

DRAFT Minutes of the Regular Meeting of the City Council and Special Housing Authority City of Santa Ana, California



June 21, 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

Mayor Pro Tem

Phil Bacerra

Mayor

Vicente Sarmiento

City Manager

Kristine Ridge

City Attorney

Sonia R. Carvalho

Clerk of the Council

Daisy Gomez

MINUTES: Councilmember Penaloza called the Closed Session meeting to order at 5:04 p.m.

ROLL CALL

MINUTES: Clerk of the Council Daisy Gomez conducted roll call. All councilmembers

were present. Mayor Sarmiento joined the Closed Session meeting at 5:10 p.m. Mayor Pro Tem Bacerra joined the Closed Session meeting at 5:13 p.m.

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. Kristi Johnson v. City of Santa Ana, Orange County Superior Court Case No. 30-2021-01183843

2. CONFERENCE WITH LABOR NEGOTIATOR pursuant to Government Code Section 54957.6(a):

Agency Negotiators: Human Resources Executive Director, Jason Motsick

Employee Organizations:

- Santa Ana Police Officers Association (POA)
- Santa Ana Police Management Association (PMA)
- Service Employees' International Union (SEIU) Full-Time Employees
- Service Employees' International Union (SEIU) Part-Time Non-Civil Service Employees
- Confidential Association of Santa Ana (CASA)
- Santa Ana Management Association (SAMA)

3. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED/POTENTIAL LITIGATION pursuant to paragraphs (2) or (3) of subdivision (d) of Section 54956.9 of the Government Code: One (1) Case

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 5:06 p.m.*

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

MINUTES: Mayor Sarmiento adjourned Closed Session meeting at 6:07 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 6:58 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 **Gustavo Hernandez**

CEREMONIAL PRESENTATIONS

1. Certificate of Recognition presented by Mayor Sarmiento to the Suavecito Prom Sweepstakes Committee for Outstanding Contributions to the Community.
2. Proclamation presented by Mayor Pro Tem Bacerra declaring July 2022 as "Parks Make Life Better" Month.
3. Certificate of Recognition presented by Councilmember Hernandez to United Fathers of America for Outstanding Contributions to the Community.
4. Certificate of Recognition presented by Councilmember Lopez to Keep Runnin' Santa Ana for Outstanding Contributions to the Community.
5. Proclamation presented by Councilmember Mendoza declaring June 2022 as LGBTQ Pride Month.
6. Certificate of Recognition presented by Councilmember Phan, Mayor Sarmiento and Councilmember Penalosa to Career Online High School Program Graduates for Exemplary Academic Achievements.

STAFF PRESENTATIONS

7. Homelessness Update

MINUTES: City Manager Kristine Ridge provided a brief presentation.

Council discussion ensued and direction provided to staff.

Councilmember Lopez requested staff to provide a report regarding the transient population in ward 3.

Mayor Pro Tem Bacerra requested data on response times.

8. OC Streetcar Project – Orange County Transportation Authority – **INVITED**

MINUTES: City Manager Kristine Ridge noted Orange County Transit Authority (OCTA) correspondence was received.

Mayor Sarmiento directed staff to prepare a letter requesting OCTA staff to attend future meeting and provide a project status.

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

MINUTES: *Nothing to report out.*

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

MINUTES: Nick Anas, on behalf of Orange County Supervisor Katrina Foley provided an update on financial relief grant funding.

Valentin Martinez spoke in support of item 13.

Mimi Mac spoke in support of item 13. Thanked council on item 54.

Kimberly Castro with Latino Health Access requested council to continue to invest in youth programs.

Moises Vazquez with Latino Health Access urged council to continue to invest in youth programs and expressed support for a police oversight committee.

Victor Mendez provided comment on the budget.

Maribel Gomez spoke regarding the Orange County Streetcar project.

Ana Laura Padilla spoke regarding the Orange County Streetcar project.

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

Carol Beninger spoke in support of the budget. Announced that ComLink will have its board meeting this Tuesday recognizing ward heroes along with recognitions of beautiful yards. Lastly, spoke on tonight's council's presentations.

Karla A. spoke regarding prioritizing of calls pertaining to an assault. Expressed that OCTA staff be present to provide updates. Thanked council for what has been done thus far.

Juliet Castro thanked all for the support however, noted that her business is still being affected by the Orange County Streetcar project. Expressed concern that the downtown business will be further impacted due to the current street closures.

CONSENT CALENDAR

RECOMMENDED ACTION: Approve staff recommendations on the following
Consent Calendar Items: 9 through 63.

9. Excused Absences

Department(s): Clerk of the Council Office

Recommended Action: Excuse the absent members.

10. Adopt Ordinance - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CERTAIN SECTIONS OF ARTICLES V, VII, AND IX OF CHAPTER 21 OF THE SANTA ANA MUNICIPAL CODE AND AMENDING AND ADDING CERTAIN SECTIONS WITH RESPECT TO ARTICLE X OF CHAPTER 21 OF THE SANTA ANA MUNICIPAL CODE TO CREATE A UNIFIED NON-CANNABIS BUSINESS LICENSE TAX RATE, SCHEDULE, AND CHARGE ARTICLE

First reading at the June 7, 2022 City Council meeting and approved by a vote of 6-0-1 (Mendoza absent).

Published in the Orange County Reporter on June 10, 2022.

Department(s): Finance and Management Services

Recommended Action: Place ordinance on second reading and adopt.

11. Adopt Ordinance – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROPRIATING MONIES TO THE SEVERAL OFFICES, AGENCIES, AND DEPARTMENTS OF THE CITY FOR FISCAL YEAR BUDGET PERIOD COMMENCING JULY 1, 2022

First reading at the June 15, 2022 Adjourned Regular City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on June 15, 2022.

Department(s): Finance and Management Services

Recommended Action: Place ordinance on second reading and adopt.

Moved by Councilmember Hernandez, seconded by Councilmember Penaloza to amend.

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

MINUTES: Councilmember Hernandez requested a \$20,000 increase for the Juneteenth Celebration, Mid-Autumn Festival, Chicano Heritage Month celebration and for Indigenous People's Day.

Councilmember Penaloza and Phan suggested leaving the Juneteenth Celebration as is and increasing the other celebrations.

12. Re-Appoint Members to the Workforce Development Board for a Four-year Term

Department(s): Community Development Agency

Recommended Action:

1. Reappoint Pierre Loubet, Jack Haley, Daisy Campos, Brent Beasley, and Robert Ruiz to the Santa Ana Workforce Development Board for a four-year term expiring May 31, 2026.
2. Appoint Magdalena Fernandez (replacing Simon Gonzalez) for a full four-year term expiring May 31, 2026.

13. Recognize \$1,200,000 in Grant Funding from the County of Orange and approve an agreement to provide financial relief for merchants impacted by the OC Streetcar construction (Non-General Fund)

Department(s): Community Development Agency

Recommended Action: 1. Authorize the City Manager to execute the agreement with the County of Orange in the amount of \$1,200,000 for a 6-month term beginning June 22, 2022 through December 31, 2022 to provide financial relief for merchants impacted by the OC Streetcar construction, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Approve an appropriation adjustment recognizing \$1,200,000 awarded to the City of Santa Ana by the County of Orange Community Resources Agency for the City's Downtown Business Interruption Fund. *(Requires five affirmative votes)*

MINUTES: Councilmember Lopez provided comment thanking Mayor Sarmiento and Orange County, District 2 Supervisor Katrina Foley for dedication to obtain this funding. Requested City Manager to draft a thank you letter to Orange County,

District 2 Supervisor Katrina Foley.

