



ANAHEIM CITY COUNCIL

ACTION AGENDA

SEPTEMBER 11, 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
SEPTEMBER 11, 2018
3:30 P.M.

Call to order the Anaheim City Council. **3:32 P.M. by Mayor Pro Tem Moreno**

MEMBERS PRESENT: Mayor Pro Tem Moreno and Council Members Barnes, Kring, and Faessel. Mayor Tait and Council Member Vanderbilt joined the meeting during closed session.

MEMBERS ABSENT: Council Member Murray

ADDITIONS/DELETIONS TO CLOSED SESSION: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: None

Recess to closed session. **3:33 P.M.**

3:30 P.M. - CLOSED SESSION **3:33 P.M.**

1. **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)
2. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: Jarret Young v. City of Anaheim, et al., Orange County Superior Court Case No. 30-2018-00966666-CU-OE-CXC
3. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: Kana Engineering Group, Inc. v. City of Anaheim, et al., Orange County Superior Court Case No. 30-2018-00978399-CU-BC-CJC

Reconvene the Anaheim City Council. **5:39 P.M.**

5:00 P.M. **5:39 P.M.**

Prior to beginning the meeting, Mayor Tait called for a moment of silence in remembrance of the victims of 9/11, particularly Anaheim residents Charles “Chic” Burlingame and Jerrold H. Paskins.

Invocation: Pastor Jeremy Bratcher, Magnolia Baptist Church

Flag Salute: Council Member Stephen Faessel

Presentations: Recognizing the 2018 Flag Day Essay Contest Winners
Recognizing Tony Lopez and Joshua Burciaga for their Act of Kindness

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

Proclaiming September 2018, as National Preparedness Month

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

Prior to Public Comments, Mayor Tait invited Reve Gonzales, Homeless Court, to provide information about the services they provide to the homeless population.

PUBLIC COMMENTS (all agenda items): **20 speakers**

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Council Member Kring requested to adjourn the meeting in honor of the victims and first responders of 9/11 and addressed patriotism in the country. She agreed with public comments in opposition to the newly-adopted city flag and addressed the process of responding to public commenters.

Mayor Pro Tem Moreno announced September 14-23 as Welcoming Week in Anaheim with various events and workshops to be held regarding the citizenship process. He requested the meeting also be adjourned in memory of homeless individuals who died recently due to the opioid crisis, and thanked first responders and requested prayers for Anaheim High School student, Evan Garcia, who was involved in a serious accident.

Mayor Tait explained the Council meeting rules regarding points of personal privilege and requesting clarification during public comments. He then asked for a brief clarification regarding the potential closing of the Edwards Theater and 24 Hour Fitness in Anaheim Hills.

David Belmer, Planning & Building Director, reported the City had received a conceptual development review application for the Festival Retail center about a month ago, provided comments, and no project would move forward until an official application was filed and would then move through the standard review and public process.

Mayor Tait congratulated Canyon High School graduate, Hannahlei Cabanilla, for winning the competition on "So You Think You Can Dance," and asked to invite her to a meeting for recognition.

Mayor Pro Tem Moreno asked the communications staff to post a clip of Ms. Cabanilla's winning dance.

CITY MANAGER'S UPDATE:

City Manager Chris Zapata reported he spent his first 30 days out in the community, would spend the next 30 days studying the city's finances, and would then make decisions regarding open staff positions and provide a written summary of his initial findings as City Manager.

5:00 P.M. - CITY COUNCIL **7:29 P.M.**

Items pulled for discussion:

Council Member Faessel: Item No. 13

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

CONSENT CALENDAR:

1. Receive and file minutes of Sister City Commission meetings of June 25, 2018 and July 16, 2018; and Public Utilities Board meeting of July 25, 2018.
2. Approve recognitions recognizing Constitution Week (September 17-23, 2018), World Alzheimer's Awareness Month (September 2018), and Domestic Violence Awareness Month (October 2018).
3. Award the contract to the lowest responsible bidder, Excel Paving Co., in the amount of \$4,197,281.30, for the Anaheim Boulevard and Ball Road Intersection Improvements Project and authorize the Finance Director to execute the Escrow Agreement.
4. Award the contract to the lowest bidder, All American Asphalt, in the amount of \$534,553, for the Santa Ana Canyon Road Rehabilitation Project (640 feet east of Woodcreek Road to Gypsum Canyon Road), authorize the Finance Director to execute the Escrow Agreement and determine the project is categorically exempt under the California Environmental Quality Act.
5. Accept the bid from Artesia Sawdust Products, Inc., in the amount of \$119,650 plus applicable tax and a 20% contingency, to provide as needed engineered wood fiber (playground chips) for Community Services 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 #9175.
6. Accept the bids from Lu's Lighthouse, Inc., and The Truck Lighthouse, in a combined amount not to exceed \$41,498.71 plus applicable tax, for the purchase of automotive lighting parts 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 #9173.
7. Waive the sealed bid requirement of Council Policy 4.0 and ratify an emergency master agreement issued to Total Environmental Management, Inc., in the amount of \$61,150, for providing emergency chiller rental services for the Anaheim Convention Center.
8. Waive the sealed bid requirement of Council Policy 4.0 and ratify an emergency purchase order issued to All-Star Post-Tension, in the amount of \$87,450, for providing emergency external post tension repairs to Parking Structure 2 at the Anaheim Convention Center.
9. Waive Council Policy 4.0 and ratify Change Order No. 1 with Trane, Inc., in the amount of \$30,458, increasing the contract amount from \$72,418 to \$102,876 for furnishing and installing one Trane HVAC air handler unit with all related modifications, and authorize the Purchasing Agent to execute the change order and additional change orders up to 10% of the original contract amount, if needed, to facilitate the completion of the project.
10. Approve Workforce Innovation and Opportunity Act Agreements with the Orange County Conservation Corps. and Taller San Jose Hope Builders, in the amounts of \$303,386 and \$180,285 respectively, for comprehensive youth development programs for the term of July 1,

2018 through June 30, 2020, and authorize the City Manager to execute and the Workforce Development Manager, or designee, to administer the agreements.

