councilmember Mendoza concurred with her colleagues. Spoke on the use of social media to assist in promoting the businesses.*

*Councilmember Penaloza concurred with his colleagues.*

*Mayor Sarmiento thanked city staff, OCTA representatives and merchants that came tonight.*

*Provided direction to city staff to use marketing tools jointly with OCTA. Proceed with a combined effort with Eat Shop and Play for additional social media outreach. Requested increase in barricade height to reduce noise and dust. Directed staff to have an item before the Legislative Committee to find Federal funding.*

*After item 4 was heard, council considered item 6.*

5. COVID-19 Update in the Community

**MINUTES:** *City Manager Kristine Ridge provided a brief comment. Noted that the COVID numbers have improved and thus item was shelved. Council proceed to hear item 7.*

6. Travel Santa Ana 2021 Annual Report – Community Development Agency

**MINUTES:** *Item 6 was taken out of order and considered after item 4 was heard.*

*President of Travel Santa Ana Wendy Haase provided a brief presentation.*

*Council discussion ensued and input provided. After item was heard, council considered item 5 followed by item 7.*

7. Air Quality Management District Fund Usage Update – Public Works Agency

**MINUTES:** *Executive Director of Public Works Agency Nabil Saba provided a brief presentation.*

*Council discussion ensued and direction provided to staff.*

**CLOSED SESSION REPORT** – The City Attorney will report on any action(s) from Closed Session.

**MINUTES:** *City Attorney Sonia Carvalho stated there was no reportable action.*

**PUBLIC COMMENT** – Public comments will be held during the beginning of the meeting for ALL comments on agenda and non-agenda items, except for public hearings. Comments for public hearings will take place after the hearing is opened.

**MINUTES:** *Alan Wu spoke on a 1906 xenophobic incident that occurred in Santa Ana in which Chinatown was burned down. Requested redemption and a resolution of apology.*

*Danny Vega spoke on the budget. Supports funds to be allocated towards a Police Oversight Committee.*

*Catalina Iniestra spoke in support of item 11, to end the sale of flavored tobacco products.*

*Victor Mendez spoke on item 4 and concurs with Councilmember Phan regarding the connecting bridges. Spoke in support of a high wall to reduce dust and creating nice signage. Lastly, spoke on a proposal he submitted to fund the \$1.5 million to help the merchants.*

*Madeleine Spencer with Santa Ana Business Council spoke on item 4 and requested environmental and social costs be considered on every project.*

*Clerk of the Council, Daisy Gomez, reported out on correspondence received.*

*Lynda Barbour with American Cancer Society Action Network spoke on item 11 and urged council to support the tobacco ordinance.*

*Marklem Valdovinos spoke on item 11 and advocated passing the tobacco ordinance.*

*Isabel Rivera expressed concern with the public safety around the NOVA Academy due to the Orange County Streetcar. Asked council to remove the staging area away from the school.*

*Rene Lancaster with NOVA Academy advocated for families, student and staff regarding public safety and removal of OCTA's staging sight.*

*Thomas Lawton spoke in opposition of item 11. Requested council add a Hookah exemption in the ordinance before adoption.*

*Sandra Guillen spoke on the lack of police services.*

*John Ramirez spoke on item 26. Advocated the hiring of more police officers and spoke in support of a Police Oversight committee.*

*Shewa Sadat spoke in opposition of item 11.*

*Sarah Arpero with Latino Health Access spoke in support of more funding for rental assistance and mediation. Asked council to review other models used by other cities to assist residents.*

*Fred Baskharron spoke on item 11 and asked council to give him time to sell his merchandise.*

*Nathaniel Greensides spoke on redistricting process and injustices black communities*

face.

*Hairo Cortez with Chispa spoke on item 26 and urged council to incorporate priorities: police oversight board, increase mental health counseling funding for LGBT youth, increase funding for existing employment programs for young residents, and hold at least one budget input session targeted to youth in Santa Ana. Also, echoed Alan Woo's resolution of an apology by city of Santa Ana for the burning of Chinatown.*

*Sandra spoke on item 11. Requested council to give them at least a year to sell their product.*

*Rima S. Khoury with National Hookah Community Association spoke in opposition of item 11.*

*Ross Garcia spoke on item 4 and expressed concern with his business due to the lack of foot traffic as a result of the Orange County Streetcar project.*

*Janette Rodriguez Public Health researcher with USC spoke in support of item 11.*

*Amir spoke on item 11 and expressed the concerns his business and his employees will endure. Requested council to ask voters to decide.*