This consent Item - Agreement No. 2022-094 was approved.

14. Approve Appropriation Adjustment Accepting Bureau of Reclamation WaterSMART Drought Response Program Grant Funds in the Amount of \$2,000,000 for the Well 38 Water Treatment Project (Project No. 22-6470) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Approve an appropriation adjustment accepting Bureau of Reclamation WaterSMART Drought Response Program grant funds in the amount of \$2,000,000 into the Miscellaneous Revenue, Federal Grant-Direct revenue account and appropriating the same amount to the Water-SMART-Watershed Management Program, Reserve Appropriation expenditure account for future year expenditures.
(Requires five affirmative votes)

15. Approve and Appropriation Adjustment and Award a Construction Contract to Harrison Building Inc., in the amount of \$400,000 for the Santa Ana Zoo Goat Trail FY 2021-22 Project, with an Estimated Project Delivery Cost of \$560,000 (Project No. 21-2744) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment to recognize \$180,000 in donations from Friends of the Santa Ana Zoo into the PRCSA Fee & Donation, Gifts & Donations revenue account and appropriate the same amount into the PRCSA Fee & Donation, Improvements Other than Building expenditure account for the Santa Ana Zoo Goat Trail project. *(Requires five affirmative votes)*

2. Award a construction contract to Harrison Building Inc., the lowest responsible bidder, in accordance with the base bid in the amount of \$400,000, for construction of the Santa Ana Zoo Goat Trail FY 2021-22, for the term beginning June 21, 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.

3. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$560,000, which includes \$400,000 for the construction contract, \$80,000 for contract administration, inspection and testing, and \$80,000 project contingency for unanticipated or unforeseen work.

4. Approve an amendment to the Fiscal Year 2021-22 Capital Improvement Program to include the Santa Ana Zoo Goat Trial project.

16. Approve an Appropriation Adjustment and Award a Construction Contract to Quality Fence Co., Inc. in the Amount of \$415,965 for the Stormwater Channel Fencing Upgrades FY 2021-22 Project with an Estimated Construction Delivery Cost of \$480,000 (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment to recognize \$80,000 of prior-year fund balance in the Federal Clean Water Protection fund, Prior Year Carryforward revenue account and appropriate the same amount into the Federal Clean Water Protection Enterprise, Improvements Other Than Building expenditure account. *(Requires five affirmative votes)*

2. Reject all bids received on February 1, 2022, for construction of the Stormwater Channel Fencing Upgrades Project, due to changes in the scope of work.

3. Award a construction contract to Quality Fence Co., Inc., the lowest responsible bidder, in accordance with the base bid plus bid alternate, in the amount of \$415,965, for construction of the Stormwater Channel Fencing Upgrades Phase II FY 2021-22 Project, for the term beginning June 21, 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.

4. Approve the Project Cost Analysis for a total estimated construction delivery cost of \$480,000, which includes \$415,965 for the construction contract, \$24,035 for contract administration, inspection and testing, and a \$40,000 project contingency for unanticipated or unforeseen work.

5. Approve an amendment to the Fiscal Year 2021-22 Capital Improvement Program to add \$80,000 of Federal Clean Water Protection Enterprise funding for the Stormwater Channel Fencing Upgrades Project (22-6469).

17. Award Contracts with Industrial Safety Shoe Company and Red Wing Shoe Store for the Purchase of Safety Shoes, in an Amount not to Exceed \$377,500, for up to a Five-Year Term (Specification No. 22-065) (General and Non-General Fund)

Department(s): Finance and Management Services

Recommended Action: Award contracts for the purchase of safety shoes for a two-year period expiring June 30, 2024, with provision for three, one-year renewals exercisable by the City Manager and City Attorney, with a shared aggregate amount not to exceed of \$377,500, subject to non-substantive changes approved by the City Manager and City Attorney with the following vendors:

<u>Vendor</u>	<u>Location</u>
Industrial Safety Shoe Company	Santa Ana
Red Wing Shoe Store	Santa Ana

18. Approve an Amendment to the Contracts for the Citywide Purchase of Office Furniture, Installation and Related Services by \$4,250,000 and Include Quality Office Furnishings, Inc. to the List of Approved Vendors on Contract (Specification No. 19-114) (General and Non-General Fund)

Department(s): Finance and Management Services

Recommended Action: 1. Authorize the City Manager to execute an amendment to increase the aggregate contract authority by \$4,250,000 for various citywide furniture projects beginning June 21, 2022 and expiring upon completion of the identified projects, subject to non-substantive changes approved by the City Manager and City Attorney. These purchases have already been budgeted across multiple departments.

2. Authorize the City Manager to include Quality Office Furnishings, Inc. of Yorba Linda, CA to the established list of approved vendors on the aggregate contract listed below:

<u>Vendor</u>	<u>Location</u>
Culver-Newlin	Corona
GM Business Interiors	Riverside
People Space	Irvine
Pivot Interiors	Costa Mesa
Quality Office Furnishings, Inc.	Yorba Linda
Yamada Enterprises	Huntington Beach

MINUTES: This consent item - Core Agreement No. 2022-095 was approved.

19. Award Blanket Purchase Order Contracts for Chain-Link Fencing and Gate Installation to J&A Fence Engineering Corp., Quality Fence Co. Inc. and Sierra Pacific Fence Inc. for a Total Not To Exceed \$2,500,000 for a Three-Year Term and Two One-Year Renewal Options (Specification No. 22-058) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Award blanket purchase order contracts for chain-link fencing and gate installation to J&A Fence Engineering Corp., Quality Fence Co. Inc. and Sierra Pacific Fence Inc., for a three-year period beginning July 1, 2022 and expiring June 30, 2025, with provisions for two, one-year renewal options exercisable by the City Manager, in an annual aggregate amount of \$500,000, for a total amount not to exceed \$2,500,000, subject to non-substantive changes approved by the City Manager and City Attorney.

20. Award a Purchase Order to Guaranty Chevrolet Motors for a Chevrolet Express Plumbers Van in the Amount of \$96,846 (Specification No. 22-063) (General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Guaranty Chevrolet Motors for the purchase a Chevrolet Express Plumbers van for the Parks, Recreation and Community Services Agency, for a total amount not to exceed \$91,846 plus a contingency of \$5,000, for a total amount not to exceed \$96,846, subject to non-substantive changes approved by the City Manager and City Attorney.

MINUTES: Mayor Sarmiento recused himself from item 20 due to campaign

contributions from Guaranty Chevrolet Motors.

21. Award a Purchase Order to Transwest Truck Center LLC for a Ford Transit T-350 Van in the Amount of \$73,665 (Specification No. 22-073) (Cannabis Public Benefit Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Transwest Truck Center LLC for the purchase a Ford Transit T-350 van for the Parks, Recreation and Community Services Agency, in the amount of \$68,665 plus a contingency of \$5,000, for a total amount not to exceed \$73,665, subject to non-substantive changes approved by the City Manager and City Attorney.

22. Award a Purchase Order to Los Angeles Truck Centers, LLC for a CNG Water Tank Truck in the Amount of \$289,611 (Specification No. 22-080) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Los Angeles Truck Centers, LLC for the purchase a CNG Water Tank Truck for the Public Works Water Division, in the amount of \$279,611 plus a contingency of \$10,000, for a total amount not to exceed \$289,611, subject to non-substantive changes approved by the City Manager and City Attorney.

