



ANAHEIM CITY COUNCIL

ACTION AGENDA

AUGUST 13, 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

AUGUST 13, 2019

3:00 P.M.

Call to order the Anaheim City Council. 3:02 P.M.

MEMBERS PRESENT: Mayor Sidhu and Council Members Kring, Barnes, Brandman, and O'Neil. Council Member Moreno joined during closed session.

MEMBERS ABSENT: Council Member Faessel

ADDITIONS/DELETIONS TO CLOSED SESSION:

City Attorney Robert Fabela announced Closed Session Item No. 1 pertained to an employment dispute involving an employee in the Fire & Rescue Department and Closed Session Item No. 2 pertained to potential litigation arising out of the City's decision to not acquire property located at 3431 East La Palma Avenue.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: None

Recess to closed session. 3:02 P.M.

3:00 P.M. - CLOSED SESSION 3:02 P.M.

1. **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
2. **CONFERENCE WITH LABOR NEGOTIATORS**
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representatives: Linda Andal, Human Resources Director and Angel Ho, Employee Relations Manager
Name of Employee Organization: International Brotherhood of Electrical Workers, Management Unit
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 REAL PROPERTY NEGOTIATORS**
(Section 54956.8 of the California Government Code)
Property: 2000 E. Gene Autry Way, Anaheim, CA 92806 (APN Nos. 232-011-02, -06, -35, -36, -37, -38, -39, -40, -41, -42, -43, -44, -47, -48, -50)
Agency Negotiator: Chris Zapata, City Manager
Negotiating Parties: Angels Baseball, LP, City of Anaheim
Under Negotiation: Price and Terms of Payment

Reconvene the Anaheim City Council. 5:09 P.M.

5:00 P.M.

5:09 P.M.

Invocation: Captain Ryan Struck, Salvation Army

Flag Salute: Council Member Trevor O'Neil

ADDITIONS/DELETIONS TO THE AGENDA:

City Clerk Theresa Bass announced, pursuant to Government Code §54953, that final action on Item No. 06 involves a 3% salary adjustment to the City Manager's current annual salary of \$291,000 to reflect his annual evaluation in accordance with Section 4.7(a) of the City's Personnel Rules and Policies.

PUBLIC COMMENTS (all agenda items): 27 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 addressed four items: 1) The City was working with the Honda Center to address concerns raised regarding the recent Real Street Festival and apologized to those negatively impacted; 2) He thanked Chief Cisneros and the Police Department for the well-attended National Night Out event at Maxwell Park; 3) He reported that Angels President John Carpino called him to request a meeting, the meeting was held where they discussed a recent project completed inside the stadium, required access to the entire facility per law, and for the negotiating teams to meet within the next 60 days to review their proposal. Additionally, he reported hiring Larry Kosmont, under his authority as City Manager, to assist with the economic analysis of the proposal and that the City Attorney may hire a legal consultant to complete the group of consultants for the process; and 4) He reported he visited and toured Tempe Town Lake along with Council Member Faessel, Public Works Director Rudy Emami, Parks Manager Pamela Galera, and Community Development Manager Jason Motsick as the Santa Ana River presents a similar opportunity for community development and environmental soundness, with more information to come.

5:00 P.M. - CITY COUNCIL

6:37 P.M.

Items pulled for discussion:

Council Member Moreno: Item No. 03

Council Member Brandman: Item No. 05

MOTION: LK/TO Waive reading of all ordinances and resolutions and adopt the consent calendar.

APPROVED VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Faessel). Motion carried.

CONSENT CALENDAR:

1. Receive and file minutes of the Public Utilities Board meeting of June 26, 2019.
2. Approve proclamation recognizing International Walk to School Day (October 2, 2019).
3. Authorize the Director of Community Services, or designee, to act as the Certifying Official authorized to accept and execute all documents related to the administration and management of a Federal Library Services and Technology Act grant from the California State Library, in the

amount of \$20,000, for the Central Library's "Welcoming Anaheim: Immigrant and Refugee Integration!" Project and increase the Fiscal Year 2019/20 revenue and expenditure appropriations in the Community Services budget accordingly.

Item No. 03 Discussion. MOTION: JM/JB APPROVED VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Faessel). Motion carried.

