

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



July 19, 2022

SPECIAL CLOSED SESSION MEETING – 4:00 pm

REGULAR OPEN MEETING – 5:45 pm

(Immediately following the Closed Session Meeting)

CITY COUNCIL CHAMBER

22 Civic Center Plaza Santa Ana, CA 92701

SPECIAL 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: Mayor Sarmiento called the Special Closed Session meeting to order at 4:04 p.m.

ROLL CALL

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

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 – PENDING LITIGATION pursuant to Paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code:

A. Monsanto PBC Class Action Settlement, U.S. District Court (Central District of California), Case No. 2:16-cv-03493-FMO-AS

2. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 of the Government Code:

A. Candelario Jalomo v. City of Santa Ana, et al. Orange County Superior Court, Case No. 30-2019-01118103-CU-WT-CJC

3. CONFERENCE WITH LEGAL COUNSEL – POSSIBLE INITIATION OF LITIGATION pursuant to paragraph (4) of subdivision (d) of Section 54956.9 of the Government Code: One Case

A. Waste Management

4. 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)

5. PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE pursuant to Government Code section 54957

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 Special Closed Session items at 4:06 p.m.

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

MINUTES: Mayor Sarmiento adjourned Special Closed Session meeting at 6:50 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 6:51 p.m.

ROLL CALL

MINUTES: City staff conducted roll call. All councilmembers were present.

PLEDGE OF ALLEGIANCE Mayor Sarmiento

MINUTES: Mayor Pro Tem Bacerra led the pledge of allegiance.

WORDS OF INSPIRATION Bob Barnett, Police Chaplain

CEREMONIAL PRESENTATIONS

1. Certificate of Recognition presented by Mayor Sarmiento to Senior Volunteers at Delhi Center for Outstanding Contributions to the Community.
2. Certificate of Recognition presented by Mayor Pro Tem Bacerra, Councilmember Penaloza and Councilmember Mendoza to Santa Ana Police Department recognizing their 136th Year of Service.
3. Certificate of Recognition presented by Councilmember Hernandez to Volunteers of the East End Block Party for Outstanding Contributions to the Community.
4. Certificate of Recognition presented by Councilmember Lopez to Catalyst Cares for Outstanding Contributions to the Community.
5. Certificate of Recognition presented by Councilmember Mendoza to America on Track Volunteers for Outstanding Contributions to the Community.
6. Certificate of Recognition presented by Councilmember Phan and Mayor Sarmiento to

the 2022 Youth Water Poster Contest Winners for Outstanding Contributions to the Community.

STAFF PRESENTATIONS

7. Homelessness Update

MINUTES: City Manager Kristine Ridge provided a brief presentation.

Council discussion ensued and direction provided to staff.

8. Feasibility of a Public Health Agency Update

MINUTES: Health Management Associates representatives, Vice President John Freeman and Principal Christina Altmayer, provided a brief presentation to solicit direction and feedback from council.

Mayor Pro Tem requested to engage state lobbyists as well.

Councilmember Phan directed staff to work with our environmental justice planner to obtain grants to make more resources available.

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 reported out on the following;

Item 1- The City accepted a settlement in the amount of 2.9 million dollars

Item 3 – Council directed staff to gather evidence of Waste Management's nonperformance, in terms of leaving trash uncollected on City streets. Preceding the transition of the Waste Management services contract, to determine the City's legal recourse on behalf of its residents and business owners. Staff was also directed to prepare a report and provide an update on the status of trash pick.

Item 5 – Council dismissed the Clerk of the Council in accordance with the employment agreement.

Items 3 and 5, were voted on unanimously.

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: Delilah Snell spoke regarding Main Street and Downtown Businesses.

John Hanna with the Southwest Regional Council of Carpenters spoke in support of item 33 and item 31.

Melina Ramirez spoke in support of item 38.

Leonel Flores spoke in support of items 38, 39 and item 40.

Ray Diaz spoke in support of items 38, 39 and item 41.

Nelly Turtleheart Legaspe spoke in support of items 38 and 39 and extended an invitation to council for a BACA event and for an Indigenous People's Day event.

Nasario Basira spoke in support of item 38.

Felipe Lucero with Uniques Car Club spoke in support of item 38 and 39.

Saul Garcia spoke in support of item 38 and requested support to initiate a mentor program.

Tony Longoria spoke in support of item 38.

