



ANAHEIM CITY COUNCIL

ACTION AGENDA

MAY 14, 2019

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:** There are two Public Comment periods with speakers having one opportunity to address the City Council, except for scheduled public hearing items. The time limit established for public comments is three minutes per speaker unless a different time limit is announced. The City uses speaker cards that must be submitted to the City Clerk in order to address the City Council. 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 for the first Public Comment period where speakers will be permitted to speak on specific agenda item(s). This first Public Comment period is limited to 90 minutes or until all agenda item speakers have been heard, whichever is later. Any remaining time shall be provided to non-agenda item speakers until the 90 minute time limitation is exhausted. The second Public Comment period will be opened by the Mayor if any non-agenda item speakers were not called during the first Public Comment period. For public hearings, the Mayor or Chairperson will separately call for testimony at the time of each public hearing. 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 a member(s) requests an item(s) be discussed and/or removed from the Consent Calendar for separate action.

▪**SERVICIOS DE TRADUCCION: (TRANSLATION SERVICES: SEE LAST PAGE OF AGENDA FOR DESCRIPTION IN ENGLISH)** La ciudad provee servicios de interpretación al español en las juntas del Consejo. La interpretación simultánea al español se ofrece por medio del uso de audífonos y la interpretación consecutiva (español a inglés) también está disponible para cualquiera que desee dirigirse al Ayuntamiento, declarando su petición en el podio. No tiene que usar los servicios de interpretación de la Ciudad; las personas pueden proveer su propio intérprete, si lo desean. Debido a que existen muchos dialectos y regionalismos, la Ciudad no puede garantizar que los intérpretes puedan traducir a un dialecto o regionalismo en particular y rehúsa cualquier responsabilidad que surja de tales servicios. Para servicios de interpretación en otros idiomas, comuníquese con la oficina de la Ciudad (City Clerk), cuando menos 48 horas antes de la junta programada.

ANAHEIM CITY COUNCIL

ANAHEIM, CALIFORNIA

MAY 14, 2019

3:00 P.M.

Call to order the Anaheim City Council. **3:04 P.M.**

MEMBERS PRESENT: Mayor Sidhu and Council Members Kring, Brandman, and Moreno.
Council Member O'Neil joined the meeting during Closed Session.

MEMBERS ABSENT: Council Members Barnes and Faessel

ADDITIONS/DELETIONS TO CLOSED SESSION:

City Attorney Robert Fabela reported Closed Session Item No. 2 related to a claim by Sanlyn Investments for damages caused by a sewage spill and Item No. 3 related to potential litigation arising out of the City's decision to not purchase property at 3431 East La Palma Avenue.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: None

Recess to closed session. **3:05 P.M.**

3:00 P.M. - CLOSED SESSION 3:05 P.M.

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: Bill Liu v. City of Anaheim, Orange County Superior Court Case No. 30-2017 00960228 CU-WT-CJC
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
3. **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
4. **CONFERENCE WITH LABOR NEGOTIATORS**
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representatives: Linda Andal, Human Resources Director & Angel Ho, Employee Relations Manager
Name of Employee Organizations: Anaheim Firefighters Association, Anaheim Police Management Association, International Brotherhood of Electrical Workers Management, and Anaheim Municipal Employees Association - General and Clerical

Reconvene the Anaheim City Council. **5:12 P.M.**

5:00 P.M. 5:12 P.M.

Invocation: Preacher Jimmy Gaston, State College Blvd Church of Christ

Flag Salute: Council Member Trevor O'Neil

Presentations: Recognizing Mills Act Participants
Recognizing the Lions Club Youth of the Year

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

Recognizing May 22, 2019, as Harvey Milk Day
Recognizing June 2019, as LGBTQ Pride Month
Recognizing June 2019, as Immigrant Heritage Month
Recognizing June 2019, as Muslim Heritage Month
Recognizing Stand Up for Kids, Youth Entrepreneur Incubator Program

ADDITIONS/DELETIONS TO THE AGENDA:

City Clerk Theresa Bass reported Public Hearing Item No. 19 was requested to be continued to the Council meeting of June 4, 2019. With no objection, Item No. 19 was continued to June 4, 2019.

PUBLIC COMMENTS (all agenda items, except public hearing): 14 speakers
(limited to 90 minutes, or until all agenda item speakers have been heard; any time remaining shall be provided to non-agenda item speakers).

