



ANAHEIM CITY COUNCIL

ACTION AGENDA

MARCH 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.

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ANAHEIM CITY COUNCIL

ANAHEIM, CALIFORNIA

MARCH 6, 2018

3:30 P.M.

Call to order the Anaheim City Council. 3:35 P.M.

MEMBERS PRESENT: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel

MEMBER ABSENT: Mayor Pro Tem Moreno

3:30 P.M. - WORKSHOPS 3:35 P.M.

- 1) Orange County Transportation Authority Harbor Corridor Study
- 2) City Flag Workshop

ADDITIONS\DELETIONS TO CLOSED SESSION: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: 1 speaker

Recess to closed session. 5:08 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: Turner Construction Company v. City of Anaheim; STV Construction, Inc.,
Orange County Superior Court Case No. 30-2017 0000956538

Reconvene the Anaheim City Council. 5:29 P.M.

5:00 P.M. 5:29 P.M.

Invocation: Pastor Robin Kim, West Anaheim United Methodist Church

Flag Salute: Council Member Stephen Faessel

Presentation: Recognizing Norris Johnson, Anaheim Resident, on his 100th Birthday
Proclamation will be forwarded to Mr. Johnson.

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

Proclaiming March 7, 2018, as Arbor Day

ADDITIONS/DELETIONS TO THE AGENDA: None

PUBLIC COMMENTS (all agenda items): 26 speakers

COUNCIL COMMUNICATIONS/AGENDA REQUESTS: None

CITY MANAGER'S UPDATE:

Interim City Manager Linda Andal provided an update regarding Short Term Rentals (STRs) stating it would be presented at the March 27, 2018 City Council meeting and a survey regarding Sunday hours at City libraries would be distributed next week with results reported back to Council and the public. She addressed public comments regarding homelessness including announcing a community meeting to be held at the Brookhurst Community Center on March 15th at 6:30 P.M. to share information, offered to share public information on the website following a meeting with County CEO Frank Kim and other city managers, confirmed the Beach Blvd. Specific Plan was not over and planning would continue, and summarized County efforts to respond to each city with security, programs, and shelter beds at the conclusion of the 30-day motel vouchers.

Council Members thanked City staff, County staff, and service providers for working on this issue and assisting the community.

5:00 P.M. - CITY COUNCIL

7:14 P.M.

Item pulled for discussion:

Mayor Tait: Item No. 03

MOTION: LK/DB Waive reading in full of all ordinances and resolutions and adopt the consent calendar. **APPROVED VOTE: 6-0 (AYES: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno).**

CONSENT CALENDAR:

1. Receive and file minutes of the Community Services Board meeting of January 18, 2018 and Cultural and Heritage Commission meeting of January 18, 2018.
2. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue purchase orders to 911 Vehicle, Inc., in a combined amount not to exceed \$115,000 including applicable taxes, for the removal of existing radio equipment and the installation of new 800 MHz Motorola mobile radios throughout the Anaheim Fire & Rescue fleet.
3. Approve the appointment of Robert Fabela to the position of City Attorney, effective Monday, April 9, 2018, subject to pre-employment processes, and the associated employment agreement. **Item No. 03 Discussion. MOTION: TT/SF APPROVED VOTE: 6-0. (AYES: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno).**
4. Waive Council Policy 4.1 and approve an agreement with Carpi & Clay, in the amount of \$5,000 per month, for federal advocacy services for one year with two one-year optional renewals and authorize the City Manager, or designee, to administer the agreement and execute any optional renewals under the terms and conditions of the agreement.

5. Authorize the termination of four Underground or Overhead Power and/or Communications License Agreements (Lease Audit Nos. 208379, 208380, 208381, and 208382) with the Southern Pacific Transportation Company for the construction, maintenance and operation of aerial traffic signal interconnect cables which have been determined are no longer needed and authorize the Director of Public Works to take the necessary actions to terminate the License Agreements.
6. Approve and authorize the City Manager, or designee, to execute and administer an agreement with Pacific Edge Engineering, Inc., in an amount not to exceed \$200,000, for on-call professional consulting and environmental services to support current and future housing and economic development needs for a one-year term beginning January 1, 2018 with two one-year optional renewals.
7. Approve an agreement with Sirsi Corporation, in an amount not to exceed \$381,095, for the purchase, implementation, and maintenance of the Horizon Integrated Library System, a cloud-based system, for a three year term and authorize the Community Services Director, or designee, to extend the term of the agreement upon the same terms and conditions for up to two additional one year terms for \$115,000 per year.
8. RESOLUTION NO. 2018-023 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adopting rules and regulations for the retail sale, possession, and discharge of "Safe and Sane" fireworks pursuant to Anaheim Municipal Code Chapter 6.40 and repealing Resolution No. 2017-071.
9. RESOLUTION NO. 2018-024 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the Public Utilities General Manager or designee to submit a cost sharing grant application on behalf of the City of Anaheim to the United States Department of the Interior, Bureau of Reclamation (Reclamation) for a CALFED Water Use Efficiency Grant to fund Anaheim's Community Water Assistance Program, to accept such grant funding as awarded and enter into a financing agreement with Reclamation, and to take such actions as are necessary in furtherance of the grant; authorizing the amendment of the Public Utilities Department budget for fiscal year 2018/2019 and subsequent fiscal years as appropriate; and determining that this resolution is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(1) and Sections 15268, 15301(a) and (b), 15302(c) and 15304(b) of Title 14 of the California Code of Regulations (grant of up to \$125,000 for water efficient devices and turf replacement).
10. ORDINANCE NO. 6430 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 6.16 (Weed Abatement) of Title 6 (Public Health and Safety) of the Anaheim Municipal Code requiring landowners to keep their property free of brush, refuse and/or noxious growth and allowing the City to abate the same on an expedited basis in cases of extreme fire danger, and finding and determining pursuant to the California Environmental Quality Act (CEQA) that this ordinance is not a project pursuant to Sections 15060(c)(2), 15060(c)(3) and 15378 of the CEQA Guidelines (Introduced at Council meeting of February 27, 2018, Item No. 23).
11. Approve minutes of Council meeting of May 9, 2017.

