



ANAHEIM CITY COUNCIL

ACTION AGENDA

JULY 11, 2017

CITY COUNCIL HOUSING AUTHORITY

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

JULY 11, 2017

3:00 P.M.

Call to order the Anaheim City Council. **3:10 P.M.**

ADDITIONS\DELETIONS TO CLOSED SESSION:

Acting City Attorney Kristin Pelletier reported Closed Session Item No. 4 involved anticipated litigation pertaining to a discrimination claim from a command staff member of the Police Department.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: 1 speaker

Recess to closed session. **3:15 P.M.**

3:00 P.M. - CLOSED SESSION

1. **PUBLIC EMPLOYEE RESIGNATION/RELEASE/DISMISSAL**
(California Government Code 54957(b)(1))
2. **PUBLIC EMPLOYEE APPOINTMENT**
(California Government Code 54957(b)(1))
Title: Interim City Manager
3. **CONFERENCE WITH LABOR NEGOTIATORS**
(Subdivision (a) of Section 54957.6 of the Government Code)
Agency Designated Representatives: Acting City Attorney
Position(s): (Interim) City Manager
4. **CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code Section 54956.9: One potential case

Reconvene the Anaheim City Council. **5:58 P.M.**

5:00 P.M. **5:58 P.M.**

REPORT ON CLOSED SESSION ACTIONS:

Acting City Attorney Kristin Pelletier reported City Council voted with respect to Item No. 1 to request and accept the resignation of City Manager Paul Emery. **ROLL CALL VOTE: 4-3 (AYES: Mayor Tait and Council Members Vanderbilt, Barnes, and Moreno; NOES: Council Members Murray, Kring, and Faessel).**

She further reported Council voted to direct the City Labor Negotiator to effectuate a settlement agreement with Mr. Emery and authorize a payment of two months' salary, in addition to the compensation as required by contract and City Charter. **ROLL CALL VOTE: 4-3 (AYES: Mayor Pro Tem Vanderbilt and Council Members Murray, Kring, and Faessel; NOES: Mayor Tait and Council Members Barnes and Moreno).**

Mayor Tait reported with respect to Item No. 2, Council voted 7-0 to appoint Linda Andal as Interim City Manager.

Invocation: Pastor Philip De Courcy, Kindred Community Church

Flag Salute: Mayor Pro Tem James Vanderbilt

Presentations: Recognizing Barbara Bennett, North Orange County Community College District
2018 Teacher of the Year

Recognizing Katella High School Knights CIF Baseball Champions

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

Proclaiming July 2017, as Parks Make Life Better Month

Call to order the Anaheim Housing Authority (in joint session with the City Council). **6:17 P.M.**

ADDITIONS/DELETIONS TO THE AGENDAS: None

PUBLIC COMMENTS (all agenda items, except public hearings): 23 speakers

COUNCIL COMMUNICATIONS/AGENDA REQUESTS: None

CITY MANAGER'S UPDATE:

Interim City Manager Linda Andal requested the Mayor's request for a report regarding jurisdictional issues with the County regarding the homeless along the Santa Ana River and flood control channels be set for the August 15, 2017 Council meeting to follow an August 1st meeting between the Police Department and Orange County Sheriff's Department, with no objection by Council.

Recess the Anaheim City Council. **7:38 P.M.**

5:00 P.M. - HOUSING AUTHORITY **7:38 P.M.**

CONSENT CALENDAR: MOTION: LK/SF to approve the Consent Calendar. **ROLL CALL VOTE: 6-0-1 (AYES: Chairman Tait and Authority Members Murray, Kring, Barnes, Moreno, and Faessel; ABSTAIN: Vice Chairman Vanderbilt).**

1. Approve minutes of Housing Authority meeting of June 6, 2017.

5:00 P.M. PUBLIC HEARING **7:39 P.M.**

2. This is a public hearing of the Anaheim Housing Authority to consider a Right of Entry and License Agreement with Illumination Foundation for property located at 883 South Anaheim Boulevard for the creation and operation of the Anaheim Service Center for individuals and families who are at-risk of homelessness.

