

City Council Meeting Agenda

October 4, 2010

CLOSED SESSION
City Hall, 8th Floor, Room 831
20 Civic Center Plaza,
5:00 PM

REGULAR MEETING
CITY COUNCIL CHAMBER
22 Civic Center Plaza
(Immediately following the Closed Session Meeting)



Miguel A. Pulido
Mayor

Claudia Alvarez
Mayor Pro Tem – Ward 5

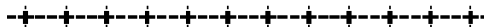
Michele Martinez
Councilmember - Ward 2

P. David Benavides
Councilmember - Ward 4

Vincent F. Sarmiento
Councilmember - Ward 1

Carlos Bustamante
Councilmember - Ward 3

Sal Tinajero
Councilmember - Ward 6



Joseph W. Fletcher
City Attorney

David N. Ream
City Manager

Maria D. Huizar
Clerk of the Council



NOTE: *If you need special assistance to participate in this Council meeting, please contact Ellen Smiley, City ADA Program Coordinator, at (714) 647-5340. Please call prior to the meeting date, to allow the City enough time to make reasonable arrangements for accessibility to this meeting. [Americans with Disabilities Act, Title II, 28 CFR 35.102]*

Basic City Council Meeting Information

Code of Ethics and Conduct - The people of the City of Santa Ana, at an election held on February 5, 2008, approved an amendment to the City Charter which established the Code of Ethics and Conduct for elected officials and members of appointed boards, commissions, and committees to assure public confidence. A copy of the City's Code can be found on the Clerk of the Council's webpage. The following are the core values expressed: *Integrity · Honesty · Responsibility · Fairness · Accountability · Respect · Efficiency*

Agenda Information - The agenda descriptions provide the public with a general summary of the items of business to be considered by the Council. The Council is not limited in any way by the "Recommended Action" and may take any action which the council deems to be appropriate on an agenda item. *Except as otherwise provided by law, no action shall be taken on any item not listed on the agenda.*

Public Comments/Public Input - Pursuant to Government Code Sec. 54954.3, the public may address the City Council, Community Redevelopment Agency, and/or Housing Authority on any and all matters within the City of Santa Ana's jurisdiction.

At the discretion of the Chair, at the first Public Comment portion of the meeting, all comments may be considered jointly. The public will be given the opportunity to speak on any and all matters contained on any of the Consent Calendar and Business Calendar items and/or on issues of public interest within the jurisdiction of the City. For public hearings, members of the public shall be given three (3) minutes for each duly noticed hearing (unless the matter is continued prior to taking public testimony). All requests to speak shall be submitted in writing to the Clerk of the Council at the beginning of the meeting and before Public Comments begin. Speaker forms will be available at the meeting.

REQUESTS TO SPEAK SHALL NOT BE ACCEPTED AFTER THE PUBLIC COMMENT SESSION BEGINS WITHOUT PERMISSION OF THE CHAIR. When speaking, all persons addressing the City Council shall follow the rules of decorum as detailed on the back of the speaker form. The presiding officer shall have the power and responsibility to enforce decorum and order of the meeting as set forth in Section 2-104(c) of the Santa Ana Municipal Code.

Consent Calendar - All matters listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion without discussion unless a member of the Council "pulls" an item(s) from the consent calendar for a separate vote.

Senate Bill 343 - As required by Senate Bill 343, any non-confidential writings or documents provided to a majority of the City Council members regarding any item on this agenda will be made available for public inspection in the Clerk of the Council Office during normal business hours.

Agenda & Minutes - Staff reports and documents relating to each agenda item are on file in the Office of the Clerk of the Council and are available for public inspection during regular business hours, 8:00 a.m. – 5:00 p.m., Monday through Friday. The Clerk's office is located in City Hall, 20 Civic Center Plaza, Room 809, Santa Ana, California, (714)647-6520. Council meeting agendas, staff reports, and Minutes are available the Friday before a Council meeting at the following website address: www.santa-ana.org

Televised Meeting Schedule - All regular meetings will be televised and available for viewing on the City's cable channel. Meetings held in the Council Chamber or other designated locations which are televised live on CTV3 **Time Warner Cable** will be cablecast Mondays at 6:00 p.m., Tuesdays immediately following the meeting at 9:00 a.m., Wednesdays at 6:00 p.m., and Sundays at 1:00 p.m. Meetings held in locations that do not have a live cable feed will be videotaped and shown on CTV3 the day after the meeting.

