

**MINUTES OF THE REGULAR MEETING
OF THE CITY COUNCIL OF THE CITY OF SANTA ANA
SANTA ANA, CALIFORNIA**

JANUARY 2, 2007

CALLED TO ORDER

COUNCIL CHAMBERS
22 CIVIC CENTER PLAZA
SANTA ANA, CALIFORNIA
6:30 P.M.

ATTENDANCE:

COUNCILMEMBERS Present:
MIGUEL PULIDO, Mayor
CARLOS BUSTAMANTE, Mayor Pro Tem
CLAUDIA ALVAREZ
DAVID BENAVIDES
MICHELE MARTINEZ
SAL TINAJERO

STAFF Present:
DAVID N. REAM, City Manager
CATHY STANDIFORD, Assistant City Manager
JOSEPH W. FLETCHER, City Attorney
PATRICIA E. HEALY, Clerk of the Council

PLEDGE OF ALLEGIANCE

MAYOR PULIDO

INVOCATION

Gary Tucker, Police Chaplain

EMPLOYEE SERVICE AWARDS

MAYOR PULIDO

20 YEARS OF SERVICE

Tammy R. Franks
Steven J. Gutmann

Police Lieutenant, Police Department
Supervisor of Inspections, Planning & Building

25 YEARS OF SERVICE

Daniel T. McDermott

Police Sergeant, Police Department

SPECIAL PRESENTATION

Target Stores presentation to the Santa Ana Police Department and information on the Target and Blue Law Enforcement Grant

PRESENTATIONS

Proclamation presented by MAYOR PRO TEM BUSTAMANTE to Ralph Allen for receiving the 25-year award from the Orange County Chapter of American Institute of Architects

Certificate of Recognition presented by COUNCILMEMBER BENAVIDES to James Kendrick and Mary Guzman for their contributions to the 5th Annual Wilshire Square Christmas Parade

Certificates of Recognition presented by COUNCILMEMBER BENAVIDES to major sponsors for their contributions to the 22nd Annual Children's Winter Holiday Party

CONSENT CALENDAR

Mayor Pulido announced the following modifications to the Consent Calendar:

- Councilmember Claudia Alvarez pulled item 22.B. for separate discussion

Motion: Approve staff recommendations on the following Consent Calendar Items.

MOTION:	Alvarez	SECOND:	Martinez
VOTE:	AYES:	Alvarez, Benavides, Bustamante, Martinez, Pulido, Tinajero (6)	
	NOES:	None (0)	
	ABSTAIN:	None (0)	
	ABSENT:	None (0)	

Items removed for separate action or modified are highlighted. Separate actions show the actual vote. Items without votes are adopted as part of the consent motion.

ADMINISTRATIVE MATTERS

MINUTES

Motion: Approve minutes. (Item 10.A. - 10.D.)

- 10.A. SPECIAL MEETING MINUTES OF DECEMBER 18, 2006
- 10.B. ADJOURNED REGULAR MEETING OF DECEMBER 18, 2006

- 10.C. REGULAR MEETING OF DECEMBER 18, 2006
- 10.D. SPECIAL MEETING MINUTES OF DECEMBER 27, 2006

BOARDS/COMMISSIONS/COMMITTEES

- 13.A. VACANCY REPORT – DECEMBER 29, 2006

Motion: The Vacancy Report reflects only appointments made by the Council.

<u>BOARD/COMMISSION</u>	<u>VACANCIES</u>	<u>WARD</u>
Community Redevelopment / Housing Commission	1	Tenant
Environmental & Transportation Committee	1	5
Youth Commission - Regular	1	5
Youth Commission - Alternate	1	3
Board of Parks & Recreation	1	6
Library	1	5
Planning Commission	<u>1</u>	1
TOTAL	7	