11. Approve the 2019 Health and Welfare Plan Rates and authorize the Human Resources Director to execute all required provider agreements.
12. Appoint Gregory Scott, representing community-based organizations, and David Lawhorn, representing labor membership, to the Anaheim Workforce Development Board for a term of four years ending September 30, 2022.
13. Approve the response to the 2017-2018 Orange County Grand Jury Report entitled "Competition or Collaboration - Orange County's Public Agency Helicopters" and direct the City Manager to execute a letter and forward the response by September 22, 2018 to the Presiding Judge of the Orange County Court and the Orange County Grand Jury.
Item No. 13 Discussion. MOTION: SF/LK APPROVED VOTE: 6-0 (AYES: Mayor Tait and Council Members Moreno, Vanderbilt, Barnes, Kring, and Faessel; ABSENT: Council Member Murray)
14. RESOLUTION NO. 2018-123 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM changing the name of North Pacificcenter Drive to Link (SAC2018-00064; North Pacificcenter Drive approximately 850 feet long between Tustin Avenue and La Palma Avenue).
15. RESOLUTION NO. 2018-124 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating public utility easements located 3319 and 3321 West Lincoln Avenue pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2018-00378).
16. ORDINANCE NO. 6444 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Section 4.04.401 to Chapter 4.04 (Outdoor Advertising Signs and Structures – General) of Title 4 (Business Regulation) of the Anaheim Municipal Code establishing the arena/stadium special sign district and determining that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Section 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 August 28, 2018, Item No. 19).
17. Approve minutes of Council meetings of April 10, 2018, April 16, 2018, April 24, 2018, and May 11, 2018.

END OF CONSENT CALENDAR 7:35 P.M.

18. Consider (re)appointments to the Youth Commission to serve a 10-month term, ending June 30, 2019 (continued from Council meeting of August 28, 2018, Item No. 16).

Item No. 18 MOTION: TT/DB to continue to September 25, 2018. APPROVED VOTE: 5-1 (AYES: Mayor Tait and Council Members Vanderbilt, Barnes, Kring, and Faessel; NOES: Mayor Pro Tem Moreno; ABSENT: Council Member Murray). Motion carried.

Youth Commission:

At large (re) appointments:

(three (3) appointments) _____ (18-21 age bracket)

_____ (22-26 age bracket)

_____ (22-26 age bracket)

Report on Closed Session Actions: None

Council Communications/Agenda Requests:

Council Member Kring announced the Boys and Girls Club event on September 21 at the Ranch Restaurant.

Mayor Pro Tem Moreno reported two community meetings held regarding a homeless veterans permanent supportive housing project with a follow-up meeting scheduled for September 18 and an AUHSD parent leadership conference held on August 31. He announced an follow-up meeting on September 12 regarding the Wilshire Ave. recuperative care facility, crime, and group homes and the 13th annual mariachi festival on September 29.

Council Member Barnes reported attending the Miss Anaheim Fall Festival celebration and a meeting regarding the Beach Blvd. Specific Plan (BBSP). She announced another community meeting on September 17 regarding the BBSP to be followed by a September 25th Council workshop, and October 2 Planning Commission public hearing. She acknowledged the recent Love Anaheim event and encouraged project submittals. She announced sewer construction work on State College Blvd. ongoing from September, suggested residents take advantage of the paramedic membership program, and requested candidates comply with City code regarding campaign signs.

Council Member Vanderbilt announced the District 4 vacancy on the Orange County Water District was filled by Tri Ta, Westminster. He thanked staff for a Brookhurst senior neighborhood event and the Beach Blvd. Specific Plan presentation. He acknowledged the efforts and report of staff regarding syringes in the city and requested staff investigate using Homeless Court to forgive parking tickets.

Council Member Faessel reported a District 5 tour with Police Chief Cisneros, his attendance at the Higher Ground kick-off party, a tour of northern California water sites through Metropolitan Water District with Anaheim educators, the Miss Anaheim Fall Festival event, acknowledged his senior policy aide for her efforts with the Love Anaheim event for West Anaheim Little League, and highlighted the benefits of the paramedic membership program.

Mayor Pro Tem Moreno congratulated staff and Council for the settlement agreement announced Friday in regards to a 400-bed emergency shelter and requested a report from staff regarding budget and resources to implement the plan and provide safety and security to residents and homeless individuals.

He also requested an agenda item regarding AB-448, Orange County Housing Trust, with attendance by ACC-OC to share the plan moving forward.

Mayor Tait thanked all involved with the court case and settlement agreement and asked for patience as the shelter and plans were implemented. He announced his participation in the Green Bird clean-up on Anna Drive, Canyon Rim honoring student Jake for his kindness, and acknowledged all schools for participating in the 21 Days of Kindness. He offered thoughts and prayers for Evan Garcia to heal from an accident.

Adjournment: 8:01 P.M. on behalf of all victims and first responders of 9/11.

Next regular City Council meeting is scheduled for September 25, 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 September 7, 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.