Approve and authorize the Authority Executive Director to execute and administer a Right of Entry and License Agreement, in substantial form, with Illumination Foundation, in the amount of \$1 annually, for property located at 883 South Anaheim Boulevard for the creation and operation

of the Anaheim Service Center for individuals and families who are at-risk of homelessness for a two year term with two one-year optional renewals.

Item No. 02. Discussion.

Chairman Tait opened the public hearing. Public comment by 6 speakers. Chairman Tait closed the public hearing.

MOTION: SF/LK Approved. ROLL CALL VOTE: 7-0. Motion carried.

Adjourn the Anaheim Housing Authority. 8:13 P.M.

Reconvene the Anaheim City Council. 8:13 P.M.

5:00 P.M. - CITY COUNCIL 8:13 P.M.

Item pulled for discussion:
Council Member Kring: Item No. 09

MOTION: LK/SF Waive reading in full of all ordinances and resolutions and adopt the consent calendar. **Approved Vote: 7-0. Item Nos. 11 and 14: Mayor Tait declared a potential conflict; ROLL CALL VOTE: 6-0-1 (AYES: Mayor Pro Tem Vanderbilt and Council Members Murray, Kring, Barnes, Moreno, and Faessel; ABSTAIN: Mayor Tait).**

CONSENT CALENDAR

3. Receive and file minutes of Sister City Commission meeting of May 22, 2017.
4. Approve a recognition recognizing the Community Services Department's VolunTeens program.
5. Accept the bids of BHC Crane, LLC, Hill Crane Service, Inc. and Mr. Crane, Inc., in a combined amount not to exceed \$75,000, for crane rental services on an as-needed basis for a one year period with four one-year optional renewals and authorize the Purchasing Agent to exercise the renewal options in accordance with Bid #8906.
6. Accept the bid from Waxie Sanitary Supply, in the amount of \$112,131.21 plus applicable tax, and the bid from Verativ Corp., in the amount of \$245,393.95 plus applicable tax, for custodial equipment and trash receptacles for use in the expanded Anaheim Convention Center and authorize the Purchasing Agent to issue the purchase orders in accordance with Bid #8964.
7. Waive the sealed bid requirement of Council Policy 4.0 and authorize the extension of the master agreement with Aramark Services Inc. extending the term retroactive from April 30, 2017 through December 31, 2017 and increasing the contract amount by \$28,000 to a total not to exceed amount of \$48,000, for the furnishing of meals at the Anaheim Police Department detention facility.

8. Waive the sealed bid requirement of Council Policy 4.0 and approve an agreement with Unique Management Services, Inc., in the approximate amount of \$10,000 per year, for assistance in library material and fine recovery for a three year term with two one-year optional renewals.
9. Approve the First Amendment to Agreement with Superior Property Services, Inc., increasing the agreement amount by \$1,685,000 and extending the agreement for a minimum of six months but no more than one year for graffiti removal services.
- Item No. 09 Discussion. Motion: LK/KM to approve as amended for a one-year contract. Motion withdrawn.**

Motion: LK/KM to approve as presented. Approved Vote: 7-0. Motion carried.

