



ANAHEIM CITY COUNCIL

ACTION AGENDA

JANUARY 28, 2020

Harry S. Sidhu, P.E.
Mayor

Stephen Faessel
Mayor Pro Tem
District 5

Denise Barnes
Council Member
District 1

Jordan Brandman
Council Member
District 2

Dr. Jose F. Moreno
Council Member
District 3

Lucille Kring
Council Member
District 4

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
JANUARY 28, 2020
3:00 P.M.**

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

3:00 P.M. – WORKSHOP **3:02 P.M.**

Fiscal Year 2019/20 and Preliminary Fiscal Year 2020/21 Budget Projections

PUBLIC COMMENTS ON WORKSHOP: **7 speakers**

Mayor Sidhu recessed the City Council at 5:01 P.M and reconvened at 5:13 P.M.

5:00 P.M. **5:13 P.M.**

Invocation: Pastor Kyle Cleveland, Saddleback Church Anaheim

Flag Salute: Council Member Trevor O'Neil

Presentations: Orange County Business Council recognizing the City of Anaheim Planning and Community Development Teams recently awarded for work on Motel Conversion Ordinance

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

Recognizing January 11, 2020, as Human Trafficking Awareness Day

Recognizing January 20, 2020, as Martin Luther King Jr. Day

Recognizing January 27, 2020, as World Holocaust Remembrance Day

Recognizing February 2020, as American Heart Month

Recognizing February 2020, as Black History Month

Recognizing February 2020, as Career and Technical Education Month

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

PUBLIC COMMENTS (all agenda items): **53 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: **None**

5:00 P.M. - CITY COUNCIL

7:44 P.M.

Items pulled for discussion:

Council Member Moreno: Item Nos. 11 and 13

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

CONSENT CALENDAR:

1. Receive and file minutes of the Library Board meeting of December 9, 2019.
2. Approve the Investment Portfolio Report for December 2019.
3. Approve an increase to the City Council budget for Fiscal Year 2019/20, in the amount of \$35,000, for the purposes of staffing, constituent work, training opportunities, and supplies.
4. Authorize the Fire Chief, or designee, to accept a donation of \$1,000 from the Trust of Marvin Kelly to the Fire & Rescue Department and amend the Fiscal Year 2019/20 budget by increasing revenues and appropriations in the Fire & Rescue Department budget by \$1,000 to purchase safety equipment.
5. Accept the bids of ERMCO and ABB c/o Pacific Utilities, in the respective amounts of \$244,884 and \$335,882, plus applicable tax, for the purchase of various models of transformers per City approved specifications, and authorize the Purchasing Agent to issue Purchase Orders in accordance with Bid #9368.
6. Waive the sealed bid requirement of Council Policy 4.0 and authorize the issuance of a purchase order to Enterprise Fleet Management, in the amount of \$43,823.77, to purchase ten vehicles whose leases have recently expired and authorize the Purchasing Agent to sign the necessary paperwork.
7. Award the construction contract to the lowest responsible bidder, Sequel Contractors, Inc., in the amount of \$4,194,071.70, for the construction of Residential Street Improvement Project – Lindacita, Valdina, and Crescent Parkwood – Group 12; determine that the Project is categorically exempt under the California Environmental Quality Act pursuant to Sections 15301, Class 1, and 15302, Class 2, of Title 14 of the California Code of Regulations; and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions.
8. Approve the Senate Bill 859 Sales Agreement with the Southern California Public Power Authority for the Roseburg Biomass Project for approximately \$157,000 annually over five years and authorize the Public Utilities General Manager, or designee, to execute the agreement and any related agreements and documents, and take the necessary or advisable actions to implement and administer the agreement.
9. Approve an agreement with Richard Heath & Associates, Inc., in an annual amount not to exceed \$301,812.86 with a 20% contingency, for the Commercial Energy and Water Efficiency

Assessment Program and related services for a three year term with up to two one-year extensions; and authorize the Public Utilities General Manager, or designee, to execute the agreement and any related documents and take the necessary or advisable actions to implement and administer the agreement.

10. Approve two License Agreements with the County of Orange Registrar of Voters for the installation, operation, and maintenance of an Official Ballot Drop Box for a five year term at East Anaheim Community Center (8201 E. Santa Ana Canyon Rd.) and the Anaheim Regional Transportation Intermodal Center (2626 E. Katella Ave.).
11. RESOLUTION NO. 2020-008 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 California Natural Resources Agency for grant funds for the Green Infrastructure Grant Program for the Central Anaheim Greening Initiative Project and if awarded, authorizing the acceptance of such grant on behalf of the City and amending the budget accordingly (Sabina Neighborhood Phase III Project; application for up to \$1,700,000 of grant funds).
Item No. 11 Discussion. MOTION: JM/SF APPROVED VOTE: 7-0.
12. RESOLUTION NO. 2020-009 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting the City of Anaheim Title VI Plan and authorizing its submittal to the California Department of Transportation; and determining this action is exempt from California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15060(c)(3) because it is not a project as defined in Section 15378.
13. RESOLUTION NO. 2020-010 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the Director of Community Services or his designee to submit an application on behalf of the City of Anaheim to the California Department of Parks and Recreation for funding necessary for the Center Greens Project and if awarded, authorizing the acceptance of such grant on behalf of the city and amending the budget accordingly (311 East Broadway; application for up to \$1,000,000 of grant funds through the Land and Water Conservation Fund Program).
Item No. 13 Discussion. MOTION: JM/LK APPROVED VOTE: 7-0.

