



# ANAHEIM CITY COUNCIL

## ACTION AGENDA

### NOVEMBER 21, 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

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- **ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council/Successor Agency to the Redevelopment Agency/Housing Authority/Public Financing Authority/Housing and Public Improvements Authority 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](http://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., 2<sup>nd</sup> 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**  
**NOVEMBER 21, 2017**  
**4:30 P.M.**

Call to order the Anaheim City Council.      **4:32 P.M.**

**MEMBERS PRESENT:**      Mayor Tait and Council Members Vanderbilt, Murray, Moreno, Kring, and Faessel. Council Member Barnes joined the meeting at 4:40 P.M.

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

**PUBLIC COMMENTS ON CLOSED SESSION ITEM:**      **3 speakers**

Recess to closed session.      **4:42 P.M.**

**4:30 P.M. - CLOSED SESSION**      **4:42 P.M.**

1.      **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
         **(Subdivision (d)(1) of Section 54956.9 of the California Government Code)**  
         **Name of Case:** Estate of Manuel Diaz v. City of Anaheim et al. Case No. SACV12-01897 JVS

Reconvene Anaheim City Council.      **5:27 P.M.**

**5:00 P.M.**      **5:27 P.M.**

**Invocation:**      Father Edward Poettgen, St. Boniface Roman Catholic Church

**Flag Salute:**      Council Member Lucille Kring

**Presentations:**      Posthumous Recognition of John H. Liekhus, World War II Hero

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

Proclaiming November 25, 2017, as Small Business Saturday

Proclaiming December 2017, as Impaired Driving Prevention Month

Proclaiming December 1, 2017, as World AIDS Day

Proclaiming December 7, 2017, as Pearl Harbor Remembrance Day

Proclaiming December 10, 2017, as Human Rights Day

**ADDITIONS/DELETIONS TO THE AGENDA:**      **None**

**PUBLIC COMMENTS (all agenda items):**      **29 speakers**

## COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Upon request from Council Member Murray, and with the concurrence of the Mayor and Council, Acting Police Chief Julian Harvey addressed public comments related to the ACLU Use of Force Report.

Mayor Tait confirmed that staff recommendations regarding the Public Safety Board would be on the December 5<sup>th</sup> agenda and congratulated Council Member Moreno for receiving the New American Hero award in Washington, DC from the New American Leaders Project. In regards to homes lost during the Canyon fires, Mayor Tait requested Interim City Manager Linda Andal find ways to help residents rebuild through expedited permitting and reduced fees.

Council Member Kring requested the meeting be adjourned in honor of John H. Liekhus, World War II Hero.

Council Member Faessel requested a recognition by the December 19<sup>th</sup> meeting recognizing December 21<sup>st</sup> as National Homeless Persons' Remembrance Day.

## CITY MANAGER'S UPDATE:

Interim City Manager Linda Andal provided an update on the park surveillance camera project at Twila Reid, Brookhurst, and Maxwell parks reporting that the cameras have been installed and were in beta-testing to address remaining technological issues, with an expected go-live date within 30-days and on-budget. Additionally, she reported the Police Department was finalizing its camera policy and signage about the cameras was being fabricated and installed.

Mayor Pro Tem Vanderbilt requested additional information about community outreach and input at Ponderosa Park be included in future updates.

## 5:00 P.M. - CITY COUNCIL

7:18 P.M.

Item pulled for discussion:

Mayor Pro Tem Vanderbilt: Item No. 08

MOTION: LK/SF Waive reading in full of all ordinances and resolutions and adopt the consent calendar. **APPROVED VOTE: 7-0. Item No. 02: Mayor Tait declared a potential conflict; APPROVED VOTE: 6-0-1 (AYES: Mayor Pro Tem Vanderbilt and Council Members Murray, Kring, Barnes, Moreno, Kring, and Faessel; ABSTAIN: Mayor Tait). Motion carried.**