10. Approve Professional Services Agreements with two consulting firms, Civic Solutions, Inc. and MIG, Inc., each in the amount of \$300,000, for planning services on an as-needed basis to support the Planning Services Division of the Planning and Building Department for a two year term with up to three one-year optional extensions for a maximum five year term.
11. Approve an agreement with the Orange County Fire Authority (OCFA) allowing the Anaheim Fire & Rescue Department to provide service to a small unincorporated area in southwest Anaheim in which OCFA will pay Anaheim 65% of the secured Structural Fire Fund revenue generated in the service area with the term of the agreement retroactive from July 1, 2015 and expiring on June 30, 2020.
- Item No. 11 Mayor Tait declared a potential conflict; ROLL CALL VOTE: 6-0-1 (AYES: Mayor Pro Tem Vanderbilt and Council Members Murray, Kring, Barnes, Moreno, and Faessel; ABSTAIN: Mayor Tait).**
12. Approve and authorize the City Manager to execute and administer the Workforce Innovation and Opportunity Act Agreement with Foster Assessment Center & Testing Services, Inc., in an amount not to exceed \$50,000, for continued skills assessment services through June 30, 2018.
13. Approve and authorize the Executive Director of the Convention, Sports & Entertainment Department to execute, implement and administer an agreement, and any other related documents, with Anaheim Arena Management, LLC (AAM) providing AAM the exclusive right to sell naming rights sponsorships at the Anaheim Regional Transportation Intermodal Center for a one year term with two six month optional renewals.
14. Approve and authorize the Fire Chief to execute a transfer agreement with the County of Orange, acting through the Sheriff-Coroner Department in its capacity as the lead agency for the Orange County Operational Area, for reimbursement of funds expended under the FY 2016 State Homeland Security Grant Program and amend fiscal year 17/18 Police Department budget, in the amount of \$250,000, for ballistic personal protective equipment for the Orange County Fire Agencies and fiscal year 17/18 Fire Department budget, in the amount of \$160,000, for funding of Anaheim Fire Captain position assigned to Orange County Intelligence Assessment Center.
- Item No. 14 Mayor Tait declared a potential conflict; ROLL CALL VOTE: 6-0-1 (AYES: Mayor Pro Tem Vanderbilt and Council Members Murray, Kring, Barnes, Moreno, and Faessel; ABSTAIN: Mayor Tait).**

15. RESOLUTION NO. 2017-110 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the destruction of certain City records more than two years old (Audit, City Administration, City Clerk, Community & Economic Development, Community Services, Convention, Sports & Entertainment, Human Resources, and Police) (continued from Council meeting of June 20, 2017, Item No. 18).
16. RESOLUTION NO. 2017-111 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM, CALIFORNIA, appointing Karen Feld as the City Hearing Officer, pursuant to Section 1.12.110 of the Anaheim Municipal Code and approving an agreement for hearing officer services with Cota, Cole & Huber LLP.
17. RESOLUTION NO. 2017-112 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention to vacate certain public streets, highways and easements (Abandonment No. ABA 2017-00357; portion of public alley between and adjacent to 547 and 549 South Anaheim Boulevard) (Public hearing scheduled for August 15, 2017).
18. ORDINANCE NO. 6415 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Section 1.04.960 (To Establish a Senior Citizen Commission) and Section 1.04.970 (To Establish a Youth Commission) to Title 1 (Administration), Chapter 1.04 (Officers and Departments; Boards and Commissions) of the Anaheim Municipal Code, and amending Section 1.04.391 of Chapter 1.04 of Title 1 of the Anaheim Municipal Code to reflect the new commissions (Introduced at Council meeting of June 20, 2017, Item No. 29).

END OF CONSENT CALENDAR 8:34 P.M.

19. Discuss information regarding recent conversations by the Mayor and members of the City Council to consider outsourcing of Anaheim Fire & Rescue to Orange County Fire Authority, ensure public notification of any discussions to outsource Anaheim Fire & Rescue, and provide staff with direction on such matters.

Item No. 19 Discussion. No action taken.

5:30 P.M. PUBLIC HEARINGS: 9:21 P.M.

20. This is a public hearing to adopt the 2016 Edition of the California Building Standards Codes, known as California Code of Regulations, Title 24.

ORDINANCE NO. 6413 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM repealing Chapter 15.03 and adding new Chapter 15.03 to Title 15 of the Anaheim Municipal Code pertaining to the California Building Standards Codes (Introduced at Council meeting of June 6, 2017, Item No. 39).

Determine that the proposed ordinance constitutes a project falling within the definition of Categorical Exemptions, Section 15061(b)(3), as defined in the State CEQA Guidelines and is, therefore, categorically exempt from environmental review.

Item No. 20. Discussion.

Mayor Tait opened the public hearing. Public comment by 1 speaker. Mayor Tait closed the public hearing.