*Donna Moore with NOVA Academy expressed public safety concerns with homeless encampment and OCTA staging area by the school.*

## **CONSENT CALENDAR**

**RECOMMENDED ACTION:** Approve staff recommendations on the following  
**Consent Calendar Items: 8 through 24.**

**8. Excused Absences**

**Department(s):** Clerk of the Council Office

**Recommended Action:** Excuse the absent members.

**9. Minutes from the Regular Meeting of February 15, 2022**

**Department(s):** Clerk of the Council Office

**Recommended Action:** Approve minutes.

**10. Minutes from the Special Meeting of February 16, 2022**

**Department(s):** Clerk of the Council Office

**Recommended Action:** Approve minutes.

**11. Adopt Ordinance No. NS-XXXX - AN ORDINANCE OF THE CITY COUNCIL OF THE**



CITY OF SANTA ANA AMENDING ARTICLE III ENTITLED TOBACCO RETAIL  
LICENSE OF CHAPTER 18 OF THE SANTA ANA MUNICIPAL CODE PROHIBITING  
THE SALE OF FLAVORED TOBACCO PRODUCTS

First reading at the March 1, 2022 City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on March 4, 2022.

**Department(s):** City Manager Office

**Recommended Action:** Place ordinance on second reading and adopt.

**MINUTES:** Council discussion ensued.

*Councilmember Phan moved to approve the second reading with the direction to staff to have current retailers report their current inventory on hand to staff and allow them six (6) months to sell their product to a retailer outside of the city.*

*Councilmember Mendoza moved a substitute motion to approve the ordinance with an amendment directing staff to have current retailers report their current inventory to staff on hand and allow them three (3) months to sell their product to a retailer outside of the city.*

*Mayor Pro Tem Bacerra introduced a substitute motion.*

***This consent Item - Ordinance No. NS-3014 was approved.***

**Moved by Mayor Pro Tem Bacerra, seconded by Councilmember Penaloza to approve substitute motion to approve recommended action.**

**YES:** 7 – Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

12. Adopt Ordinance No. NS-XXXX - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING SECTION 2-105 OF THE SANTA ANA MUNICIPAL CODE TO PROHIBIT ABSTENTIONS UNLESS LEGALLY REQUIRED, TO REQUIRE UNAUTHORIZED ABSTENTIONS TO BE COUNTED AND RECORDED AS A VOTE WITH THE MAJORITY, AND TO DESCRIBE THE CONFLICT DISQUALIFICATION PROCESS

First reading at the March 1, 2022 City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on March 4, 2022.

**Department(s):** City Manager Office

**Recommended Action:** Place ordinance on second reading and adopt.

**MINUTES: This consent Item - Ordinance No. NS-3015 was approved.**

**Moved by Councilmember Phan, seconded by Councilmember Lopez to Approve.**

**YES:** 7 – Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

13. Award Blanket Order Contracts to Office Depot, LLC and Veritiv Operating Company in an Annual Aggregate Amount Not to Exceed \$80,000 for up to a Four-Year Term for the Purchase of Reprographic Paper and Envelopes (Specification No. 21-088) (General and Non-General Fund)

**Department(s):** Finance and Management Services

**Recommended Action:** Award blanket order contracts to Office Depot, LLC and Veritiv Operating Company to provide reprographic paper and envelopes in an annual aggregate amount of \$80,000 for a one-year period beginning April 1, 2022 and expiring March 31, 2023, with provision for three one-year renewals by mutual agreement, subject to non-substantive changes approved by the City Manager and City Attorney.

14. Amend the Blanket Order Contract with Core & Main LP, Ferguson Enterprises LLC and Western Water Works Supply Company for Waterworks Fittings and Supplies by Increasing it to an Annual Aggregate Amount Not to Exceed \$600,000 for the Remainder of the Contract Term (Specification No. 21-012) (Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** Amend the blanket purchase order contracts with Core & Main LP, Ferguson Enterprises LLC, and Western Water Works Supply Company for waterworks fittings and supplies to increase the annual amount by \$175,000, for a revised annual aggregate amount not to exceed \$600,000, for the remainder of the current three-year term expiring May 17, 2024, and two one-year renewal periods, subject to non-substantive changes approved by the City Manager and City Attorney.

15. Award a Purchase Order in an Amount Not to Exceed \$323,827 to Trane U.S. Inc., dba Trane for Replacement of an Air Conditioning Unit in the Ross Annex Portion of City Hall (Specification No. 22-024) (General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** Award a purchase order to Trane U.S. Inc., dba Trane, in the amount of \$281,589, with a contingency amount of \$42,238, for a total amount not to exceed \$323,827, to replace an air conditioning unit at the Ross Annex, subject to non-substantive changes approved by the City Manager and City Attorney.