<u>BOARD/COMMISSION</u>	<u>EXPIRED TERMS</u>	<u>WARD</u>
Community Redevelopment / Housing Commission	4	2,4, 6 & Mayor
Environmental & Transportation Committee	4	2,4, 6 & Mayor
Historic Resources Commission	4	2,4, 6 & Mayor
Human Relations Commission	5	2,4, 6, Mayor & At Large
Library Board	4	2,4, 6 & Mayor
Parks & Recreation Board	4	2,4, 6 & Mayor
Personnel Board	4	2,4, 6 & Mayor
Planning Commission	4	2,4, 6 & Mayor
Youth Commission – Regular	4	2,4, 6 & Mayor
Youth Commission – Alternate	<u>4</u>	2,4, 6 & Mayor
TOTAL	41	

CLERK OF THE COUNCIL POSTING REPORT

The following notices were posted pursuant to the Brown Act and the Maddy Act. Council Agendas and Board and Commission resignations are posted on the door of the Council Chambers at 22 Civic Center Plaza and Committee Agendas on the door of City Hall at 20 Civic Center Plaza.

CONSENT CALENDAR

Motion: Instruct Clerk to enter postings into the Minutes. (Items 15.A. through 15.E.)

	<u>Council Meeting Agendas</u>	<u>Meeting Date</u>	<u>Posted</u>	<u>Time</u>
15.A.	City Council Agenda	12/18/06	12/14/06	12:05 p.m.
15.B.	Revised City Council Agenda	12/18/06	12/15/06	4:30 p.m.
15 C.	City Council – Adjourned Regular Meeting Agenda	12/18/06	12/15/06	4:30 p.m.
15.D.	City Council Special Meeting	12/18/06	12/15/06	4:30 p.m.
15.E.	City Council Special Meeting	12/27/06	12/26/06	3:30 p.m.

MAYORAL PROCLAMATIONS / CERTIFICATES

Motion: Declare and instruct clerk to enter proclamations/certificates into the Minutes. (Items 16.A. through 16.B.)

	<u>Honoree</u>	<u>Date</u>
16.A.	Bill Cook-- Contributions to the Santa Ana White Monarchs Football Team	12/18/06
16.B.	Arbor Day	12/26/06

MISCELLANEOUS ADMINISTRATION

19.A. CLOSED SESSION REPORT

Motion: Approve settlement.

Claimant: Articia Dottin, Claim No. 2006-092
Compromise and Release \$6,620

19.B. EXCUSED ABSENCES - None

19.C. DESTRUCTION OF OBSOLETE CITY RECORDS

Motion: 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

BUDGETARY MATTERS

SPECIFICATIONS - PURCHASE OF EQUIPMENT AND SERVICES

Motion: Award in accordance with Requests for Council Action. (Items 22.A. through 22.H.)

22.A. SPEC. NO. 03-095 - LOCKSMITH SERVICES - Renew the contracts for locksmith services for a one-year period in a total annual aggregate amount not to exceed \$60,000 with:

<u>Vendor:</u>	<u>Location:</u>
Civic Center Lock and Safe	Santa Ana
Hill's Bros. Lock & Safe, Inc.	Garden Grove

22.B. SPEC. NO. 04-132 WEEKEND AND HOLIDAY GRAFFITI REMOVAL – PUBLIC WORKS AGENCY - Renew the contract with Graffiti Protective Coatings, Inc., for a one-year period, in an annual amount not to exceed \$100,000 - Finance and Management Services Agency

Motion: Award in accordance with the Request for Council Action and instruct staff to provide the following lists: sites that are cleaned within a 24-hour period, sites that are frequently targeted for graffiti and additional methods to improve service.

