



ANAHEIM CITY COUNCIL

ACTION AGENDA

February 28, 2017

Tom Tait
Mayor

James Vanderbilt
Mayor Pro Tem
At Large

Kris Murray
Council Member
At Large

Denise Barnes
Council Member
District 1

Dr. Jose F. Moreno
Council Member
District 3

Lucille Kring
Council Member
District 4

Stephen Faessel
Council Member
District 5

- **ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council/Successor Agency to the Redevelopment Agency/Housing Authority/Public Financing Authority/Public Improvement Corporation begin at 5:00 P.M. Public hearings begin at 5:30 P.M. unless otherwise noted. Closed sessions begin at 3:00 P.M. or such other time as noted. Closed sessions may be preceded by one or more public workshops. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. Not all of the above agencies may be meeting on any given date. The agenda will specify which agencies are meeting. All meetings are in the Anaheim City Hall, Council Chambers 200 S. Anaheim Blvd., Anaheim, CA 92805 or such other location as noted.
- **REPORTS:** All agenda items and reports are available for review in the City Clerk's Office, the Central Library and www.anaheim.net. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2nd Floor, Anaheim, CA 92805, during regular business hours.
- **PUBLIC COMMENTS:** Prior to the business portion of the agenda, the City Council and all other related agencies meeting on such date will convene in joint session to receive public comments regarding any agenda items or matters within the jurisdiction of any such governing bodies. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or chairperson will separately call for testimony at the time of each public hearing. The City uses speaker cards that should be submitted to the City Clerk (Please note, speaker cards are not required; everyone will have an opportunity to address the Council). The time limit established for public comments is three minutes per speaker unless a different time limit is announced. Testimony during public hearings is subject to the following time limits: Project applicant or issue initiator: twenty minutes for initial presentation and ten minutes for rebuttal; Residents within the noticed area of the subject property: ten minutes; All other members of the public: three minutes. Public hearings regarding legislative matters: five minutes. The Mayor or chairperson may limit the length of comments during public hearings due to the number of persons wishing to speak or if comments become repetitious or irrelevant. Pursuant to Government Code Section 54954.2(a)(2), no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.
- **ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council or Agency.
- **CONSENT CALENDAR:** Consent Calendar items will be acted on by one roll call vote unless members, staff or the public request the item be discussed and/or removed from the Consent Calendar for separate action.
- **SERVICIOS DE TRADUCCION: (TRANSLATION SERVICES: SEE LAST PAGE OF AGENDA FOR DESCRIPTION IN ENGLISH)** La ciudad provee servicios de interpretación al español en las juntas del Consejo. La interpretación simultánea al español se ofrece por medio del uso de audífonos y la interpretación consecutiva (español a inglés) también está disponible para cualquiera que desee dirigirse al Ayuntamiento, declarando su petición en el podio. No tiene que usar los servicios de interpretación de la Ciudad; las personas pueden proveer su propio intérprete, si lo desean. Debido a que existen muchos dialectos y regionalismos, la Ciudad no puede garantizar que los intérpretes puedan traducir a un dialecto o regionalismo en particular y rehúsa cualquier responsabilidad que surja de tales servicios. Para servicios de interpretación en otros idiomas, comuníquese con la oficina de la Ciudad (City Clerk), cuando menos 48 horas antes de la junta programada.

ANAHEIM CITY COUNCIL

ANAHEIM, CALIFORNIA

February 28, 2017

3:00 P.M.

Call to order the Anaheim City Council. **3:08 P.M.**

3:00 P.M. - WORKSHOP

Public Safety Board Overview

ADDITIONS\DELETIONS TO CLOSED SESSION: **None**

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: **Public comment by 1 speaker and 1 written comment submitted.**