Dale Helvig spoke in regards to COVID-19 cases increase, lead contamination and about housing.

Guadalupe Barragan extended her thanks to Mayor Sarmiento and Councilmember Hernandez for their work in the community.

Selica Diaz spoke in regards to neighborhood events.

Victor Mendez spoke in regard to Community Wellness and Public Safety.

City Staff reported out on correspondence received.

Lorraine Quinones spoke in support of item 38.

Flavio Huizar with the Sacramento Lowrider Commission spoke in support of item 38.

Idalia Rios spoke on item 36 and provided a charter amendment suggestion.

Francine Mata, President of the Sacramento Lowrider Commission spoke in support of item 38.

David Polanco with the United Lowrider Council of San Jose spoke in support of item 38.

Roberto spoke in support of item 19.

Aida Castaneda with the United Lowrider commission of National City spoke in support of item 38.

Jovita Arellano with the United Lowrider commission of National City spoke in support of item 38.

Carl Benninger spoke in support of Ceremonial Labeling of Streets and in support of item 38.

CONSENT CALENDAR

**RECOMMENDED ACTION: Approve staff recommendations on the following
Consent Calendar Items: 9 through 33.**

9. Excused Absences

Department(s): Clerk of the Council Office

Recommended Action: Excuse the absent members.

10. Appoint Manuel Escamilla Nominated by Mayor Sarmiento as the Mayoral representative to the Environmental and Transportation Advisory Commission for a Partial-term Expiring December 13, 2022

Department(s): Clerk of the Council Office

Recommended Action: Appoint Manuel Escamilla to the Environmental and Transportation Advisory Commission as the City-Wide representative and administer Oath of Office.

MINUTES: *Item was heard after Council Requested items, 38 and 39.*

Moved by Mayor Sarmiento, seconded by Councilmember Lopez to Approve.

YES: 4 – Hernandez, Lopez, Phan, Sarmiento

NO: 3 – Mendoza, – Penaloza, – Bacerra

ABSTAIN: 0

ABSENT: 0

Status: 4 – 3 – 0 – 0 – **Pass**

11. Adopt Ordinance - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA, CALIFORNIA, ADDING ARTICLE XI ENTITLED "LOBBYIST REGISTRATION" TO CHAPTER 2 OF THE SANTA ANA MUNICIPAL CODE

First reading at the June 21, 2022 City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on July 8, 2022.

Department(s): Clerk of the Council Office

Recommended Action: Place ordinance on second reading and adopt.

MINUTES: *This consent Item - Ordinance No. NS-3022 was approved.*

12. Adopt Ordinance - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA REPEALING AND REENACTING IN ITS ENTIRETY ARTICLE XII OF CHAPTER 41 OF THE SANTA ANA MUNICIPAL CODE PERTAINING TO OFF-PREMISE COMMERCIAL ADVERTISING SIGNS AND DEVELOPMENT PROJECT PLAN APPROVALS TO ALLOW AND REGULATE NEW DIGITAL BILLBOARDS

SUBJECT TO CERTAIN LOCATION, DESIGN, AND OPERATIONAL REQUIREMENTS

First reading at the June 21, 2022 City Council meeting and approved by a vote of 7-0.

Published in the Orange County Reporter on July 8, 2022.

Department(s): Planning and Building Agency

Recommended Action: Place ordinance on second reading and adopt.

MINUTES: *This consent Item - Ordinance No. NS-3023 was approved.*

13. Approve Destruction of Obsolete City Records

Department(s): Public Works Agency

Recommended Action: Approve the request for the destruction of obsolete records from the Public Works Agency in accordance with the retention schedule outlined in City Council Resolution 2013-014.

MINUTES: *Mayor Sarmiento dissented on item 13.*

14. Receive and File Single Audit Report for the Fiscal Year Ended June 30, 2021

Department(s): Finance and Management Services

Recommended Action: Receive and file Single Audit Report for the Fiscal Year Ended June 30, 2021.