MOTION: SF/KM **Approved Vote: 7-0. Ordinance adopted.**

21. This is a public hearing to adopt the 2016 Edition of the California Fire Code.

ORDINANCE NO. 6414 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM repealing existing Chapter 16.08 and adding new Chapter 16.08 to Title 16 of the Anaheim Municipal Code pertaining to the California Fire Code (Introduced at Council meeting of June 6, 2017, Item No. 40).

Determine that the proposed ordinance is exempt from the California Environmental Quality Act under Section 15061 (b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that adoption of the ordinance may have a significant effect on the environment.

Item No. 21. Discussion.

Mayor Tait opened the public hearing. Public comment by 1 speaker. Mayor Tait closed the public hearing.

MOTION: LK/SF **Approved Vote: 7-0. Ordinance adopted.**

Report on Closed Session Actions: None

Council Communications/Agenda Requests:

Council Member Faessel thanked staff and residents for the District 5 community meeting, reported his attendance at the EID Festival and Fourth of July events, announced a breakfast fundraiser at Applebee's to support the annual Halloween Parade, and offered congratulations to Geri Kirk Bumpass for her unique birth circumstances of being born within the boundaries of now-Pearson Park on July 17, 1941.

Mayor Pro Tem Vanderbilt thanked the Mayor for the future agenda item regarding jurisdictional issues with the County surrounding homeless encampments, requested LGBT sensitivity training of homeless offered by OC211 at a future meeting, and reported the future consideration by the Orange County Water Board of the Ball Road Basin and asked for Council's input at its next meeting.

Council Member Barnes announced the CityNet meeting at the Central Library on July 12th, reported her attendance at the EID Festival, and welcomed Glee D&B Donuts and Burgers to the city.

Council Member Moreno congratulated the Orange County Family Justice Center on receiving a grant from Ronald McDonald House Charities of Southern California; thanked the Police Department and CityNet for a homeless outreach team ride-a-long; announced his attendance at a Fullerton College roundtable discussion on higher education, the Willow Park community meeting, the Law Enforcement Accountability Network fundraiser and recognition, an Illumination Foundation tour of transitional housing space in Midway City, the Lincoln Avenue Widening community meeting, and St. Jude breakfast. He recognized the AUHSD and Cal State Fullerton Summer Language Academy, the "Wings of the City" art exhibit at the Convention, and announced the first meeting of the Homeless Working Group would be announced by the end of July. He requested a Council discussion item regarding illegal fireworks, a report of earnings and outcome of the changed fireworks selling method, and a report regarding the -

outreach plan for the approved youth and senior commissions. He thanked Paul Emery for his service to the city and Linda Andal for serving as Interim City Manager.

Council Member Kring wished Paul Emery luck in his future, announced her attendance and participation at the EID Festival and Fourth of July activities, and recognized the “Wings of the City” art exhibit and Anaheim Ballet performers. She requested no additional special events be scheduled on the same days as Council meetings, a reconsideration and vote of the anti-camping ordinance at the next meeting, and to send a letter to Sacramento opposed to sanctuary state/city designation.

Council Member Murray thanked the Anaheim Hills Community Council, sponsors, and Jim Cain for the July 4th festivities; thanked Paul Emery for his years of service to Anaheim and other Orange County cities; and thanked Linda Andal for agreeing to serve as city manager on an interim basis.

Mayor Tait thanked Mexican General Consul Mario Cuevas for bringing the “Wings of City” art exhibit to the Convention Center through September, reported his attendance at the U.S. Conference of Mayors in Miami, thanked Paul Emery for his distinguished career in public service, looked forward to working with Interim City Manager Linda Andal in moving the city towards the neighborhoods, and requested the meeting be adjourned in memory of 16 U.S. military service members who died aboard a military transport plane that crashed in Mississippi.

Adjournment: 10:14 P.M. in memory of 16 U.S. military service members who lost their lives in a plane crash.

Next regular City Council meeting is scheduled for July 25, 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.

POSTING STATEMENT: On July 7, 2017, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 200 S. Anaheim Blvd. Internet Access to City Council/Successor Agency to the Redevelopment Agency/Housing Authority agendas and related material is available prior to City Council Meetings at www.anaheim.net.