

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

**APRIL 2, 2007**

**CALLED TO ORDER**

COUNCIL CHAMBERS  
22 CIVIC CENTER PLAZA  
SANTA ANA, CALIFORNIA  
6:05 P.M.

**ATTENDANCE:**

COUNCILMEMBERS Present:  
MIGUEL PULIDO, Mayor  
CLAUDIA ALVAREZ, Mayor Pro Tem  
P. DAVID BENAVIDES  
CARLOS BUSTAMANTE  
MICHELE MARTINEZ  
VINCENT F. SARMIENTO  
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**

Valley High School Naval Junior Reserve  
Officers Training Corps Color Guard

**PRESENTATION (OUT OF ORDER)**

**CERTIFICATE OF RECOGNITION** presented by MAYOR PULIDO to Valley High School Naval Junior Reserve Officers Training Corps recognizing their many achievements and contributions to the community

**EMPLOYEE SERVICE AWARDS**

MAYOR PULIDO

**20 YEARS OF SERVICE**

John Phan

Public Works Agency Sr. Water Systems  
Operator

**25 YEARS OF SERVICE**

Joseph M. Rodriguez

Community Preservation Inspector, Planning  
& Building

## PRESENTATIONS

**CITY TILE** presented by MAYOR PULIDO to 69<sup>th</sup> District Assembly Member Jose Solorio recognizing his achievements and contributions to the City during his tenure on the Santa Ana City Council

**PROCLAMATION** presented by MAYOR PULIDO recognizing National Donate Life Month in Santa Ana

**CERTIFICATE OF RECOGNITION** presented by COUNCILMEMBERS BENAVIDES and SARMIENTO to Gonzalo and Felicitas Mendez, posthumously, recognizing the 60<sup>th</sup> Anniversary of Mendez v. Westminster that ended segregation in California schools

## OATHS OF OFFICE

Administered by the Clerk of the Council to the following:

<u>Name</u>	<u>Board/Commission</u>	<u>Ward</u>
Anna M. Golka	Youth Commission (Alternate)	Mayoral
Cecilia Aguinaga	Human Relations Commission	Mayoral
Michael Seeley	Historic Resources Commission	Mayoral

## **CONSENT CALENDAR**

Mayor Pulido announced the following modifications to the Consent Calendar:

- Mayor Pulido requested that the reappointment of Lupe Moreno to the Library Board be removed from the agenda (Item 13.C.)
- Mayor Pro Tem Alvarez pulled Items 22.E. and 23.A. for separate discussion
- Councilmember Sarmiento requested the Minutes from the March 19, 2007 Council meeting be corrected to reflect that Councilmember Martinez seconded the motion on Item 80.A, and that he abstained from participation on the matter.

**Motion: Approve staff recommendations on the following Consent Calendar items.**

**MOTION:** Tinajero

**SECOND:** Martinez

**VOTE:**

**AYES:**

Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**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.B.)**

- 10.A. REGULAR MEETING MINUTES OF MARCH 19, 2007
- 10.B. ADJOURNED REGULAR MEETING MINUTES OF MARCH 19, 2007

ORDINANCES/SECOND READING

- 11.A. ZONING ORDINANCE AMENDMENT NO. 2007-01, AMENDMENT APPLICATION NO. 2007-01, DEVELOPMENT AGREEMENT NO. 2007-01, FOR THE CABRILLO MIXED USE DEVELOPMENT – CITY OF SANTA ANA AND NDC DEVELOPMENT- APPLICANTS

Placed on first reading at the March 19, 2007 City Council meeting and approved by a vote of 7-0