MOTION: Alvarez **SECOND:** Tinajero

VOTE: **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

22.C. SPEC. NO. 06-167 – LIBRARY CATALOGING AND PURCHASE OF BOOKS AND MATERIALS – LIBRARY - Award contracts for a one-year period with provision for four, one-year renewals in the annual amounts as follows:

<u>Vendor:</u>	<u>Location:</u>	<u>Amount:</u>
Brodart Co.	Williamsport, PA	\$540,000
Ingram Library Services, Inc.	La Vergne, TN	\$ 40,000

22.D. SPEC. NO. 06-176 - FIRE DOOR

CONSENT CALENDAR

- Motion: 1. Reject the bids from West Coast Door, Inc. and Overhead Door Systems, Inc. as nonresponsive.**
- 2. Award a contract to Commercial Door of Orange County, Inc. for a fire door in an amount not to exceed \$20,000**
- 22.E. SPEC. NO. 06-191 - DIESEL FUEL - Award a contract to SC Fuels for a one-year period in the annual amount not to exceed \$325,000 - Finance and Management Services Agency
- 22.F. SPEC. NO. 06-192 - LIBRARY MAGAZINE SUBSCRIPTION SERVICE - LIBRARY - Award a contract to Ebsco Subscription Services for a three-year period in an amount not to exceed \$45,000 annually - Finance and Management Services Agency
- 22.G. SPEC. NO. 06-193 - TRANSMISSION AND GENERATOR REPAIRS - Amend the contract with Valley Power Systems, Inc., to increase the aggregate limit by \$15,000 in an annual amount not to exceed \$25,000 - Finance and Management Services Agency
- 22.H. SPEC. NO. 06-183 BOILER REPLACEMENT - Award a contract to Adelphia, Inc. d/b/a/ Chandler's Air Conditioning and Refrigeration in an amount not to exceed \$24,000 - Finance and Management Services Agency

AGREEMENTS

- Motion: Direct the City Attorney to prepare and authorize the City Manager and Clerk of the Council to execute agreements. (Items 25.A. through 25.C.)**
- 25.A. AGMT 2007-001 - LEASED COPIER AND MAINTENANCE AND SUPPLIES (SPEC NO. 06-194) - With Danka Office Imaging Company for a three-year period and for full maintenance and supplies in an annual amount not to exceed \$11,000 - Finance and Management Services Agency
- 25.B. AGMT 2007-002 - INTEGRATED VOTING MANAGEMENT SYSTEM - With Granicus in the amount of \$100,000 - Clerk of the Council Office
- 25.C. AGMT 2007-003 - ELEVATOR MAINTENANCE - With Otis Elevators for a two-year period with options for two one-year renewals in the annual amount not to exceed \$59,928 - Police Department

LAND USE MATTERS

CONDITIONAL USE PERMIT / VARIANCES

31.A. VARIANCE NO. 2006-14 - 100 SOUTH MAIN STREET

Filed by Caribou Industries, to vary from the sign code and allow an additional wall sign on the north elevation of Original Mike's restaurant at 100 South Main Street

Recommended action approved by the Planning Commission at its December 11, 2006 meeting by a vote of 4-0 (Leo absent, Betancourt abstained)

Applicant: Caribou Industries

Motion: Receive and file the staff report approving Variance No. 2006-14 as conditioned and revocation of Variance No. 2004-07 (E) for the cabinet sign on the east elevation and Variance No. 2004-07 (F) for the painted wall sign on the west elevation.

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

BUSINESS CALENDAR

55.A. RESOLUTION AUTHORIZING PARTICIPATION IN THE CALIFORNIA STATE PARKS HABITAT CONSERVATION FUND PROGRAM

Motion: Adopt resolutions.

RESOLUTION 2007-004 - A resolution of the City Council of the City of Santa Ana approving the application for grant funds for the local agency grant program FY2007-2008 under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for the McFadden Triangle Habitat Restoration Project

RESOLUTION 2007-005- A resolution of the City Council of the City of Santa Ana approving the application for grant funds for the local agency grant program FY2007-2008 under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for the Cienega de las Ranas Habitat Restoration Project at Thornton Park

RESOLUTION 2007-006 - A resolution of the City Council of the City of Santa Ana approving the application for grant funds for the local agency grant program FY2007-2008 under the Habitat Conservation Fund Program of the California Wildlife Protection Act of 1990 for the Centennial Peninsula Waterfowl Sanctuary Project at Centennial Park

MOTION: Alvarez **SECOND:** Tinajero

VOTE: **AYES:** Alvarez, Benavides, Bustamante, Martinez,
Pulido, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

55.B RESOLUTION AUTHORIZING PARTICIPATION IN THE STATE OF CALIFORNIA RECREATIONAL TRAILS PROGRAM

Motion: Adopt resolutions.

