



ANAHEIM CITY COUNCIL

ACTION AGENDA

JANUARY 29, 2019

CITY COUNCIL PUBLIC FINANCING AUTHORITY HOUSING AUTHORITY

Harry S. Sidhu, P.E.
Mayor

Lucille Kring
Mayor Pro Tem
District 4

Denise Barnes
Council Member
District 1

Jordan Brandman
Council Member
District 2

Dr. Jose F. Moreno
Council Member
District 3

Stephen Faessel
Council Member
District 5

Trevor O'Neil
Council Member
District 6

▪ **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
JANUARY 29, 2019
3:30 P.M.**

Call to order the Anaheim City Council. **3:32 P.M.**

3:30 P.M. – WORKSHOP **3:32 P.M.**

Resort Debt Update

ADDITIONS\DELETIONS TO CLOSED SESSION:

City Attorney Robert Fabela announced Closed Session Item No. 1 related to a threat of litigation by Taboo, Inc. regarding the planned operation of a homeless shelter at La Mesa Street and Closed Session Item No. 2 related to claims resulting from a sewage backup that caused damage to commercial structures at 616 N. Anaheim Blvd.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: 2 speakers

Recess to closed session. **4:21 P.M.**

CLOSED SESSION **4:21 P.M.**

1. **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.
2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of the California Government Code Section 54956.9: One potential case.

Reconvene the Anaheim City Council. **5:01 P.M.**

5:00 P.M. **5:01 P.M.**

Invocation: Minister Dale Moreland, Ball Road Church of Christ

Flag Salute: Council Member Jordan Brandman

Presentations: Recognizing Western High School Football for CIF Southern Section Division 11 Championship

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

Recognizing February 2019, as American Heart Month

Recognizing February 2019, as Black History Month

Recognizing February 2019, as Career and Technical Education Month

Recognizing February 2019, as Make Kindness Contagious Month

Call to order the Anaheim Public Financing Authority and Anaheim Housing Authority (in joint session with the City Council). **5:08 P.M.**

ADDITIONS/DELETIONS TO THE AGENDAS: None

PUBLIC COMMENTS (all agenda items, except public hearing): 41 speakers

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Mayor Pro Tem Kring addressed public comments and the First Amendment right to free speech.

Council Member Moreno expressed appreciation for all those who speak at Council meetings. He thanked staff for investigating potential situations on Anaheim Blvd. that led to a resident's death.

CITY MANAGER'S UPDATE: None

Recess the Anaheim Housing Authority. **7:02 P.M.**

5:00 P.M. - PUBLIC FINANCING AUTHORITY 7:02 P.M.

CONSENT CALENDAR: MOTION: TO/SF APPROVED VOTE: 7-0

1. Approve minutes of Public Financing Authority meeting of November 20, 2018.

END OF CONSENT CALENDAR 7:03 P.M.

2. Consider resolutions by the Public Financing Authority and City Council approving the issuance of not to exceed \$225,000,000 aggregate principal amount of Lease Revenue Bonds of the City of Anaheim Public Financing Authority.

Public Financing Authority Action:

- 2-A. RESOLUTION NO. APFA-2019-001 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANAHEIM PUBLIC FINANCING AUTHORITY authorizing the issuance of Anaheim Public Financing Authority Senior Lease Revenue Refunding Bonds (Anaheim Public Improvements Project), Series 2019 A, in an aggregate principal amount of not to exceed \$215,000,000, and Anaheim Public Financing Authority Senior Lease Revenue Refunding Bonds (Anaheim Public Improvements Project), Series 2019 B (taxable), in an aggregate principal amount of not to exceed \$10,000,000, authorizing the execution and delivery of a Second Supplemental Indenture of Trust, an Escrow Agreement and a Purchase Contract, authorizing the distribution of a Preliminary Official Statement and an Official Statement in connection therewith and authorizing other matters related thereto.

RESOLUTION NO. APFA-2019-002 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANAHEIM PUBLIC FINANCING AUTHORITY authorizing the application of moneys in the Special Reserve Fund for the Anaheim Public Financing Authority Lease Revenue Bonds (Anaheim Public Improvements Project), authorizing the execution and delivery of Escrow Agreements in connection therewith and authorizing other matters related thereto.

MOTION: LK/TO APPROVED VOTE: 6-0-1 (AYES: Chairman Sidhu and Authority

Members Kring, Barnes, Brandman, Faessel, and O'Neil; ABSTAIN: Authority Member Moreno). Motion carried.