CITY MANAGER'S UPDATE:

City Manager Chris Zapata announced staff would present a comprehensive update regarding homelessness at the Council meeting on June 4, 2019. In response to Council Member Moreno, Mr. Zapata stated the City received a request to meet from the Angels but the meeting had not yet been scheduled.

Prior to addressing the Consent Calendar, Mayor Sidhu requested his colleagues informally practice two rounds of discussion with five minutes for each Council Member to ask questions and/or comment on each agenda item, followed by a vote; further noting a Council Member could request additional time for discussion, if needed. He stated the five minutes also pertained to Council Communications/Agenda Requests.

5:00 P.M. - CITY COUNCIL 6:19 P.M.

Items pulled for discussion:
Council Member Moreno: Item Nos. 7, 16, and 17

MOTION: LK/TO Waive reading of all ordinances and resolutions and adopt the consent calendar.
ROLL CALL VOTE: 5-0 (AYES: Mayor Sidhu and Council Members Kring, Brandman, Moreno, and O'Neil; ABSENT: Council Members Barnes and Faessel). Motion carried.

CONSENT CALENDAR:

1. Receive and file minutes of the Community Services Board meeting of March 14, 2019, Cultural and Heritage Commission meetings of February 21, 2019 and March 21, 2019, and the Parks and Recreation Commission meeting of February 27, 2019.

2. Authorize the amendment of the Public Utilities Department's fiscal year 2018/19 Power Supply budget by \$30,000,000, to recover its costs for increased dispatch of its natural gas power resources by the regional electric grid operator, the California Independent System Operator, which are expected be fully offset by corresponding wholesale revenues.
3. Accept the bid from VirTra, in the amount of \$229,809 plus applicable tax, for the purchase of two force option simulators for the Police Department, including additional licensing and extended warranties, and authorize the Purchasing Agent to execute the purchase order, in accordance with Bid #9300.
4. Award the contract to the lowest responsible bidder, C. S. Legacy Construction, Inc., in the amount of \$1,403,569.67, for the Barton Park Improvements Project; determine said project is categorically exempt from the California Environmental Quality Act pursuant to Title 14 of the California Code of Regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 19, Categorical Exemptions Section 15303 and authorize the Finance Director to execute the escrow agreement.
5. Waive the requirements of Council Policy 4.1 and approve an agreement with Avasant, LLC, in an amount not to exceed \$331,100, to provide advisory services for Information Technology Outsourcing (ITO) and authorize the Finance Director/City Treasurer to execute any amendments and/or documents necessary to complete the Request for Proposal review process, including the transition to a new ITO agreement.
6. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to execute agreements with DLL Finance, LLC, in the amount of \$5,398.69 per month plus applicable tax, for 75 golf carts supplied by Club Car, LLC for use at the Dad Miller Golf Course for a 48 month lease; and with Club Car, LLC, in the amount of \$1,500 per month plus applicable tax for a full service maintenance program for the 75 golf carts for a 48 month term, which are based on the terms of the cooperative Omnia Partners (formerly U.S. Communities) Contract #EV2024-02, which was issued by the City of Kansas City, Missouri and awarded to Club Car, LLC.
7. Approve a lease agreement, at a rate of \$1.00 per year, with St. Jude Neighborhood Health Centers to develop and operate a 5,000 sq. ft., single story, federally qualified community health clinic at Ponderosa Park for low income, un-insured, and underinsured Anaheim residents living in the surrounding community for an initial 20 year term with an option to extend the lease for one additional ten year period and two five-year terms, and determine that the project is categorically exempt under the California Environmental Quality Act pursuant to Section 15303 of Title 14 of the California Code of Regulations.
Item No. 07 Discussion. MOTION: JM/LK ROLL CALL VOTE: 5-0 (AYES: Mayor Sidhu and Council Members Kring, Brandman, Moreno, and O'Neil; ABSENT: Council Members Barnes and Faessel). Motion carried.
8. Approve an agreement with GHD, Inc., in an amount not to exceed \$191,000, to provide engineering services for the study of a Citywide Best Management Practice Credit Program for storm water quality mitigation.