Recess to closed session. **4:23 P.M.**

CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: Brandon Pershin v. City of Anaheim, Orange County Superior Court, Case No. 30-2016 00833328
2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: Victor Mondragon v. City of Anaheim, United States District Court, Case No. SACV16-00834
3. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of California Government Code Section 54956.9: One potential case.
4. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Section 54956.8 of the Government Code)
Property: 528 W. Lincoln Avenue
Agency Negotiator: Rudy Emami, Director of Public Works
Negotiating Parties: E.P.N., Inc.
Under Negotiation: Price and terms of payment for purchase and sale of property
5. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Section 54956.8 of the Government Code)
Property: Parcel 3 of Parcel Map 88-251, in the City of Anaheim, County of Orange, State of California, as per map recorded in Book 233, pages 41 to 46 inclusive of Parcel Maps, in the office of the County Recorder of said county (also commonly referred to as Car Park 2 of the Anaheim Convention Center and the Hilton Self-Parking Garage).
Agency Negotiator: Tom Morton, Executive Director of Convention, Sports and Entertainment
Negotiating Parties: HHC HA TRS, Inc.
Under Negotiation: Price and terms of payment for purchase and sale of property

Reconvene Anaheim City Council. **5:18 P.M.**

5:00 P.M. **5:18 P.M.**

Invocation: Major Ian Robinson, Salvation Army

Flag Salute: Council Member Lucille Kring

Presentations: Recognizing Manuel T. Ontiveros for his service with North Orange County
Community College District

Acceptance of Other Recognitions (To be presented at a later date):

Proclaiming March 2017, as American Red Cross Month

Proclaiming March 2017, as Music in Our Schools Month

Proclaiming March 2017, as National Athletic Training Month

Proclaiming March 2017, as Professional Social Worker Month

Proclaiming March 2017, as Women's History Month

Proclaiming Thursday, March 2, 2017, as Read Across America Day

ADDITIONS/DELETIONS TO THE AGENDA:

Public Item No. 37: Public hearing withdrawn by Appellant.

PUBLIC COMMENTS (all agenda items, except public hearings): Public Comments by 44 speakers.

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Council Member Faessel reported Council Member Barnes would be joining him in a working group to assess parks, citywide.

Council Member Kring responded to comments regarding the homeless and stated she was appointed as Chair of the ACCOC Homelessness Community task force.

Council Member Moreno addressed the recent incident involving the off duty LAPD officer.

Mayor Tait spoke of the community event at Palm Lane Park and thanked the Anaheim Union High School District, Police Department, and Community Services Department.

Mayor Pro Tem Vanderbilt reported he went to observe the recent protest and thanked residents for disbursing peacefully.

Council Member Barnes responded to comments regarding the homeless and encouraged residents to visit anaheim.net for resources and to attend the CityNet and neighborhood community meetings. She also requested an update on Lyndy's Motel.

Council Member Murray spoke of her attendance at the Dale Junior High event geared to expose young women to a career in engineering, science, mathematics and technology.

CITY MANAGER'S UPDATE: **None**

5:00 P.M. - CITY COUNCIL

7:58 P.M.

Item pulled for discussion:

Council Member Moreno: Item Nos.14, 16, 23, 24, 25 and 26

MOTION: **LK/KM** Waive reading in full of all ordinances and resolutions and adopt the consent calendar. **Approved Vote: 7-0. (Item No. 15: Mayor Tait recorded a potential conflict; Approved Vote: 6-0-1; Ayes: Mayor Pro Vanderbilt and Council Members Murray, Barnes, Moreno, Kring and Faessel; Abstain: Mayor Tait)**

CONSENT CALENDAR:

1. Receive and file minutes of Budget, Investment and Technology meeting of September 28, 2016 and October 26, 2016 and Library Board meeting of January 10, 2017.
2. Approve recognitions recognizing 16 Mills Act recipients/property owners for their efforts toward preserving Anaheim's historical homes, National Library Workers' Day on April 11, 2017, former Assembly Member Donald P. Wagner for his service to the residents of Anaheim and four Anaheim Union High School District students honored as part of The Disneyland Resort Dreamers & Doers program.
3. Approve the Investment Portfolio Report for January 2017.
4. Accept the bid from Red Hawk Services, in an amount not to exceed \$200,000, for fencing repair and maintenance services on an as-needed basis for a one year period with up to four one-year optional renewals and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #8861.
5. Accept the bid of Pricon, Inc., in the amount of \$129,419 plus applicable tax, for the purchase of network equipment and maintenance for the Convention Center and Anaheim West Tower and authorize the Purchasing Agent to execute a Purchase Order, in accordance with Bid #8883.
6. Award a construction contract to the lowest responsible bidder, California Landscape and Design Inc., in the amount of \$435,771.61, for the removal, reconstruction and grinding of sidewalk, curb and gutter in the right-of-way – Arterial Rehabilitation Project Phase II, and authorize and direct the Finance Director to execute the Escrow Agreement pertaining to contract retentions and any related documents.
7. Waive the sealed bidding requirement of Council Policy 4.0 and authorize the Purchasing Agent to enter the following actions with E.J. Ward, Inc.: increase a current master agreement by \$8,000, in an amount not to exceed \$28,000, to allow for new parts and additional repairs to existing fuel management system installations; authorize a purchase order, in the amount of \$20,000.00 plus applicable tax, for the installation of a new fuel management terminal and related equipment at Fire Station #6; and approve a new master agreement, in an annual amount not to exceed \$70,000, for purchases of parts, equipment, and services for a one year period with up to four one-year optional renewals and authorize the Purchasing Agent to exercise the renewal

options as required to support the current proprietary fuel management system and allow expansion of the program throughout the City.

8. Amend the Community Services fiscal year 2016/17 budget by \$830,000 for park repair, maintenance and assessment projects proposed at the February 7, 2017 Mid-Year Budget Workshop.
9. Approve the Agreement for Acquisition of Real Property with Ohannes J. Yakinian, Trustee, and Marine O. Yakinian, Trustee, in the acquisition payment amount of \$57,000, for a portion of right-of-way at property located at 1664 West Cerritos Avenue for a road and utility easement and temporary construction easement for the Cerritos Avenue Sidewalk Gap Closure Improvement Project (R/W ACQ2016-00753).
10. Approve the Agreement for Acquisition of Real Property with Robert H. Pernell, Trustee, and Alice Pernell, Trustee, in the acquisition payment amount of \$55,200, for a portion of right-of-way and an additional \$1,000 for the removal of a tree at property located 1685 West Cerritos Avenue for a road and utility easement and temporary construction easement for the Cerritos Avenue Sidewalk Gap Closure Improvement Project (R/W ACQ 2016-00751).
11. Approve a License Agreement with Creative Identity for use of Anaheim Center located at 100 S. Atchison Street to provide therapeutic music and expressive arts activities for adults with developmental and intellectual disabilities for an initial term of five years and authorize the Director of Community Services, or his designee, to extend the term of the agreement for no more than five additional one year terms, under the same terms and conditions.
12. Approve an agreement with RAK Development dba Kreuzer Consulting Group, in the amount of \$694,667, for civil engineering services for the Orangewood Avenue Improvements Project from State College Boulevard to the Santa Ana River (Platinum Triangle Implementation Plan Projects 3B & 3C) and the State College Boulevard (eastside) Improvements Project from Orangewood Avenue to Artisan Court (Platinum Triangle Implementation Plan Project 2A).
13. Approve an agreement with Nichols Consulting Engineering, in the amount of \$67,300, for civil engineering services for the Citywide Pavement Management Program Update for the arterial highway system and local street system from 2017 to 2019.
14. Approve agreements with SRA International, Inc. and Cubic Global Defense, Inc., in the amount of \$1,000,000 and \$175,000, respectively, for intelligence analyst services, which are reimbursed by the Urban Area Security Initiative grant funding, for a one year period with the option to extend two years and authorize the Chief of Police to execute the amendments or renewal options under the terms and conditions of the agreement.