15. Amend the Blanket Order Contract Award for Desktop Computers, Laptops, Mobile Devices & Related Equipment in an Annual Aggregate Amount Not to Exceed \$1,200,000 (Specification No. 18-074)

Department(s): Information Technology

Recommended Action: Amend the contracts for desktop computers, laptops, mobile devices, and related equipment to increase the annual agreement amount by an additional \$600,000, for a revised annual aggregate amount not to exceed \$1,200,000, for the remainder of the current one-year period and the remaining optional one-year renewal, if exercised, subject to non-substantive changes approved by the City Manager and City Attorney, with the following vendors:

<u>Vendor</u>	<u>Location</u>
2nd Gear, LLC	Costa Mesa, CA
Dell Computer Corp.	Austin, TX

16. Award Purchase Order to Sandoval Custom Creations Incorporated for Security Cameras and Accessories in the Amount of \$137,473 (Specification No. 22-038) (Cannabis Enforcement Fund)

Department(s): Police Department

Recommended Action: Authorize a one-time purchase of security cameras and accessories from Sandoval Custom Creations Incorporated in the amount of \$137,473, subject to non-substantive changes approved by the City Manager and City Attorney.

17. Approve an Amendment to the Amazon Capital Services, Inc. Contract for the Purchase of Online Marketplace Goods for an Annual Amount Not to Exceed \$400,000 per Year, for a Two-Year Term (Specification No. 19-028) (General and Non-General Fund)

Department(s): Finance and Management Services

Recommended Action: Authorize the City Manager to execute an amendment to increase the blanket order contract with Amazon Capital Services, Inc. for an additional \$300,000 per year for the period beginning July 20, 2022 and expiring June 30, 2024, subject to non-substantive changes approved by the City Manager and City Attorney.

18. Award a Purchase Order to FieldTurf USA, in the Amount of \$568,598, for Synthetic Turf Installation, with Turf Maintenance for Eight Years at Santa Anita Park (Project 19-7527) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: Authorize a purchase order to FieldTurf USA, in the amount of \$568,598, to furnish and install a synthetic turf field at Santa Anita Park, and maintain it for eight years beginning upon completion of the turf installation, subject to non-substantive changes approved by the City Manager and City Attorney.

19. Approve Appropriation Adjustments and Award a Construction Contract to Byrom-Davey Inc. in the Amount of \$7,317,701 for the Santa Anita Park New Synthetic Soccer Field and Park Improvements FY 2022-23 Project with an Estimated Project Delivery Cost of \$9,513,011.30 (Project Nos. 19-7527, 20-2745) (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an Appropriation Adjustment recognizing revenue received in prior years in the amount of \$1,439,641 in the Residential Development District 1 and District 4 (\$869,224 and \$570,417, respectively), District Park Acquisition & Development Fees revenue account and appropriating the same amount into the Residential Development District 1 and District 4, Improvements Other Than Building expenditure account for FY 2022-23 capital operating expenses. *(Requires five affirmative votes)*

2. Approve an Appropriation Adjustment recognizing the grant revenue from the 2018 Parks Bond Act Per Capita Grant Program in the amount of \$177,952 in the PRCSA Capital Grants revenue account and appropriating the same amount into the 2018 Parks Bond Act-Per Capital Improvements Other Than Building expenditure account

for FY 2022-23 capital operating expenses. *(Requires five affirmative votes)*

3. Award a construction contract to Byrom-Davey Inc., the lowest responsible bidder, in accordance with the base bid in the amount of \$7,317,701 for construction of the Santa Anita Park New Synthetic Soccer Field and Park Improvements FY 2022-23, for the term beginning July 19, 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 \$9,513,011.30, which includes \$7,317,701.00 for the construction contract, \$731,770.10 for contract administration, inspection and testing, and a \$1,463,540.20 project contingency for unanticipated or unforeseen work.

5. Approve an amendment to the Fiscal Year 2022-23 Capital Improvement Program to modify and combine all Santa Anita Park Improvement Projects.

20. Approve an Amendment to the Agreement with City Net to Provide Street Outreach and Engagement Services and to Respond to Diverted Santa Ana Police Department Calls for Service for Quality-of-Life Services, in an Amount not to Exceed \$2,483,599.59 through June 30, 2023 (Non-General Fund) **(Revive Santa Ana Program)**

Department(s): Community Development Agency

Recommended Action: 1. Authorize the City Manager to execute an amendment to the agreement with City Net to provide enhanced street outreach and engagement services, including diverted Santa Ana Police Department calls for service for quality-of-life services, from July 20, 2022 through June 30, 2023, in an amount not to exceed \$2,483,599.59, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Authorize the City Manager to execute all funding agreements required by state or federal agencies for the use of funding, including Homeless Housing Assistance and Prevention (HHAP) Program and American Rescue Plan Act (ARPA) (Agreement No. 2022-XXX).

