



ANAHEIM CITY COUNCIL

ACTION AGENDA

FEBRUARY 6, 2018

Tom Tait
Mayor

Dr. Jose F. Moreno
Mayor Pro Tem
District 3

Kris Murray
Council Member
At Large

James Vanderbilt
Council Member
At Large

Denise Barnes
Council Member
District 1

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/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. 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.

200 S. Anaheim Blvd.
Anaheim, CA 92805
Tel: (714) 765-5166
Fax (714) 765-4105
www.anaheim.net

ANAHEIM CITY COUNCIL

ANAHEIM, CALIFORNIA

February 6, 2018

3:30 P.M.

Call to order the Anaheim City Council. **3:34 P.M.**

MEMBERS PRESENT: Mayor Pro Tem Moreno and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel. Mayor Tait joined Closed Session after consideration of Item No. 1.

ADDITIONS\DELETIONS TO CLOSED SESSION:

Acting City Attorney Kristin Pelletier announced Closed Session Item No. 1 was discussion of potential legal action against the County of Orange regarding actions in the riverbed and Item No. 5 related to a property damage case regarding a sewer back-up into a private residence.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: **None**

Recess to closed session. **3:35 P.M.**

3:30 P.M. - CLOSED SESSION

1. **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
Mayor Tait did not participate in Item No. 1 due to a potential conflict of interest.
2. **CONFERENCE WITH LEGAL COUNSEL EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code
Name of Case: Orange County Catholic Worker, et al., v. Orange County, et al., USDC Court Case No. 18-CV-00155-DOC (KESx)
3. **PUBLIC EMPLOYEE APPOINTMENT**
(Section 54957 (b)(1) of the California Government Code)
Position: City Attorney
4. **CONFERENCE WITH LABOR NEGOTIATORS**
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representative: Jason Motsick, Acting Human Resources Director, and Avery Associates
Position: City Attorney
5. **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.
6. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code
Name of Case: Estate of Gustavo Najera v. City of Anaheim, et al., USDC Court Case No. SACV16-01243-JLS

Reconvene the Anaheim City Council. **5:30 P.M.**

5:00 P.M. **5:30 P.M.**

Invocation: Pastor Ethan Hedberg, Ambassador Church

Flag Salute: Mayor Pro Tem Jose F. Moreno

Presentations: Recognizing Josh Vieta and Scott Nelson for their heroic act in preventing a fire
County Update by Supervisor Todd Spitzer

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

Proclamation recognizing February 18-24, 2018, as National Engineers' Week

Proclamation recognizing February 2018, as Career and Technical Education Month

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

PUBLIC COMMENTS (all agenda items): **25 speakers**

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Council Member Faessel announced the first conference of Students Against Destructive Decisions (SADD) on March 2-3, 2018 at the Sheraton Park Hotel and requested a proclamation honoring their efforts.

Council Member Vanderbilt requested a proclamation recognizing February 13th as Asian Business Association of Orange County Day, announced the WAND BBQ on April 21st at Maxwell Park, and the Buffalo Soldier Experience at the Muzeo with free admission and transportation scholarships for local schools.

Council Member Murray requested staff research expanding the use of the Big Belly solar trash cans and associated costs; thanked the Wells family, supporters, and staff for the work done for Item No. 17; and requested the ground breaking for the Logan Wells Skate Park be scheduled to coincide with Logan's birthday.

Mayor Pro Tem Moreno requested an update on the La Palma Check In Center, thanked the Wells family and staff for Item No. 17, requested staffing ratios be reviewed citywide and particularly within the Police Department as part of the budget process, and also asked for consideration of staff at skate parks and other park amenities in the budget process.

Council Member Barnes announced District Nos. 1 and 2 community meeting on Wednesday, February 7th and encouraged everyone to donate blood.

CITY MANAGER'S UPDATE:

Interim City Manager Linda Andal reported staff was still on schedule to bring forward the permit parking, oversized vehicles, and car sales policies on February 27th but would be working in a phased approach with draft policies set for review and file on 2/27 to allow for a 30-day review period for Council and the public to review and comment on the policies, which will also be posted online, and will be brought back on March 27th for potential adoption. Additionally, she announced the schedule of the upcoming District Community Meetings and noted they would include updates about homelessness by Sandra Sagert and

outreach and the application process for the Public Safety Board for which the first meeting was projected to be in April.

5:00 P.M. - CITY COUNCIL

7:47 P.M.

Items pulled for discussion:

Council Member Faessel:	Item No. 09
Council Member Vanderbilt:	Item No. 12
Mayor Tait:	Item Nos. 14 and 17

MOTION: LK/JM Waive reading in full of all ordinances and resolutions and adopt the consent calendar. **APPROVED VOTE: 7-0.**

Following adoption of the consent calendar, without objection, Mayor Tait considered Item No. 17 out of order prior to the other items pulled for discussion.

