REQUEST FOR COUNCIL ACTION

CITY COUNCIL MEETING DATE:
APRIL 1, 2014

TITLE:
EIGHTEEN-MONTH ASSESSMENT OF SUNSHINE ORDINANCE

RECOMMENDED ACTION

Receive and file the Sunshine Ordinance eighteen-month assessment.

DISCUSSION

At its adoption in 2012, the Council requested that the provisions of the ordinance be reviewed periodically to identify opportunities for changes or enhancements. The following summarizes each provision as well as an assessment of its effectiveness over the last 18 months.

Posting of Meetings and Agendas for City Council (Section 2-150)

Description - City Council meeting agendas are to be posted at least 96 hours before any regular meeting of the Council and to be available on the website.

Assessment – The City process has been adjusted to accommodate the posting of the agendas on the Thursday before the meeting. There are no changes recommended for this provision.

Development Projects Community Meeting Applicability (Section 2-151)

Description - Community meeting requirements applied to the following types of projects:
1. City-sponsored development projects;
2. New residential projects containing twenty-five (25) or more units;
3. New non-residential projects (including additions to existing buildings) of 10,000 square feet or more and which are, in the determination of the city, subject to a negative declaration, mitigated negative declaration or environmental impact report;
4. Development projects requiring a zone change, specific plan amendment, or general plan amendment.

Assessment – These criteria have proven successful in capturing the number and types of projects that were anticipated by the Sunshine Ordinance without inadvertently applying to smaller projects which would be unnecessarily burdened by the community meeting process.
Projects which meet the community meeting criteria and have held community meetings as required by the Sunshine Ordinance include:

1. 301 East Jeanette Lane – 182-unit residential project
2. 4426 West Fifth Street – 29-unit detached residential project
3. 1901 East First Street – 264-unit residential project
4. 923 North Santiago Street – 70-unit residential project
5. 1200 North Main Street – 149-unit residential project
6. 1732 West Second Street – zone change from industrial to residential

There are no changes or additions recommended for this provision.

*Community Meetings (number, timing, noticing, content format) (Sections 2-152 and 2-153)*

**Description** – This provision required a community meeting to be held by the applicant for applicable projects within 20-days of submittal for Site Plan Review. Notices for the meetings are required to be sent to all property owners and applicants within 500-feet of the project site and mailed not less than 10-days prior to the meeting. The meetings are required to be held on a weeknight during the early evening or on Saturdays and held in a publicly accessible facility within 1-mile of the project site or at the nearest City facility.

**Assessment** – The Planning Division required applicants to perform community outreach for larger planning projects administratively prior to the Sunshine Ordinance. The adoption of the Sunshine Ordinance formalized this outreach process and has been successful in providing the community the chance to learn about and provide feedback on a project at the earliest opportunity. Producing the additional notices to occupants was initially challenging for applicants as information regarding occupants is not provided by the County Assessor’s Office, which was the primary source for mailing label generation. City staff was able to quickly identify other qualified vendors who can provide this information and as a result, issues with this requirement have been significantly reduced. The additional requirement of noticing both property owners and occupants has increased the number of notices substantially in areas of the city with high numbers of rental units, mobile home parks and office buildings, which has also resulted in additional community input. Although not required by the Sunshine Ordinance, Planning Division staff has attended these meetings as an observer to the community meeting. The applicant has always provided the required meeting notes to staff following the meeting and in no cases has community meeting requirement resulted in a project being delayed during the site plan review process. There are no changes or additions recommended for this provision.

*Enhanced Mailings for Discretionary Actions (Section 2-153)*

**Description** - This provision modified the requirements for noticing for discretionary actions from 300-feet to 500-feet and increased the noticing requirements from property owners only, to both property owners and occupants. This noticing requirement has been successfully executed on all applicable discretionary actions since the adoption of the Sunshine Ordinance.
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Assessment – The Planning Division required notification to property owners within 500-feet administratively prior to the Sunshine Ordinance. The adoption of the ordinance formalized this requirement and added occupants as well as property owners. Similar to the enhanced noticing requirements for Community Meetings, producing notices for both owners and occupants was initially challenging for applicants who were not required to hold a community meeting. The identification of several qualified vendors who can produce the required mailing lists has effectively eliminated issues with this requirement. The City is also in the process of integrating its addressing and mapping databases which potentially will allow the City to generate these lists in the future. The initial phase of this integration process is complete and staff has begun testing mailing label creation for use on future projects. No changes or additions are recommended for this provision.

Access to Contract, Bids and Proposals (section 2-154)

Description – All Requests for Proposals are to be maintained in a central repository and available for public inspection.