16. Award a Purchase Order in the Amount of \$62,679 to Penske Chevrolet of Cerritos for One Chevrolet 2500 HD Truck (Specification No. 22-003) (Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** Authorize a one-time purchase and payment of purchase order to Penske Chevrolet of Cerritos for one Chevrolet 2500 HD Truck, in the amount of \$62,679 plus a contingency of \$5,000, for a total amount not to exceed \$67,679, subject to non-substantive changes approved by the City Manager and City Attorney.

**MINUTES:** Councilmember Phan recused herself from Item 16, due to a conflict of interest.

17. Approve an Appropriation Adjustment to Appropriate \$133,740 in District 2 Acquisition and Development Funds Received in Prior Years for the Santiago Park Main Street Entrance Project (Project No. 20-2731) and Approve an Amendment to the Agreement with Hunsaker & Associates to Increase the Design Services Amount by \$133,740 for a New Estimated Project Design Cost of \$383,740 (Project No. 20-2731) (Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** 1. Approve an appropriation adjustment recognizing \$133,740 of prior year fund balance from the Residential Development District 2, Acquisition and Development, Prior Year Carry Forward revenue account and appropriating the same amount to the Residential Development District 2, Acquisition and Development, Improvements Other Than Building expenditure account for the Santiago Park Main Street Entrance Project (No. 20-2731). *(Requires five affirmative votes)*

2. Authorize the City Manager to execute an amendment to the agreement with Hunsaker & Associates for design services for the Santiago Park Main Street Entrance Project, to increase the amount by \$133,740, for a total agreement amount of \$383,740, subject to nonsubstantive changes approved by the City Manager and the City Attorney (Agreement No. 2022-XXX).

**MINUTES:** *This consent Item - Agreement No. 2022-036 was approved.*

18. Award a Construction Contract to All American Asphalt in the Amount of \$4,189,151,

for the Garnsey Business District Pavement Improvements FY 2021-22 Project, with an Estimated Project Delivery Cost of \$4,763,666 (Project No. 22-6991) (Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** 1. Award a construction contract to All American Asphalt, the lowest responsible bidder, in accordance with the base bid in the amount of \$4,189,151, for construction of the Garnsey Business District Pavement Improvements FY 2020-21, for the term beginning March 15, 2022, and ending upon project completion, and authorize the City Manager to execute the contract subject to non-substantive changes approved by the City Manager and the City Attorney.

2. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$4,763,666, which includes \$4,189,151 for the construction contract; \$335,132 for contract administration, inspection and testing; and a \$239,383 project contingency for unanticipated or unforeseen work.

**Moved by Mayor Sarmiento, seconded by Mayor Pro Tem Bacerra to Approve.**

**YES:** 7 – Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

**MINUTES:** Mayor Sarmiento provided direction to staff.

19. Approve an Amendment to the Fiscal Year 2021-2022 Emergency Solutions Grant Memorandum of Understanding Agreement with Santa Ana Police Department HEART Program for Additional Street Outreach and ESG Subrecipient Agreement with 2-1-1 Orange County for HMIS Data Collection using Unspent FY 2020-2021 ESG Funds (Non-General Fund)

**Department(s):** Community Development Agency

**Recommended Action:** 1. Authorize the City Manager to execute an amendment to the Santa Ana Police Department HEART Program Memorandum of Understanding to increase the amount of the agreement by \$33,884 for program year July 1, 2021 - June 30, 2022 for additional street outreach activities, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Authorize the City Manager to execute an amendment to the 2-1-1 Orange County Subrecipient Agreement to increase the amount of the agreement by \$47,212.35 for program year July 1, 2021 - June 30, 2022 for additional Homeless Management Information Systems data collection, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

**MINUTES: This consent Item - Agreement Nos. 2022-037 and 2022-038 were approved.**

20. County of Orange Social Services Agency (SSA) Vocational Training and Work Experience Program (Non-General Fund)

**Department(s):** Community Development Agency

**Recommended Action:** Authorize the City Manager to execute an agreement awarding \$2,516,892 to the City of Santa Ana's Santa Ana WORK Center from the County of Orange Social Services Agency for vocational training and work experience activities, effective July 1, 2022 through June 30, 2025, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