23. Award Purchase Orders to Mars Cars, LLC in the Amount of \$84,524 for Four EZ-GO Express Utility Carts (Specification No. 22-085), and to Turf Star, Inc. in the Amount of \$83,361 for Three Toro GTX Electric Golf Carts (Specification No. 22-087) (General and Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Authorize a one-time purchase and payment of purchase order to Mars Cars, LLC in the amount of \$81,524, plus a contingency of \$3,000, for a total amount not to exceed \$84,524, for four EZ-GO Express Carts, subject to non-substantive changes approved by the City Manager and City Attorney.

2. Authorize a one-time purchase and payment of purchase order to Turf Star, Inc. in the amount of \$75,861 plus a contingency of \$7,500, for a total amount not to exceed \$83,361, for three Toro GTX Electric Golf Carts, subject to non-substantive changes approved by the City Manager and City Attorney.

24. Award a Purchase Order in the Amount of \$242,506 to Altec Industries, Inc. for One Utility Boom Truck (Specification No. 22-079) (General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Altec Industries, Inc. in the amount of \$232,506, plus a contingency of \$10,000, for a total amount not to exceed \$242,506, for the purchase of a utility boom truck, subject to non-substantive changes approved by the City Manager and City

Attorney.

25. Award a Purchase Order to Tolar Manufacturing in the Amount of \$514,764 for Bus Benches, Trash Containers and Advertising Kiosks (General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a one-time purchase and payment of purchase order to Tolar Manufacturing for 129 bus benches, 129 trash containers, and 30 advertising kiosks, for a total amount not to exceed \$514,764, subject to non-substantive changes approved by the City Manager and City Attorney.

26. Approve Public Facilities Naming No. 2022-01 to Name the Empty Lot at 423 South Raitt Street to El Refugio Park

Department(s): Parks, Recreation, and Community Services

Recommended Action: Approve Public Facilities Naming No. 2022-01 to name the empty lot at 423 South Raitt Street to El Refugio Park

Moved by Councilmember Hernandez, seconded by Mayor Pro Tem Bacerra to approve amended recommended action.

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

MINUTES: Councilmember Hernandez thanked community members for engaging in the process and helping identify a name. Requested to change the name to Ed Caruthers in honor of his legacy and including a component of El Refugio with a commemorative plaque.

Mayor Pro Tem Bacerra provided comment in support of the amendment.

27. Approve an Agreement Amendment with Patrol Solutions, LLC. to Increase the Not-to-Exceed Amount by \$50,000 to Provide Security Services at the Santa Ana Zoo (General Fund)

Department(s): Parks, Recreation, and Community Services

Recommended Action: Approve an agreement amendment with Patrol Solutions, LLC. to increase the not-to-exceed amount by \$50,000 to provide security services at the Santa Ana Zoo for a term from February 1, 2022 through December 31, 2022 for a new total agreement amount not-to-exceed \$100,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-096 was approved.

28. Historic Property Preservation Agreements

Department(s): Planning and Building Agency

Recommended Action: Authorize the City Manager or designee to execute the attached Mills Act agreement with the below-referenced property owners for the identified structure(s), subject to non-substantive changes approved by the City Manager and City Attorney.

Property Owner(s), Historic Property Preservation Agreement No., Address/House, Vote by HRC

1. Geraldine Humphrey, 2022-2, 2308 N. Santiago Street, 6:0:0:3 (Carpenter, Rush, and Shipp Absent) (Agreement No. 2022-XXX)

2. Linda H. Miller, 2022-4, 1015 W. Camile Street, 5:0:0:4 (Carpenter, McLoughlin, Rush, and Shipp Absent) (Agreement No. 2022-XXX)

3. Brent A. Ferdig, 2022-6, 2010 Greenleaf Street, 5:0:0:4 (Carpenter, McLoughlin, Rush, and Shipp Absent) (Agreement No. 2022-XXX)

4. Ernest R. and Sydney Reinhardt, 2022-7, 2302 N. Heliotrope Drive, 6:0:0:3 (Carpenter, Rush, and Shipp Absent) (Agreement No. 2022-XXX)

5. Ronald R. and Robin L. Romain, 2022-8, 2116 N. Ross Street, 6:0:0:3 (Carpenter, Rush, and Shipp Absent) (Agreement No. 2022-XXX)

6. Jeffrey A. and Megan C. Palmer, 2022-9, 2315 N. Flower Street, 6:0:0:3 (Carpenter, Rush, and Shipp Absent) (Agreement No. 2022-XXX)

MINUTES: Mayor Sarmiento recused himself from item 28 due to conflict of interest.

This consent Item - Agreement No. 2022-097 was approved.

This consent Item - Agreement No. 2022-098 was approved.

This consent Item - Agreement No. 2022-099 was approved.

This consent Item - Agreement No. 2022-100 was approved.

This consent Item - Agreement No. 2022-101 was approved.

This consent Item - Agreement No. 2022-102 was approved.

29. Approval of Agreements to Procure the Services from Qualified Vendors to Provide

On-call Code Enforcement, Public Nuisance, Weed, Rubbish Abatement, and Board-up Services for the Planning and Building Agency (General and Non-General Fund)

Department(s): Planning and Building Agency

Recommended Action: Authorize the City Manager to execute the attached agreements with SLS Property Solutions, Inc., Hunter Consulting Inc., dba HCI Environmental & Engineering (HCI Engineering), and Harrison Building, Inc. for an aggregate amount not to exceed \$225,000 for a period of three (3) years (effective July 1, 2022, to 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. 2022-103 was approved.

30. Authorize the Implementation of the Commercial Property Compliance Assistance Program (**Revive Santa Ana Program**)

Department(s): Planning and Building Agency

Recommended Action: Authorize the Executive Director of the Building and Planning Agency to Implement the Property Compliance Assistance Program and begin Accepting Applications for Economic Relief Funds for an aggregated amount not to exceed \$1,000,000.

31. Approve a Three-Year Agreement with Casa De La Familia for the Santa Ana Family Justice Center Operations (General Fund)

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute an agreement with Casa De La Familia to provide an Operations Specialist to the Santa Ana Family Center, in an amount not to exceed \$331,633 for the period of July 1, 2022 through June 30, 2025, with an option for two, one-year extensions, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-104 was approved.

32. Approve Fourth Amendment to the Agreement with LAZ Parking in the amount of \$826,255 for Parking Enforcement Services (General Fund)

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute the fourth amendment to the agreement with LAZ Karp Associates, LLC, for parking enforcement services for the period of July 1, 2022 through June 30, 2023, in an amount not to exceed \$826,255, including a 10% contingency (\$75,114), subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-105 was approved.

33. Approve a Five-Year Agreement with Axon Enterprise, Inc. in the amount of \$5,187,638 for Body-Worn Camera Services (Non-General Fund)

Department(s): Police Department

Recommended Action: Authorize the City Manager to execute a five-year agreement with Axon Enterprise, Inc. to provide body-worn camera equipment and services to the Police Department, in an amount not to exceed \$5,187,638, including a 5% contingency (\$247,030), for the period of July 1, 2022 through June 30, 2027, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-106 was approved.