At 7:59 P.M., Council Member O'Neil recused himself from Public Hearing Item No. 14 due to a conflict of interest and left the dais.

5:30 P.M. PUBLIC HEARING: 7:59 P.M.

14. ENVIRONMENTAL IMPACT REPORT NO. 2018-00351
GENERAL PLAN AMENDMENT NO. 2017-00515
RECLASSIFICATION NO. 2017-00309
CONDITIONAL USE PERMIT NO. 2017-05931
MISCELLANEOUS CASE NO. 2017-00654
VESTING TENTATIVE TRACT MAP NO. 18104
SPECIMEN TREE REMOVAL PERMIT NO. 2018-00006
(DEV2017-00039)
OWNER/APPLICANT: Robert H. Kim, 6509 Serrano L.P., 4040 MacArthur Boulevard, Suite 300, Newport Beach, CA 92660

PROJECT LOCATION: This 3.03-acre property is located at 6501 through 6513 Serrano Avenue, generally the northeast corner of Serrano Avenue and Nohl Ranch Road.

REQUEST: Approval of the following land use entitlements: (i) amend the General Plan land use designation from Neighborhood Center Commercial to Low-Medium Density Residential; (ii) a Zoning Reclassification from the C-G (General Commercial) to the RM-3 (Multiple-Family Residential) zone; (iii) a conditional use permit to permit the construction of 58 attached, two and three story, single-family residential units with modified development standards; (iv) a Density Bonus and Tier II density bonus incentives to permit affordable units for moderate income occupants; (v) a vesting tentative tract map to establish a 1-lot, 58-unit condominium subdivision; and (vi) a specimen tree removal permit to remove Pepper trees in the Scenic Corridor (SC) Overlay Zone.

ENVIRONMENTAL DETERMINATION: The City Council will consider whether to certify Environmental Impact Report No. 2018-00351 (SCH# 2018121031) and adoption of a Mitigation Monitoring and Reporting Program, and Findings of Fact.

ACTION TAKEN BY THE PLANNING COMMISSION:

Denial of the request for a continuance of the item as requested by the applicant at the public hearing. VOTE: 4-3 (Commissioners Meeks, Mulleady, Vadodaria, and White voted yes to deny a continuance. Chairperson Lieberman and Commissioners Armstrong and Keys voted no). Continuance denied. Denial of the proposed project (PC2019-045). VOTE: 7-0 (Chairperson Lieberman and Commissioners Armstrong, Keys, Meeks, Mulleady, Vadodaria, and White voted yes). Project denied. (Planning Commission meeting of October 28, 2019) (Appealed by 6509 Serrano, LP, represented by Bob Kim)

Continued from City Council meetings of December 17, 2019, Public Hearing Item No. 37 and January 14, 2020, Public Hearing Item No. 30; public testimony portion of the public hearing was opened and closed on January 14, 2020.

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM denying General Plan Amendment No. 2017-00515 and making certain findings in connection therewith (DEV2017-00039) (6501-6513 Serrano Avenue).

OR

RESOLUTION NO. 2020-011 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM to certify final Environmental Impact Report No. 2018-00351 and adopt findings and Mitigation Monitoring Program No. 359 for the residences at Nohl Ranch and related actions (DEV2017-00039) (6501-6513 Serrano Avenue). ***Approved, as revised.***

RESOLUTION NO. 2020-012 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending the General Plan of the City of Anaheim (General Plan Amendment No. 2017-00515) (DEV2017-00039) (6501-6513 Serrano Avenue). ***Approved, as revised.***

ORDINANCE NO. 6479 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending the Zoning Map referred to in Title 18 of the Anaheim Municipal Code relating to zoning (Reclassification No. 2017-00309) (DEV2017-00039). ***Introduced, as revised.***

RESOLUTION NO. 2020-013 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting proposed Conditional Use Permit No. 2017-05931 and Miscellaneous No. 2017-00654 (DEV2017-00039) (6501-6513 Serrano Avenue). ***Approved, as revised.***

RESOLUTION NO. 2020-014 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving vesting Tentative Tract Map No. 18104 (DEV2017-00039) (6501-6513 East Serrano Avenue). ***Approved, as revised.***