Item No. 14 Discussion. Motion: SF/KM Approved Vote: 7-0

15. Adopt the 2017 Update to the Renewables Portfolio Standard (RPS) Policy for the City, which maintains a 50% RPS target by 2030 and includes an Enforcement Plan and a Renewable Energy Resources Procurement Plan; and authorize the Public Utilities General Manager, or his designee, to prepare, execute, and submit all documents necessary or advisable to implement the RPS Policy, as updated, consistent with the mandates of State law.
Item No. 15 Discussion. Motion LK/KM Mayor Tait recorded a potential conflict. Approved Vote: 6-0-1; Ayes: Mayor Pro Tem Vanderbilt and Council Members Murray, Barnes, Moreno, Kring and Faessel; Abstain: Mayor Tait.
16. RESOLUTION NO. 2017-022 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the destruction of certain city records more than two years old (City Attorney's Office).
Item No. 16 Discussion. Motion: JM/LK Approved Vote: 7-0
17. RESOLUTION NO. 2017-023 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM ratifying and approving the actions of the Anaheim Director of Public Works, or designee, in submitting a grant application on behalf of the City of Anaheim to the State Water Resources Control Board Division of Financial Assistance for the Proposition 1 Storm Water Grant Program for the La Palma and Richfield Storm Drain Extension and Storm Water Infiltration Project and if awarded, authorizing the acceptance of such grant on behalf of the City and amending the budget accordingly and determining that these actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Sections 15301 and 15302 (\$1,740,485 in grant funds with a local match).
- RESOLUTION NO. 2017-024 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM ratifying and approving the actions of the Anaheim Director of Public Works, or designee, in submitting a grant application on behalf of the City of Anaheim to the State Water Resources Control Board Division of Financial Assistance for the Proposition 1 Storm Water Grant Program for the Modjeska Park Underground Stormwater Detention and Infiltration System Project and if awarded, authorizing the acceptance of such grant on behalf of the City and amending the budget accordingly and determining that these actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Sections 15301 and 15302 (\$1,624,018 in grant funds with a local match).
18. RESOLUTION NO. 2017-025 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating a public utility easement located at 200 East Lincoln Avenue pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2015-00330).
19. RESOLUTION NO. 2017-026 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating a public utility easement located at 1501-1550 West Nottingham Lane pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2015-00333).
20. RESOLUTION NO. 2017-027 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating a public utility easement located at 415 South Country Hill Road pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2016-00350).

21. RESOLUTION NO. 2017-028 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim certain real properties or interests therein (City Deed Nos. 12057, 12058, 12059, 12060, 12061, 12062, 12063 and 12064) (Anaheim Boulevard/Ball Road Project).

RESOLUTION NO. 2017-029 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim certain real properties or interests therein (City Deed Nos. 12066, 12067, 12068 and 12069) (Cerritos Avenue Sidewalk Project).

22. RESOLUTION NO. 2017-030 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim interests in real property (City Deed Nos. 12074, 12075, 12076, 12077, and 12078) (electrical and water equipment placement in conjunction with utility system improvements).

23. RESOLUTION NO. 2017-031 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM expanding Permit-Eligible Parking District No. 6 and designating Madrid Street from Wilken Way to the end of the cul-de-sac, Troy Street from Wilken Way to the end of the cul-de-sac, the North side of Wilken Way from 2185 Madrid Street to Oertley Drive, the South side of Wilken Way from 334 Wilken Way to Oertley Drive, Oertley Drive from Wilken Way to Sirius Avenue, Simmons Avenue from Oertley Drive to the end of the cul-de-sac, Tiller Avenue from the west cul-de-sac to Oertley Drive, Tiller Avenue from Oertley Drive to Haster Street, Sirius Avenue from Oertley Drive to Haster Street as "Permit Parking Only" streets within Permit-Eligible Parking District No. 6 and determine the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Regulation No. 15061(b)(3).

Item No. 23 Discussion. Motion: JM/LK Approved Vote: 7-0

24. RESOLUTION NO. 2017-032 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM designating Velare Street from Ball Road to Eola Drive and Heffron Drive from Magnolia Avenue to Velare Street at "Permit Parking Only" Street within Permit-Eligible Parking District No. 11 ("Velare Street").