MINUTES: *Mayor Pro Tem Bacerra requested staff to bring back an agreement that's incentive based. Requested to extend the contract for 6 months with the direction that staff will re-negotiate the scope of services.*

Council discussion ensued and direction provided to staff.

This consent Item - Agreement Nos. 2022-149 and 2022- 150 were approved.

Moved by Mayor Sarmiento, seconded by Councilmember Lopez to approve as is and amend the language for extensions.

YES: 0 –

NO: 0

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

ABSENT: 0

Status: 0 – 0 – 7 – 0 –

Moved by Mayor Pro Tem Bacerra, seconded by Councilmember Mendoza to approve substitute motion to amend agreement term.

YES: 4 – Mendoza, Penaloza, Phan, Bacerra

NO: 3 – Hernandez, – Lopez, – Sarmiento

ABSTAIN: 0

ABSENT: 0

Status: 4 – 3 – 0 – 0 – **Pass**

21. Grant Agreement with Streetfootballworld to install a Mini-Pitch Soccer Field at Cesar Chavez Campesino Park

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

Recommended Action: Authorize the City Manager to execute a Grant Agreement with Streetfootballworld for the installation of a Mini-Pitch Soccer Field at Cesar Chavez Campesino Park, valued at approximately \$150,000 with no installation cost to the City, for the period July 19, 2022 through July 19, 2032, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-138 was approved.

22. Approve Renewal of Joint Powers Authority Agreement between the City of Santa Ana and Independent Cities Risk Management Authority (ICRMA) and Approve Associated Insurance Premiums, Costs, Fees and Corresponding Agreement for an amount not to exceed \$10,336,300

Department(s): Human Resources

Recommended Action: 1. Authorize the City Manager to approve the Agreement between the City of Santa Ana (“City”) and Arthur J. Gallagher, broker of record from July 1, 2022 to June 30, 2023, for insurance brokerage services, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Authorize the City Manager to approve payment of insurance premiums and programs to Independent Cities Risk Management Authority (“ICRMA”) for excess liability, property and workers’ compensation and protection of all other City assets from July 1, 2022 to June 30, 2023

- a. Excess Liability Program
- b. Excess Workers’ Compensation Program
- c. Auto Physical Damage Program

- d. Property and Equipment Program
- e. Crime Program
- f. Cyber Program

3. Authorize the City Manager to approve payment of associated ICRMA program costs including but not limited to the 2022 City facilities appraisal and employee crisis and assistance program in an amount not to exceed \$185,000.

4. Authorize the City Manager to approve payment of insurance premiums to Arthur J. Gallagher, Broker, for ancillary coverages of City's assets from July 1, 2022 to June 30, 2023.

- a. General Liability Buffer Program
- b. Workers' Compensation Buffer Program
- c. Earth Movement & Flood and Difference in Coverage Program
- d. Terrorism Insurance Program
- e. Underground Storage Tank and Environmental Program

5. Authorize the City Manager to approve funding to cover FY 2022/23 City Special Events Insurance for events including but not limited to Fourth of July fireworks show, winter ice-skating events, and other City-sponsored events as created and held, in an amount not to exceed \$300,000.

6. Authorize the City Manager to approve the City's obligation to pay the State of California DIR estimated assessment in the amount not to exceed \$500,000 for the period of July 1, 2022 to June 30, 2023.

MINUTES: Councilmember Phan recused herself from items 22, 31 and 33 out of an abundance of caution.

This consent item - Agreement No. 2022-139 was approved.

23. Approve Appropriation Adjustments and the Second Amendment to the Agreement with Butier Engineering, Inc. to Increase the Agreement Amount by \$376,000, for a Total Amount not to Exceed \$1,612,924, for Construction Engineering and Inspection Services for the South Main Corridor Improvements Project (Project Nos. 17-9001, 20-6958, 21-6461) (General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Approve an appropriation adjustment to recognize \$291,000 from prior year fund balance in the Water Fund, Public Works Water Revenue, Prior Year Carryforward and appropriate the same amount to the Acquisition & Construction, Water Utility Capital Projects, Water Capital Project expenditure account. *(Requires five affirmative votes)*

2. Approve an appropriation adjustment to re-appropriate FY 2021-22 general fund monies in the amount of \$1,000,000 in the Public Works Revenues, Prior Year Carry Forward revenue account, and appropriate the same amount to the PWA Service Enhancements, Improvements Other Than Building expenditure account for the South Main Corridor Improvements Project (No. 17-9001). *(Requires five affirmative votes)*

3. Authorize budget reallocation of \$130,144.72 in unspent HUTA 2103 Gas Tax funds to the Main Street Rehabilitation from Warner Avenue to Edinger Avenue (Project No. 20-6958) from Gas Tax Local Street Improvements Project (No. 20-6956).