34. Approve Agreement with Western A/V & Security for Water Resources Workstation and Video Monitoring Upgrades for a Total Amount not to Exceed \$440,000 for up to a Five-Year Term (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an agreement with Western A/V & Security for Water Resources workstation and video monitoring upgrades for a three-year period beginning June 21, 2022 and expiring June 20, 2025, with provisions for one, two-year renewal period exercisable by the City Manager and City Attorney, with an amount not to exceed \$440,000, which includes a contingency of \$61,624.50, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-107 was approved.

35. Authorize a Purchase Agreement in the Amount of \$1,300,000 for Full Real Property Acquisition for Warner Avenue Improvements Phase 2 (Property Owner: Annelee Gallegos) (Project No. 18-6901) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a purchase agreement with property owner Annelee Gallegos, for the full property acquisition and goodwill (if any) for the real property located at 705 E. Warner Avenue (APN 016-103-23) in the amount of \$1,300,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-108 was approved.

36. Authorize a Purchase Agreement in the Amount of \$762,000 for Partial Real Property Acquisition for Fairview Bridge Replacement and Street Improvements (Property

Owners: Kelvin Mai and Denise Le) (Project No. 15-6827) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a purchase agreement with property owners Kelvin Mai and Denise Le, for the partial property acquisition and goodwill (if any) for the real property located at 1002 N. Fairview Street (APN 405-213-01 & 02) in the amount of \$762,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-109 was approved.

37. Approve Agreement with Butier Engineering Inc. to Provide Construction Management and Inspection Services for the Well 32 Rehabilitation Improvements Project in an Amount Not to Exceed \$1,224,820 for a Three-Year Term (Project No. 13-6433) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an agreement with Butier Engineering Inc. to perform construction management and inspection services for the Well 32 Rehabilitation Improvements project in the amount of \$1,024,820, with a contingency of \$200,000, for a total amount of \$1,224,820, for a three-year term beginning June 21, 2022 and expiring June 20, 2025, with an option for two, one-year extensions, subject non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-110 was approved.

38. Approve an Appropriation Adjustment and an Agreement with Pyramid Group International, Inc., for Management Support Services for the Digital Billboards/Banners and Bus Stop Advertising/Maintenance Project in an Amount not to Exceed \$524,040 for up to a Five-Year Term (General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment to recognize \$550,000 in Public Works Right of Way Program revenues into the General Fund, Public Works Revenues, PWA Digital Billboards/Banners revenue account and appropriate the same amount into the Public Works Right of Way, Contract Services-Professional expense account. *(Requires five affirmative votes)*

2. Authorize the City Manager to execute an agreement with Pyramid Group International, Inc. for management support services for the Digital Billboards/Banners and Bus Stop Advertising/Maintenance Project, in the amount of \$476,400 plus a contingency of \$47,640, for a total amount not to exceed of \$524,040 for a three-year term beginning June 21, 2022, and expiring June 20, 2025, with provisions for two, one-year extensions, subject to non-substantive changes approved by the City

Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent item - Agreement No. 2022-111 was approved.

39. Approve an Appropriation Adjustment and Award a Purchase Order to Winner Chevrolet, Inc., in the Amount of \$313,454, for Seven Chevrolet Express Passenger Vans (Specification No. 22-044) (General and Non-General Funds) (Revive Santa Ana Program)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment allocating funds received in prior fiscal years in the Recreation Grants Revenue account, in the amount of \$89,574, and appropriating the same amount into the OCTA Senior Mobility Program expenditure account for FY 2021-2022 capital operating expenses. *(Requires five affirmative votes)*

2. Authorize a one-time purchase and payment of purchase order to Winner Chevrolet, Inc. for the purchase of seven Chevrolet Express Passenger Vans, in the amount of \$278,454, plus a contingency of \$35,000 for a total amount not to exceed \$313,454, subject to non-substantive changes approved by the City Manager and City Attorney.

40. Approve an Amendment to the Agreement with Clinical Laboratory of San Bernardino, Inc. to Increase the Services Amount by \$53,000 for a new Annual Amount \$130,000 for the Remaining Term of the Agreement (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an amendment to the agreement with Clinical Laboratory of San Bernardino, Inc. for water quality sampling and testing services, to increase the annual amount by \$53,000, for a total agreement amount not to exceed \$597,000, for the remaining term of the agreement expiring July 20, 2023, subject to non-substantive changes approved by the City Manager and the City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent item - Agreement No. 2022-112 was approved.

41. Approve an Appropriation Adjustment Recognizing Santa Ana Watershed Project Authority Funds for the Washington Well Site Improvements Project (Project No. 19-6423) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment recognizing \$100,000 of Fiscal Year 2019-20 Santa Ana Watershed Project Authority grant funds into the Miscellaneous Revenue, State Grant-Direct revenue account, and appropriate the same amount to the Prop 1 IRWM Program, Improvements Other Than Building expenditure account. *(Requires five affirmative votes)*

2. Approve an amendment to the Fiscal Year 2021-22 Capital Improvement Program to add the Washington Well Site Improvements Project and include \$100,000 in funds for engineering services.

42. Approve an Agreement for the Exchange of Real Property and Purchase of Land from the City in the amount of \$5,900,000, for the Development of a New Park (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment recognizing revenue in the amount of \$4,127,878.80 in the Select Street Construction Fund, Sale of Land revenue account for Fiscal Year 2021-22 and appropriating the same to the OCTA Bristol Street Corridor Improvements, Improvements Other Than Building expenditure account. Receipt of Measure M Street Construction proceeds in the amount of \$1,772,121.20 will be disbursed to the Orange County Transportation Authority (OCTA). *(Requires five affirmative votes)*

2. Authorize the City Manager to execute an Agreement for the Exchange and Purchase of Real Property between the City and Charles H. Manh Family Trust (APNs 004-123-56, 004-123-57, 005-142-34, 005-142-48, 005-142-49, 008-091-01, 008-091-02, 008-091-13, 008-091-14, 405-272-21, 405-272-24, and 405-074-38), in the sum of \$5,900,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-113 was approved.

43. Authorize a Purchase Agreement in the Amount of \$190,000 for Partial Real Property Acquisition for Bristol Street and Memory Lane Intersection Improvements (Property Owner: Bhaktinandan, LLC.) (Project No. 17-6883) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a purchase agreement with property owner Bhaktinandan, LLC., for the partial property acquisition of the real property located at 2702 N. Bristol Street (APN 002-261-06) in the amount of \$190,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-114 was approved.

44. Approve Agreement with Cannon for Construction Management and Inspection Services for Well 29 Rehabilitation Improvements in an Amount Not to Exceed \$538,715 for a Three-Year Term (Project No. 18-6491) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute an agreement with Cannon to perform Construction Management and Inspection Services for the Well 29

Rehabilitation Improvements project in the amount of \$489,741, with a contingency of \$48,974 for a total amount of \$538,715, for a three-year term beginning June 21, 2022 and expiring June 20, 2025, with an option for two, one-year extensions, subject non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-115 was approved.

45. Approve an Amendment to the Agreement with HF&H Consultants, LLC to Expand the Solid Waste Consultant Services Scope of Work, Increase the Agreement Capacity by \$120,000, and Exercise the One-Year Extension (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute the third amendment to the agreement with HF&H Consultants, LLC to expand the solid waste consulting services scope of work, increase the total compensation by \$100,000, plus a contingency of \$20,000, for a total additional amount not to exceed \$120,000, and exercise the one-year extension expiring June 30, 2023, with option to extend the term for one additional year, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-116 was approved.