Assessment – The documents are all maintained on the Finance Department Purchasing Division website (http://www.santa-ana.org/bids-rfps/default.asp). There were some changes in processes that needed to occur to ensure coordination of all City Department. The operating procedures are being updated as the Purchasing Division moves towards eProcurement services with PlanetBids. There are no changes to this section of the ordinance recommended at this time.

Posting of Calendars of City Officials (Section 2-155)

Description – Calendars of City Council and key City staff are to be available on the City's website on the tenth business day of the month.

Assessment – By Council action on June 17, 2013, the date that the calendars are required to be available on the website was changed from the first of the month to the tenth of the month. This change provides staff with the time necessary to complete and post the calendars in accordance with the provisions of the Ordinance. There are no changes recommended for this provision.

5-year Strategic Plan (Section 2-157)

Description – On October 15, 2012, the Mayor and the City Council adopted the Sunshine Ordinance to enhance transparency and foster community engagement. An element of the Sunshine Ordinance is the development of a five-year Strategic Plan to re-establish the City’s mission, vision and goals to guide the City’s future. In early 2013, the City Council established a Strategic Planning Ad Hoc Council Committee to provide guidance in the strategic planning process. The 5-year Strategic Plan is to be prepared and submitted to the City Council no later than the end of Fiscal Year 2013/14 and at least every five years thereafter.
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Assessment – By Council action on June 17, 2013, the date that the Strategic Plan was to be provided to the Council for approval was changed from November 2013 to the end of FY2013-14 in order to accommodate the schedule for the community engagement and other aspects of the development of the plan. In the current schedule for the 5-year Strategic Plan, the plan is to be presented to the Council for consideration in March 2014. As a result, the Mayor and City Council, the City Manager, staff and the community worked diligently to develop a five-year Strategic Plan. The mission, “To deliver efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, and opportunities for our youth, and a high quality of life for residents,” serves as the foundation for the City’s seven goals. The goals are Community Safety; Youth, Education, Recreation; Economic Development; City Financial Stability; Community Health, Livability, Engagement and Sustainability; Community Facilities and Infrastructure; and Team Santa Ana allow the City to align its efforts and resources to accomplish goals and achieve positive progress for the community of Santa Ana.

The Strategic Plan includes a total of 145 strategies of which 106 are currently funded within the budget. In order to prioritize and allocate funding to the remaining 39 unfunded strategies, staff has prepared a matrix. The matrix identifies funding priorities in three categories; consensus (6 to 7 stars), general consensus (5 stars) and all others (1 to 4 stars) in descending priority. It is important to emphasize that the unfunded consensus strategies are equivalent to the $2M included in the revised five-year budget forecast approved by the Mayor and Council at the February 4th City Council meeting. General consensus and all other remaining unfunded strategies add up to $3.25M.

The strategic plan is a living document which features a framework that can be adjusted based on the current needs of the community. On a periodic basis, the City will provide updates on the progress and performance of each goal, objective, and strategy. As such, the plan may be modified to ensure that stated goals are aligned with the needs of the community. Furthermore, with the adoption of the 5-year strategic plan, the strategic planning and budgeting process are now linked to assure that the City’s budget reflects City Council and community priorities.

On March 18, 2014, the City Council adopted the 5-year strategic plan. With the development and implementation of the strategic plan, the City of Santa Ana reaffirms its commitment to continue to provide exceptional services and programs to its community.

Community Budget Meetings (Section 2-157)

Description - Community meetings would be established no later than March and October of each calendar year as well as any written meeting requests signed by at least 30 residents. Each meeting would provide to share information or discuss the following:

1. Provide an educational overview of the City’s budget structure.
2. Provide an overview and status update on the City’s existing budget.
3. Provide a general financial assessment in terms of the City’s fiscal year end position as well as the current fiscal status in terms of revenues and expenditures.
4. Allow for the opportunity to review the status in terms of the City’s Strategic Plan.

5. Respond to questions and record any issues, concerns or questions in order to prepare for an appropriate written response and web posting.

Assessment – The meetings have been well attended. In total, the City has held 3 Community Budget meetings and a 4th is scheduled for Thursday, March 27, 2014. Each of the meetings provided those in attendance a general educational overview on the structure of the City’s budget; highlighting major revenues and associated expenditures and a status update as to the budget process. In addition, all materials including answers to participant questions have been posted on the City’s website. Therefore, no changes to this section of the ordinance are recommended at this time.

FISCAL IMPACT

There is no fiscal impact associated with this action.