Item No. 24 Discussion. Motion: JM/LK Approved Vote: 7-0

25. RESOLUTION NO. 2017-033 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing Permit Parking District No. 58 ("Gain") Neighborhood and designating Aron Street from Orange Avenue to Roven Avenue, Roven Avenue from Aron Street to Gain Street, Gain Street from Broadway to Orange Avenue, and Beachy Place from Gain Street to the end of the cul-de-sac as "Permit Parking Only" streets and determine the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Regulation No. 15061(b)(3).

Item No. 25 Discussion. Motion: JM/LK Approved Vote: 7-0

26. RESOLUTION NO. 2017-034 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-093 for the purpose of creating, deleting and/or modifying certain classifications designated as Administrative Management.

RESOLUTION NO. 2017-035 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing rates of compensation for classifications assigned to the Anaheim Municipal Employees Association, General Unit.

RESOLUTION NO. 2017-036 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-061, for the purpose of creating, deleting, and/or modifying certain classifications designated as Confidential.

RESOLUTION NO. 2017-037 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-094 for the purpose of creating, deleting and/or modifying certain classifications designated as Middle Management.

RESOLUTION NO. 2017-038 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2015-173, for the purpose of creating, deleting, and/or modifying certain classifications designated as Non-Represented Part-Time.

RESOLUTION NO. 2017-039 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-095 for the purpose of creating, deleting and/or modifying certain classifications designated as Professional Management.

RESOLUTION NO. 2017-040 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-096 for the purpose of creating, deleting and/or modifying certain classifications designated as Supervisory Management.

Item No. 26 Discussion. Motion: LK/KM Approved Vote: 7-0

27. ORDINANCE NO. 6397 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending certain sections of Chapter 18.20 (Platinum Triangle Mixed Use (PTMU) Overlay Zone) of Title 18 (Zoning) of the Anaheim Municipal Code (Zoning Code Amendment No. 2015-00127; DEV2014-00124) (153-unit, attached single-family residential project on a 7.8-acre site, located at the northeast corner of Lewis Street and Mason Lane) (introduced February 7, 2017, Public Hearing Item No. 28).

ORDINANCE NO. 6398 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving that certain Development Agreement No. 2016-00004 by and between the City of Anaheim and Trumark Homes LLC and authorizing the Mayor to execute said agreement for and on behalf of the city (DEV2014-00124) (153-unit, attached single-family residential project on a 7.8-acre site, located at the northeast corner of Lewis Street and Mason Lane) (introduced February 7, 2017, Public Hearing Item No. 28).

28. ORDINANCE NO. 6399 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 18.36 (Types of Uses), Chapter 18.42 (Parking and Loading) and Chapter 18.62 (Administrative Reviews) of Title 18 (Zoning) of the Anaheim Municipal Code and finding and determining that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to section 15060(c)(2) of the State CEQA guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment (Zoning Code Amendment No. 2016-00136; DEV2016-00124) (reduce parking requirements for certain commercial and industrial land uses and incentivize property owners to replace compact stalls with standard stalls and to provide bicycle parking).

29. Approve minutes of the City Council meeting of October 25, 2016.

30. Receive and discuss information on the various funds and methods used by the City and the County of Orange to address homelessness, as well as any other matters that may involve the assessment of and efforts to address homelessness in the city, and provide staff with direction on such matters.

Item No. 30 Discussion. No action taken.

With the Consent of Council, the agenda was taken out of order and Public Hearing, Item No. 36 was considered next.

31. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the City Manager to enter into certain agreements for and on behalf of the City when the amount does not exceed fifty thousand dollars and amending Council Policy 4.1 accordingly (continued from February 7, 2017, Item No. 16).

**Item No. 31 Discussion. Motion: LK/KM to deny resolution. Vote: 3-3; Ayes: Council Members Murray, Kring and Faessel; Noes: Mayor Pro Tem Vanderbilt and Council Member Moreno and Barnes; Absent: Mayor Tait. Tie Vote.
Item continued to March 7, 2017.**

32. RESOLUTION NO. 2017-041 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Policy 1.6 of the City Council Policy Manual relating to the manner in which members of the City Council may place matters on the agenda of a regular City Council meeting and rescinding Resolution No. 2016-241 (continued from January 24, 2017, Item No. 24 and February 7, 2017, Item No. 21).