DVD copies of the meetings for loan will be available for public circulation at the Santa Ana Main Library the day after a meeting.

**CITY OF SANTA ANA
CITY COUNCIL REGULAR MEETING**

OCTOBER 4, 2010

REGULAR MEETING

(Immediately following the Closed Session Meeting at 5:00 p.m.)

CALL TO ORDER

MAYOR PULIDO

COUNCILMEMBERS ALVAREZ, BENAVIDES,
BUSTAMANTE, MARTINEZ, TINAJERO,
SARMIENTO

INVOCATION

Robert Barnett, Police Chaplain

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

PRESENTATIONS

EMPLOYEE SERVICE AWARDS presented by MAYOR PULIDO to:

20 YEARS OF SERVICE

Gregg R. Wiles, Principal Programmer Analyst,
Finance and Management Services Agency

David Valentin, Police Lieutenant, Police
Department

25 YEARS OF SERVICE

Manuel Novella, Equipment Operator-Motor
Sweeper, Public Works Agency

CERTIFICATE OF RECOGNITION presented by MAYOR PULIDO to Sammy Montoya in recognition of La Chiquita Restaurant's 60th Anniversary.

CERTIFICATE OF RECOGNITION presented by MAYOR PULIDO to James Lynn for inventing the board game Spingali.

PROCLAMATION presented by MAYOR PRO TEM ALVAREZ to Mexican Consul Alejandra Garcia-Williams in recognition of Binational Health Week October 4-15, 2010.

CERTIFICATES OF RECOGNITION presented by MAYOR PRO TEM ALVAREZ to the music group Cheap Date – Tim Hirota, Ellen Hirota, Peter Hirota, Dominic Hirota, Ann Spencer, Mary Walters, Brian Satterfield, and Jeff Halili for performing community benefit concerts.

CERTIFICATES OF RECOGNITION presented by COUNCILMEMBER MARTINEZ to Marisela Longacre in recognition of Jackson Elementary School winning the 2010 Governor’s Fitness Challenge and to Officer Tom Serafin, from the Santa Ana Police Athletics and Activities League for providing their support and encouragement for the success of the fitness program at Jackson Elementary.

CERTIFICATES OF RECOGNITION presented by COUNCILMEMBER TINAJERO to Ronny Rios for his outstanding boxing record and to Sal Rios for making his boxing pro-debut in Los Angeles where he won by a TKO.

CERTIFICATE OF RECOGNITION presented by COUNCILMEMBER TINAJERO to Armando and Rose Farias for relocating their business, House of Stickers, from Fountain Valley to Santa Ana.

CERTIFICATE OF RECOGNITION presented by COUNCILMEMBER SARMIENTO to Colleen Mensel recognizing the Heritage Museum of Orange County for their support of children’s educational programs.

CLOSED SESSION REPORT

The City Attorney will report items to be added to Consent Calendar Item 19A from the Closed Session meeting.

PUBLIC COMMENT

Pursuant to Government Code Sec. 54954.3, the public may address the City Council, Community Redevelopment Agency, and/or Housing Authority on any and all matters within the City of Santa Ana’s jurisdiction.

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CONSENT CALENDAR

RECOMMENDED ACTION: Approve staff recommendations on the following Consent Calendar items: Items 10A through 31B.

ADMINISTRATIVE MATTERS

MINUTES

10A MINUTES OF REGULAR MEETING OF SEPTEMBER 20, 2010 - Clerk of the Council Office

RECOMMENDED ACTION: Approve Minutes.

