



ANAHEIM CITY COUNCIL

ACTION AGENDA

November 5, 2019

CITY COUNCIL 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:** 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 audifonos 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.

200 S. Anaheim Blvd.
Anaheim, CA 92805
Tel: (714) 765-5166
Fax (714) 765-4105
www.anaheim.net

ANAHEIM CITY COUNCIL

ANAHEIM, CALIFORNIA

November 5, 2019

3:30 P.M.

Call to order the Anaheim City Council. **3:30 P.M.**

ADDITIONS\DELETIONS TO CLOSED SESSION: **None**

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: **3 speakers**

Recess to closed session. **3:44 P.M.**

3:30 P.M. - CLOSED SESSION **3:44 P.M.**

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: David Torres v. City of Anaheim, et al., Orange County Superior Court Case No. 30-2019 01065066

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: Anaheim Police Association

3. **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 – Professional Management Unit

Reconvene the Anaheim City Council. **5:00 P.M.**

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

Invocation: Minister Dale Moreland, Ball Road Church of Christ

Flag Salute: Council Member Trevor O'Neil

Presentations: Recognizing Olivia Hickman for aiding in the arrest of burglary suspects
Recognizing Chrysalis' one year anniversary in Anaheim
Recognizing the 2019-20 Miss Anaheim Beautiful incoming Court

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

Recognizing Orange County Historical Society's 100th Anniversary

Call to order the Anaheim Housing Authority (in joint session with the City Council). **5:17 P.M.**

ADDITIONS/DELETIONS TO THE AGENDAS: None

PUBLIC COMMENTS (all agenda items, except public hearings): 23 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 reported Angels Baseball requested a meeting with the City's negotiating team and the meeting is scheduled for Friday, November 15, 2019.

Recess the Anaheim City Council. **6:28 P.M.**

5:00 P.M. - HOUSING AUTHORITY 6:28 P.M.

CONSENT CALENDAR:

MOTION: **LK/SF** to adopt the consent calendar as presented. **ROLL CALL VOTE: 7-0. Motion carried.**

1. Approve minutes of the Housing Authority meeting of October 29, 2019.

5:00 P.M. PUBLIC HEARING: 6:29 P.M.

2. This is a public hearing to consider the conveyance by long term ground lease of real property generally located at 1515 S. Calle Del Mar in the City of Anaheim, California, to Hermosa Village Phase II Housing Partners, L.P., or an affiliate, under an amended and restated ground lease on terms and conditions to be specified in a certain Commitment Letter (Public hearing continued from Authority meeting of October 29, 2019).

RESOLUTION NO. AHA-2019-006 A RESOLUTION OF THE ANAHEIM HOUSING AUTHORITY approving that certain commitment letter from the Authority to Hermosa Village Phase II Housing Partners, L.P. substantially in the form attached to this resolution for that certain 112-unit Hermosa Village Phase II New Project; authorizing the Executive Director to sign the commitment letter; authorizing the Executive Director to negotiate and enter into the new project documents described in the commitment letter that implement such commitment letter; authorizing the Executive Director to implement the commitment letter and the new project documents; finding and determining the new project is categorically exempt under CEQA; and, making certain other findings in connection therewith.

Item No. 02 Chairman Sidhu opened the public hearing.

Public comment by 1 speaker.

Chairman Sidhu closed the public hearing. Discussion.

MOTION: LK/SF ROLL CALL VOTE: 7-0. Motion carried.

Following Anaheim Housing Authority Public Hearing Item No. 2 regarding real property generally located at 1515 S. Calle Del Mar in the City of Anaheim, California, consider:

3. RESOLUTION NO. AHA-2019-007 A RESOLUTION OF THE ANAHEIM HOUSING AUTHORITY regarding its intention to issue tax-exempt obligations for Hermosa Village Apartments Phase II (1515 S. Calle Del Mar; proposed bond issuance in an amount not to exceed \$30,000,000).

Item No. 03 Discussion. MOTION: LK/SF ROLL CALL VOTE: 7-0. Motion carried.