END OF CONSENT CALENDAR 7:20 P.M.

12. Receive and file the February 2018 report of the Office of Independent Review Group and the Anaheim Police Department's responses to the report.
Item No. 12 Discussion. MOTION: TT/LK APPROVED VOTE: 6-0. (AYES: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno).

Mayor Tait considered the agenda out of order and considered Item No. 16 prior to the remainder of the End of Consent Calendar.

16. Consider renewing the City of Anaheim membership to the Association of California Cities Orange County for 2018.
Item No. 16 Discussion. MOTION: TT/DB to continue to March 27, 2018. ROLL CALL VOTE: 2-4 (AYES: Mayor Tait and Council Member Barnes; NOES: Council Members Murray, Vanderbilt, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno). Motion failed.

MOTION: LK/KM to approve as presented. ROLL CALL VOTE: 3-3 (AYES: Council Members Murray, Kring, and Faessel; NOES: Mayor Tait and Council Members Vanderbilt and Barnes; ABSENT: Mayor Pro Tem Moreno). Motion failed; item continued to March 27, 2018.
13. Receive and file the Operation Home S.A.F.E. Final Report.
Item No. 13 Discussion. MOTION: KM/LK APPROVED VOTE: 6-0. (AYES: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno).
14. Receive and file the City's Homeless Initiative Plan.
Item No. 14 Discussion. MOTION: TT/LK APPROVED VOTE: 6-0. (AYES: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno).
15. RESOLUTION NO. 2018-025 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM supporting California Proposition 13 and the ongoing protection of property owners rights under our California Constitution.
Item No. 15 Discussion. MOTION: LK/KM ROLL CALL VOTE: 4-0-2. (AYES: Mayor Tait and Council Members Murray, Kring, and Faessel; ABSTAIN: Council Members Vanderbilt and Barnes; ABSENT: Mayor Pro Tem Moreno). Motion carried.
17. Consider appointments to the Sister City Commission to fill unscheduled vacancies with terms ending June 30, 2018 and June 30, 2019; and scheduled vacancies with terms ending June 30, 2020.

Appointment: _____ (term ending June 30, 2018)
(unscheduled vacancy of Matthew Hicks)

Appointment: _____ (term ending June 30, 2019)
(unscheduled vacancy of Julia Erdkamp)

Appointment: _____ (term ending June 30, 2019)
(unscheduled vacancy of Yanni Guo)

[Re] Appointment: Lori Dinwiddie (term ending June 30, 2020)
(Incumbent, Lori Dinwiddie)

Mayor Tait nominated Lori Dinwiddie for re-appointment. APPROVED VOTE: 6-0 (AYES: Mayor Tait and Council Members Murray, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Mayor Pro Tem Moreno).

Appointment: _____ (term ending June 30, 2020)
(vacancy of Pepe Avila)

Appointment: _____ (term ending June 30, 2020)
(vacancy of Deborah Juliani)

Appointment: _____ (term ending June 30, 2020)
(vacancy of Mark Lopez)

Appointment: _____ (term ending June 30, 2020)
(vacancy of Jeanne Tran)

Item No. 17 Discussion. MOTION: LK/TT to continue to March 27, 2018. ROLL CALL VOTE: 4-2 (AYES: Mayor Tait and Council Members Murray, Kring, and Faessel; NOES: Council Members Vanderbilt and Barnes; ABSENT: Mayor Pro Tem Moreno). Motion carried; item continued to March 27, 2018.

Report on Closed Session Actions: None

Council Communications/Agenda Requests:

Council Member Faessel reported his attendance at the Anaheim Small Business Organization (ASBO) event where Mayor Tait spoke regarding entrepreneurial small businesses as well as his participation in a Metropolitan Water District state water project inspection tour with community members last weekend.

Council Member Vanderbilt reported he attended a private tour of the Orange County Animal Shelter in Tustin and announced the WAND BBQ at Maxwell Park on April 21st, 10:00 A.M. to 2:00 P.M.

Council Member Barnes thanked Community Services Director Brent Dennis for his presentation at the Center Gallery, announced March 20th is World Happiness Day, announced the next CityNet meeting on Wednesday at the Central Library, and referred the community to the city's website for information on the next 13th MEU meeting.

Council Member Kring announced the Anaheim Family YMCA's 51st Good Friday Breakfast at 7:00 A.M. on March 30th at the City National Grove, the 4th Annual Guns & Hoses fitness competition on Saturday, April 7th at 9:00 A.M. at the North Net Fire Training Center with proceeds benefitting scholarship funds, and March 8th at International Women's' Day.

Council Member Murray acknowledged her sister for attending the meeting, reported her participation in the ACC-OC delegation trip to Sacramento over the past two days and its advocacy efforts, wished Brent Dennis well in his future position in Tucson, and thanked Kristin Pelletier for her work as Acting City Attorney over the past two years.

Mayor Tait thanked the Anaheim Small Business Organization (ASBO) for hosting the entrepreneurial event and for the Brian Chuchua Award, reported his attendance at a Cal State Fullerton event last Thursday honoring current and past political leaders in Orange County, thanked Brent Dennis for his service to Anaheim and the community, and thanked Kristin Pelletier for her help and efforts in leading the city.

Adjournment: 9:58 P.M.

Next regular City Council meeting is scheduled for March 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 March 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.