4. Authorize the Director of Community Services, or designee, to act as the Certifying Official authorized to accept and execute all documents related to the administration and management of a Federal Library Services and Technology Act grant from the California State Library, in the amount of \$100,000, for the Central Library's Science, Technology, Engineering, Arts, Mathematics Hub and increase the Fiscal Year 2019/20 revenue and expenditure appropriations in the Community Services budget accordingly.
5. Receive, file and issue the "Report of the City Council: Extension of Urgency Ordinance No. 6445", pursuant to Government Code Section 65858(d), which describes the measures taken to alleviate the conditions which led to the adoption of Ordinance No. 6445 temporarily banning the establishment of needle exchange programs in the City of Anaheim (Public hearing scheduled August 27, 2019).

Item No. 05 Discussion. MOTION: JB/JM to not approve the item. Motion withdrawn.

MOTION: LK/TO APPROVED VOTE: 5-1 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Moreno, and O'Neil; NOES: Council Member Brandman; ABSENT: Council Member Faessel). Motion carried.

6. Approve a salary adjustment to the City Manager to reflect his annual evaluation in accordance with Section 4.7(a) of the City's Personnel Rules and Policies.
7. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue a purchase order to Hufcor Inc., in the amount of \$44,900 plus a 20% contingency, for preventative maintenance service on the movable wall track and panel system at the Anaheim Convention Center and authorize the Purchasing Agent to issue future purchase orders in accordance with approved budget appropriations.
8. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue purchase orders to Bibliotheca, LLC, in the total amount of \$42,824.60 plus applicable tax, for replacing the current security gates at the Central and Canyon Libraries.
9. Accept the bid from A.J.M.F. Enterprises Inc., in the amount of \$113,000, for vehicle washing services for City vehicles for a one year period with four one-year optional renewals and authorize the Purchasing Agent to execute the renewal options in accordance with Bid #9321.
10. Accept the bid from Trademark Hoist & Crane, in the amount of \$29,653, to perform annual and quarterly preventative maintenance, certification, and as-needed repairs for cranes for a one year period with four one-year optional renewals and authorize the Purchasing Agent to execute the renewal options in accordance with Bid #9318.

11. Award the contract to the lowest responsible bidder, Kana Pipeline, Inc., in the amount of \$1,920,250, for the La Palma Avenue and Richfield Road Storm Drain Extension and Storm Water Infiltration Project, and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions.
12. Award the contract to the lowest responsible bidder, Aldridge Electric, Inc., in the amount of \$1,170,280, for the Changeable Message Signs Upgrade Improvements Project, determine the project is categorically exempt under the California Environmental Quality Act under Sections 15301(c) and 15303(d) of Title 14 of the California Code of Regulations and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions.
13. Waive Council Policy 4.1 and approve the agreement with Aviation Facilities, Inc., in the total amount not to exceed \$200,000 with an anticipated not to exceed amount of \$50,000 annually, for specialized fixed-wing pilot training services for a one year term with three one-year optional renewals and authorize the Chief of Police to execute any amendments or optional renewals under the terms and conditions of the agreement.
14. Approve the Environmental Services Agreement for as-needed environmental services and authorize the Public Utilities General Manager to execute the Agreement separately with the following consultants prequalified by the Public Utilities Department for a three-year term with up to two one-year extensions as needed to complete ongoing projects: Dudek, ECORP Consulting, Inc., Helix Environmental Planning, Inc., PSOMAS, and Stantec Consulting Services, Inc., and such other environmental services consultants as the Department may prequalify during the term of the Agreement; approve a not-to-exceed contract amount of \$150,000 per consultant, with authorization for up to 15% in extra work, for the entire three-year term of the Agreement and any term extensions; authorize the Public Utilities General Manager to take any and all actions as are necessary to implement and administer the Agreement; and authorize de minimis changes that do not substantially change the terms and conditions of the Agreement, as determined by the City Attorney.
15. Approve a Subdivision Agreement with Anaheim Place Partners, L.P., pertaining to Parcel Map No. 2017-112 for a commercial development located at 545 and 555 N. Euclid Street.
16. RESOLUTION NO. 2019-097 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adopting the West Anaheim Master Plan of Sanitary Sewers June 2019.

END OF CONSENT CALENDAR 6:57 P.M.

17. Receive a status update of the city's wildland preparation and response capabilities following the Canyon Fire After Action Report; authorize the issuance of master agreements with Environmental Land Management and Orange County Conservation Corps, in the anticipated cost of \$200,000 per year, for continued brush clearance in parks and canyons adjacent to the high-risk wildland interface areas; and authorize the Purchasing Agent to issue purchase orders in accordance with Council Policy 4.0, in the estimated amounts not to exceed \$80,000 per vehicle, for two additional fire support trucks.