46. Approve an Amendment to the Agreement with EcoNomics, Inc. to Modify the Scope of Work for Solid Waste Consultant Services, Increase the Agreement Capacity in an Amount Not to Exceed \$284,920, and Exercise the One-Year Extension (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute the third amendment to the agreement with EcoNomics Inc. to expand the solid waste consulting services scope of work, and increase the total compensation by \$284,920 through the extension expiring June 30, 2023, with option to extend the term for one additional year, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-117 was approved.

47. Approve an Agreement with the Municipal Water District of Orange County for Shared Programs and Services in an Amount not to Exceed \$750,000 for a Five-Year Term (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute the Master Agreement for Shared Programs and Services with the Municipal Water District of Orange County, for a five-year period beginning upon approval by the Municipal Water

District of Orange County and expiring June 30, 2027, in an amount not to exceed of \$750,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-118 was approved.

48. Approve a Lease Agreement with Walsh Construction Company II, LLC for Office Space at the Santa Ana Regional Transportation Center for up to a Two-year Period for a Revenue Amount up to \$265,601

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a site lease agreement with Walsh Construction Company II, LLC for the rental of office space at the Santa Ana Regional Transportation Center, beginning June 21, 2022 and ending June 20, 2024, at a monthly rate of \$11,073, for a revenue amount up to \$265,601 for the term of the agreement, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-119 was approved.

49. Approve a Lease Agreement with PGH Wong Engineering, Inc. for Office Space at the Santa Ana Regional Transportation Center for a Two-year Period for a Revenue Amount of \$196,929 (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize the City Manager to execute a site lease agreement with PGH Wong Engineering, Inc., for the rental of office space at the Santa Ana Regional Transportation Center, beginning June 22, 2022 and ending June 21, 2024, at a monthly rate of \$8,210, for a revenue amount of \$196,929 for the term of the agreement, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-120 was approved.

50. Approve Agreements and Amendment for Ongoing Legal Services for City Attorney's Office (Non-General Fund)

Department(s): City Attorney Office

Recommended Action: Authorize the City Manager to execute agreements with (1) Atkinson, Andelson, Loya, Ruud, & Romo, for the period of August 21, 2022 through June 30, 2025 in the amount of \$2,000,000; (2) Carpenter Rothans & Dumont LLP for the period of July 1, 2022 through June 30, 2025 in the amount of \$2,500,000; (3) Talley & Talley, APC for the period of July 1, 2022 through June 30, 2025 in the amount of \$750,000; and one (1) amendment with Graves & King, LLP, for the remaining period through June 30, 2024 to increase the not-to-exceed compensation amount from \$50,000 to \$500,000 for legal services, as detailed below, subject to non-

substantive changes approved by the City Manager and the City Attorney (Agreement Nos. 2022-XXX, 2022-XXX, 2022-XXX and 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-121, No. 2022-122, No. 2022-123, No. 2022-124 was approved.

51. Agreement with ProudCity Inc. for City Website Services for a Three-Year Term in an Amount Not to Exceed \$131,481 (Non-General Fund)

Department(s): City Manager Office

Recommended Action: Authorize the City Manager to execute an agreement with ProudCity Inc. for City website services for a three-year term beginning July 1, 2022 and ending June 30, 2025 in an amount not to exceed \$131,481, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-125 was approved.

52. Award \$437,000 of Workforce Innovation and Opportunity Act Formula Youth Funds for Program Year 2022-2023 (Non-General Fund)

Department(s): Community Development Agency

Recommended Action: Authorize the City Manager to execute agreements to award \$437,000 in Workforce Innovation and Opportunity Act youth program funds for a one-year period beginning July 1, 2022 thru June 30, 2023, upon availability of WIOA funds for program year 2022-23 and subject to non-substantive changes approved by the City Manager and City Attorney:

1. Orange County Children's Therapeutic Arts Center to provide occupational skills training in the areas of office administration, mental health paraprofessional, and childcare worker certification, offer job preparation, paid work experience, tutoring, mentoring, counseling, and supportive services, for 20 youth for \$175,000 (Agreement No. 2022-XXX).
2. Orange County Conservation Corps to provide alternative secondary education that leads to a high school diploma, paid work experience, credential training in forklift operator, safe food handling, customer service, computer software, job preparation, post-secondary education resources, and support services for 23 youth for \$262,000 (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-126 was approved.

This consent Item - Agreement No. 2022-127 was approved.

53. Approve the Local Homelessness Action Plan and HHAP Round 3 Application to Receive \$10,290,351.69 from the State of California's Homeless Coordinating and

Financing Council (HCFC) to Address Homelessness

Department(s): Community Development Agency

Recommended Action: Approve the Local Homelessness Action Plan and Submission of the Homeless Housing, Assistance and Prevention Program Round 3 Application.

54. Resolution Repealing Resolution No. 416 of the former Santa Ana Board of Trustees Instructing the Fire Department of Santa Ana to Burn with Fire Each and Every One of Said Buildings known as Chinatown

Department(s): City Manager Office, City Attorney Office

Recommended Action: Resolution No. 2022-XXX – Adopt a resolution repealing Resolution No. 416 by the former Santa Ana Board of Trustees, which authorized the destruction by fire of Chinatown and led to the destruction of homes and businesses and displacement of Santa Ana’s Chinese community.

MINUTES: *Councilmember Hernandez provided comment stating that Alan Woo is thankful to council.*

Councilmember Phan provided comment stating how important it is to remove resolutions that promote hate and how important it is to celebrate diversity and right past wrongs.

This consent Item - Resolution No. 2022-049 was approved.

55. 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. 2022-050 was approved.*

56. Adopt a Resolution for Fiscal Year 2022-23 SB 1 Local Streets and Roads Projects in an Amount Estimated at \$7,553,444 for Capital Improvement Projects (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Resolution No. 2022-XXX – Adopt a resolution affirming the Fiscal Year 2022-2023 SB 1 Projects List and anticipated funding in the amount of \$7,553,444, which is required to be submitted to the California Transportation

Commission (CTC) for budgeting the Fiscal Year 2022-23 Capital Improvement Program (CIP), as necessary for City eligibility to receive Road Maintenance and Rehabilitation Account Funding.

Moved by Councilmember Penaloza, seconded by Councilmember Mendoza to approve.

YES: 5 – Lopez, Mendoza, Penaloza, Phan, Bacerra

NO: 0

ABSTAIN: 0

ABSENT: 2 – Hernandez, – Sarmiento

Status: 5 – 0 – 0 – 2 – **Pass**

MINUTES: Councilmember Penaloza provided comment to show his support of this item.

This consent item - Resolution No. 2022-055 was approved.

57. Adopt a Resolution to Maintain Measure M2 Funding Eligibility by Approving a Pavement Management Plan Update

Department(s): Public Works Agency

Recommended Action: Resolution No. 2022-XXX – Adopt a Resolution confirming the status and providing an update of the Pavement Management Plan (PMP) per Orange County Transportation Authority (OCTA) 2022-23 Measure M2 Eligibility Requirements.

MINUTES: ***This consent item - Resolution No. 2022-051 was approved.***

58. Adopt a Resolution Authorizing Examination of California Department of Tax and Fee Administration Sales and Transactions and Use Tax Records by City Employees and by the City's Contracted Tax Reporting, Analysis and Recovery Services Consultant and Approve Third Amendment to Agreement with MuniServices, LLC

Department(s): Finance and Management Services

Recommended Action: 1. Resolution No. 2022-XXX – Adopt a resolution authorizing examination of California Department of Tax and Fee Administration sales and transactions and use tax records by City employees (designed by position title), and by the City's contracted tax reporting, analysis and recovery services consultant, effective July 1, 2022.