Item No. 32 Discussion. Motion: KM/LK . Approved Vote: 4-2; Ayes: Council Members Murray, Kring Barnes and Faessel; Noes: Mayor Pro Tem Vanderbilt and Council Member Moreno; Absent: Mayor Tait. Motion Carried.

33. Receive and file report regarding Short Term Rental program enforcement (continued from January 24, 2017, Item No. 26 and February 7, 2017. Item No. 22).

Item No. 33 Discussion. Motion: SF/LK . Approved Vote: 6-0; Ayes: Mayor Pro Tem Vanderbilt and Council Member Murray, Barnes, Moreno, Kring and Faessel; Absent: Mayor Tait. Motion Carried.

34. Receive and file status report regarding the Beach Boulevard Specific Plan and associated Environmental Impact Report (continued from January 24, 2017, Item No. 29 and February 7, 2017, Item No. 25).

Item No. 34 Discussion. Motion: DB/SF . Approved Vote: 6-0; Ayes: Mayor Pro Tem Vanderbilt and Council Member Murray, Barnes, Moreno, Kring and Faessel; Absent: Mayor Tait. Motion Carried.

35. Discuss and direct staff to move forward with the development of the 2017 fireworks program that will allow Anaheim non-profits the opportunity to raise funds for their organizations through fireworks sales (continued from February 7, 2017, Item No. 26).

Item No. 35 Discussion. Motion: LK/KM To stay with Arena Management and add 3-4 additional locations. Vote: 3-3; Ayes: Council Members Murray, Kring and Faessel; Noes: Mayor Pro Tem Vanderbilt and Council Member Moreno and Barnes; Absent: Mayor Tait. Tie Vote. Item continued to March 7, 2017.

5:30 P.M. PUBLIC HEARINGS: 9:09 P.M.

36. This is a public hearing to consider a resolution and related actions regarding vacation/abandonment of a portion of Alro Way located adjacent to 200 and 205 West Alro Way, together with a portion of "Old" Manchester Avenue adjacent to 200 West Alro Way.

RESOLUTION NO. 2017-042 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating a portion of Alro Way adjacent to 200 and 205 West Alro Way and a portion of the "Old" Manchester Avenue adjacent to 200 West Alro Way (Abandonment No. ABA2016-00342).

Approve a Quitclaim Deed and Purchase and Sale Agreement, in substantial form, and any other related documents, with Singod Investors VI, LLC (Singod) ; authorize de minimis changes that do not substantially alter the terms and conditions of the Purchase and Sale Agreement and Quitclaim Deed, as determined by the City Attorney's Office; authorize the Director of Public Works, or his designee, to take such actions, including the execution of escrow documents, as required to implement and administer the Purchase and Sale Agreement; approved and authorize the Director of Public Works, to execute an Encroachment and Maintenance Agreement, in substantial form, with Singod to improve and maintain the portion of Alro Way which will not be vacated/abandoned, and any other related documents and take the necessary actions to implement and administer the Encroachment and Maintenance Agreement, and authorize de minimis changes that do not substantially alter the terms and conditions of the Encroachment and Maintenance Agreement, as determined by the City Attorney's Office.

Mayor Tait opened the public hearing. Public comments by 4 speakers. Mayor Tait closed the public hearing.

Item No. 36 Discussion. Motion: LK/KM Approved Vote: 7-0

Mayor Tait left the meeting at 9:34 P.M. and Mayor Pro Tem Vanderbilt continued with the meeting, beginning with off-consent calendar item no. 31.

37. Withdrawn by appellant.

MISCELLANEOUS CASE NO. 2013-00575

TENTATIVE TRACT MAP NO. 18046

(DEV2013-00028A)

Location: 2726 West Lincoln Avenue

Request: The applicant proposes the following entitlements: (i) a City Council determination of conformance with the Density Bonus Code to construct a 35-unit condominium complex with affordable units and Tier 2 development incentives allowing reduced building setbacks; and, (ii) a Tentative Tract Map to establish a 1-lot, 35 unit attached condominium subdivision.