MISCELLANEOUS ADMINISTRATION

19A CLOSED SESSION REPORT – City Attorney’s Office

19B EXCUSED ABSENCES – Clerk of the Council Office

19C DESTRUCTION OF OBSOLETE CITY RECORDS - (City Manager's Office) - Clerk of the Council Office

RECOMMENDED ACTION: Approve the requests for the destruction of obsolete records from various City departments in accordance with the retention schedule outlined in City Council Resolution 2006-045.

19D WATER METER REPLACEMENT SERVICES - Public Works Agency

RECOMMENDED ACTION: Authorize the Public Works Agency to send a Request for Proposals to qualified firms to provide water meter replacement services.

BUDGETARY MATTERS

SPECIFICATIONS – PURCHASE OF EQUIPMENT AND SERVICES

RECOMMENDED ACTION: Award in accordance with Request for Council Action. (Items 22A through 22E)

22A SPEC. NO. 09-030 - CHAIN LINK FENCE RENTAL - Renew the contract with S & S Rent-A-Fence for a one-year period in an annual amount not to exceed \$44,000 (Public Works Agency and Community Development Agency) - Finance & Management Services

22B SPEC. NO. 06-125 - PAINT AND SUPPLIES - Renew the contract with Vista Paint Corporation for a one-year period in an annual amount not to exceed \$80,000 - Finance & Management Services

22C SPEC. NO. 10-035 - DELL COMPUTERS - Award a contract to Dell Computer Corporation in an amount not exceed \$28,000 funded by the Department of Labor Earmark Grant (Community Development Agency) - Finance & Management Services

22D SPEC. NO. 07-069 - CHEMICALS, SOIL, PLANT AND WATER TREATMENT - Renew contracts for a one-year period in annual amounts as follows:

<u>Vendor</u>	<u>Location</u>	<u>Amount</u>
Crop Production Services, Inc	Santa Ana	\$35,000
Waterline Technologies, Inc.	Santa Ana	\$28,000

22E SPEC. NO. 10-036 - REPLACEMENT OF POLICE PATROL SEDANS - Award a contract to Wondries Fleet Group, under the Cooperative Purchase Provision of the County of Los Angeles, in an amount of \$679,253.75 (Police Department) - Finance & Management Services

AGREEMENTS

RECOMMENDED ACTION: Authorize the City Manager and Clerk of the Council to execute the following agreements, subject to non-substantive changes approved by the City Manager and City Attorney. (Item 25A through 25F)

25A AGMT - TERRORISM LIAISON OFFICER TRAINING SERVICES - With Knowledge & Intelligence Program Professionals, in an amount not to exceed \$200,000 - Police Department

25B AGMT - MAINTENANCE AND REPAIRS OF AIR CONDITIONING SYSTEM - Fire Department

RECOMMENDED ACTIONS:

1. **AGMT - Execute an amendment with Johnson Controls in an amount of \$7,000.**
2. **Approve an appropriation adjustment. (*Requires five affirmative votes*)**

APPROPRIATION ADJUSTMENT NO. 2011-070 - Recognizing \$7,000 in the Fire Department Facilities Fund revenue account and appropriate same to the Fire Department Facilities Fund expenditure account

25C AGMT - INSTALLATION OF EQUIPMENT AT EL SALVADOR PARK - Parks, Recreation & Community Services Agency

RECOMMENDED ACTIONS:

1. **AGMT - Execute a lease agreement amendment with TowerCo Assets LLC.**
2. **Approve an appropriation adjustment. (*Requires five affirmative votes*)**

APPROPRIATION ADJUSTMENT NO. 2011-067 - Recognizing \$3,600 in the Capital Outlay Fund revenue account and appropriate same to the Capital Outlay Fund expenditure account

25D AGMT - TESTING AND INSPECTION SERVICES OF VARIOUS CAPITAL IMPROVEMENT PROJECTS - Execute an amendment with United Inspection & Testing, Inc., increasing compensation by \$100,000 for a total agreement amount not to exceed \$536,338 - Public Works Agency