CONSENT CALENDAR:

1. Receive and file minutes of the Public Utilities Board meeting of December 13, 2017.
2. Receive and file the 2017 Lobbyist Annual Report.
3. Approve recognitions recognizing Water Awareness Month (May 2018); Anaheim Public Utilities Bottled Water Art Contest Winner(s); Public Power Week (October 7 – 13, 2018); Anaheim resident Norris Johnson for his 100th birthday (February 1, 2018); Helen Bethers, Ernie Diaz, and Wilma Ast, who have demonstrated kindness in the City; Project S.A.Y. for developing workshops on respect, safe space, and healthy dating during Teen Dating Violence Awareness Week; and OCAC's Passion y Tumbao Project for their achievements in winning two World Silver Medals within the Kids Latin Dance Division.
4. Reappointment of Alicia Berhow and Amy Olsen, both representing the business sector, to the Anaheim Workforce Development Board to four year terms ending February 1, 2022.
5. Accept the lowest responsive bid from Bradley Lighting, Inc., in the amount of \$215,426.25 plus tax, for landscape and palm tree lighting materials for the Anaheim Resort Maintenance District and authorize the Purchasing Agent to issue a purchase order in accordance with Bid #9073.
6. Accept the lowest responsive bid from Farber Specialty Vehicles, in the amount of \$194,970.50 plus tax, for a 2018 Winnebago Bookmobile for the Anaheim Public Library, authorize the Purchasing Agent to issue a purchase order in accordance with Bid #9056, authorize the transfer of \$200,000 of Community Development Block Grant appropriations from the Community & Economic Development Department to the Community Services Department.
7. Accept the lowest responsive bid from Henry Schein, Inc., in the amount of \$20,335 plus applicable tax, for the purchase of hand wipes, sharp evidence tubes and latex gloves for the Anaheim Police Department 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 #9070.

8. Authorize the Director of Community Services, or his designee, to accept donations, each in the amount of \$5,000, from the Kiwanis Club of Greater Anaheim and the Orange County Community Foundation for the Bookmobile Services program of the Library Division and increase the Fiscal Year 2017/18 revenue and expenditure appropriations in the Community Services Department budget by \$10,000.
9. Approve the Solar Power Sales Agreement (Solar Agreement), in substantial form, with Southern California Public Power Authority to procure solar energy to meet the State mandated Renewable Portfolio Standard for approximately \$1.8 million annually over twenty-five years with no escalation and authorize the Public Utilities General Manager, or his designees, to execute the Solar Agreement and other agreements, including, collateral assignment or power scheduling agreements, and prepare, certify, attest, execute, and deliver any other related documents and take necessary or advisable actions to implement and administer the Solar Agreement.

Item No. 09 Mayor Tait declared a potential conflict of interest and left the dais at 7:56 P.M.

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

Mayor Tait returned to the dais at 8:07 P.M.

10. Approve a License Agreement with the Anaheim Family YMCA for free use of the gymnasiums at the Downtown Anaheim Youth Center and West Anaheim Youth Center during specified use hours, and rental of the gymnasium at a reduced rate of \$30 per hour during non-scheduled hours when the facilities would normally be closed, for a term of five years.
 11. Approve an agreement with the City of Cypress for the funding of design and construction of the Arterial Street Improvements Project on Cerritos Avenue with the City of Anaheim's pro-rata share estimated at \$32,000 with a not to exceed amount of \$50,000.
 12. Approve an agreement with Enterprise Rideshare, in an amount not to exceed \$100,000 per year, for the monthly rental of vanpool vehicles for use in the City's vanpool program for a term of five years.
- Item No. 12 MOTION: LK/SF APPROVED VOTE: 7-0.**

13. Approve and authorize the Interim City Manager to execute a Site License Agreement for Telecommunications Facilities Mounted on City Facilities with Sprint PCS Assets, L.L.C. a Delaware limited liability company (Sprint) which authorizes Sprint to install 113 Distributed Antenna System Antennas in the Anaheim Convention Center Expansion project to provide cellular service coverage; pay to the City a monthly fee, in the amount of \$9,605, with an initial term of ten years with up to two automatic successive five year renewals; pay to the City a one-time fee, in the amount of \$235,814.75, for reimbursement of Sprints apportioned share of the furnishings and installation of all infrastructure costs for cellular providers as noted in the City of Anaheim Department of Public Works Anaheim Convention Center Betterment VII Project Change Order B; and authorize the Executive Director of the Convention, Sports & Entertainment Department to execute any other related documents, take the necessary actions to implement and administer the Agreement.

14. Approve and authorize Interim City Manager, or designee, to execute and administer a Parking Garage Management Agreement, in substantial form, with SP Plus Corporation, in the initial annual amount of \$318,996, for the management of Car Parks 2 through 6 for a three year term with five one-year optional renewals with annual contract increases based on the Consumer Price Index (continued from Council meeting of January 30, 2018, Item No. 18).

Item No. 14 MOTION: TT/KM to approve with the removal of equipment listed for Car Parks 1 and 2 on Exhibit C. APPROVED VOTE: 7-0.