2. Authorize the City Manager to execute an amendment to the agreement with MuniServices, LLC beginning July 1, 2022 through June 30, 2024 for an annual amount not to exceed \$10,000 - covering the web-based reporting systems Sales Tax Analysis Reporting System (STARS) and Geographic Revenue Information Application System (GRIA); plus an annual Cost Price Index ("CPI") adjustment not

less than two percent (2%) or greater than four percent (4%); plus a 13% of recovered sales tax of revenues over the life of the agreement, with a contingency of up to \$60,000 to cover other consulting services subject to non-substantive changes approved by the City Manager and the City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Resolution No. 2022-052 was approved.

This consent Item - Agreement No. 2022-128 was approved.

59. Adopt Resolution Approving City's Annual Statement of Investment Policy 2022-2023; Receive and File Annual Statement of Investment Policy 2022-2023

Department(s): Finance and Management Services

Recommended Action: Resolution No. 2022-XXX – Adopt a Resolution approving the City's 2022-2023 Investment Policy. Receive and file the Annual Statement of Investment Policy 2022-2023.

MINUTES: This consent Item - Resolution No. 2022-053 was approved.

60. Adopt a Resolution Establishing the Appropriations Limit of the City of Santa Ana for Fiscal Year (FY) 2022-23

Department(s): Finance and Management Services

Recommended Action: Resolution No. 2022-XXX – Adopt a resolution establishing the appropriations limit of the City of Santa Ana for FY 2022-23, as required by state law.

MINUTES: This consent Item - Resolution No. 2022-054 was approved.

61. Renew Memorandum of Understanding with required Workforce Innovation and Opportunity Act (WIOA) Partners (*Contingent upon approval of Housing Authority Item #4*)

Department(s): Community Development Agency

Recommended Action: 1. Authorize the City Manager to execute the Memorandum of Understanding with the Santa Ana WORK Center, Santa Ana College, Employment Development Department, Department of Rehabilitation, SER Jobs for Progress, United American Indian Involvement, Inc., Long Beach Job Corps, and Community Action Partnership of Orange County, which outlines the sharing of resources and expenses associated with the operations of a comprehensive one stop center for a one-year term expiring June 30, 2023, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Approve the first amendment to Memorandum of Understanding for Santa Ana Workforce Development Board and the County of Orange Social Services Agency for

a one-year term expiring June 30, 2023 and authorize the Board Chair or Vice-Chair to sign (Agreement No. 2022-XXX).

3. Authorize the City Manager to execute non-substantive amendments such as adjustment of shared operational expenses during the term of the Memorandum of Understanding.

MINUTES: *Item is continued until next meeting.*

62. Approve a pre-commitment of \$5,256,327 in HOME - American Rescue Plan funds, \$484,000 in Inclusionary Housing Funds, twenty-five (25) project-based vouchers, a Density Bonus Agreement, and loan forgiveness for Jamboree Housing Corporation and WISEPlace for the development of the WISEPlace Permanent Supportive Housing project located at 1411 N. Broadway (Contingent upon approval of Housing Authority Item #3)

Department(s): Community Development Agency

Recommended Action: 1. Authorize the City Manager to execute a pre-commitment letter with Jamboree Housing Corporation (“Jamboree”) and WISEPlace for \$5,256,237 in HOME Investment Partnerships Program – American Rescue Plan (“HOME-ARP”) funds and \$484,000 in Inclusionary Housing Funds for the development of the WISEPlace Permanent Supportive Housing project located at 1411 N. Broadway, Santa Ana, CA 92706, (APN 398-523-04), subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Authorize the City Manager to execute a Density Bonus Agreement with North Broadway Housing Partners LP (c/o of Jamboree and WISEPlace), for a 55-year term, for the development of the WISEPlace Permanent Supportive Housing project located at 1411 N. Broadway, Santa Ana, CA 92706, (APN 398-523-04), subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

3. Authorize the City Manager to forgive the existing City loan with WISEPlace for \$723,446.41 in Community Development Block Grant funds outstanding from a Loan Agreement executed in 1996 and amended in 2001.

Moved by Councilmember Penaloza, seconded by Councilmember Mendoza to approve.

YES: 5 – Lopez, Mendoza, Penaloza, Bacerra, Sarmiento

NO: 0

ABSTAIN: 1 – Phan

ABSENT: 1 – Hernandez

Status: 5 – 0 – 1 – 1 – **Pass**

MINUTES: *Councilmember Penaloza thanked those involved in the process of securing these funds.*

This consent Item - Agreement No. 2022-130 was approved.

This consent Item - Agreement No. 2022-131 was approved.

63. Approve the Coronavirus Nonprofit Fiscal Recovery Fund Program in the amount of \$550,000 to Provide Financial Relief to Non-Profit Organizations Located on City-Owned Land **(Revive Santa Ana Program)**

Department(s): City Manager Office

Recommended Action: 1. Approve an amendment to the Revive Santa Ana spending plan to add the Coronavirus Nonprofit Fiscal Recovery Fund in the amount of \$550,000 and decrease the amount for Community Center Renovations by \$550,000.

2. Direct the City Attorney to finalize and authorize the City Manager to execute agreements with non-profit organizations awarded funds as part of the Coronavirus Nonprofit Fiscal Recovery Fund program for a one-year term beginning June 22, 2022 through June 21, 2023, subject to non-substantive changes approved by the City Manager and City Attorney, and direct the Risk Manager or designee to determine the necessary insurance requirements applicable for each project (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-129 was approved.

Moved by Councilmember Penalosa, seconded by Councilmember Hernandez to approve Consent Calendar items 9-63 with the exception of 11, 26, 56 and 62. Councilmember Phan recused herself from items 15, 18, 22, 37, 50, 61 and 62. Mayor Sarmiento recused himself from item 20 due to a conflict of interest. Items 61 and Housing Authority item 4 continued until next meeting at the request of staff.

YES: 7 – Hernandez, Lopez, Mendoza, Penalosa, Phan, Bacerra, Sarmiento

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

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

BUSINESS CALENDAR

64. Designate a Voting Delegate and Up to Two Alternates for League of California Cities 2022 General Assembly

Department(s): Clerk of the Council Office

Recommended Action: Designate a voting delegate and up to two alternates for the League of California Cities' Annual Business Meeting (during General Assembly) on Friday, September 9, 2022.

**Moved by Councilmember Mendoza, seconded by Councilmember Phan to appoint Councilmember Penaloza as a voting delegate.
Appoint Councilmember Phan as the first alternate, and Councilmember Mendoza as the second alternate.**

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

Moved by Councilmember Phan, seconded by Mayor Pro Tem Bacerra to approve as amended.

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

65. Ordinance Relating to Lobbyist Disclosure Policy

Department(s): Clerk of the Council Office

Recommended Action: Approve the first reading of an ordinance to implement a Lobbyist Registration Policy. Provide staff direction for registration and penalty fees.