4. Authorize the City Manager to execute the second amendment to the agreement with Butier Engineering, Inc., for construction engineering and inspection services, to increase the agreement amount by \$376,000, subject to non-substantive changes approved by the City Manager and the City Attorney (Agreement No. 2022-XXX).

5. Approve an amendment to the Project Cost Analysis in the amount of \$1,421,144.72 for \$130,144.72 in additional contingency funds, \$291,000 in additional contract administration, inspection and testing, and \$1,000,000 for public art related expenses. The new estimated total construction delivery cost is \$23,005,389.72, subject to non-substantive changes approved by the City Manager and City Attorney.

6. Approve an amendment to the Fiscal Year 2022-23 Capital Improvement Program to include \$291,000 in construction funds for South Main Street Water Improvements Project (Project No. 21-6461).

7. Approve an amendment to the Fiscal Year 2022-23 Capital Improvement Program to include \$130,144.72 in construction funds for Main Street Rehabilitation from Warner Avenue to Edinger Avenue (Project No. 20-6958).

8. Approve an amendment to the Fiscal Year 2022-23 Capital Improvement Program to include \$1,000,000 in construction funds for South Main Street Corridor Improvement (Project No. 17-9001).

MINUTES: This consent item - Agreement No. 2022-140 was approved.

24. Adopt Resolution to Summarily Vacate a Portion of Santa Ana Boulevard, Authorize a Purchase and Sale Agreement and Approve an Appropriation Adjustment, in the amount of \$130,000, for the Sale of City-owned Real Property Located at 1247 W. Santa Ana Boulevard, to Rafael and Yolanda Ramos (Non-General Fund)

Department(s): Public Works Agency

Recommended Action: 1. Resolution No. 2022-XXX – Adopt a resolution to Summarily Vacate excess Santa Ana Boulevard right of way east of Bristol Street.

2. Authorize the City Manager to execute a purchase and sale agreement with Rafael and Yolanda Ramos for the sale of City-owned property located at 1247 W. Santa Ana Boulevard (APN 008-082-29), in the amount of \$130,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

3. Approve an appropriation adjustment recognizing revenue in the amount of \$130,000 in the Select Street Construction Fund, Sale of Land revenue account for Fiscal Year 2022-23 from the sale of City-owned property located at 1247 W. Santa Ana Boulevard (APN 008-082-29) and appropriating the same to the OCTA Bristol Street Corridor Improvements, Improvements Other Than Building expenditure account. *(Requires five affirmative votes)*

MINUTES: This consent Item - Agreement No. 2022-141 was approved.

This consent Item - Resolution No. 2022-058 was approved.

25. Authorize a Purchase Agreement in the Amount of \$785,000 for Full Real Property Acquisition for Warner Avenue Improvements Phase 2 (Property Owner: Maria Gamboa) (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 Maria Arellano De Gamboa, as Successor Trustee of the Gamboa Declaration of Trust, U/A Dated April 27, 1998, for the full property acquisition and goodwill (if any) of the real property located at 2247 S. Evergreen Street (APN 016-211-26) in the amount of \$785,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-142 was approved.

26. Approve an Agreement with Crosstown Electrical & Data Inc., for On-Call Repair Services of Advance Traffic Management and Communication Systems in an Amount not to Exceed \$500,000 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 Crosstown Electrical & Data Inc. to provide on-call repair services and routine maintenance for the advance traffic management and communication system for a three-year period beginning July 19, 2022 and expiring July 18, 2025, with a provision for two, one-year extensions exercisable by the City Manager, in an amount not to exceed \$100,000 annually, and \$500,000 for the term of the agreement, including extension periods, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent Item - Agreement No. 2022-143 was approved.