**MINUTES: This consent Item - Agreement No. 2022-039 was approved.**

21. Amend the Agreement with West Coast Arborists, Inc. for Tree Maintenance Services, Increasing the Annual Amount by \$145,000 for the Remaining Term of the Agreement (General and Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute an amendment to the agreement with West Coast Arborists, Inc. for tree maintenance services to increase the annual amount by \$145,000, for a total amount not to exceed \$2,164,100, for the remaining term of the agreement ending on December 31, 2022, with six one-year renewal options exercisable by the City Manager, for a total amount not to exceed \$16,230,750 subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

**MINUTES: Mayor Sarmiento recused himself from Item 21, due to a conflict of interest.**

**This consent Item - Agreement No. 2022-040 was approved.**

22. Amend the Agreement with Graffiti Protective Coatings, Inc. for Graffiti Removal Services, Increasing the Annual Amount for Fiscal Year 2021-22 by \$300,000, and by \$600,000 Annually for the Remaining Term of the Agreement (General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute an amendment to the agreement with Graffiti Protective Coatings, Inc. for graffiti removal services, increasing the amount for Fiscal Year 2021-22 by \$300,000, for a total amount not to

exceed \$1,660,000, and increasing the annual amount by \$600,000, for a total amount not to exceed \$1,960,000 for the remaining term of the agreement ending on October 31, 2023, with five, one-year renewal options exercisable by the City Manager, for a total agreement amount not to exceed \$14,979,667, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

**MINUTES:** Council discussion ensued and direction provided to staff

*Councilmember Hernandez expressed support of a preventative and proactive approach to engage youth in the arts.*

*Mayor Pro Tem Bacerra moved to approve to adjust ordinance with additional direction to staff to add the downtown parking structures to the contract or find another way to have the operators use them. Seconded by Councilmember Penaloza.*

*Councilmember Phan introduced a substitute motion.*

**Moved by Councilmember Phan, seconded by Councilmember Lopez to approve substitute motion to continue item to the next meeting.**

**YES:** 7 – Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

23. Resolution Authorizing the Submission of the Building Forward: Library Infrastructure Grant Application to the California State Library, and if Awarded, Acceptance and Execution of the Grant Funds for Library Critical Maintenance, Life Safety, and Infrastructure Needs

**Department(s):** Library

**Recommended Action:** Resolution No. 2022-XXX – Adopt a resolution authorizing the submission of a Building Forward: Library Infrastructure Grant Application for library critical maintenance, life safety, and infrastructure needs; and if awarded, approval to accept funds, implement the awarded project; and designate Library Services Director Brian Sternberg as the Authorized Representative to enter into the grant agreement.

**MINUTES:** *This consent Item - Resolution No. 2022-020 was approved.*

24. Consider Approving the Continued Use of Teleconferencing for Meetings of City Council and All Boards, Committees, and Commissions Pursuant to the Provisions of Assembly Bill 361

**Department(s):** Clerk of the Council Office

**Recommended Action:** Resolution No. 2022-XXX – Adopt a resolution to consider continuing the use of teleconferencing for City Council, board, committee, and commission meetings pursuant to the provisions of Assembly Bill 361 for the next 30 days.

**MINUTES: This consent Item - Resolution No. 2022-021 was approved.**

**Moved by Councilmember Penaloza, seconded by Councilmember Hernandez to Approve Consent Calendar items 8-24 with the exception of 11, 12, 18 and 22. Councilmember Phan recused herself from Item 16, due to a conflict of interest. Mayor Sarmiento recused himself from Item 21, due to a conflict of interest. .**

**YES:** 7 – Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

**\*\*END OF CONSENT CALENDAR\*\***

<b><u>BUSINESS CALENDAR</u></b>
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25. City of Santa Ana General Plan Annual Progress Report (2021)

**Department(s):** Planning and Building Agency

**Recommended Action:** Authorize staff to submit the City of Santa Ana's 2021 General Plan Annual Progress Report to the State of California Department of Housing and Community Development (HCD) and Office of Planning and Research (OPR).

**Moved by Mayor Sarmiento, seconded by Councilmember Hernandez to Approve.**

**YES:** 7 – Hernandez, Lopez, Mendoza, Penaloza, Phan, Bacerra, Sarmiento

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

26. Early Direction for Fiscal Year 2022-23 Budget Cycle

**Department(s):** Finance and Management Services

**Recommended Action:** Provide early budget direction to staff for the upcoming fiscal year.

**MINUTES:** *City Manager Kristine Ridge provided a brief presentation.*

*Executive Director of Finance and Management Services Agency Kathryn Downs provided a brief presentation.*

*Council discussion ensued and direction provided to staff.*

*Councilmember Phan recused herself during the discussion of 3<sup>rd</sup> and Broadway due to a conflict of interest.*

**\*\*END OF BUSINESS CALENDAR\*\***

**PUBLIC HEARINGS**

**PUBLIC COMMENTS** – Members of the public may address the City Council on each of the Public Hearing items.

27. Public Hearing - Consider an Ordinance Amending Chapter 39 of the Santa Ana Municipal Code Related to the Water Shortage Contingency Plan

Legal Notice published in the Orange County Reporter on March 4, 2022.