Published in the Orange County Reporter on March 23, 2007

**Motion: Place ordinances on second reading and adopt.**

1. ORDINANCE NO. NS-2739 - An ordinance of the City Council of the City of Santa Ana amending Chapter 41 of the Santa Ana Municipal Code to adopt the F suffix to modify a Zoning District, and to establish the Overlay Zone Suffix (ZOA 2007-01)
2. ORDINANCE NO. NS-2740 - An ordinance of the City Council of the City of Santa Ana adopting the Metro East Mixed Use Overlay Zone (OZ1) and to apply the Metro East Mixed use Overlay Zone to the properties generally bounded by Santa Ana (I-5) Freeway on the West and South, Sixth Street to the North, and Tustin Avenue to the East (AA No. 2007-01)
3. ORDINANCE NO. NS-2741 - An ordinance of the City Council of the City of Santa Ana approving a Development Agreement between the City of Santa Ana and 1901 E. 1st Street Partners, LLC

BOARDS/COMMISSIONS/COMMITTEES

- 13.A. VACANCY REPORT - MARCH 28, 2007

The Vacancy Report reflects only appointments made by the Council.

**Motion: Receive and file.**

CONSENT CALENDAR

<u>BOARD/COMMISSION</u>	<u>VACANCIES</u>	<u>WARD</u>
Community Redevelopment Housing Commission	1	Tenant
Youth Commission - Alternate	3	1,3 & 5
Youth Commission - Regular	1	1
Personnel Board	<u>1</u>	5
<b>TOTAL</b>	<b>6</b>	

<u>BOARD/COMMISSION</u>	<u>EXPIRED TERMS</u>	<u>WARD</u>
Environmental & Transportation Committee	1	Mayor
Historic Resources Commission	1	6
Human Relations Commission	1	At Large
Library Board	1	Mayor
Personnel Board	2	6 & Mayor
Youth Commission – Regular	1	4
Youth Commission – Alternate	<u>1</u>	4
<b>TOTAL</b>	<b>8</b>	

13.B. BOARDS/COMMISSIONS RESIGNATIONS

**Motion: Receive and file.**

<u>Boards/Commission Resignations</u>	<u>Effective</u>	<u>Posted</u>
Gaylord Whipple, Workforce Investment Board	03/06/07	03/19/07

13.C. APPOINTMENTS

**Motion: Reappointment.**

**Reappoint** Ford S. Loverin to the Environmental & Transportation Commission, nominated by Mayor Pulido as the Mayoral representative for a full term expiring December 9, 2008

~~**Reappoint** Lupe Moreno to the Library Board, nominated by Mayor Pulido as the Mayoral representative for a full term expiring December 9, 2008~~

**Reappointment of Lupe Moreno taken off agenda**

MISCELLANEOUS ADMINISTRATION

- 19.A. CLOSED SESSION REPORT – None
- 19.B. EXCUSED ABSENCES – None

BUDGETARY MATTERS

- 20.A. APPROPRIATION ADJUSTMENT ACCEPTING THE CLICK IT OR TICKET PROGRAM GRANT

**Motion: Approve an Appropriation Adjustment. (Requires five affirmative votes)**

APPROPRIATION ADJUSTMENT NO. 07-096 - Accepting the Click It or Ticket Program Grant in the amount of \$89,999 into the revenue account and appropriate same into the Click It or Ticket Program Grant overtime expenditure account

- 20.B. APPROPRIATION ADJUSTMENT ACCEPTING SANTA ANA'S FOCUSED ENFORCEMENT TEAM GRANT FUNDING

**Motion: Approve an Appropriation Adjustment. (Requires five affirmative votes)**

APPROPRIATION ADJUSTMENT NO. 07-085 - Recognizing the Office of Emergency Services Grant funds in the amount of \$95,701 and the required matching funds of \$31,900 from the Police Department Crimes Against Persons Other Contractual Services Account, for a total project amount of \$127,601, and appropriate same into the FY 2007 Santa Ana's Focused Enforcement Team Grant expenditure accounts.