Adjourn the Anaheim Housing Authority. **6:51 P.M.**

Reconvene the Anaheim City Council. **6:51 P.M.**

5:00 P.M. - CITY COUNCIL **6:51 P.M.**

Items pulled for discussion:

Council Member Barnes: Item Nos. 10, 12, and 17

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

ROLL CALL VOTE: 7-0. Motion carried.

CONSENT CALENDAR:

4. Receive and file minutes of the Public Utilities Board meeting of September 25, 2019.
5. Accept the bid from Pricon, Inc., in the amount of \$64,939 plus a 20% contingency, to provide Red Hat Linux Enterprise software licenses & support renewal for a one year period with up to four one-year optional renewals and authorize the Purchasing Agent to exercise annual support renewals subject to available budget appropriations each fiscal year in accordance with Bid #9357.
6. Accept the bids of OneSource Distributors and Anixter, Inc., in the respective amounts of \$478,552.69 and \$151,169.95, plus applicable tax, for the purchase of electrical materials to replenish utility warehouse inventory and authorize the Purchasing Agent to issue purchase orders all in accordance with Bid #9342.
7. Accept the bid from All American Asphalt, in the amount of \$66,838 plus applicable tax and a 20% contingency, to provide SC 800 asphalt cold mix on an as-needed basis for Anaheim Public Utilities for a one year period with four optional one-year renewals and authorize the Purchasing Agent to execute the renewal options in accordance with Bid #9349.
8. Accept the bid from Van De Pol Enterprises, in the amount of \$56,981.55 plus applicable tax and a 20% contingency, to provide automotive lubricants on an as-needed basis for Fleet Services,

for a one year period with four optional one-year renewals and authorize the Purchasing Agent to execute the renewal options in accordance with Bid #9362.

9. Accept the bid from Randy's Automotive & Transmission, in the amount of \$100,750, to perform automotive transmission repair services on an as-needed basis for Fleet Services for a one year period with four optional one-year renewals and authorize the Purchasing Agent to execute the renewal options in accordance with Bid #9346.
10. Authorize the City Manager, or designee, to use approximately \$110,000 from the Public Works Community Improvements Fund to refurbish the existing and replace the missing pole-mounted parkway entry signs throughout the city with the original sign graphics.

Item No. 10 Discussion. MOTION: DB/JM to amend sign to include "City of Kindness" phrase in yellow font under "City of Anaheim."

SUBSIDIARY MOTION: LK/TO to amend the motion on the floor to approve the staff recommendation. ROLL CALL VOTE: 6-1 (AYES: Mayor Sidhu and Council Members Kring, Barnes, Brandman, Faessel, and O'Neil; NOES: Council Member Moreno). Motion carried.

AMENDED MOTION: DB/JM to approve as presented. ROLL CALL VOTE: 7-0. Motion carried.

11. Approve the License Agreement with the Orange County Water District, for a one-time fee payment of \$1,148, to allow two storm drain inlet systems onto the Foster-Huckleberry Basin for the La Palma Avenue and Richfield Road Storm Drain Extension and Storm Water Infiltration Project; authorize the Director of Public Works to execute the agreement and any other related documents and take the necessary actions to implement and administer the agreement; and authorize de minimus changes that do not substantially change the terms and conditions of the agreement, so long as such changes are determined to be de minimus by the City Attorney.
12. Approve the Engineering Service Agreement with JMDiaz, Inc. for the design of the Advanced Dilemma Zones and Left Turn Phasing Traffic Signal Improvements Project to enhance traffic safety in the city, in the amount of \$227,611.65 and authorize the Director of Public Works to approve additional expenditures for work not included in the scope of services in the amount of \$22,761.17 with a total agreement amount not to exceed \$250,372.82.
Item No. 12 Discussion. MOTION: TO/DB ROLL CALL VOTE: 7-0. Motion carried.
13. Approve an Agreement for Acquisition with Peter Cheng and Katy Cheng, Trustees of the Cheng Family Trust, in the acquisition payment amount of \$38,000, for the purchase of Real Property at 1538 East Lincoln Avenue for a Public Road and Utility Easement and a Temporary Construction Easement for the Lincoln Avenue Widening from East Street to Evergreen Street Improvement Project (R/W ACQ 2016-00789).
14. RESOLUTION NO. 2019-129 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim certain real properties or interests therein (City Deed Nos. 12321 and 12322; in conjunction with the Lincoln Avenue Widening from East Street to Evergreen Street Improvement Project and for future city rights-of-way).

