

# City Council and Housing Authority Meeting Agenda

February 1, 2022

**SPECIAL CLOSED SESSION MEETING – 4:15 PM**

**REGULAR OPEN MEETING – 5:45 PM**

*(Immediately following the Closed Session Meeting)*

**CITY COUNCIL CHAMBER**

22 Civic Center Plaza Santa Ana, CA 92701



**Vicente Sarmiento**  
Mayor

**Thai Viet Phan**  
Councilmember – Ward 1

**David Penalosa**  
Councilmember - Ward 2

**Jessie Lopez**  
Councilmember - Ward 3

**Phil Bacerra**  
Mayor Pro Tem - Ward 4

**Johnathan Ryan Hernandez**  
Councilmember - Ward 5

**Nelida Mendoza**  
Councilmember - Ward 6

**Mayor and Council telephone: 714-647-6900**  
**Agenda item inquiries: 714-647-6520**

**Sonia R. Carvalho**  
City Attorney

**Kristine Ridge**  
City Manager

**Daisy Gomez**  
Clerk of the Council



In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this Meeting, contact Michael Ortiz, City ADA Program Coordinator, at (714) 647-5624. Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting. The City Council agenda and supporting documentation can be found on the City's website – [www.santa-ana.org/city-meetings](http://www.santa-ana.org/city-meetings).

## **CITY VISION AND CODE OF ETHICS**

The City of Santa Ana is committed to achieving a shared vision for the organization and its community. The Vision, Mission and Guiding Principles (Values) are the result of a thoughtful and inclusive process designed to set the City and organization on a course that meets the challenges of today and tomorrow, as follows:

***Vision*** - The dynamic center of Orange County which is acclaimed for our: Investment in youth • Safe and healthy community • Neighborhood pride • Thriving economic climate • Enriched and diverse culture • Quality government services

***Mission*** - To deliver efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents.

***Guiding Principles*** - Collaboration • Efficiency • Equity • Excellence • Fiscal Responsibility • Innovation • Transparency

**Code of Ethics and Conduct** - At the Special Municipal Election held on February 5, 2008, voters 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. The following are the core values expressed: • *Integrity • Honesty • Responsibility • Fairness • Accountability • Respect • Efficiency*

Members of the public may attend the City Council meeting in-person or join via Zoom. The City Council meeting will occur live via teleconference Zoom webinar. You may view the meeting from your computer, tablet or smart phone via YouTube LiveStream at [www.youtube.com/user/SantaAnaLibrary](http://www.youtube.com/user/SantaAnaLibrary) or on CTV3, available on Spectrum channel 3 and AT&T U-verse channel 99.

**PUBLIC COMMENTS** – Members of the public who wish to address the City Council on closed session items, items on the regular agenda or on matters which are not on the agenda, but are within the subject matter jurisdiction of the City Council may do so by one of the following ways:

- **MAILING OPTION** written communications – Public comments may be mailed to: Office of the Clerk of the Council, 20 Civic Center Plaza M-30, Santa Ana, CA 92701. All written communications received via mail by 3:00 p.m. on the day of the meeting will be distributed to the City Council and imaged into the City’s document archive system which is available for public review.
- **SENDING E-MAIL OPTION** – Public comments may be sent via email to the City Clerk’s office at [eComment@santa-ana.org](mailto:eComment@santa-ana.org). Please note the agenda item you are commenting on in the subject line of the email. All emails received before 3:00 p.m. on the day of the meeting will be distributed to the City Council and imaged into the City’s document archive system which is available for public review.
- **LIVE VIRTUAL OPTION** – Members of the public may provide live comments during the meeting by Zoom or Conference Call. To join by Zoom click on or type the following address into your web browser <https://us02web.zoom.us/j/315965149>. To join the Conference Call: Dial (669) 900-9128 and enter MEETING ID: 315 965 149#. You will be prompted by the City Clerk when it is time for a: i) special closed session item, ii) general agenda item, iii) public hearing item, iv) special agenda item, or v) for Housing Authority item. You may request to speak by dialing \*9 from your phone or you may virtually raise your hand from Zoom. After the Clerk confirms the last three digits of the caller’s phone number or Zoom ID and unmutes them, the caller must press \*6 or microphone icon to speak. Callers are encouraged, but not required, to identify themselves by name. Each caller will be provided three (3) minutes to speak, unless due to the number of speakers wanting to speak a decision is made to provide a different amount of time to speak.
- **IN-PERSON OPTION** - Members of the public can provide in-person comments at the podium in the Council Chamber. The Council Chamber will have seating available for members of the public to attend the meeting in-person. Face coverings are required for members of the public who enter City buildings. Public comments are limited to three (3) minutes per speaker, unless a different time is announced by the presiding chair. Speakers who wish to address the Council **must do so by submitting a “Request to Speak” card by 4:15 p.m.** for Special Closed Session items and **by 6:00 p.m.** for all other ***designated public comment periods*** as listed below. Cards will not be accepted after the Public Comment Session begins without the permission of the presiding chair.