SPECIFICATIONS - PURCHASE OF EQUIPMENT AND SERVICES

**Motion: Award in accordance with Requests for Council Action. (22.A. – 22.E.)**

- 22.A. BID SPEC NO. 07-016 - PERSONAL HYDRATION SYSTEM AND ACCESSORIES - FIRE AND POLICE DEPARTMENTS – Amend the contract with L.N. Curtis & Sons to increase the aggregate limit by \$20,000 for an annual amount not to exceed \$50,000 - Finance & Management Services Agency
- 22.B. BID SPEC NO. 07-017 - PROTECTIVE ENSEMBLE - FIRE AND POLICE DEPARTMENTS - Amend the contract with Allstar Fire Equipment to increase the aggregate limit by \$35,000 for an annual amount to not exceed \$82,375- Finance & Management Services Agency.

**CONSENT CALENDAR**

22.C. SPEC. NO. 07-019 - PORTABLE SHELTERS – POLICE DEPARTMENT

- Motion:** 1. **Reject the bids from Comade, Inc., and Fisher Safety as nonresponsive.**
2. **Award a contract to Aramsco, Inc., for the purchase of four first response portable shelters in the amount of \$49,365.96.**

22.D. SPEC. NO. 07-026 - UNINTERRUPTIBLE POWER SOURCE BATTERIES- POLICE DEPARTMENT - Award a contract to MGE UPS Systems, Inc., in an amount not to exceed \$45,672 – Finance & Management Services Agency

**22.E. SPEC. NO. 07-028 - POOL REFINISHING AT EL SALVADOR PARK POOL – PARKS, RECREATION & COMMUNITY SERVICES AGENCY - Award a contract to South Coast Pool Plastering, Inc. in the amount of \$52,800 - Finance & Management Services Agency**

**MOTION:** Alvarez                      **SECOND:** Benavides

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**PROJECTS – MAINTENANCE, REHABILITATION, IMPROVEMENT, CONSTRUCTION OR CHANGE ORDERS FOR PUBLIC FACILITIES**

**23.A. CONTRACT CHANGE ORDER NO. 2, EL SALVADOR CENTER RENOVATION AND PARK IMPROVEMENTS (PROJECT NOS. 04-6375, 05-7806, AND 04-7709)**

- Motion:** **Approve Change Order No. 2 for El Salvador Park Improvements for an estimated cost of \$100,000.**

**MOTION:** Alvarez                      **SECOND:** Benavides

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

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. H.)**

25.A. AGREEMENT AND APPROPRIATION ADJUSTMENT – THE CITY PLACE SKY LOFTS PROJECT

**Motion: 1. Direct the City Attorney to prepare and authorize the City Manager and Clerk of the Council to execute an agreement**

AGMT NO. 2007-071 – ENVIRONMENTAL IMPACT REPORT – With P&D Consultants in an amount not to exceed \$246,625 – Planning & Building Agency

**2. Approve an appropriation adjustment. (*Requires five affirmative votes*)**

APPROPRIATION ADJUSTMENT NO. – 07-095 – Recognizing \$246,625 in the 2006-2007 FY revenue account for environmental review fee for the City Place Sky Lofts Project and appropriating \$246,625 to the Planning and Building Agency 2006-2007 FY budget allocation in the account for contractual services for payment to P&D Consultants.

25.B. AGMT NO. 2007-072 – ENERGY CONSULTING SERVICES – With Edward K. Aghjayan in an amount not to exceed \$50,000 – PUBLIC WORKS AGENCY

25.C. AGMTS – PURCHASE AGREEMENTS FOR BRISTOL STREET CORRIDOR (PROJECT 06-1500) – PUBLIC WORKS AGENCY

- AGMT NO. 2007-073 – Odilon and Paulina Salgado for the purchase of the residential property located at 822 S. Bristol in the amount of \$625,000;
- AGMT NO. 2007-074 – John P and Tao-Jan Hou for the purchase of the residential property located at 711 S. Bristol in the amount of \$600,000

25.D. AGMTS – PURCHASE AND RELOCATION FOR 420 S. BRISTOL STREET CORRIDOR (PROJECT 06-1500) – PUBLIC WORKS AGENCY

- AGMT NO. 2007-075 – ACQUISITION AGREEMENT – With Cilliani Trust to acquire a portion of the property located at 420 S. Bristol Street for \$347,500;