City Council Action:

- 2-B. RESOLUTION NO. 2019-012 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the execution and delivery of a Purchase Contract and a Continuing Disclosure Agreement in connection with the issuance by the Anaheim Public Financing Authority of its Anaheim Public Financing Authority Senior Lease Revenue Refunding Bonds (Anaheim Public Improvements Project), Series 2019 A, and Anaheim Public Financing Authority Senior Lease Revenue Refunding Bonds (Anaheim Public Improvements Project), Series 2019 B (taxable), approving the issuance of said bonds and the form of a Second Supplemental Indenture of Trust pursuant to which said bonds are to be issued, authorizing the distribution of a Preliminary Official Statement and an Official Statement in connection therewith and authorizing other matters related thereto. **MOTION: LK/TO APPROVED VOTE: 6-0-1 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Brandman, Faessel, and O'Neil; ABSTAIN: Council Member Moreno). Motion carried.**

Adjourn the Anaheim Public Financing Authority and recess the Anaheim City Council. **7:42 P.M.**

Reconvene the Anaheim Housing Authority. **7:42 P.M.**

5:00 P.M. - HOUSING AUTHORITY 7:42 P.M.

CONSENT CALENDAR: MOTION: TO/LK APPROVED VOTE: 7-0

3. Approve minutes of the Housing Authority meeting of December 18, 2018.

5:00 P.M. PUBLIC HEARING 7:43 P.M.

4. This is a public hearing of the Anaheim Housing Authority to consider the approval of a Cooperation Agreement to transfer HOME Investment Partnership Program Funds and the issuance of a Preliminary Finding Award Letter for the Manchester and Orangewood affordable rental housing development (2121 S. Manchester Avenue and 915 E. Orangewood Avenue).

RESOLUTION NO. AHA-2019-001 A RESOLUTION OF THE ANAHEIM HOUSING AUTHORITY approving a Cooperation Agreement for the Manchester/Orangewood Affordable Rental Housing Development by and between the City of Anaheim and the Anaheim Housing Authority, substantially in the form attached hereto; approve a Preliminary Funding Award Letter, substantially in the form attached hereto; authorize the Executive Director, or his designee, to execute and administer the cooperation agreement and Preliminary Funding Award Letter on behalf of the Authority; authorize the Executive Director or his designee, to enter into subsequent agreements necessary to implement the project, provided that such agreements do not materially increase or extend the assistance provided by the housing authority under the Cooperation Agreement or Preliminary Funding Award Letter; and making certain other findings in connection therewith (related to Council Item No. 20).

Item No. 04 Chairman Sidhu opened the public hearing. No speakers. Chairman Sidhu closed the public hearing.

MOTION: LK/JM APPROVED VOTE: 7-0

Adjourn the Anaheim Housing Authority. **8:04 P.M.**

Reconvene the Anaheim City Council. **8:04 P.M.**

5:00 P.M. - CITY COUNCIL **8:04 P.M.**

Items pulled for discussion:

Council Member Barnes: Item No. 07
Council Member Moreno: Item Nos. 16 and 21

Prior to Council action regarding Item No. 08, City Attorney Robert Fabela provided an oral summary of salary and benefits for executives, in accordance with Government Code §54953 as follows: David Belmer, Greg Garcia, and Linda Andal are confirmed to the positions of Deputy City Managers and Human Resources Director respectively. The final action confirms employment contracts in the salary amounts of \$240,000 for the Deputy City Managers and \$207,600 for the Human Resources Director position, including all benefits as provided to the executive classification.

MOTION: DB/SF Waive reading of all ordinances and resolutions and adopt the consent calendar. APPROVED VOTE: 7-0

CONSENT CALENDAR:

5. Approve the revised 2019 Investment Policy for the City of Anaheim.
6. Approve the Investment Portfolio Report for December 2018.
7. Receive update on homeless efforts in Anaheim.
Item No. 07 Discussion. MOTION: DB/LK APPROVED VOTE: 7-0
8. Approve the appointments and related Employment Agreements with David Belmer for the appointment to the position of Deputy City Manager and Linda Andal to the position of Human Resources Director, in addition to an Employment Agreement with Greg Garcia for his continued service as Deputy City Manager.
9. Accept the bid from AAA Oil, Inc., in the amount of \$1,604,919.80 plus a 25% contingency, for the purchase of fuel 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 #9237.
10. Accept the bid from Westrux International, in the amount of \$45,759.02 plus a 15% contingency and applicable tax, for the purchase of Caterpillar (CAT) equipment repair parts for Public Works CAT equipment 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 #9246.