RESOLUTION 2007-007 - A resolution of the City Council of the City of Santa Ana approving the application for grant funds from the Recreational Trails Program for the enhancement of the Fairview Triangle adjacent to the Santa Ana River

RESOLUTION 2007-008 - A resolution of the City Council of the City of Santa Ana approving the application for grant funds from the Recreational Trails Program to improve the Raitt Street Bike Trail

MOTION: Alvarez **SECOND:** Tinajero

VOTE: **AYES:** Alvarez, Benavides, Bustamante, Martinez,
Pulido, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

55.C. RESOLUTION AUTHORIZING PARTICIPATION IN THE FEMA PRE-DISASTER MITIGATION GRANT PROGRAM

Motion: Adopt resolutions.

RESOLUTION 2007-001 - A resolution of the City Council of the City of Santa Ana authorizing the filing of a Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Grant application for a Seismic Mitigation Project for St. Joseph Hospital of Orange-Main Building

BUSINESS CALENDAR

RESOLUTION 2007-002 - A resolution of the City Council of the City of Santa Ana authorizing the filing of a Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Grant application for a Seismic Mitigation Project for St. Joseph Hospital of Orange-East/West Building

RESOLUTION 2007-003 - A resolution of the City Council of the City of Santa Ana authorizing the filing of a Federal Emergency Management Agency (FEMA) Pre-Disaster Mitigation Grant application for a Seismic Mitigation Project for St. Joseph Hospital of Orange-South Building

MOTION: Tinajero **SECOND:** Alvarez

VOTE: **AYES:** Alvarez, Benavides, Bustamante, Martinez,
Pulido, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

55.D. RESOLUTION - DESIGNATION OF SIX WARD SEATS AND ONE CITY-WIDE SEAT ON THE VARIOUS BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY

Motion: Adopt resolution.

RESOLUTION 2007-009 – A resolution of the City Council of the City of Santa Ana designating six ward seats and one City-wide seat on various boards, commissions and committees of the City

MOTION: Alvarez **SECOND:** Tinajero

VOTE: **AYES:** Alvarez, Benavides, Bustamante, Martinez,
Pulido, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

REPORTS

65.A. UPDATE ON RESIDENTIAL STREETS – JIM ROSS, EXECUTIVE DIRECTOR OF PUBLIC WORKS AGENCY

Motion: Continue to 30 days pursuant to request from staff

MOTION: Bustamante **SECOND:** Alvarez

VOTE: **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Tinajero (6)

NOES: None (0)

ABSTAIN: None (0)

ABSENT: None (0)

65.B. WARD 1 COUNCILMEMBER VACANCY CONTINUATION OF DISCUSSION AND POTENTIAL APPOINTMENT – CLERK OF THE COUNCIL OFFICE

Continued from the Special Meeting of December 27, 2006

Stanley Fiala recommended that the Council make an appointment; Rose Vasquez supported candidate Jose Rea; Glen Stroud raised questions relative to the process; and Nelida Yanez recommended that the Council make an appointment to avoid the cost of a special election.

The Mayor called for nominations for the Office of Councilmember, Ward 1. Councilmember Tinajero nominated Deborah Vasquez, and the motion was seconded by Councilmember Alvarez.

Motion: Appoint Deborah Vasquez to the vacant Office of Councilmember, Ward 1.

MOTION: Tinajero **SECOND:** Alvarez

VOTE: **AYES:** Alvarez, Martinez, Tinajero (3)

NOES: Benavides, Bustamante, Pulido (3)

ABSTAIN: None (0)

ABSENT: None (0)

BUSINESS CALENDAR

Motion to appoint Deborah Vasquez to the vacant office of Councilmember failed of adoption: Councilmember Benavides nominated Vincent F. Sarmiento, and the motion was seconded by Mayor Pro Tem Bustamante.