## CONSENT CALENDAR:

1. Determine, on the basis of the evidence submitted by LTG Platinum LLC, that the property owner has complied in good faith with the terms and conditions of Development Agreement No. 2015-00001 for the 2017 review period for the LT Platinum Center mixed-use project located at the northeast corner of Orangewood Avenue and State College Boulevard in the Platinum Triangle.
2. Determine, on the basis of the evidence submitted by PT Metro LLC, that the property owner has complied in good faith with the terms and conditions of Amended and Restated Development Agreement No. 2005-00008 for the 2017 review period for the A-Town Metro mixed-use project located at 1404 East Katella Avenue in the Platinum Triangle.  
**Item No. 02 Mayor Tait declared 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).**

3. Accept the bid from Spiess Construction Co., Inc., in the amount of \$289,890, for furnishing and installing a THM Removing Water Mixing System at Oak Hills Reservoir for the Public Utilities Department, plus up to a 15% contingency for reaching actual increased performance goals as specified in the bid documents and any unexpected costs associated with the installation, authorize the Purchasing Agent to issue a Purchase Order in accordance with Bid #9024, and determine that the installation of the Water Mixing System at Oak Hills Reservoir is exempt from the California Environmental Quality Act pursuant to Section 15301(b) of Title 14 of the California Code of Regulations.
4. Award the contract to the lowest responsible bidder, Vasilj, Inc., in the amount of \$3,560,694, for the Citywide Sanitary Sewer Improvement Program/Project (La Palma Avenue from East Street to Anna Drive; Romneya Drive from East Street to Acacia Street; Acacia Street from Romneya Drive to Carbon Creek Channel; and Burton Street from Acacia Street to 300 feet west of Acacia Street), authorize the Finance Director to execute the Escrow Agreement, and determine that the project is categorically exempt under the California Environmental Quality Act.
5. Award the contract to the lowest responsible bidder, HYM Engineering, Inc., in the amount of \$450,810.50, for the South Street Sidewalk Gap Closure Project (525 west of East Street to East Street), authorize the Finance Director to execute the Escrow Agreement, and determine that the project is categorically exempt from the California Environmental Quality Act pursuant to Class 1, Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations.
6. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue two Purchase Orders to the Orange County Conservation Corps, in the total amount of \$62,000, for vegetation clearance and rehabilitation services for the Community Services Department at Pelanconi Park and the Anaheim Coves Northern Extension, authorize the Purchasing Agent to issue future purchase orders to Orange County Conservation Corps when requested by City Departments and allowed per Council Policy, in amounts not to exceed the available budget appropriations.
7. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue a purchase order to Mallory Safety and Supply LLC, in the amount of \$777,371 plus applicable tax, for the purchase of 700 sets of personal protective equipment for first responders in accordance with the US Communities Cooperative Agreement 4400001839 contract pricing.
8. Waive the sealed bid requirement of Council Policy 4.0 and approve and authorize the Public Works Director to execute agreements with ACCO, Crestron, Chief Integrations, Rosendin and BEC, each in an amount not to exceed \$75,000 with a 20% contingency for a total combined amount of \$450,000, to correct a variety of building system functionalities and make adjustments to system programming related to the automation and remote control of the HVAC, Lighting Control, Fire Alarm, Access Control & Video Surveillance systems at the Anaheim Convention Center; and authorize de minimis changes in the best interest of the City, so long as such changes are determined to be de minimis by the City Attorney.

**Item No. 08 Mayor Tait declared a potential conflict and left the dais at 7:27 P.M.**

**Discussion. MOTION: LK/KM APPROVED VOTE: 4-0-3 (AYES: Council Members Murray Moreno, Kring, and Faessel; ABSTAIN: Mayor Tait and Council Members Vanderbilt and Barnes). Motion carried.**

**Mayor Tait returned to the dais at 7:33 P.M.**

9. RESOLUTION NO. 2017-165 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution 2017-024, Nunc Pro Tunc, relating to the Proposition 1 Storm Water Grant Program for the Modjeska Park Underground Stormwater Detention and Infiltration System Project.

**END OF CONSENT CALENDAR 7:33 P.M.**

10. Receive and file a status update on compensation agreements with affected taxing agencies, including County of Orange, Anaheim Union High School District and Placentia-Yorba Linda Unified School District, regarding proceeds from sale of former Redevelopment properties for future economic development.