27. Approve Three-Year Agreements with Luis Raul Martinez and Felice Hernandez for Jail Counseling Services

Department(s): Police Department

Recommended Action: 1. Authorize the City Manager to execute a three-year agreement with Luis Raul Martinez, for the period of July 19, 2022 through June 30, 2025, to provide counseling services, in an amount not to exceed \$120,000, 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 three-year agreement with Felice

Hernandez, for the period of July 19, 2022 through June 30, 2025, to provide counseling services, in an amount not to exceed \$120,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent item - Agreement No. 2022-144 and No. 2022-145 was approved.

28. Police Officer Hiring Bonus Program

Department(s): Police Department

Recommended Action: Resolution No. 2022-XXX – Adopt a resolution approving a Police Officer Hiring Bonus program in a total amount not to exceed \$100,000, offering up to \$10,000 per officer.

MINUTES: This consent item - Resolution No. 2022-059 was approved.

29. Resolution Authorizing a Reciprocal Agreement with the California Franchise Tax Board for the Exchange of Business License Tax Data

Department(s): Finance and Management Services

Recommended Action: 1. Resolution No. 2022-XXX – Adopt a Resolution authorizing a reciprocal agreement with the California Franchise Tax Board for the exchange of business license tax data.

2. Authorize the City Manager to execute a non-financial reciprocal agreement with the California Franchise Tax Board for the exchange of business license tax data for a term beginning July 19, 2022 through December 31, 2024, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

MINUTES: This consent item - Resolution No. 2022-060 was approved.

This consent item - Agreement No. 2022-146 was approved.

30. Adopt a Resolution of Intent to Vacate a Portion of Alley North of Second Street between Broadway and Sycamore Street, Abandonment 21-01

Department(s): Public Works Agency

Recommended Action: Resolution No. 2022-XXX – Adopt a resolution which declares the City's intent to vacate a portion of alley north of Second Street between Broadway and Sycamore Street, and which sets a public hearing for August 16, 2022.

MINUTES: This consent item - Resolution No. 2022-061 was approved.

31. First Extension of Site Plan Review No. 2020-04 for the Central Pointe Mixed-Use

Project to be Located at 1801 East Fourth Street

Department(s): Planning and Building Agency

Recommended Action: Resolution No. 2022-XXX – Adopt a resolution approving a one-year extension of Site Plan Review No. 2020-04 to November 9, 2023.

MINUTES: Councilmember Phan recused herself from items 22, 31 and 33 out of an abundance of caution.

This consent Item - Resolution No. 2022-062 was approved.

32. 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. 2022-063 was approved.

33. Renew Memorandum of Understanding with required Workforce Innovation and Opportunity Act (WIOA) Partners (*Contingent upon approval of Housing Authority Item #2.*)

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: Councilmember Phan recused herself from items 22, 31 and 33 out of an abundance of caution.

This consent Item - Agreement Nos. 2022-147 and No. 2022- 148 were approved.

Moved by Councilmember Mendoza, seconded by Councilmember Penaloza to approve Consent Calendar items 9-33 with the exception of items 10 and 20. Councilmember Phan recused herself from items 22, 31 and 33 out of an abundance of caution. Council requested items 38 and 39 were heard before the pulled consent items.

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****

<u>BUSINESS CALENDAR</u>

34. Ordinance Amending Chapter 33 of the Santa Ana Municipal Code Related to the Ceremonial Naming of Streets

Department(s): Public Works Agency

Recommended Action: Approve first reading of an ordinance amending Chapter 33 of the Municipal Code by adding Article XI relating to the ceremonial naming of streets.

Moved by Councilmember Hernandez, seconded by Councilmember Mendoza to approve as introduced.

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

NO: 0

ABSTAIN: 0

ABSENT: 0

Status: 7 – 0 – 0 – 0 – **Pass**

35. Ordinance Amending Section 10-96 of Article I of Chapter 10 (Crimes and Miscellaneous Law Enforcement Provisions) of the Santa Ana Municipal Code (SAMC) Requiring the Posting of Property Maintenance Contact Information on Commercial and Industrial Properties

Department(s): Planning and Building Agency

Recommended Action: Approve the first reading and adopt amendments to

Section 10-96 of Article I of Chapter 10 of the Santa Ana Municipal Code (SAMC) requiring commercial and industrial properties (Commercial Centers) to post property management contact information at various locations on each property.