**The following designated public comment periods are:**

**1. LIVE PUBLIC COMMENTS ON SPECIAL CLOSED SESSION ITEMS** – You can provide live comments on special closed session items by joining Zoom or the Conference Call as described in the **LIVE or IN-PERSON PUBLIC COMMENTS OPTION** above. Speaker queue will open at 4:00 p.m. YOU MUST JOIN ZOOM OR THE CONFERENCE CALL BY 4:15 p.m. Speakers who are not in the speaker queue by **4:15 p.m.** will not be permitted to speak.



**2. LIVE PUBLIC COMMENTS ON REGULAR AGENDA ITEMS AND NON-AGENDA ITEMS (GENERAL PUBLIC COMMENT)** – You can provide comments by joining Zoom or the Conference Call as described in the **LIVE or IN-PERSON PUBLIC COMMENTS OPTION** above. Speaker queue will open at 4:30 p.m. YOU MUST JOIN ZOOM OR THE CONFERENCE CALL PRIOR TO **6:00 p.m.** Speakers who are not in the speaker queue by 6:00 p.m. will not be permitted to speak.

**3. LIVE PUBLIC COMMENTS ON PUBLIC HEARING ITEMS** – You can provide comments by joining Zoom or the Conference Call as described in the **LIVE or IN-PERSON PUBLIC COMMENTS OPTION** above. Speakers not in the queue by **6:00 p.m.** will not be permitted to speak.

**4. LIVE PUBLIC COMMENTS ON HOUSING AUTHORITY ITEMS** – You can provide comments by joining Zoom or the Conference Call as described in the **LIVE or IN-PERSON PUBLIC COMMENTS OPTION** above. Speakers not in the queue by **6:00 p.m.** will not be permitted to speak.

**NOTE:** Redistricting Public Hearing Item #16 will be heard at 7:00 p.m.

**About the Agenda**

To download or view the attachments (staff report and other supporting documentation) for each agenda item, you must select the agenda item to see the attachments to either open in a new link (the eyeball  ) or download a pdf (the cloud symbol with the down arrow  ).

**SPECIAL CLOSED SESSION**

**CALL TO ORDER**

ATTENDANCE	<b>Council Members</b>	<b>Johnathan Ryan Hernandez</b> <b>Jessie Lopez</b> <b>Nelida Mendoza</b> <b>David Penaloza</b> <b>Thai Viet Phan</b>
	<b>Mayor Pro Tem</b>	<b>Phil Bacerra</b>
	<b>Mayor</b>	<b>Vicente Sarmiento</b>
	<b>City Manager</b>	<b>Kristine Ridge</b>
	<b>City Attorney</b>	<b>Sonia R. Carvalho</b>

**ROLL CALL**

**PUBLIC COMMENTS** – Members of the public may address the City Council on Special Closed Session items.

**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 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)  
• Service Employees' International Union (SEIU) Part-Time Non-Civil Service Employees

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

A. Santa Ana Police Officers Association and Gerry Serrano v. City of Santa Ana, Santa Ana Police Department, David Valentin, Kristin (sic) Ridge, Sonia Carvalho, Jason Motsick, and Does I-X, Orange County Superior Court, Case No. 30-2021-01230129

B. Santa Ana Police Officers Association and Doe Officers v. David Valentin, Sonia Carvalho, Kristine Ridge, City of Santa Ana, Santa Ana Police Department, Santa Ana City Attorney's Office, and Does I-X, Orange County Superior Court, Case No. 30-2021-01230134

3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8:

Address of Property: APN #430-021-02; 1815 E. Carnegie Ave., Santa Ana, CA 92705  
Negotiator: Steven Mendoza, Assistant City Manager  
Negotiating with: Dyer 18, LLC  
Terms: Price and terms related to the lease and possible acquisition of real property.

**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 Special Closed Session for the purpose of conducting regular City business.

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

# CITY COUNCIL REGULAR OPEN SESSION

## CALL TO ORDER

## ROLL CALL

PLEDGE OF ALLEGIANCE            Mayor Sarmiento

WORDS OF INSPIRATION        Dr. Willie Holmes

## CEREMONIAL PRESENTATIONS

1. Certificate of Recognition presented by Mayor Pro Tem Bacerra to the staff from Public Works Agency, Parks Recreation and Community Services Agency and Ice-America for the 2021 Winter Village and Outstanding Contributions to the Community.
2. Proclamation presented by Councilmember Phan declaring February 1, 2022 as Tet / Lunar New Year.