9. Approve the First Amendment to Agreement with GHD, Inc., in the amount of \$85,000 for a total not to exceed amount of \$385,000, to enhance the scope of study for the Citywide Wastewater Fee Study.
10. Approve Electrical Utility Agreements with nine contractors to provide various electrical services, on a non-exclusive basis, to persons at the Convention Center who require such services in connection with events for a two-year term, and may be extended for two additional one-year terms at the city's sole option, which will result in revenue commissions payable to the city in the amount of 25% of the contractors' gross billings for all labor and 35% of the contractors' gross billings for all other work for services performed at the Anaheim Convention Center; 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 agreements, and execute any optional renewals (Convention Electric, Inc., Convention Technical Services, Inc., Edlen Electrical Exhibition Services of California, Inc., Freeman Expositions, LLC., Global Experience Specialists, Inc. dba Trade Show Electrical, Hi-Tech Electric, LLC., LB Lights West Inc., Rossi Expositions, Inc., and Tricord Management, LLC dba Tricord Tradeshow Services, Inc.).
11. Approve Plumbing Services Agreements with four contractors to provide various plumbing services, on a non-exclusive basis, to persons at the Convention Center who require such services in connection with events for a two-year term, and may be extended for two additional one-year terms at the city's sole option, which will result in revenue commissions payable to the city in the amount of 15% of the contractors' gross billings for all labor and other work for services performed at the Anaheim Convention Center; 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 agreements, and execute any optional renewals (Convention Technical Services, Inc., Edlen Electrical Exhibition Services of California, Inc., Freeman Expositions, LLC., and Global Experience Specialists, Inc. dba Trade Show Electrical).
12. Approve a Memorandum of Understanding (MOU) among the Regents of the University of California (UC), UC San Diego, and Scripps Institution of Oceanography (UCSD-Scripps) for UCSD-Scripps to utilize City facilities to provide camera equipment, installation, and access to a regional network of fire cameras for potential fire monitoring in the City; and authorize and direct the Public Utilities General Manager, or designee, to execute the MOU and take the necessary actions to fund, implement, and administer the MOU and any other related documents.
13. RESOLUTION NO. 2019-046 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving the updated Sanitary Sewer Management Plan.
14. RESOLUTION NO. 2019-047 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the Director of Public Works or designee to submit an application to the Orange County Transportation Authority under the Orange County Local Transportation Ordinance No. 3 for funds for the Environmental Cleanup, 2019 Tier 1 Grant Program for La Palma Avenue and Richfield Road Storm Drain Extension and Storm Water Infiltration Project and if awarded, authorizing the acceptance of such grant on behalf of the City amending the budget accordingly and determining that these actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Class 1, Section 15301 (Existing Facilities) and Class 2, Section 15302 (Replacement or Reconstruction) (grant funding in the amount of \$500,000).

15. RESOLUTION NO. 2019-048 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM initiating proceedings for the annual levy of assessments in, and accepting an Assessment Engineer's Report for, the Anaheim Resort Maintenance District.
- RESOLUTION NO. 2019-049 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention to provide for an annual levy and collection of assessments in the Anaheim Resort Maintenance District, and setting a time and place for public hearing thereon (Public hearing scheduled for June 4, 2019).
16. ORDINANCE NO. 6465 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapters 18.08 (Commercial Zones), and 18.38 (Supplemental Use Regulations) of Title 18 (Zoning) of the Anaheim Municipal Code to facilitate the conversion of existing motel and other commercial and office structures to allow multiple-family, transitional and supportive housing for low-income persons and finding and determining that this ordinance is exempt from the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) guidelines, Section 15301 (Class 1; Existing Facilities) (Zoning Code Amendment No. 2019-00160; DEV2019-00031) (facilitate the conversion of existing motels and other commercial and office structures within the "C-G" General Commercial Zone to housing). **Item No. 16 Discussion. MOTION: TO/LK ROLL CALL VOTE: 5-0 (AYES: Mayor Sidhu and Council Members Kring, Brandman, Moreno, and O'Neil; ABSENT: Council Members Barnes and Faessel). Motion carried; ordinance introduced.**
17. ORDINANCE NO. 6463 (ADOPTION) AN UNCODIFIED ORDINANCE OF THE CITY OF ANAHEIM establishing the campaign contribution limit for the election cycle commencing January 1, 2019, pursuant to Anaheim Municipal Code Section 1.09.050 (campaign contribution limit increasing from \$2,000 to \$2,100) (Introduced at Council meeting of May 7, 2019, Item No. 27). **Item No. 17 Discussion. MOTION: JM/LK ROLL CALL VOTE: 5-0 (AYES: Mayor Sidhu and Council Members Kring, Brandman, Moreno, and O'Neil; ABSENT: Council Members Barnes and Faessel). Motion carried; ordinance adopted.**
18. ORDINANCE NO. 6464 (ADOPTION) AN UNCODIFIED ORDINANCE OF THE CITY OF ANAHEIM amending Ordinance No. 5911 granting a non-exclusive franchise to Anaheim Transportation Network to provide resort transportation shuttle service within the Anaheim Resort and other areas within the City of Anaheim and stating the terms and conditions upon which said franchise is amended and finding and determining that said ordinance is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to Section 21080(b)(10) of the California Public Resources Code (Introduced at Council meeting of May 7, 2019, Public Hearing Item No. 28).