**Item No. 10 Mayor Tait declared a potential conflict and left the dais at 7:33 P.M.**

**Discussion. MOTION: KM/LK APPROVED VOTE: 6-0-1 (AYES: Mayor Pro Tem Vanderbilt and Council Members Murray, Barnes, Moreno, Kring, and Faessel; ABSTAIN: Mayor Tait). Motion carried.**

**Mayor Tait returned to the dais at 8:01 P.M.**

**Report on Closed Session Actions: None**

**Council Communications/Agenda Requests:**

Council Member Murray thanked Council Member Faessel, staff, CityNet, Mercy House, and residents for the community forum regarding homelessness held November 20<sup>th</sup>; announced the 31<sup>st</sup> Annual We Give Thanks event at the Honda Center on Thanksgiving, November 23<sup>rd</sup>; thanked Orin Abrams, Anaheim Hills Golf Course, and Jim Cain, Anaheim Hills Community Council, for the lunch honoring first responder efforts during the Canyon fire events; requested an agenda item on December 5<sup>th</sup> regarding legal authorities and charter provisions regarding the roles of the mayor and council members; refuted a public comment regarding alleged comments made at an Anaheim Hills restaurant; and thanked her colleagues and staff for their service to the public.

Council Member Kring announced her attendance at the first responders luncheon and encouraged the public to host events at the Anaheim Hills Golf Course; thanked all who attended and participated in the Veterans Day event; reported her attendance at a fundraiser for Anaheim Parents Union on November 16<sup>th</sup>; announced November as Adopt an Older Pet Month; and wished everyone a happy Thanksgiving.

Council Member Moreno congratulated the inductees to the International Educators Hall of Fame; reported his participation in the New American Leaders conference in Washington, DC; announced his attendance at the Hispanic Education Endowment Fund gala, a Balsam neighborhood meeting, Mayfair neighborhood meeting, and a meeting with the PSB Coalition to discuss the ACLU report; and thanked the Planning Department for briefings on development agreements. For future agendas, he requested to receive and file bullet points of the Homeless Policy Working Group recommendations on December 5<sup>th</sup> in advance of the full recommendations/report in January, local campaign disclosures in January, street safety surrounding schools and parks, and negotiations regarding the Downtown Community Center open space.

Council Member Barnes invited all to the annual WAND tree lighting on December 1<sup>st</sup>, reported her attendance at a breakfast of kindness event at Baden-Powell School, and thanked Assistant City Manager Kristine Ridge for her service to Anaheim.

Mayor Pro Tem Vanderbilt thanked his Council colleagues for tickets to recognize long-time City employees, and announced his attendance at a breakfast at Savanna High School and the Asian Business Association of Orange County annual event at Disneyland Hotel.

Council Member Faessel thanked Don Vasca for the Anaheim Shores 40<sup>th</sup> Anniversary event; recognized the International Educators Hall of Fame event; reported his attendance at St. Anthony Claret's blue mass recognizing police and fire first responders, Ponderosa School's creative writing awards, and the Chamber of Commerce's business recognition, highlighting District 5 businesses Applebee's and Reborn Cabinets; announced the opening of Clear Motivations, a non-profit providing community integration and employment opportunities for disabled adults; and reported his attendance at the Wildfire Preparedness Community Fair at Fire Station No. 10 and acknowledged the brush clearance by goats. He acknowledged unique Anaheim businesses: Kanstul Musical Instruments for domestically produced, brass musical instruments and ThoroBred, Inc. for horse-racing shoes. For an upcoming agenda, Council Member Faessel requested an update regarding permit parking and the appointment to the Orange County Vector Control Board.

Mayor Tait thanked the producers and distributors of "Wonder" for the movie preview, announced the We Give Thanks event on Thanksgiving, thanked Deputy City Manager Greg Garcia for his work with a State Department visit to Anaheim to discuss community policing, and requested an agenda item regarding short-term rentals (STRs) to provide an update and an ordinance for home-sharing.

**Adjournment: 8:23 P.M. in memory of John H. Liekus.**

Next regular City Council meeting is scheduled for December 5, 2017.

All agenda items and back-up materials are available for review at the Anaheim City Clerk's Office, [www.anaheim.net](http://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., 2<sup>nd</sup> 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 November 17, 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](http://www.anaheim.net).