15. RESOLUTION NO. 2019-130 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention to vacate certain public streets, highways and easements (Abandonment No. ABA 2019-00397; portion of the public alley lying between and adjacent to 327 and 407 South State College Boulevard; public hearing scheduled for December 17, 2019).
16. ORDINANCE NO. 6472 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM, CALIFORNIA, adding Chapter 6.35 to Title 6 of the Anaheim Municipal Code to ban weapons in city buildings (Introduced at Council meeting of October 29, 2019).
17. Approve minutes of the Council meeting of March 5, 2019.
Item No. 17 Discussion. MOTION: DB/LK ROLL CALL VOTE: 7-0. Motion carried.

END OF CONSENT CALENDAR: 7:32 P.M.

18. ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding new sections, deleting sections and amending various sections of Chapter 1.09 of Title 1 of the Anaheim Municipal Code relating to campaign and ethics reform (key provisions of which would establish recusal rules for elected members of the City Council when they receive campaign contributions from parties who have matters before the Council, and that place time limits on campaign fundraising and debt retirement) (Continued from Council meeting of October 29, 2019).

Item No. 18 MOTION: HS/TO to table.

POINT OF ORDER: Council Member Moreno requested the Mayor allow debate. Mayor Sidhu overruled the point of order.

SUBSIDIARY MOTION: JM/DB to appeal the ruling of the chair. ROLL CALL VOTE: 3-4 (AYES: Council Member Barnes, Brandman, and Moreno; NOES: Mayor Sidhu and Council Members Kring, Faessel, and O'Neil). Motion failed.

POINT OF ORDER: Council Member Moreno requested the Mayor hear points of order and allow explanation of vote. Mayor Sidhu overruled the point of order.

SUBSIDIARY MOTION: JM to appeal the ruling of the chair. Motion failed for lack of a second.

MOTION: HS/TO to table. 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; item tabled.

19. Receive update on homeless efforts in Anaheim and throughout Orange County and provide direction to staff and/or take action on related homeless matters, including short and long-term solutions to address homelessness.
Item No. 19 Discussion. MOTION: JB/LK to direct staff to look into creating a public/private partnership to build a minimum 100-bed shelter in District 2 in the next 10 days and request the mayor consider creating an ad hoc committee under his authority in this regard. ROLL CALL VOTE: 7-0. Motion carried.

20. RESOLUTION NO. 2019-131 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Policy 1.6 of the City Council Policy Manual relating to the manner in which members of the City Council may place matters on the agenda of a regular City Council meeting and rescinding Resolution No. 2018-149.

Item No. 20 Discussion. MOTION: TO/HS to approve as presented.

SUBSIDIARY MOTION: DB/JM to amend the motion to sustain the current manner in which members of the City Council may place matters on the agenda with the addition of the requesting Council Member be responsible for drafting the staff report and any associated documents to review with the City Attorney and City Manager and add a new provision for a 50-signature resident petition to add items to an agenda.

POINT OF ORDER: Council Member O'Neil requested a ruling by the chair of the allowability of the second provision of Council Member Barnes's motion. Mayor Sidhu approved the point of order and ruled the second provision out of order.

SUBSIDIARY MOTION: DB/JM to amend the motion to sustain the current manner in which members of the City Council may place matters on the agenda with the addition of the requesting Council Member being responsible for drafting the staff report and any associated documents to review with the City Attorney and City Manager. ROLL CALL VOTE: 1-6 (AYES: Council Member Barnes; NOES: Mayor Sidhu and Council Members Kring, Brandman, Moreno, Faessel, and O'Neil). Motion failed.

MOTION: TO/HS to approve as presented. 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.

5:30 P.M. PUBLIC HEARING: 9:31 P.M.

21. This is a public hearing with respect to the proposed issuance by the Anaheim Housing Authority of its multifamily housing revenue bonds in an aggregate principal amount not to exceed \$30,000,000, in order to finance the acquisition, rehabilitation, and equipping of the multifamily rental housing project located at 1515 S. Calle Del Mar (Hermosa Village Apartments Phase II) (Continued from Council meeting of October 29, 2019).