5:30 P.M. PUBLIC HEARING: 6:55 P.M.

19. Public hearing requested to be continued to the Council meeting of June 4, 2019.

DEVELOPMENT AGREEMENT NO. 99-01E

(DEV2010-00166I)

OWNER/APPLICANT: David Siegel, Westgate Resorts Anaheim, LLC, 5601 Windhover Drive, Orlando, FL 32819

AGENT: Grant Henninger, Mobius Planning, 1030 S. Country Glen Way, Anaheim, CA 92808

LOCATION: The Anaheim Gardenwalk Project Site is approximately 29.1 acres and located between Harbor Boulevard and Clementine Street, and Disney Way and Katella Avenue. The Westgate Timeshare Project Site is approximately 3.9 acres of airspace above the Anaheim GardenWalk parking structure.

REQUEST: To amend the Development Agreement between the City of Anaheim and Westgate Resorts Anaheim, LLC for the Westgate Timeshare Project within the Anaheim GardenWalk Project to extend the Commencement of Construction date from March 23, 2019 to October 1, 2021.

ENVIRONMENTAL DETERMINATION: The City Council will consider whether the previously approved Mitigated Negative Declaration and subsequent addenda analyzed the environmental impacts of the proposed amendment to the Development Agreement pursuant to the requirements of the California Environmental Quality Act (CEQA) and that no further environmental analysis shall be prepared pursuant to Section 15162 of the CEQA Guidelines.

ACTION TAKEN BY THE PLANNING COMMISSION:

Approved and recommended City Council approval of Development Agreement No. 99-01E (PC2019-022). **VOTE: 6-1** (Chairperson Lieberman and Commissioners Armstrong, Keys, Meeks, Mulleady and Vadodaria voted yes; Commissioner White voted no) (Planning Commission meeting of April 15, 2019).

Public Hearing Item No. 19 continued to June 4, 2019.

Report on Closed Session Actions:

City Attorney Robert Fabela announced that discussion under Item No. 4 involved APMA and AFA but the others were deferred.

PUBLIC COMMENTS (non-agenda items): **None**

Council Communications/Agenda Requests:

Council Member Brandman expressed pride for three students, Kyle Via Corta, Jacqueline S. Yeoh, and Joshua De Guzman, for their acceptance into service academies and, together with Council Member Barnes, requested formal recognitions at the June 18, 2019 Council meeting, concurred by Council Member Moreno and Mayor Pro Tem Kring. He reported his visit to a fire station with Girl Scout Troop 50 and requested staff contact the troop regarding their petition to install a pedestrian signal on Broadway at Chaparral Park. He thanked all who participated in the Big Give.

Council Member Moreno thanked Anaheim Brewery for hosting meetings the Mondays prior to Council meetings, acknowledged Anaheim Ballet for their performance at Lincoln Elementary, announced a District 3 community meeting on May 30 at 6:00 P.M. at the Church of Latter Day Saints, congratulated the Anaheim High School softball team for their CIF semi-finals performance, congratulated all AUHSD and private school students who committed to colleges for the fall, thanked all employees for the Big Give, and reported his attendance at the Civic Learning Showcase at Nixon Library, highlighting local school efforts. On behalf of Council Member Barnes, he requested an agenda item to review the current fireworks program and potential emergency measures that could be taken for the next meeting (no concurrence was offered, request was not agendized).

Mayor Pro Tem Kring showed photos depicting the Fire Operations 101 training and the Big Give Project at Paul Revere Elementary School.

Council Member O'Neil thanked the Public Utilities Department for their efforts regarding Item No. 12 to place fire detection cameras in the east portion of the city to assist with verifying fire activity and dispatching crews.

Mayor Sidhu thanked all employees and volunteers for their efforts at the Big Give, reported his attendance at an interfaith dinner with Dr. Imran Shariff, and his visit to Orange County Innovation High School with Council Member Faessel.

Adjournment: 7:13 P.M.

Next regular City Council meeting is scheduled for June 4, 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 May 9, 2019, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 200 S. Anaheim Blvd., Anaheim, CA. 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.