- 25E AGMT - ACQUISITION SETTLEMENT AGREEMENT FOR BRISTOL STREET CORRIDOR (PROJECT NO. 08-1700) - Execute a settlement agreement with Bristol Drug Company, Inc. in an amount of \$550,000 - Public Works Agency
- 25F AGMT - TEMPORARY ENGINEERING AND TECHNICAL SUPPORT SERVICES - With PDS Technical Services in an amount not to exceed \$300,000 - Public Works Agency

LAND USE MATTERS

CONDITIONAL USE PERMIT/VARIANCES

- 31A CONDITIONAL USE PERMIT NO. 2010-14 TO ALLOW PARKING FOR A COIN-OPERATED LAUNDROMAT FACILITY IN THE TWO FAMILY RESIDENCE WITH A B SUFFIX ZONE (R2-B) LOCATED IN THE COMMERCIAL SOUTH MAIN (CSM) ZONING DISTRICT - 827 SOUTH MAIN STREET, SUITE B; AUTOMATED LAUNDRY SYSTEMS, INC., APPLICANT - Planning and Building Agency

Recommended action approved by the Planning Commission on September 13, 2010, by a vote of 7-0.

RECOMMENDED ACTION: Receive and file the staff report approving Conditional Use Permit No. 2010-14 as conditioned.

- 31B CONDITIONAL USE PERMIT NO. 2010-16 TO ALLOW THE EXISTING DRIVE-THROUGH WINDOW AT ARSENIO'S RESTAURANT TO OPERATE 24-HOURS IN THE NORTH HARBOR SPECIFIC PLAN (SP2) ZONING DISTRICT - 751 SOUTH HARBOR BOULEVARD; BILL MASON, APPLICANT - Planning and Building Agency

Recommended action approved by the Planning Commission on September 13, 2010, by a vote of 7-0.

RECOMMENDED ACTION: Receive and file the staff report approving Conditional Use Permit No. 2010-16 as conditioned.

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

BUSINESS CALENDAR

ORDINANCES/FIRST READING

- 50A ORDINANCE AMENDING THE SANTA ANA MUNICIPAL CODE RELATING TO RECYCLING - Public Works Agency

RECOMMENDED ACTION: Place ordinance on first reading and authorize publication of title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING SECTION 16-30 OF THE SANTA ANA MUNICIPAL CODE

- 50B ORDINANCE AMENDING CHAPTER 11 OF THE DANCE ORDINANCE AND ESTABLISHING A FEE FOR COST OF EXTRAORDINARY POLICE DEPARTMENT SERVICES - Police Department

Continued from the September 20, 2010 City Council meeting by a vote of 7-0.

RECOMMENDED ACTION: Place ordinance on first reading and authorize publication of title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING CHAPTER 11 OF THE SANTA ANA MUNICIPAL CODE RELATED TO DANCE PERMITS AND IMPLEMENTING THE SANTA ANA POLICE DEPARTMENT PUBLIC DANCING ESTABLISHMENT COST RECOVERY FEE FOR EXTRAORDINARY POLICE SERVICES

RESOLUTIONS

- 55A RESOLUTION AUTHORIZING THE SUBMITTAL OF RECREATIONAL TRAILS PROGRAM GRANT APPLICATION FOR CLASS II BIKE LANES - Parks, Recreation & Community Services Agency

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING THE APPLICATION FOR GRANT FUNDS FROM THE RECREATIONAL TRAILS PROGRAM FOR INSTALLATION OF BIKE LANES AND SIGNAGE

- 55B RESOLUTION AUTHORIZING PRELIMINARY ENGINEERING, AND MAINTENANCE MATCHING FUNDS FOR THE SANTA ANA AND GARDEN GROVE FIXED GUIDEWAY PROJECT - Public Works Agency

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR FUNDING THE PRELIMINARY ENGINEERING PHASE OF THE SANTA ANA FIXED GUIDEWAY SYSTEM

- 55C RESOLUTION RESCINDING PREVIOUS CITY COUNCIL ACTIONS AMENDING THE ADULT SOCCER SURCHARGE AND REESTABLISHING THE SURCHARGE FOR FISCAL YEAR 2010-2011