Item No. 17 Council Member Brandman declared a conflict as he has a business relationship with Orange County Conservation Corps and left the dais at 6:58 P.M.

Discussion. MOTION: TO/JM APPROVED VOTE: 5-0-1 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Moreno, and O'Neil; ABSTAIN: Council Member Brandman (recorded conflict); ABSENT: Council Member Faessel). Motion carried.

Council Member Brandman returned to the dais at 7:21 P.M.

18. Reinstatement of the City of Anaheim's original flag as the City's official flag, replacing the flag that was adopted on August 28, 2018.
Item No. 18 Discussion. MOTION: LK/TO to reinstate the City of Anaheim's original flag.

SUBSIDIARY MOTION: JM/JB to continue to August 27, 2019. APPROVED VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Faessel). Motion carried; item continued to August 27, 2019.

Report on Closed Session Actions: None

PUBLIC COMMENTS (non-agenda items): None

Council Communications/Agenda Requests:

Mayor Pro Tem Kring announced Transportation Corridor Agencies (TCA) was transitioning to sticker transponders and toll road users would be receiving information and stickers via mail. She encouraged residents to apply for a District 4 vacancy on the Senior Citizen Commission. She addressed tragedies across the country and requested the meeting adjourn in memory of the mass-shooting victims in Gilroy, El Paso, and Dayton, LAPD Officer Juan Jose Diaz, CHP Officer Andre Moya, and the homeless people as announced by David Duran.

Council Member O'Neil showed a video regarding fire safety with Fire Chief Pat Russell and requested the meeting adjourn in memory of Orange County Auditor-Controller Eric Woolery.

Council Member Barnes thanked boards and commissions members for their service; displayed photos of a new fence along the railroad tracks near Sequoia Street and thanked Linda Andal, Sandra Sagert, and Union Pacific for their efforts to address trespassing; reported her attendance at the opening of Pro Slopes at the American Sports Center; and announced a new website for the OC Sheriff's Take Me Home project, further requesting the City look into participating.

Council Member Moreno thanks Public Works Director Rudy Emami for memos preparing him for OCTA meetings and announced OCTA approved Project V money to assist local cities with grant money for micro transit solutions. He thanked all involved in the Rose-Vine-Bush school resource fair and the River Church for their furniture and home products donations in the Mayfair neighborhood. He reported his attendance at a Rancho La Paz resident meeting regarding rent gauging and his agenda talk meeting the Monday prior to Council meetings. He announced an immigration forum at Sycamore Junior High School on August 19, a Senior Club meeting at the Downtown Community Center on August 20, and community meetings to discuss the Angels Stadium Lease at the Central Library on August 21 and at the Euclid Library on August 29. He suggested the flag be referred to the Cultural and Heritage Commission for review prior to Council's next consideration of the item. He requested a City Attorney review of the Angels lease agreement extension as approved by Council in January (concurred by Council Members Brandman and Barnes); and an agenda item to discuss Council's priorities and negotiating points for the stadium negotiations (concurred by Council Members Brandman and Barnes). He requested a review of

the Rancho La Paz owner's memo and possible action on a temporary rent moratorium for mobile home parks (concurred by Council Member Barnes; request failed for lack of second concurrence). He requested a review of the City's ticket policy and use of tickets (concurred by Council Members Brandman and Barnes); and a letter/resolution expressing concern and opposition to the national change of policies threatening legal immigrants (concurred by Council Members Brandman and Barnes).

Council Member Brandman requested an agenda item to receive and file the memo and Fullerton's actions regarding Rancho La Paz (concurred by Council Members Moreno and Barnes). He requested an agenda item regarding a matching renters' tax credit in Anaheim, including mobile home parks, at the first Council meeting following the passage of AB-248 (concurred by Council Members Moreno and Barnes). He requested a proclamation to be presented at the September 10th Council meeting recognizing the 100th Anniversary of the American Legion (concurred by Council Member Moreno and Mayor Pro Tem Kring). He announced the memorial service for Irv Pickler at Servite High School on August 24 and a District 2 community meeting at Dad Miller Golf Course on August 22. He thanked the LA Chargers for their \$10,000 donation to the Magnolia High School football program.

Adjournment: 8:25 P.M. in memory of mass-shooting victims in Gilroy, El Paso, and Dayton; LAPD Officer Juan Jose Diaz; CHP Officer Andre Moya; Anaheim homeless persons; and Orange County Auditor-Controller Eric Woolery.

Next regular City Council meeting is scheduled for August 27, 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 August 8, 2019, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 200 S. Anaheim Blvd., Anaheim, California. 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.