**Department(s):** Public Works Agency

**Recommended Action:** Approve first reading of an ordinance amending Chapter 39 of the Municipal Code related to the Water Shortage Contingency Plan.

**MINUTES:** *Mayor Sarmiento opened the public hearing at 11:53 p.m. and seeing no comment Mayor Sarmiento closed the public hearing at 11:54 p.m.*

**Moved by Councilmember Phan, seconded by Councilmember Mendoza to Approve.**

**YES:** 6 – Lopez, Councilmember, – Mendoza, Councilmember, – Penaloza, Councilmember, – Phan, Councilmember, – Bacerra, Mayor Pro Tem, – Sarmiento, Mayor

**NO:** 0

**ABSTAIN:** 0



**ABSENT:** 1 – Hernandez, Councilmember

**Status:** 6 – 0 – 0 – 1 – **Pass**

28. Public Hearing - Consider an Ordinance Repealing and Reenacting Article II of Chapter 16 of the Santa Ana Municipal Code Related to Solid Waste Collection Regulations

Legal Notice published in the Orange County Reporter on March 4, 2022.

**Department(s):** Public Works Agency

**Recommended Action:** Approve first reading of an ordinance repealing and reenacting Article II of Chapter 16 of the Santa Ana Municipal Code related to solid waste collection regulations.

**MINUTES:** Mayor Sarmiento opened the public hearing at 11:55 p.m. and seeing no comment Mayor Sarmiento closed the public hearing at 11:56 p.m.

**Moved by Councilmember Phan, seconded by Councilmember Lopez to Approve.**

**YES:** 7 – Hernandez, Councilmember, – Lopez, Councilmember, – Mendoza, Councilmember, – Penaloza, Councilmember, – Phan, Councilmember, – Bacerra, Mayor Pro Tem, – Sarmiento, Mayor

**NO:** 0

**ABSTAIN:** 0

**ABSENT:** 0

**Status:** 7 – 0 – 0 – 0 – **Pass**

#### **COUNCILMEMBER REQUESTED ITEMS**

29. Discuss and Consider Directing the City Manager to Direct Staff to Prepare a Resolution Calling Upon our State Legislators to Introduce and Pass a Bill that Would End Child Marriage – Councilmembers Mendoza, Lopez and Phan

**MINUTES:** Councilmember discussion ensued and input provided to city staff. With no objection, majority of the council supported the item.

#### **CITY MANAGER COMMENTS**

**MINUTES:** City Manager Kristine Ridge thanked councilmembers for participating in today's ribbon cutting ceremony for the new play and learn children's patio and congratulated Library Services Department for a well organized event. Congratulated Sewer Services team for winning the 2021 Medium Collection System of the Year award

*from the California Water Environment Association.*

### **COUNCIL COMMENTS**

AB1234 DISCLOSURE – If the City paid for travel or other expenses this is the time for members of the Council to provide a brief oral report on attendance of any regional board or commission meeting or any conference, meeting or event attended.

**MINUTES:** *Councilmember Lopez thanked Fire Station 70 in Ward 3 for the ride along. Thanked staff for today's ribbon cutting event.*

*Councilmember Mendoza wished all a goodnight.*

*Councilmember Penaloza wished all a goodnight.*

*Councilmember Phan announced her attendance to the Association of California Water Agencies Conference and found it informative, thanked resident Denise Reynoso for inviting her to speak during Read Across America at Santiago Elementary school and wished all a goodnight.*

*Mayor Pro Tem Bacerra thanked staff for a successful ribbon event, announced his monthly community hours, wished all a goodnight.*

*Councilmember Hernandez thanked City Manager for hiring Library Services Executive Director Brian Sternberg and requested to adjourn in memory of former employee Arturo Hernandez.*

*Mayor Sarmiento thanked staff for tonight's excellent presentations. Adjourned in memory of Ann Andres.*

**ADJOURNMENT** – Adjourn the City Council meeting.

**MINUTES:** *Mayor Sarmiento adjourned the City Council meeting on Wednesday, March 16, 2022 at 12:10 a.m.*