Moved by Councilmember Hernandez, 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**

36. Discuss and Provide Direction Regarding One or More Proposed Voter Ballot Measures to Amend the City Charter as Recommended by the Charter Review Ad Hoc Committee

Department(s): City Manager Office

Recommended Action: Discuss and provide direction regarding one or more proposed voter ballot measures for the November 8, 2022 General Municipal Election to amend the City Charter, as recommended by the Charter Review Ad Hoc Committee, as follows: to clarify when the term of mayor or councilmember is to begin; consolidate term limit provisions into one section; expand the applicability of the code of Ethics and Conduct and prescribe a procedure to report allegations of violation; clarify when the City Council may be the judge of elections; clarify the process for the adoption of resolutions and ordinances; streamline the process for claims and payments; update Civil Service provisions to be consistent with state and applicable laws; update anti-discrimination provisions to be consistent with federal and applicable laws; require the City to adopt a nepotism policy; change the name of a City department; eliminate work stoppage provisions to be consistent with state and applicable laws; allow enforcement of campaign contribution and campaign committee provisions by a state or county entity; replace gender-specific pronouns with gender-inclusive pronouns; change the title of a City official; adjust the Mayor's term from four two-year terms to two four-year terms; impose a lifetime ban relating to the term of Mayor and member of the City Council by removing the eight-year cooling-off provision; increase the salary of the Mayor and members of the City Council; and change the voting approval requirements to require a two-thirds vote of the City Council to adopt the City budget.

MINUTES: *City Manager staff provided a brief presentation.*

Councilmember Penaloza proposed imposing a lifetime ban after an elected official is termed out and change salary to CPI.

Councilmember Phan proposed to change the Mayoral term to two 4 year terms. Provided direction on salary and term limits.

Councilmember Hernandez requested to include language that allows voters to decide if non-citizen residents should be eligible to vote on municipal elections.

Mayor Pro Tem Bacerra proposed a 6 year term limit for the Mayoral officials. Provided direction on making clear the signing of resolutions.

Mayor Sarmiento supports adding language that allows non-citizens to vote.

Council discussion ensued and direction provided to staff.

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

PUBLIC HEARINGS

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

37. Public Hearing – General Plan Amendment No. 2021-01 to Update the General Plan Housing Element for the 6th Cycle (2021-2029) Planning Period. The Proposed Amendment Includes Analysis of Barriers to Fair Housing and Proposed Programs and services to Comply with State Mandates

Legal Notice published in the Orange County Reporter on July 8, 2022.

Department(s): Planning and Building Agency

Recommended Action: 1. Resolution No. 2022-XXX – Adopt a resolution approving an addendum to the Program Environmental Impact Report for the General Plan Update (State Clearinghouse No. 2020029087); and

2. Resolution No. 2022-XXX – Adopt a resolution approving General Plan Amendment (GPA) No. 2021-01 for the 6th Cycle Housing Element Update subject to conforming edits by the Executive Director of the Planning and Building Agency and the City Attorney to comply with State housing law and mandates.

MINUTES: *Executive Director of Planning and Building Minh Thai provided a brief presentation.*

No public comments.

City staff reported correspondence received.

Councilmember Phan requested staff to collaborate with Caltrans in order to facilitate developments and funding, bring the parking permit program to council sooner and develop a pilot program to expand parking for residential neighborhoods and to use school district properties. Requested to amend

resolution to provide an addendum to EIR and adopt resolution approving GPA 2021-01 for the Housing Element update.

Mayor Sarmiento requested the comments made by Commissioner Nathaniel Greensides be recorded.

This public hearing Item - Resolution No. 2022-064 was approved.

Moved by Councilmember Phan, seconded by Mayor Sarmiento to adopt 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**

COUNCILMEMBER REQUESTED ITEMS

38. Discuss and Consider Directing the City Manager to Direct Staff to Prepare an Ordinance Repealing the Anti-Cruising Ordinance and Establishing a Cruising Policy for Consideration by the City Council – Councilmembers Mendoza and Hernandez

MINUTES: *Item 38 and 39 were heard out of order; Items were discussed before the pulled consent calendar items.*

Councilmember Penaloza requested staff to look into providing a space for cruising and allowable times.

Mayor Pro Tem requested staff to look into a safe way to implement this.

Councilmember Phan requested the Public Safety subcommittee to look into cruising and a detailed definition of cruising.

Councilmember Hernandez requested this item to be brought back in August. Directed staff to work with the Santa Ana Police Department in regard to traffic control and costs.

Council discussion ensued and direction provided to staff.