Motion: Appoint Vincent F. Sarmiento to the vacant Office of Councilmember, Ward 1.

MOTION: Benavides **SECOND:** Bustamante

VOTE: **AYES:** Benavides, Bustamante, Tinajero, Pulido (4)

NOES: Alvarez, Martinez (2)

ABSTAIN: None (0)

ABSENT: None (0)

The Mayor announced that Vincent F. Sarmiento was appointed to the Office of Councilmember Ward 1, by a vote of 4-2.

Newly appointed Councilmember Vincent F. Sarmiento was sworn in by the Clerk of the Council and took his place on the dais, however, he did not participate in any discussion or votes during the remainder of the meeting.

COUNCIL RECESSED TO THE COMMUNITY REDEVELOPMENT AGENCY MEETING FOLLOWED BY THE HOUSING AUTHORITY MEETING AT 7:12 P.M.

COUNCIL RECONVENED WITH ALL MEMBERS PRESENT AT 7:17 P.M.

80.A. **CONTRACT AWARD FOR MCFADDEN AND EDINGER AVENUES, AND HOTEL TERRACE PAVEMENT REHABILITATION (PROJECT NOS. 06-1020, 06-1709, 06-1716, AND 07-8055)**

Motion: 1. Award a contract to R.J. Noble Company, the lowest responsible bidder, in accordance with unit bid prices in the estimated amount of \$1,777,968 for construction of McFadden and Edinger Avenues, and Hotel Terrace Pavement Rehabilitation.

2. Approve a Funding Analysis with a total estimated construction cost of \$2,149,700.

90.B. CITY COUNCIL COMMENTS

Councilmember Sarmiento

- Thanked his family for their patience during the appointment process for filling the Ward 1 vacancy and noted that he accepted the position with humility
- Noted that he had a strong commitment to stay in Santa Ana and expressed hope that he would earn his colleagues confidence and trust

Councilmember Martinez

- Welcomed Councilmember Sarmiento to the team
- Asked staff to give the Council a status report on the issues in the Santa Anita neighborhood, and further asked staff to meet with the neighborhood association
- Noted that she wanted Item 31A brought back to the City Council if the conditions were not met by the applicant
- Encouraged residents to participate in city government in the upcoming year

Mayor Pro Tem Bustamante

- Congratulated and welcomed newly appointed Councilmember Vincent Sarmiento
- Noted that a community bank was coming to Santa Ana
- Wished everyone a happy 2007

Councilmember Alvarez

- Welcomed Councilmember Sarmiento and congratulated the Council for saving over \$340,000 in special election costs
- Wished everyone a happy new year

Councilmember Benavides

- Asked staff to prepare information advising citizens what materials are recyclable and which ones are not
- Congratulated Councilmember Tinajero on the birth of his daughter
- Asked the Council to adjourn in memory of Katherine Garcia, mother of former Councilmember Mike Garcia

Councilmember Tinajero

- Welcomed Councilmember Sarmiento
- Asked staff to identify funding that would have been required if a special election was called, and look at ways this money could benefit the community such as entering into joint use agreements with the school district relative to expansion of library services
- Wished everyone a happy new year

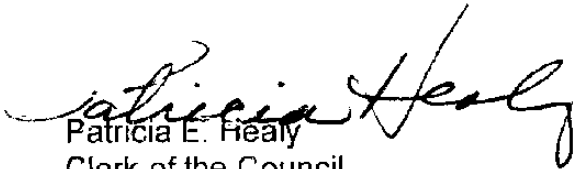
COMMENTS

Mayor Pulido

- Congratulated Councilmember Sarmiento
- Thanked all the candidates for their interest in serving on the City Council
- Asked the Council to adjourn in memory of William "Bill" Dietrich and former U.S. President Gerald R. Ford

ADJOURNMENT - 8:28 p.m.

IN MEMORY OF
William "Bill" Dietrich
Katherine Garcia
Former U.S. President Gerald R. Ford


Patricia E. Healy
Clerk of the Council