11. Award the contract to the lowest responsible bidder, Zimprich Engineering Inc., in the amount of \$328,305.96, for the Gramercy Park Trail Project and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions.
12. Award Master Agreements to All American Asphalt, Hardy & Harper, Inc., R.J. Noble Company, Horizons Construction International, Inc., Golden State Constructors, Inc., Sialic Contractors, Inc. dba Shawnan, Palp, Inc. dba Excel Paving Company, each in an amount not to exceed \$750,000 per work package and the number of open work packages limited to three per contractor, for street construction and immediate response program; authorize the Director of the Public Works Department to execute, administer, and take the necessary actions to implement the agreements; and authorize minimal changes that do not substantially change the term and conditions of the agreements, as long as such changes are determined to be minimal by the City Attorney.
13. Award Master Agreements to Golden State Constructors, Hardy & Harper, Inc., EBS General Engineering, Inc., Horizons Construction International, Inc., Kalban, Inc., each in an amount not to exceed \$250,000 per work package and the number of open work packages limited to three per contractor, for concrete repair, construction, and immediate response program; authorize the Director of the Public Works Department to execute, administer, and to take the necessary actions to implement the Master Agreements; and authorize minimal changes that do not substantially change the term and conditions of the Agreements, as long as such changes are determined to be minimal by the City Attorney.
14. Approve the Final Map and Subdivision Agreement with Lennar Homes of California, Inc., for Tract No. 17846, located at 125 West La Palma Avenue, for a one-lot 162-unit airspace residential subdivision with small amount of commercial space, private drive access, common space areas, and other amenities, including public improvements.
15. Approve Lot Line Adjustment No. 782 located at 1422 W. Broadway as it pertains to the Anaheim Family YMCA Project and authorize corresponding deed (LLA-0000782).
16. Approve the Second Amendment to Professional Services Agreement with Bureau Veritas of North America, Inc. increasing the total compensation amount to \$2,350,000 and the First Amendment to Professional Services with Jason Addison Smith Consulting Services, Inc., DBA JAS Pacific, increasing the total compensation to \$1,000,000, for as-needed plan check, permit processing, and inspection consulting services for the Planning and Building Department; and authorize the Planning Director to execute the amendments and other related documents necessary to implement the amendments.
Item No. 16 Discussion. MOTION: JM/JB APPROVED VOTE: 7-0
17. Approve and authorize the City Manager, or designee, to execute and administer the Third Amendment to the Professional Services Agreement with Thirtieth Street Architects, Inc. extending the term for one year terminating on January 1, 2020 for continued on-call architecture services.

18. Approve an agreement with Contemporary Services Corporation (CSC) authorizing CSC to provide crowd management services, on a non-exclusive basis, to events held at the Anaheim Convention Center effective through December 31, 2021 with costs associated with services provided billed back to Convention Center's Tenants or Promoters who require such services and City responsible for an amount not to exceed \$30,000 to supplement in-house crowd control, as needed; and authorize the Executive Director of the Convention, Sports & Entertainment Department to execute the agreement and any other related documents, including all actions necessary to implement and administer the agreement.
19. Approve an agreement with CSRA, LLC, in an amount not to exceed \$250,000, for intelligence analyst services for a one year period for which the costs are reimbursed by the Urban Area Security Initiative grant funding and authorize the Chief of Police to execute any amendments under the terms and conditions of the agreement.
20. RESOLUTION NO. 2019-013 A RESOLUTION OF THE CITY COUNCIL approving a Cooperation Agreement for the Manchester and Orangewood Affordable Rental Housing Development by and between the City of Anaheim and the Anaheim Housing Authority, substantially in the form attached hereto; and authorize the Community and Economic Development Director, or his designee, to submit for an affordable housing and sustainable communities program application with Jamboree Housing Corporation and enter into subsequent agreements necessary to implement the grant improvements delineated in the AHSC program application (2121 S. Manchester Avenue and 915 E. Orangewood Avenue; related to Housing Authority Item No. 04).
21. ORDINANCE NO. 6458 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Sections 1.04.391, 1.04.396, 1.04.450, 1.04.510, 1.04.810, and 1.04.996 of Chapter 1.04 of Title 1 of the Anaheim Municipal Code providing for district-based nomination of City Board and Commission Members, ratified by an affirmative vote of the majority of the City Council (introduced at Council meeting of January 15, 2018, Item No. 29).
Item No. 21 Discussion. MOTION: LK/TO ROLL CALL VOTE: 4-3 (AYES: Mayor Sidhu and Council Members Kring, Faessel, and O'Neil; NOES: Council Members Barnes, Brandman, and Moreno). Motion carried; ordinance adopted.