## CONSENT CALENDAR

- AGMT NO. 2007-076 - RELOCATION AGREEMENT - With Popular Medical Clinic and Popular Pharmacy for \$214,000;
  - AGMT NO. 2007-077 - LOSS OF GOODWILL AGREEMENT - With Popular Medical Clinic for \$75,000.
- 25.E. AGMT NO. 2007-078 - LANDBASE DATA AND DIGITAL ORTHOPHOTOGRAPHY - Execute a five-year agreement with Digital Map Products in an amount not to exceed \$451,000 – Public Works Agency
- 25.F. AGMT NO. 2007-079 - COMPUTER SOFTWARE HARDWARE AND MAINTENANCE - With Intergraph Inc. in amounts not-to-exceed \$45,000 for software maintenance. The term of the agreement shall be for one year with an option to renew for one additional year - Public Works Agency
- 25.G. AGMT NO. 2007-080 - MEMORANDUM OF UNDERSTANDING - With the Orange County Workforce Investment Board, Senior Community Service Employment Program - Community Development Agency
- 25.H. AGMT NO. 2007-081 – VETERINARY SERVICES – With Dr. Lorrie Boldrick, DBA Quillie Acres for a period of one year in an amount not to exceed \$68,000 - Parks, Recreation & Community Services Agency

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

## **BUSINESS CALENDAR**

### ORDINANCES/FIRST READING

- 50.A. ORDINANCE AMENDING CHAPTER 2 OF THE MUNICIPAL CODE ARTICLE VII RELATING TO CONTRACTS AND PURCHASING

**Motion: Continue the item for two weeks.**

**MOTION:** Alvarez

**SECOND:** Martinez

**VOTE:**

**AYES:**

Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**NOES:**

None (0)

**ABSTAIN:**

None (0)

**ABSENT:**

None (0)

**RESOLUTIONS**

55.A. RESOLUTIONS AUTHORIZING SUBMISSION OF APPLICATIONS TO THE STATE OF CALIFORNIA LAND AND WATER CONSERVATION FUND GRANT PROGRAM

**Motion: Adopt resolutions.**

RESOLUTION NO. 2007-031 - A resolution of the City Council of the City of Santa Ana approving the application for land and water conservation funds to develop the picnic area at Santa Anita Park

RESOLUTION NO. 2007-032 – A resolution of the City Council of the City of Santa Ana approving the application for land and water conservation funds to develop the picnic area at Santiago Park

**MOTION:** Tinajero                      **SECOND:** Bustamante

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

55.B. CALHOME PROGRAM APPLICATION

**Motion: Adopt a resolution.**

RESOLUTION NO. 2007-033 - A resolution of the City Council of the City of Santa Ana authorizing the submittal of an application to the California State Department of Housing and Community Development for funding under the Calhome Program; the execution of a standard agreement and any amendments thereto, if selected for such funding; and any related documents necessary to participate in the Calhome Program

**MOTION:** Alvarez                      **SECOND:** Martinez

**VOTE:**            **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**NOES:** None (0)

**ABSTAIN:** None (0)

**ABSENT:** None (0)

**BUSINESS CALENDAR**

55.C. 2007 URBAN AREAS SECURITY INITIATIVE GRANT PROGRAM

**Motion: Adopt a resolution.**

RESOLUTION NO. 2007-034 – A resolution of the City Council of the City of Santa Ana authorizing the City Manager and the Chief of Police to submit a grant application to the State of California Office Of Homeland Security for the FY2007 Urban Area Security Initiative Grant Program

**MOTION:** Alvarez                      **SECOND:** Tinajero

**VOTE:**                      **AYES:** Alvarez, Benavides, Bustamante, Martinez, Pulido, Sarmiento, Tinajero (7)

**NOES:**                      None (0)

**ABSTAIN:**                      None (0)

**ABSENT:**                      None (0)

**COUNCIL RECESSED TO THE COMMUNITY REDEVELOPMENT AGENCY MEETING FOLLOWED BY THE HOUSING AUTHORITY MEETING AT 6:52 P.M.**

**COUNCIL RECONVENED WITH ALL MEMBERS PRESENT AT 6:54 P.M.**

**COMMENTS**

90.A. PUBLIC COMMENTS

Lisann Martinez raised concerns about the subdivision of a city park; Alex Vega voiced concerns over the closure of a market and Sean Mill raised concerns about the condition of city streets.