MINUTES: *Councilmember Phan requested removing sub division F in section 2-908 and amending sub division D to say “any person appearing solely at the request of the city or its agents for the purpose of providing information”. Requested changing section 2-914 to require lobbyists to register immediately after making a comment and before the end of the meeting.*

**Moved by Councilmember Phan, seconded by Mayor Pro Tem Bacerra to
Moved by Councilmember Phan, seconded by Mayor Pro Tem Bacerra to
approve as amended.**

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – Pass

66. Direct Staff to Place a Proposed Santa Ana Business License Tax Equity and Flexible Tax Holiday Voter Ballot Measure for Public Consideration at the November 8, 2022 General Municipal Election; Adopt a Resolution, Authorize and Designate City Councilmembers to File an Argument; Direct City Attorney to File an Impartial Analysis; and Other Related Documents Calling for a General Municipal Election and Consolidating it with the Statewide General Election

Department(s): Finance and Management Services

Recommended Action: 1. Resolution No. 2022-XXX – Adopt a Resolution of the City Council of the City of Santa Ana calling for the placement on the ballot of a measure for the November 8, 2022 General Municipal Election for the submission to the qualified voters of a proposed Ordinance regarding a business license tax equity and flexible tax holiday measure and providing for the filing of Argument and Rebuttal Statements.

2. Request that the Board of Supervisors of Orange County Consolidate the City's General Municipal Election with the Statewide General Election.

3. Authorize the filing of Arguments and Rebuttals.

a. Designate up to five (5) Councilmembers to author an Argument and Rebuttal Statement.

4. Direct the City Attorney to prepare an Impartial Analysis.

5. Direct the Clerk of the Council to publish legal notices as required by law.

Moved by Councilmember Penaloza, seconded by Councilmember Mendoza to approve.

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – Pass

MINUTES: Councilmember Phan appointed Mayor Pro Tem as one of the designees to author an argument and a rebuttal argument.

Councilmember Hernandez volunteered to be another designee to author an argument and a rebuttal argument.

This business Item - Resolution No. 2022-056 was approved.

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

PUBLIC HEARINGS

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

67. Public Hearing - The City of Santa Ana is Proposing to Repeal Article XII (Off-Premise Commercial Advertising Signs) of Chapter 41 (Zoning) of the Santa Ana Municipal Code (SAMC) and Adopt a New Ordinance that Would Allow the Construction of New Digital Billboards and Reconstruction of Existing Billboards with Digital Displays, Subject to Certain Location and Development Standards

Legal notice published in the Orange County Reporter on June 10, 2022.

Department(s): Planning and Building Agency

Recommended Action: 1. Resolution No. 2022-XXX – Adopt the resolution for Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, Environmental Review No. 2022-19, and

2. Approve first reading of an ordinance approving Zoning Ordinance Amendment (ZOA) No. 2022-01 to repeal Article XII of Chapter 41 of the Santa Ana Municipal Code and adopt a new off-premise commercial advertising signs (billboards) ordinance, and to modify thresholds for development project plan approvals for billboards.

MINUTES: Mayor Sarmiento opened the public hearing at 10:31 p.m.

Executive Director of Planning and Building Agency Minh Thai provided a brief presentation.

Scott King spoke in support of item 67.

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

Mayor Pro Tem Bacerra requested adding a section that prohibits billboard that would block the Santa Ana water tower.

Councilmember Phan requested that the definition under billboard type match what is stated under section 41-1101.

Council discussion ensued and direction provided to staff.

Mayor Sarmiento closed the public hearing at 10:59 p.m.

This public hearing Item - Resolution No. 2022-057 was approved.

Moved by Mayor Pro Tem Bacerra, seconded by Councilmember Hernandez

to approved as amended.

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**

68. Public Hearing - For the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue: Approve two Loan Agreements for a total combined amount of \$4,644,909 and a Development Impact Fee Deferral Agreement with Washington Santa Ana Housing Partners, L.P.; Approve two Subordination Agreements with U.S. Bank and the County of Orange; Approve an Additional Award of up to Eight Project-Based Vouchers for a combined total of 15 Project-Based Vouchers; Approve revisions to the joint sixty-five (65) year Ground Lease with Washington Santa Ana Housing Partners, L.P. and the County of Orange; and Approve a draft Land Use Covenant and Equitable Community Revitalization Grant Agreement with the State of California Department of Toxic Substances Control (Non-General Fund) (Contingent upon approval of Housing Authority Item # 5)

Legal notice published in the Orange County Register on June 7, 2022 and June 13, 2022.

Department(s): Community Development Agency

Recommended Action: 1. Authorize the City Manager to execute a Loan Agreement with Washington Santa Ana Housing Partners, L.P. for \$3,007,489 in HOME Investment Partnerships Program funds for the development of the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13) subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Authorize the City Manager to execute a Loan Agreement with Washington Santa Ana Housing Partners, L.P. for \$1,637,420 in Neighborhood Stabilization Program funds for the development of the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13) subject to non-substantive changes approved by the City Manager and City Attorney. This Loan Agreement includes \$339,727 in additional Neighborhood Stabilization Program funds to pay for an unanticipated increase in development costs (Agreement No. 2022-XXX).

3. Authorize appropriation adjustment to recognize and appropriate Neighborhood Stabilization Program 1-3 revenue from prior year fund balance of \$237,371 and grant funds of \$246,501. This additional funding is to complete the necessary \$1,637,420 for contructions costs for the development of the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue, Santa Ana,

CA 92701, (APNs 398-092-14 and 398-092-13). *(Requires five affirmative votes)*

4. Authorize the City Manager to execute a Development Impact Fee Deferral Agreement with Washington Santa Ana Housing Partners, L.P. to defer approximately \$652,717 of their development impact fees for the development of the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13) subject to non-substantive changes approved by the City Manager and City Attorney. The calculation of the final fee amount to be deferred will be determined at the time of issuance of the certificate of occupancy (Agreement No. 2022-XXX).

5. Authorize the City Manager to execute a Subordination Agreement with U.S. Bank, National Association to subordinate the City's two Loan Agreements to a senior private loan, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

6. Authorize the City Manager to execute a Subordination Agreement with the County of Orange, to subordinate the City's two Loan Agreements to a senior public loan, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

7. Authorize the City Manager to execute a future Subordination Agreement, if needed, with the State of California Department of Housing and Community Development, the California Community Reinvestment Corporation, and/or the Orange County Housing Finance Trust, for the City's two Loan Agreements, after the Crossroads at Washington affordable housing project is complete, subject to approval as to form by the City Attorney (Agreement No. 2022-XXX).

8. Authorize the City Manager to appropriate potential future grant funds in the FY 22-23 Budget received through an Equitable Community Revitalization Grant Agreement with the State of California Department of Toxic Substances Control to address and remediate present or future human health or safety or the environment as a result of the presence on the land of hazardous materials at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13).

MINUTES: Mayor Sarmiento opened the public hearing at 11:02 p.m.

City Manager Kristine Ridge provided a brief presentation.

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

Council discussion ensued and direction provided to staff.

Mayor Sarmiento closed the public hearing at 10:59 p.m.

This public hearing Item - Agreement No. 2022-132 was approved.

This public hearing Item - Agreement No. 2022-133 was approved.

This public hearing Item - Agreement No. 2022-134 was approved.

This public hearing Item - Agreement No. 2022-135 was approved.

This public hearing Item - Agreement No. 2022-136 was approved.

This public hearing Item - Agreement No. 2022-137 was approved.

Moved by Councilmember Phan, seconded by Councilmember Lopez 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**

CITY MANAGER COMMENTS

MINUTES: *None.*

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 announced her partnership Santa Ana Active Streets. There will be a build your own skateboard workshop on July 9, 2022.*

Councilmember Mendoza reminded the public of the Orange County LGTB Pride Parade Festival on Saturday, June 25, 2022 at 11:30 a.m. Requested City Manager staff to send a condolences letter in honor of Dr. Peter Green and honor him by closing a meeting in his honor.