Environmental Determination: The City Council will consider whether to find the project to be categorically exempt from the provisions of the California Environmental Quality Act and Guidelines as a Class 32 (In-Fill Development Projects) Categorical Exemption.

ACTION TAKEN BY THE PLANNING COMMISSION:

Motion to approve Miscellaneous Case No. 2013-00575, and Tentative Tract Map No. 18046

Vote: 2-4 (Commissioners Henninger and Lieberman voted yes. Commissioners Caldwell, Carbajal, Dalati and Seymour voted no. Commissioner Bostwick was absent.) Motion Failed.

Motion to deny the project. Vote: 4-2 (Commissioners Caldwell, Carbajal, Dalati and Seymour voted yes. Commissioners Henninger and Lieberman voted no. Commissioner Bostwick was absent.) Motion Carried. (Planning Commission meeting of October 17, 2016) (Appealed by AMG & Associates, LLC) (Continued from Council meeting of November 22, 2016).

Item No. 37 Item withdrawn.

Report on Closed Session Actions:

Kristen Pelletier, Acting City Attorney, reported on Closed Session Item No.3, that City Council authorized the initiation of litigation against Excel Metals, LLC and its principals to recover unpaid sums owed to the City for goods received.

Council Communications/Agenda Requests:

Council Member Murray spoke of her attendance at the opening of Kaboom playground at Imperial Park and the loss of on-duty officers, Officer Keith Boyer of Whittier Police Department and Officer Lucas Chellev of Sacramento CHP and injured Officer Patrick Hazell of Whittier Police Department. She expressed her condolences to the families and requested the meeting adjourn in their memory.

Council Member Kring spoke of her attendance at the Palm Lane Park community event and the Grand Opening of the House of Blues. She highlighted her phone call to Chief Quezada and his quick response to secure a car seat for a 10 month child and requested an agenda item on to vote on whether the Council supported or opposed sanctuary cities.

Council Member Moreno spoke of his attendance at the Family Music Night at Price Elementary, and highlighted the work of Hope Builders who provides skill set training for young adults. He thanked Fire Chief Bruegman for his department tour; Muzeo for the invitation to their 10th Anniversary Gala; and Community Services' staff for organizing the neighborhood community meetings. He spoke of the homelessness forum, the Mayor's Taskforce first meeting, and his discussion with Anaheim High School students during a government/economic class. He further spoke of his visit and tour with the Anaheim Ballet, meeting with Mayfair residents regarding parking issues, his attendance at the Anaheim Heal event on Saturday, and his meeting at Betsy Ross with parents regarding Power of Attorney letters.

Council Member Barnes requested the meeting adjourn in memory of Anaheim resident, Jerome Jerry Jackson.

Council Member Faessel spoke of his attendance at the District 5 neighborhood community meeting, highlighted the Parks and Recreation activity guide and requested an update on the City's Housing Element.

Adjournment: 11:21 P.M.

Adjourned in memory of Officer Keith Boyer, Officer Lucas Chellew and Jerome Jerry Jackson.

Next regular City Council meeting is scheduled for March 7, 2017.

All agenda items and back-up materials are available for review at the Anaheim City Clerk's Office, www.anaheim.net and the Central Library. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2nd Floor, Anaheim, CA 92805, during regular business hours.

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 200 South Anaheim Boulevard, Anaheim, California, or by telephone at (714) 765-5166, no later than 10:00 AM on the day preceding the scheduled meeting.

TRANSLATION SERVICES: Spanish interpreting services are provided at City Council meetings. Simultaneous Spanish interpretation is provided through the use of headsets and consecutive interpretation (Spanish-to-English) is also available to anyone addressing the Council by stating your request at the podium. The use of city provided interpreters is not required and persons are welcome to use their own interpreter. Because many dialects and regionalisms exist the City cannot guarantee that interpreters will be able to interpret into a particular dialect or regionalism, and disclaims any liability alleged to arise from such services. For translation services in other languages, contact the City Clerk's office no later than 48 hours prior to the scheduled meeting.

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