RESOLUTION NO. 2020-015 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving Specimen Tree Removal Permit No. 2018-00006 (DEV2017-00039) (6501-6513 Serrano Avenue). ***Approved, as revised.***

Item No. 14 Discussion. MOTION: LK/JB to approve the project by adopting five resolutions and introducing an ordinance, all as revised, to reflect a maximum of 54 dwelling units with 20% reserved for moderate-income affordable units; authorize the Planning & Building Director, prior to approval of final vesting tentative map, to review and approve final project plans reflecting a maximum of 54 dwelling units with an emphasis on modifications to reduce the number of third-floor units and increasing building setbacks along Serrano Avenue as possible; and prior to the issuance of building permits the applicant shall submit proof to the Planning & Building Director of agreement to provide up to \$150,000 in relocation expenses to current tenants. ROLL CALL VOTE: 4-2-1 (AYES: Mayor Pro Tem Faessel and Council Members Barnes, Brandman, Kring; NOES: Mayor Sidhu and Council Member Moreno; ABSTAIN: Council Member O'Neil). Motion carried; ordinance introduced.

Council Member O'Neil returned to the dais at 9:49 P.M.

Public Comments (non-agenda items): None

Council Communications/Agenda Requests:

Council Member Moreno requested an agenda item regarding an inclusionary housing policy (concurred by Council Member Barnes; request failed for lack of second concurrence). He acknowledged local reactions to the death of Kobe Bryant, reported Vanessa Bryant and her family attended St. Boniface Catholic Church, and requested the meeting adjourn in memory of Kobe Bryant and the other eight victims of the helicopter crash. He announced a meeting with Code Enforcement and the Rose Bush Vine neighborhood on January 29 regarding tenant rights and experiences.

Council Member Kring reported her attendance at Visit Anaheim's annual meeting and shared information about their work and partnerships. She also announced their Tourism Workforce Initiative started at Anaheim High School to share career opportunities in the tourism industry. She reported her attendance at a press conference by STC Foundation, announcing their partnership with the Disneyland Lunar New Year celebration, highlighting dance performances. She announced a District 4 Anaheim First meeting at Ball Junior High School on January 29, and free tax preparation programs being offered by the Orange County United Way through April, with more information available at www.ocfreetaxprep.com. She offered condolences to the Bryant family and other families of those who died and asked for the meeting to adjourn in their memory.

Mayor Pro Tem Faessel requested the City Manager to investigate an allegation of 30-day kick-outs at the Salvation Army. He asked staff to initiate a visioning document for State College Boulevard. He requested the meeting adjourn in memory of former Principal Traffic Engineer Taher Jalai and long-time resident Barbara Morales. He reported his attendance at Dr. Kott's memorial service, the Police Department's 150th anniversary program, the tourism / workforce event at Anaheim High School, and a sustainability awards program with Anaheim Public Utilities at Katella High School with the distribution of 30 Chromebooks

Council Member O'Neil expressed his disappointment with the outcome of Item No. 14 and committed to ensuring all conditions are met by the developer and to do what he can to mitigate concerns. He also stated he would look at alternative uses for the nearby City-owned vacant site to create a community benefit.

Council Member Barnes reported her attendance at a sustainability ceremony at Baden-Powell School with Anaheim Public Utilities, the Police Department's 150th anniversary event showing an auditorium named after former Chief Jimmie Kennedy, the League of California Cities' policy committee meeting regarding housing in Sacramento, and the Miss Anaheim scholarship competition. She requested recognitions for students, Monce Robs, Jonathan Maldonado, Andrew Arande, Louis Laparra, and Kyle Chen, who helped a senior citizen with a stalled car in the intersection of Broadway and Magnolia Avenue, concurred by Council Members Brandman and O'Neil. She requested a review of impact fees to fund capital projects and related items to which City Manager Chris Zapata responded staff would begin preliminary work on several Council requests and come back for further direction.

Council Member Brandman announced a Lunar New Year/Chinese New Year party at the Euclid Library on January 30 and wished all a Happy New Year. He also announced a 3-4-5 Jump 'n Jive Storytime at Euclid Library on January 31.

Mayor Sidhu disclosed, pursuant to AB1234, that the City paid for his event registration and hotel expenses for the U.S. Conference of Mayors in Washington, DC where he advocated for long-term support for the Salvation Army Center of Hope, facility request for Project-Based Section 8 project vouchers, and low-income housing tax credits. He announced the City's Honda Center partners lit ARTIC purple and yellow in honor of Kobe Bryant and requested prayers for Esther Wallace due to her hospitalization.

Adjournment: **10:09 P.M. in memory of the victims of a helicopter crash: Kobe Bryant, Gianna Bryant, John Altobelli, Keri Altobelli, Alyssa Altobelli, Sarah Chester, Payton Chester, Christina Mauser, and Ara Zobayan; Taher Jalai, and Barbara Morales.**

Next regular City Council meeting is scheduled for February 4, 2020.

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 23, 2020, 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.