END OF CONSENT CALENDAR 8:50 P.M.

22. RESOLUTION NO. 2019-014 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending and restating the procedures and rules of order for the conduct of City Council meetings (continued from Council meeting of January 15, 2019, Item No. 28).
Item No. 22 Discussion. MOTION: TO/LK ROLL CALL VOTE: 4-3 (AYES: Mayor Sidhu and Council Members Kring, Faessel, and O'Neil; NOES: Council Members Barnes, Brandman, and Moreno). Motion carried.

Report on Closed Session Actions: None

Council Communications/Agenda Requests:

Council Member Moreno congratulated the Anaheim Union High School District for its Serve-a-thon on Martin Luther King, Jr. Day and announced their new slogan "Unlimited You." He thanked residents and staff for a Neighborhood Services meeting held in the Vine/Bush/Rose neighborhood and announced the MyAnaheim App could be used in various languages. He reported his participation on January 24th in support of residents and asked people to continue to engage. He further reported the Sheraton and UNITE HERE Local 11 negotiated an agreement for the workers. He reported his attendance at the Muzeo community art day to create art for the homeless shelters and a plan by OCTA to build a transportation operations center at Lincoln and Manchester. He announced an upcoming District 3 community meeting at City Church on January 31st, the Black History parade and cultural faire on February 2nd, a neighborhood walk at Romneya/Patrick Henry Elementary School on January 30th, and a meeting at the senior center on February 5th. He expressed his regrets for not being able to attend the Salvation Army homeless shelter ribbon-cutting on January 31st.

Council Member Brandman expressed appreciation for all who participated in the Kaboom! playground opening at Clara Barton Park on January 26th and looked forward to additional plans for that park as well as additional Kaboom! playgrounds at additional city parks.

Council Member Faessel reported his attendance at a Sunkist Library STEAM "crafternoon," the Boy Scouts El Capitan fundraiser, the Grove's 20th birthday celebration, the Miss Anaheim competition at Servite High School, and the AUHSD Serve-a-Thon. He announced the launch of FRAN (Free Rides Around the Neighborhood), local transit for the CtrCity area, and the Muzeo community art day. He recognized Disney's participation and efforts for the Clara Barton Park Kaboom! playground, reported his participation at a Green Bird cleanup at Zion Lutheran School, invited all to the Black History parade, and requested a formal recognition of Miss Anaheim and her court at the April 16th Council meeting, concurred by Mayor Pro Tem Kring and Council Member O'Neil.

Mayor Pro Tem Kring announced National Plan for Vacation Day, reported the City received \$160 million in TOT revenue, and thanked Visit Anaheim for promoting the city. She highlighted the approval of the Lot Line Adjustment (Item No. 15) related to the Anaheim YMCA Family project, expressed her appreciation for the services provided to the community by the YMCA, and looked forward to their new facility. She thanked the Police Department for ensuring the safety of all involved and affected by the civil disobedience and requested an audit of incurred costs be provided to Council. She requested the meeting adjourn in honor of current and former law enforcement personnel who were killed or wounded in the line of duty and announced the Black History parade.

Council Member O'Neil thanked the National Association of Music Merchants (NAMM) for choosing Anaheim for their convention and looked forward to a continued partnership; thanked the Police Department for keeping everyone safe during the civil disobedience; and congratulated Linda Andal, David Belmer, and Greg Garcia for their promotions and additional responsibilities.

Council Member Barnes congratulated the Miss Anaheim contestants and Mike Mannix for being honored at the Boy Scouts El Capitan District luncheon. She announced the opening of a new adult health care facility by SeniorServ, encouraged all to give blood, thanked city employees for their work, thanked volunteers involved in the point-in-time count and all homeless shelter efforts, and acknowledged the actions of Council Member Moreno.

Mayor Sidhu acknowledged the 300 volunteers at the 11th Kaboom! playground build, announced the ribbon-cutting of the Salvation Army shelter on January 31st, thanked all for their efforts regarding homelessness, and announced the Access California gala on February 9th.

Adjournment: 9:42 P.M. in honor of current and former law enforcement personnel who were killed or wounded in the line of duty.

Next regular City Council meeting is scheduled for February 12, 2019.

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 January 25, 2019, 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.