Councilmember Phan thanked her colleagues for adopting the budget with the Asian cultural event. Reminded the public of the drought the State of California is in.

Councilmember Penaloza thanked staff and council for approving the budget. Requested ending the meeting in honor of the two El Monte police officers that were lost in the line of duty.

Mayor Pro Tem Bacerra reminded the public of his community office hours on July 2, 2022 at Thornton Park. Wished everyone a Happy 4th of July.

Mayor Sarmiento ended the meeting in honor of Peter Green, the two officers lost in El Monte and Adrian Gael Hernandez.

ADJOURNMENT – Adjourn the City Council meeting and convene to the Housing Authority meeting.

Future Items

1. Mental Health Mobile Outreach Services
2. Housing Element Update
3. Community Workforce Agreement

MINUTES: 11:16 p.m.

HOUSING AUTHORITY

CALL TO ORDER

ATTENDANCE	Authority Members	Johnathan Ryan Hernandez Jessie Lopez Nelida Mendoza David Penaloza Thai Viet Phan
	Vice Chair	Phil Bacerra
	Chair	Vicente Sarmiento
	City Manager	Kristine Ridge
	City Attorney	Sonia R. Carvalho
	Clerk of the Council	Daisy Gomez

MINUTES: Chair Sarmiento called the Housing Authority meeting at 11:03 p.m.

Moved by Councilmember Phan, seconded by Councilmember Lopez 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**

ROLL CALL

MINUTES: Clerk of the Council conducted roll call. All Authority Members were present with the exception of Authority Member Hernandez.

PUBLIC COMMENTS – Members of the public may address Housing Authority on items on the Housing Authority agenda.

MINUTES: No public comments on Housing Authority items.

<u>CONSENT CALENDAR</u>

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar Items: 1 through 4.

1. Excused Absences

Department(s): Clerk of the Council Office

Recommended Action: Excuse the absent members.

2. First Amendment to the Agreement with National Credit Reporting for Criminal Background Checks to add an Additional \$50,000 and Extend the Term of the Agreement by Two Years (Non-General Fund)

Department(s): Community Development Agency

Recommended Action: Authorize the Executive Director of the Housing Authority to execute a First Amendment to the Agreement with National Credit Reporting to conduct criminal background checks for Housing Choice Voucher Program applicants and participants in order to add additional compensation in the amount of \$50,000 and extend the term from July 31, 2022 to June 30, 2024.

3. Approve a pre-commitment of \$5,256,327 in HOME - American Rescue Plan funds, \$484,000 in Inclusionary Housing Funds, twenty-five (25) project-based vouchers, a Density Bonus Agreement, and loan forgiveness for Jamboree Housing Corporation and WISEPlace for the development of the WISEPlace Permanent Supportive Housing project located at 1411 N. Broadway. *(Contingent upon approval of City Council Item # 62)*

Department(s): Community Development Agency

Recommended Action: Approve an award of twenty-five (25) project-based vouchers and authorize the Executive Director of the Housing Authority to execute an Agreement to Enter into a Project-Based Vouchers Housing Assistance Payments Contract with Jamboree and WISEPlace for the development of the WISEPlace Permanent Supportive Housing project located at 1411 N. Broadway, Santa Ana, CA 92706, (APN 398-523-04), subject to non-substantive changes approved by the Executive Director of the Housing Authority and Authority General Counsel.

4. Renew Memorandum of Understanding with required Workforce Innovation and Opportunity Act (WIOA) Partners *(Contingent upon approval of City Council Item #33.)*

Department(s): Community Development Agency

Recommended Action: 1. Authorize the Executive Director and Recording Secretary to execute a Memorandum of Understanding with the Santa Ana Workforce Development Board which outlines the sharing of resources and expenses associated with the operations of a comprehensive one stop center for a one-year term expiring June 30, 2023 and payment to the City of Santa Ana in an estimated amount of \$8,054 subject to non-substantive changes approved by the Executive Director and Authority General Council.

2. Authorize the Executive Director and Recording Secretary to execute non-

substantive amendments such as adjustment of shared operational expenses during the term of the Memorandum of Understanding.

MINUTES: *Item is continued until next meeting.*

Moved by Mayor Pro Tem Bacerra, seconded by Councilmember Penaloza to approve with the exclusion of item 4 and the abstention of item 3 by Councilmember Phan.

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**

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

PUBLIC HEARINGS

PUBLIC COMMENTS – Members of the public may address the Housing Authority on each of the Public Hearing items.

5. Public Hearing - For the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue: Approve two Loan Agreements for a total combined amount of \$4,644,909 and a Development Impact Fee Deferral Agreement with Washington Santa Ana Housing Partners, L.P.; Approve two Subordination Agreements with U.S. Bank and the County of Orange; Approve an Additional Award of up to Eight Project-Based Vouchers for a combined total of 15 Project-Based Vouchers; Approve revisions to the joint sixty-five (65) year Ground Lease with Washington Santa Ana Housing Partners, L.P. and the County of Orange; and Approve a draft Land Use Covenant and Equitable Community Revitalization Grant Agreement with the State of California Department of Toxic Substances Control (Non-General Fund) (Contingent upon approval of City Council Item #68)

Legal notice published in the Orange County Register on June 7, 2022 and June 13, 2022.

Department(s): Community Development Agency

Recommended Action: 1. Approve an award of up to eight additional project-based vouchers, for a combined total of 15 project-based vouchers, and authorize the Executive Director of the Housing Authority to execute an Agreement to enter into a Project-Based Vouchers Housing Assistance Payments Contract with Washington Santa Ana Housing Partners, L.P. for the development of the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13), subject to non-

substantive changes approved by the Executive Director of the Housing Authority and Authority General Counsel.

2. Authorize the Executive Director of the Housing Authority to execute proposed revisions to the joint sixty-five (65) year Ground Lease with Washington Santa Ana Housing Partners, L.P. and the County of Orange, for the development of the Crossroads at Washington affordable housing project located at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13), subject to non-substantive changes approved by the Executive Director of the Housing Authority and Authority General Counsel.

3. Authorize the Executive Director of the Housing Authority to execute a Land Use Covenant with the State of California Department of Toxic Substances Control to protect present or future human health or safety or the environment as a result of the presence of hazardous materials on the property at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13), subject to approval as to form by the Authority General Counsel.

4. Authorize the Executive Director of the Housing Authority to execute an Equitable Community Revitalization Grant Agreement with the State of California Department of Toxic Substances Control to address and remediate present or future human health or safety or the environment as a result of the presence of hazardous materials on the property at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13), subject to approval as to form by the Authority General Counsel.

5. Resolution No. 2022-XXX – Adopt a Resolution approving the Ground Lease of the Housing Authority-owned property at 1126, 1136, & 1146 East Washington Avenue, Santa Ana, CA 92701, (APNs 398-092-14 and 398-092-13) as required under California Health and Safety Code Section 33433.

MINUTES: Chair Sarmiento opened the public hearing and seeing there were no speakers, closed the public hearing at 11:06 p.m.

This public hearing Item - Resolution No. 2022-058 was approved.

Moved by Councilmember Phan, seconded by Councilmember Penaloza 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**

HOUSING AUTHORITY MEMBER COMMENTS

ADJOURNMENT – Adjourn the Housing Authority meeting.

MINUTES: *Meeting adjourned at 11:16 p.m.*