## STAFF PRESENTATIONS

3. Homeless Update
4. Air Quality Management District (AQMD) Update – Public Works Agency
5. Residential Permit Parking Update – Public Works Agency

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

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

**NOTE:** Redistricting Public Hearing Item #16 will be heard at 7:00 p.m.

<b><u>CONSENT CALENDAR</u></b>
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**RECOMMENDED ACTION:** Approve staff recommendations on the following Consent Calendar Items: 6 through 15.

6. Excused Absences

**Department(s):** Clerk of the Council Office

**Recommended Action:** Excuse the absent members.

7. Minutes from the Regular and Special Successor Agency Meetings of January 18, 2022

**Department(s):** Clerk of the Council Office

**Recommended Action:** Approve minutes.

8. Quarterly Report for Housing Division Projects and Activities for the period of October 2021-December 2021

**Department(s):** Community Development Agency

**Recommended Action:** Receive and file the Quarterly Report for Housing Division Projects and Activities for the period of October 2021-December 2021.

9. Approve Amendment to the Construction Contract with CJ Concrete Construction, Inc. to Increase the Contract Amount by \$1,105,789.50, for a New Estimated Total Project Delivery Cost of \$1,700,000, to Perform Additional Concrete Repairs (Project No.22-6970) (General and Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** 1. Authorize the City Manager to amend the construction contract with CJ Concrete Construction, Inc. by an increase of \$1,105,789.50 to perform additional concrete improvements, for a new estimated project delivery cost of \$1,700,000.

2. Approve the revised Project Cost Analysis increasing project contingencies by \$1,105,789.50, for a new estimated project delivery cost of \$1,700,000.

10. Proposed License Agreement between the City of Santa Ana and Santa Ana Unified School District for use of Memorial Park Parking Lot

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

**Recommended Action:** Authorize the City Manager to execute a license agreement with the Santa Ana Unified School District (SAUSD) to allow Washington Elementary school staff to utilize the Memorial Park east parking lot (46 spaces) for the period of February 2, 2022 through June 30, 2023, for an amount not to exceed \$39,100, subject to non-substantive changes approved by the City Manager and the City Attorney (Agreement No. 2022-XXX).

11. Approve an Agreement with the County of Orange for Continued Access to the Countywide Coordinated Communications Public Safety Radio System

**Department(s):** Police Department

**Recommended Action:** Authorize the City Manager to execute the new Joint Agreement with the County of Orange for the Operation, Maintenance and Financial Management of the Orange County 800 MHz Countywide Coordinated



Communications System, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

12. Approve a Lease Agreement with Railworks Track Services, Inc., for Office Space at the Santa Ana Regional Transportation Center for a One-year Term with Twelve One-month Extensions for a Total Amount of \$87,120 (Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** 1. Authorize the City Manager to execute a site lease agreement with RailWorks Track Services, Inc., to compensate the City \$3,630 per month, with any partial month prorated at \$120 per day, for the lease of 1,452 square feet of office space located at the Santa Ana Regional Transportation Center, for a one-year term beginning February 1, 2022, and ending January 31, 2023, with an option for twelve month-to-month extensions, for a total of \$87,120 in lease revenue for the entire term of the agreement, including optional extensions, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

2. Approve an appropriation adjustment recognizing Fiscal Year 2021-22 lease income in the amount of \$18,150 into the PWA-SARTC Operations, Rental-RailWorks revenue account and appropriating the same amount to the PWA-SARTC Operations, Contract Services-Professional expenditure account. *(Requires five affirmative votes)*

13. Approve Agreements with California Barricade Rentals, Inc. and Statewide Traffic Safety and Signs, Inc. for up to a Three-year Term in an Aggregate Amount not to Exceed \$500,000 (Non-General Fund)

**Department(s):** Public Works Agency

**Recommended Action:** Authorize the City Manager to execute agreements with California Barricade Rentals, Inc. and Statewide Traffic Safety and Signs, Inc. to provide on-call traffic control services and equipment rental for a three-year period beginning February 1, 2022, and expiring on January 31, 2025, with a provision for one two-year extension, for a total shared aggregate amount not to exceed \$500,000, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

14. Adopt Resolution Authorizing the Executive Director of the Public Works Agency to Execute Program Supplement Agreements with the State of California Department of Transportation, as Required by Master Agreement No. 64A0274, and Approve the Master Agreement for State-Funded Transit Projects No. 64A0274 to Secure State Grant Funds

**Department(s):** Public Works Agency

**Recommended Action:** 1. Resolution No. 2022-XXX – Adopt a resolution authorizing the Executive Director of the Public Works Agency to execute all program

supplement agreements required by the Master Agreement for State-Funded Transit Projects No. 64A0274 with the State of California Department of Transportation to reimburse the City for State-Funded projects.