RESOLUTION NO. 2019-132 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM pursuant to Section 147(f) of the Internal Revenue Code of 1986 approving the issuance of bonds by the Anaheim Housing Authority for the Hermosa Village Apartments Phase II.

Item No. 21 Mayor Sidhu opened the public hearing.

Public comment by 2 speakers.

Mayor Sidhu closed the public hearing. Discussion.

MOTION: LK/TO ROLL CALL VOTE: 7-0. Motion carried.

Report on Closed Session Actions: None

PUBLIC COMMENTS (non-agenda items): None

Council Communications/Agenda Requests:

Council Member Brandman announced a Jump & Jive story time on November 8th at 11:30 A.M. and a cultural kitchen event on November 14th at 3:30 P.M., both at Euclid Library. He thanked his colleagues for supporting his efforts regarding homelessness in District 2, thanked the Mayor for forming an ad hoc committee, and thanked staff for their work.

Council Member Faessel requested the meeting adjourn in memory of Ed Royce, Sr. He highlighted an Orange County Register article about the Senior Safety Net program to support all seniors in the city and requested it be linked to the City's website. He reported his attendance at three Trunk or Treat events on October 31st at First Nazarene, St. Anthony's, and Ambassador churches, the Dayle McIntosh Center benefit dinner on November 1st, and the Beauty Beneath the Rubble and Creative Identities events at the Muzeo on November 2-3. He highlighted the Harbor Substation dedication earlier in the day.

Council Member Moreno addressed his work on the proposed campaign finance reform ordinance and thanked the City Clerk, the City Attorney, and his Council aides for their work on the proposal. He provided details of the proposal regarding contributions, recusals, and timeframes for opening committees and gave examples of recent campaign contributions to Council Members and other entities. He asked the public to urge Council to re-agendize the item.

Mayor Pro Tem Kring addressed the tabled campaign finance reform ordinance, entities that were not included, possible effects on candidates, and historical background. She highlighted the Harbor Substation dedication and ribbon-cutting, the participation of Ponderosa Elementary School students, and requested certificates for each student and the principal who assisted with the dedication, concurred by Council Members Brandman and O'Neil. As an Anaheim Family YMCA board member, she reported she would "Take a Pie for the Y" as a fundraiser benefit, in addition to Council Members Faessel and O'Neil. She announced the Anaheim Confidential event at River Church on November 8th at 5:00 P.M. to benefit Cops 4 Kids, the Veterans Day ceremony at the Veterans Memorial on November 11th at 11:00 A.M., and a District 4 Community Town Hall meeting at Ponderosa Family Resource Center on November 12th at 6:30 P.M. In response to public comments, she stated the Bridges at Kraemer shelter, while in Anaheim, is run by the County and the Board of Supervisors is responsible. Regarding security measures, she stated those were suggested by a safety committee and she announced a recent groundbreaking event to build a facility in the City of Orange to assist those with mental issues and addictions.

Council Member O'Neil addressed Item No. 18 pointing out exclusion of union contributions and that the ordinance did not mirror Yorba Linda, citing that Yorba Linda doesn't have contribution limits. He further expressed that the item was not campaign reform but politically charged.

Council Member Barnes announced the Meet on Beach event on November 17th and the WAND Christmas Tree Lighting at Twila Reid Park on December 6th. She addressed the one-year anniversary of addressing homelessness in District 1 and thanked all those who helped in the efforts. She also announced the senior community was working on a 4-year plan and she would hold town hall meetings to get input.

Mayor Sidhu thanked Public Utilities General Manager Dukku Lee and his team for the Harbor Substation dedication, recognized the city's veterans and announced the Veterans Day ceremony on November 11th, and reported negotiations with the Angels would focus on an agreement with benefits to the residents and neighborhoods and also work for the Angels and the fans, including reasonable market

price, ongoing revenue for the city, and benefits for the community.

Adjournment: 10:18 P.M. in memory of Ed Royce, Sr.

Next regular City Council meeting is scheduled for November 19, 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 October 31, 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, Agency, and Authority agendas and related material is available prior to meetings at www.anaheim.net.