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA RESCINDING AMENDMENTS MADE ON JUNE 21, 2010 TO RESOLUTION NO. 2010-023, REPEALING SECTIONS 1C, 1D, 4 & 5 OF RESOLUTION 2010-043 AND ESTABLISHING THE ADULT SOCCER RESERVATION SURCHARGE FOR FY 2010-2011

REPORTS

- 65A INSTALLATION OF SPEED HUMPS ON ARAPAHO STREET - Public Works Agency

RECOMMENDED ACTION: Accept the advisory poll results, and approve the installation and funding of speed humps on Arapaho Street.

PUBLIC HEARINGS

- 75A PUBLIC HEARING - AMENDMENT APPLICATION NO. 2010-01 AND CONDITIONAL USE PERMIT NO. 2010-15 TO ALLOW A RESIDENTIAL CARE FACILITY FOR THE ELDERLY AND CHANGE THE ZONING FOR A PORTION OF THE LOT FROM SINGLE FAMILY RESIDENTIAL (R1) AND MULTIPLE FAMILY RESIDENTIAL (R3) TO GENERAL COMMERCIAL (C2) ZONING FOR PROPERTY - 1600 EAST FIRST STREET; AZURE PLAZA PARTNERS, LLC, APPLICANT - Planning and Building Agency

Recommended action approved by the Planning Commission on September 13, 2010, by a vote of 7-0.

Legal notice published in the O.C. Reporter on September 24, 2010 and notices mailed on September 24, 2010.

RECOMMENDED ACTIONS:

1. Place ordinance on first reading and authorize publication of title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA ZONING THE PROPERTY LOCATED AT 1600 EAST FIRST STREET FROM SINGLE FAMILY RESIDENCE (R1) AND MULTIPLE-FAMILY RESIDENCE (R3) TO GENERAL COMMERCIAL (C-2) (AA NO. 2010-01)

2. Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA APPROVING CONDITIONAL USE PERMIT NO. 2010-15 AS CONDITIONED TO ALLOW AN ADULT DAY CARE FACILITY AT 1600 EAST FIRST STREET

75B PUBLIC HEARING – ADOPT A RESOLUTION TO APPROVE THE PROPOSED EXPENDITURE PLAN FOR THE 2010/11 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND GRANT - Police Department

Legal notice published in the O.C. Reporter on September 24, 2010.

RECOMMENDED ACTION: Adopt a resolution.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANTA ANA TO APPROVE THE PROPOSED EXPENDITURE PLAN FOR THE 2010-2011 SUPPLEMENTAL LAW ENFORCEMENT SERVICES FUND

75C PUBLIC HEARING - ORDINANCE ELIMINATING DEADLINES FOR DEBT INCURRED IN THREE REDEVELOPMENT PROJECT AREAS - Community Development Agency

Legal notice published in the O.C. Reporter on September 24, 2010.

RECOMMENDED ACTION: Place ordinance on first reading and authorize publication of title.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA ANA AMENDING THE CENTRAL CITY, INTER-CITY AND BRISTOL REDEVELOPMENT PLANS OF THE CITY OF SANTA ANA TO ELIMINATE THE TIME LIMIT IN EACH PLAN FOR THE INCURRENCE OF DEBT

COMMUNITY REDEVELOPMENT AGENCY MEETING (Green Agenda)

HOUSING AUTHORITY MEETING (Blue Agenda)

COMMENTS

PUBLIC COMMENTS (If not considered by the Chair at an earlier time. Please refer to Basic City Council Meeting Information page for details).

90A CITY MANAGER'S COMMENTS

90B CITY COUNCILMEMBER COMMENTS

ADJOURNMENT - The next meeting of the City Council is scheduled for Monday, October 18, 2010 at 5:00 p.m. for the Closed Session Meeting immediately followed by the Regular Business Meeting in the Police Community Room, 60 Civic Center Plaza, Santa Ana, California.