2. Authorize the City Manager to execute the Master Agreement for State-Funded Transit Projects No. 64A0274 with the State of California Department of Transportation for a ten-year term, subject to non-substantive changes approved by the City Manager and City Attorney (Agreement No. 2022-XXX).

15. Accept a Quitclaim Deed of an "L" shape parcel at Centennial Park, Deed of Release of 2.42 acres at Centennial Park, and Declaration of Restrictions on three Park sites to complete the Land Conversion Process

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

**Recommended Action:** 1. Acknowledge the City Manager's acceptance of a Quitclaim Deed on Parcel D at Centennial Park from the Federal Government pursuant to her authority under Santa Ana Municipal Code Section 33-55.

2. Resolution No. 2022-XXX – Adopt a resolution Accepting a Deed of Release on 2.42 acres at Centennial Park removing the public park and recreational deed condition to be transferred over to the replacement properties.

3. Resolution No. 2022-XXX – Adopt a resolution approving a Declaration of Restriction on Pacific Electric site.

4. Resolution No. 2022-XXX – Adopt a resolution approving a Declaration of Restriction on 6th and Lacy site.

5. Resolution No. 2022-XXX – Adopt a resolution approving a Declaration of Restriction on Raitt and Myrtle site.

All recommended actions are subject to non-substantive changes approved by the City Manager and City Attorney.

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

### **PUBLIC HEARINGS**

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

16. Hold Sixth Public Hearing Regarding Redistricting Ward Boundaries

Resolution of Intention No. 2021-060 published in the Orange County Register on October 23 and 30, 2021.

**Department(s):** Clerk of the Council Office

**Recommended Action:** Open and close the sixth public hearing seeking input regarding the content of the draft map(s).

17. Public Hearing - Adopt a Resolution of Necessity Determining Public Interest and

Necessity for the Acquisition of Real Property Located at 2702 N Bristol Street (Property Owner: Metro Star, LLC) (Project No. 17-6883) (Non-General Fund)

Notice of Hearing letter regarding aquisition of real property by eminent domain mailed to property owners on January 5, 2022.

**Department(s):** Public Works Agency

**Recommended Action:** Resolution No. Adopt a resolution of necessity authorizing the condemnation of a portion of the real property located at 2702 N. Bristol Street (APN 002-261-06), owned by Metro Star, LLC, declaring the public necessity and interest thereof. *(Requires five affirmative votes)*

18. Public Hearing - Adoption of a Resolution Approving the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Washington Avenue Well Project (Non-General Fund)

Legal Notice was published in the Orange County Reporter on January 21, 2022.

**Department(s):** Public Works Agency

**Recommended Action:** 1. Resolution No. 2022-XXX – Hold a public hearing and adopt a resolution approving an Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Washington Avenue Well Project.

2. Approve the Washington Avenue Well Project.

### **COUNCILMEMBER REQUESTED ITEMS**

19. Discuss and Consider Directing City Manager to Direct Staff to Introduce a Firearms Safe Storage Ordinance – Councilmembers Mendoza and Lopez
20. Discuss and Consider Directing City Manager to Direct Staff to Review and Amend the City Council Recognition Policy – Councilmember Phan
21. Discuss and Consider Directing City Manager to Direct Staff to Draft a Resolution for Adoption by the City Council to Support Assembly Bill (AB) 485 to Require Local Law Enforcement Agencies to Report Hate Crime Data on Their Own Website Monthly – Mayor Pro Tem Bacerra

### **CITY MANAGER COMMENTS**

#### **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.

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

**Future Items**

1. Mental Health Mobile Outreach Services
2. Housing Element Update
3. Billboard Ordinance Update
4. Cannabis Ordinance Update

**HOUSING AUTHORITY**

**CALL TO ORDER**

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

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

**CONSENT CALENDAR**

***RECOMMENDED ACTION:*** Approve staff recommendations on the following Consent Calendar Items: X and X.

1. Excused Absences

**Department(s):** Clerk of the Council Office

**Recommended Action:** Excuse the absent members.

2. Minutes from the Special Housing Authority Meeting of December 21, 2021

**Department(s):** Clerk of the Council Office

**Recommended Action:** Approve minutes.

3. Quarterly Report for the Housing Choice Voucher Program for the Period of October 1, 2021 to December 31, 2021

**Department(s):** Community Development Agency

**Recommended Action:** Receive and file the Quarterly Report for the Housing Choice Voucher Program for the period of October 1, 2021 to December 31, 2021

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

**HOUSING AUTHORITY MEMBER COMMENTS**

**ADJOURNMENT** – Adjourn the Housing Authority meeting.