39. Discuss and Consider Directing the City Manager to Direct Staff to Research Hate Crime Laws and Determine if the City of Santa Ana May Implement a Law that Might Classify Attacks on Street Vendors as a Hate Crime – Councilmember Hernandez

MINUTES: Item 38 and 39 were heard out of order; Items were discussed before the pulled consent calendar items.

Councilmember Hernandez requested to classify attacks on street vendors as hate crimes.

Councilmember Phan requested staff to research the legality of classifying attacks on street vendors as hate crimes.

Council discussion ensued and direction provided to staff.

40. Discuss and Consider Directing the City Manager to Direct Staff to Look into the Feasibility of Purchasing the Santa Ana Armory Located at 612 E. Warner Ave from the State of California for Possible Expansion of Delhi Park and/or Expansion of City's Library Network – Councilmember Penaloza, Mayor Pro Tem Bacerra and Councilmember Mendoza

MINUTES: Councilmember Penaloza requested support from colleagues in directing City Manager to purchase armory.

Direction was provided to staff.

41. Discuss and Consider Directing the City Manager to Direct Staff to Prepare a Campaign Finance Reform Ordinance and Bring Back During the Next Council Meeting – Councilmember Lopez and Mayor Sarmiento

MINUTES: Councilmember Lopez requested support from colleagues in moving forward with this proposed ordinance.

Councilmember Phan requested this to be brought later in August.

Councilmember Hernandez provided an example of special interests and directed staff to focus on similar issues.

Direction was provided to staff.

CITY MANAGER COMMENTS

MINUTES: City Manager Kristine Ridge thanked city staff for supporting the council meeting. Reported out from waste vendor that all pick-ups in the city had been completed and extra staff was hired by vendor to accommodate.

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.

- 1 June 22-26, 2022 Councilmember Lopez – National Association of Latino Elected and Appointed Officials (NALEO) 29th Annual Conference, Chicago, IL

MINUTES: Mayor Pro Tem Bacerra thanked everyone who came out to Thornton Park on July 9th to welcome the new park host, Katie Rivera. Announced that The Pacific Symphony will be performing at Thornton Park Friday, July 22nd at 6 p.m. and on Wednesday July 20th the City will be showing the movie Luca at Lillie King Park.

Councilmember Hernandez shared the story of Lorenzo Perez and Jose Rangel who passed away while working as street vendors.

Councilmember Lopez thanked Santa Ana Zoo Keeper, Fisher Park and Riverview as well as OCFA for allowing her involvement. Requested meeting to be concluded in honor of Matthew Rule who passed away in a recent shooting in Santa Ana. Congratulated Zedna Kakula from the Public Works department who was awarded the 2021 Hero Award.

Councilmember Mendoza also requested to end the meeting in honor of those who had passed away and thanked detectives for their hard work. Reminded the public of the Wilshire Square Summer Concert on July 30th at 7 p.m.

Councilmember Penaloza reminded the public of the Wilshire Square Summer Concert on July 30th from 7 p.m. to 8 p.m. at the corner of Ross Street and Russell Avenue.

Councilmember Phan announced that the City of Duarte lost one of their Councilmembers who had served for many years and recognized her hard work.

Mayor Sarmiento wished everyone a good night/morning. Requested City Manager to bring back Police Oversight item for a study session.

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

Future Items

1. Mental Health Mobile Outreach Services
2. Community Workforce Agreement

MINUTES: Recess the council meeting and convene to the Special Housing Authority meeting at 12:40 a.m.

Mayor Sarmiento adjourned the City Council meeting at 12:55 a.m. in memory of those killed recently. Thanked the Police Department for effective policing.

SPECIAL 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

ROLL CALL

MINUTES: City staff conducted roll call. All councilmembers were present.

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

MINUTES: There were no public comments.

<u>CONSENT CALENDAR</u>

RECOMMENDED ACTION: Approve staff recommendations on the following
Consent Calendar Items: 1 and 2.

1. Excused Absences

Department(s): Clerk of the Council Office

Recommended Action: Excuse the absent members.

2. 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.

Moved by Mayor Pro Tem Bacerra, seconded by Councilmember Penaloza 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**

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

HOUSING AUTHORITY MEMBER COMMENTS

ADJOURNMENT – Adjourn the Special Housing Authority meeting.

MINUTES: Mayor Sarmiento adjourned the Housing Authority meeting and reconvened to the City Council meeting at 12:45 a.m.