Tim Shaw, representing Janet Nguyen, the newly elected Orange County Supervisor representing District 1, noted that the Supervisor was very anxious to work with officials from the City of Santa Ana.

90.B. CITY COUNCIL COMMENTS

Councilmember Sarmiento

- Thanked everyone involved in the Cesar Chavez celebration and noted that the event was very successful and had strong support from participating sponsors; he further remarked that he has some ideas on how to make the event even more successful next year

## COMMENTS

### Councilmember Tinajero

- Thanked Councilmember Sarmiento for his efforts in making the Cesar Chavez event successful and noted that there are opportunities for an even larger event in years to come
- Wished everyone a Happy Easter

### Councilmember Martinez

- Congratulated newly elected Orange County Supervisor Janet Nguyen and noted that she looks forward to working with her
- Thanked Chief Walters and staff for all their efforts in implementing the new EPIC Commission
- Thanked all the youth who came out for her youth council and noted that there were over 150 individuals in attendance
- Noted that her next Town Hall meeting would be held on April 9, 2007, at the Santa Ana Senior Center
- Wished everyone a Happy Easter

### Councilmember Bustamante

- Announced that his twin brother, Alfonso and his wife Patricia, welcomed a son on March 19, 2007, just a month following the birth of his new son.
- Announced that Mater Dei won the boys state basketball championship
- Wished everyone a Happy Easter

### Mayor Pro Tem Alvarez

- Asked Chief Walters to give the viewing audience a brief explanation of the Click it or Ticket program
- Raised concerns relative to the joint use agreement for the Hector Godinez School at Centennial Park and noted that the only reason the City Council agreed to yield park space was because it was going to be a joint use facility and the Santa Ana Unified School District (SAUSD) agreed that they would not construct any fencing. She noted that the SAUSD is now requesting that the school be fenced; she asked staff to provide a copy of all the city's joint use agreements with the school district.
- Noted that the Mothers' Day Celebration will be held on Saturday May12, 2007 at the Stadium and that this will be the first concert on the new turf at the stadium

### Councilmember Benavides

- Commended Councilmember Sarmiento for his efforts in making the Cesar Chavez event a success
- Noted that in an effort to provide greater access to city officials, he will be available on the first Friday and Saturday of each month at the Southwest Community Center from 9:00 a.m. to 12:00 p.m. to meet with residents of the city

## COMMENTS

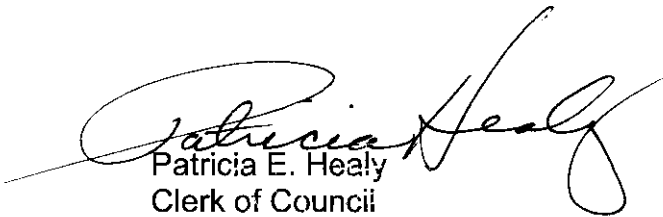
- Further noted that his next quarterly Town Hall meeting will be held on Thursday, April 19, 2007 at the Southwest Senior Center at 6:00 p.m.
- Wished everyone a Happy Easter

### Mayor Pulido

- Agreed that the agreement with SAUSD was clear relative to the use of Centennial Park and that the park side was to be maintained for recreational uses; asked staff to provide copies of all the agreements with the School District
- Asked the Council to adjourn in memory of Kenny Carpenter and noted that he had contributed much to the community

## ADJOURNMENT – 7:31 P.M.

**Adjourned in Memory of  
Kenny Carpenter**



Patricia E. Healy  
Clerk of Council