15. RESOLUTION NO. 2018-011 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim certain interests in real property (City Deeds Nos. 12177, 12178, 12179, 12180, 12181, 12182, 12183, 12184, and 12185) (current and future City uses for the installation of water and electrical facilities for the provision of utility services).
16. RESOLUTION NO. 2018-012 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Letter of Understanding between the International Brotherhood of Electrical Workers Local 47 and the City of Anaheim (incorporate new classification, Part-Time Senior Customer Service Representative).
17. RESOLUTION NO. 2018-013 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting donated funds from the Logan Wells Memorial Foundation for development of a skate facility (funds in the amount of \$190,000).

Amend the Community Services Department's revenue and expenditures by \$190,000 and determine that the Logan Wells Memorial Skate-zone Project is categorically exempt from further environmental review under the California Environmental Quality Act, Section 15303 of Title 14 of the California Code of Regulations (Class 3, New Construction).

Item No. 17 MOTION: TT/JM APPROVED VOTE: 7-0.

18. RESOLUTION NO. 2018-014 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the proposed electric vehicle projects and the Public Utilities General Manager or designee to submit an application, on behalf of the City of Anaheim, to the Mobile Source Air Pollution Reduction Committee for a 2017 Local Government Partnership Program Grant, to accept such funds as awarded, and to take such actions in furtherance of the grant program; authorizing the allocation of matching funds in connection therewith; and determining the electric vehicle projects are exempt from the California Environmental Quality Act pursuant to Sections 15301, 15303, and 15304(f) of Title 14 of the California Code of Regulations (installation of electric vehicle charging stations and acquisition of electric vehicles; up to \$221,500 in grant funds with a local match of \$212,100).
19. ORDINANCE NO. 6428 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 10.10 (Waste Collection and Disposal) of Title 10 (Public Service and Utilities) of the Anaheim Municipal Code relating to placement of containers for collection and finding and determining that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3) of the State CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility that it may have a significant effect on the environment and because it is not a project, as defined in Section 15378 of the CEQA Guidelines. (introduced at Council meeting of January 30, 2018, Item No. 22).

ORDINANCE NO. 6429 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 6.44 (Nuisances) of Title 6 (Public Health and Safety) of the Anaheim Municipal Code and finding and determining that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3) of the State CEQA Guidelines, because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility that it may have a significant effect on the environment and because it is not a project, as defined in Section 15378 of the CEQA Guidelines (introduced at Council meeting of January 30, 2018, Item No. 22).

Report on Closed Session Actions: None

Council Communications/Agenda Requests:

Council Member Kring reported her participation in the Black History Parade and Cultural Faire last Saturday and noted its highest level of attendees and participants, congratulated the Mayor on his State of the City address, requested consideration of a Council letter regarding Proposition 13 on a February or March agenda, and wished everyone a Happy Valentine's Day and Ash Wednesday/Lent.

Mayor Pro Tem Moreno reported his attendance at the Access California 20th Anniversary Gala; thanked Anaheim High School teacher Ms. Majewski for inviting him to speak to her government classes; acknowledged the Black History Parade and thanked the Anaheim Small Business Association, Los Amigos, and Georgia's for funding transportation for participating bands; thanked the Mayor for his final State of the City address; and announced the Kaboom! playground build at Pearson Park on Saturday, February 24th, 8:30 A.M. – 2:30 P.M. and encouraged volunteers to sign-up online.

Council Member Barnes reported her attendance at the Access California 20th Anniversary Gala and recognized the efforts of Nahla Kayali; reported her attendance at the Miracle Terrace Apartments ribbon-cutting/grand opening and thanked donors; acknowledged the Black History Parade; commented on resident participation and suggestions for Moon/Brookhurst Park; encouraged everyone to donate blood; and requested a memo summarizing SB-827 and its possible impacts on Anaheim.

Council Member Vanderbilt thanked staff and volunteers for their work on the State of the City; congratulated Mayor Pro Tem Moreno on providing the keynote speech at the Access California event; and addressed public comments and being cognizant of when such comments may become hate incidents.

Council Member Faessel reported he attended the St. Catherine's Academy's Public Servant Recognition Mass along with Council Member Kring and highlighted the Fire, Police, and Public Works vehicles there; stated he participated with Mayor Pro Tem Moreno and community members in a round-table discussion and ooled forward to developing a comprehensive plan for Art in Public Places; reported the Access California Gala, Black History Parade, and Buffalo Solider exhibit; announced Bruno Serato would re-open the White House Restaurant in the next few weeks and celebrate with four ribbon-cutting events; and offered comments regarding County efforts on the riverbed regarding homelessness and that the City would continue to balance outreach, assistance, and enforcement activities.

Mayor Tait offered congratulations to Mayor Pro Tem Moreno for his Access California address; thanked City staff, Larry and Sarma Rosenberg with Anaheim Ballet, the Savanna High School Drum Corps, and the brew industry for their efforts with the State of the City, stating he was proud of efforts across the city and honored to serve with his colleagues; and requested staff research programs on making connections with senior citizens to combat isolation and loneliness, a review from the Police Chief regarding crime statistics, and a workshop to show a TED Talk and discuss ideas for the City flag.

Adjournment: 8:42 P.M.

Next regular City Council meeting is scheduled for February 27, 2018.

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 February 2, 2018, 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.