



# ANAHEIM CITY COUNCIL ACTION AGENDA

February 4, 2020

## CITY COUNCIL HOUSING AUTHORITY

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](http://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., 2<sup>nd</sup> 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.

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# **ANAHEIM CITY COUNCIL**

**ANAHEIM, CALIFORNIA**

**February 4, 2020**

**3:30 P.M.**

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

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

## **ADDITIONS/DELETIONS TO CLOSED SESSION:**

City Attorney Robert Fabela announced Closed Session Item No. 02 relate to a tort claim received from the family of Eliuth Nava pertaining to a fatal officer-involved shooting. He also reported Closed Session Item No. 03 related to threatened litigation related to potential Brown Act violation pertaining to Council approval of the purchase and sale agreement regarding Angel Stadium property.

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS:** None

Recess to closed session. **3:32 P.M.**

## **3:30 P.M. - CLOSED SESSION 3:32 P.M.**

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)  
**Name of Case:** Ramos v. City of Anaheim et al, SACV 19-02313 DOC
2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
(Significant exposure to litigation pursuant to Subdivision (d)(2) of Section 54956.9 of the California Government Code)  
**Name of Case:** One potential case
3. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
(Significant exposure to litigation pursuant to Subdivision (d)(2) of Section 54956.9 of the California Government Code)  
**Name of Case:** One potential case
4. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**  
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)  
**Name of Case:** State of California, et al., *ex rel.* OnTheGo Wireless, LLC v. Cellco Partnership d/b/a/ Verizon Wireless, et al. (Sacramento Superior Court Case No. 34-2012-00127517)

Reconvene the Anaheim City Council. **5:07 P.M.**

**5:00 P.M. 5:07 P.M.**

**Invocation:** Pastor Joel Van Soolen, Anaheim Christian Reformed Church

**Flag Salute:** Mayor Pro Tem Stephen Faessel

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

Recognizing February 17, 2020, as Random Acts of Kindness Day

Recognizing February 2020, as Make Kindness Contagious Month

Call to order the Anaheim Housing Authority (in joint session with the City Council). **5:10 P.M.**

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

**PUBLIC COMMENTS (all agenda items, except public hearing): 30 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 he attended the Large Cities Executive Forum in Austin, TX on January 24-25 and that the City's negotiating team would be meeting with the Angels on Friday, February 7 to continue the process of implementing the Purchase and Sale Agreement by discussing the Disposition and Development Agreement, the lease agreement assignment, the Angels commitment to stay in Anaheim, and the makeup of SRB Management Company. In response to Council Member Moreno, Mr. Zapata confirmed that additional items such as a public timeline and community benefits would be discussed at a later time.

Recess the Anaheim City Council. **6:39 P.M.**

**5:00 P.M. - HOUSING AUTHORITY** **6:39 P.M.**

MOTION: LK/SF to adopt the consent calendar. **APPROVED VOTE: 7-0.**

**CONSENT CALENDAR:**

1. Approve Master Agreements, in substantial form, with three contractors, in the total aggregate not to exceed amount of \$1,000,000 per fiscal year, with individual work order packages not to exceed \$500,000, for demolition, disposal/debris removal, erosion and sediment control on an as-needed basis for a two year term with two additional two-year renewal options; authorize de minimis changes that do not substantially change the term and conditions of the agreements, as long as such changes are determined to be de minimis by the City Attorney, and authorize the Executive Director of the Anaheim Housing Authority, or designee, to execute and take the necessary actions to administer the agreements (American Integrated Services, Inc., Macro-Z-Technology, and Three D Service Company, Inc.) (Related to City Council Item No. 08).
2. Approve minutes of the Housing Authority meetings of December 17, 2019 and January 14, 2020.

Adjourn the Anaheim Housing Authority. **6:40 P.M.**

Reconvene the Anaheim City Council. **6:40 P.M.**

## **5:00 P.M. - CITY COUNCIL**

**6:40 P.M.**

Items pulled for discussion:

Council Member Barnes: Item No. 04  
Council Member Moreno: Item No. 13

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

### **CONSENT CALENDAR:**

3. Receive and file minutes of the Public Utilities Board meeting of December 18, 2019.
4. Approve recognitions for the Anaheim Chamber of Commerce's 2020 Business Awards winners. **Item No. 04 Discussion. MOTION: TO/LK ROLL CALL VOTE: 6-0-1 (AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Kring, and O'Neil; ABSTAIN: Council Member Moreno). Motion carried.**
5. Accept the bid and approve an agreement with Kleenway Services, Inc., in the amount of \$1,345,655 plus a 20% contingency, for custodial services for a one year period with up to six one-year optional renewals and authorize the Purchasing Agent to execute the agreement and exercise the renewal options in accordance with Bid # 9345.
6. Accept the bid from American Air Filter Co., Inc. (AAF Flanders), in the amount of \$28,085.02 plus applicable tax and a 20% contingency, to provide HVAC filters on an as-needed basis for the Public Works Department and the Anaheim Convention Center 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 #9385.
7. Rescind the acceptance of the bid to Pictometry International Corp. made on May 7, 2019 from Bid #9270, due to the awarded vendor requesting additional terms and conditions that the City is unable to accept; accept the bid from the next lowest responsive bidder, Media Arts LLC, and ratify the issuance of a master agreement, in the amount of \$62,000 plus applicable tax, to provide aerial photography of Orange County, CA for a one year period with up to four one-year optional renewals; and authorize the Purchasing Agent to exercise the renewal options in accordance with Bid #9270.
8. Approve Master Agreements, in substantial form, with three contractors, in the total aggregate not to exceed amount of \$1,000,000 per fiscal year, with individual work order packages not to exceed \$500,000, for demolition, disposal/debris removal, erosion and sediment control on an as-needed basis for a two year term with two additional two-year renewal options; authorize de minimis changes that do not substantially change the term and conditions of the agreements, as long as such changes are determined to be de minimis by the City Attorney, and authorize the Director of Community & Economic Development, or designee, to execute and take the necessary actions to administer the agreements (American Integrated Services, Inc., Macro-Z-Technology, and Three D Service Company, Inc.) (Related to Housing Authority Item No. 01).

9. Approve an Addendum to Agreement with W. Solutions, Inc. dba Wellness Solutions for services to administer the Wellness Incentive Program increasing the Agreement by less than \$5,000 per year, for a total not to exceed amount of \$200,000 per year, effective October 18, 2019, for the final two renewal terms of the Agreement and expanding the services provided to provide increased protections for the Police Department.
10. RESOLUTION NO. 2020-016 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM (1) authorizing the City of Anaheim to participate in the statewide Clean Fuel Reward Program for Point-of-Purchase Electric Vehicle rebates; (2) approving the forms and authorizing the execution of a Joinder Agreement and deposit account agreement(s); (3) approving further actions in connection therewith; and (4) determining that actions authorized hereby are exempt from the California Environmental Quality Act pursuant to Sections 15060(c)(3) and 15378(b)(4) of Title 14 of the California Code of Regulations.
11. RESOLUTION NO. 2020-017 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting irrevocable offers of dedication of certain real property and/or facilities (Adele Street, Cypress Street and Lots C, D, E, F and G. Also accepting Lot A (Avelina Way) and Lot B (Bellrose Way) as an easement for public utility, other public purposes, and emergency purposes including ingress and egress rights for maintenance purposes; Tract Map No. 17811).
12. RESOLUTION NO. 2020-018 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. 12340, 12341, 12342, and 12343; for public right-of-way purposes).
13. ORDINANCE NO. 6479 (ADOPTION) 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) [Reclassify the property from the C-G (General Commercial Zone) to the RM-3 (Multiple-Family Residential Zone); 54 attached, two and three story, single-family residential units with modified development standards] (6501-6513 Serrano Avenue; introduced at Council meeting of January 28, 2020, Public Hearing Item No. 14).

Determine that the proposed Reclassification No. 2017-00309 to reclassify the property was adequately analyzed pursuant to the Environmental Impact Report certified in conjunction with the project on January 28, 2020.

**Item No. 13.**

**At 7:01 P.M., Council Member O'Neil recused himself from Item No. 13 due to a conflict of interest and left the dais.**

**MOTION: JB/LK**

**SUBSIDIARY MOTION: DB/JB to continue to February 11, 2020. ROLL CALL VOTE: 6-0-1 (AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Moreno, and Kring; ABSTAIN: Council Member O'Neil). Motion carried; item continued to February 11, 2020.**

**At 7:27 P.M., Council Member O'Neil returned to the dais.**

**END OF CONSENT CALENDAR 7:27 P.M.**

14. Consider two proposals and select one to provide temporary shelter services, as submitted by the Salvation Army for 101 beds proposed at 1455 S. Salvation Place, in an amount not to exceed \$1.73 million annually, plus one time capital costs, for a two year term with two one-year renewal options; and Illumination Foundation for 100 beds proposed at 1125 N. Magnolia Avenue, in an amount not to exceed \$2.38 million annually, for a twenty year term with five five-year renewal options.

Authorize the City Manager to enter into an agreement with the preferred provider, including any related agreements and/or documents, and take all actions necessary to administer the agreement and implement the additional temporary shelter beds and services; increase the City Administration Fiscal Year 2019/20 budget accordingly; and determine this action is categorically exempt from the California Environmental Quality Act pursuant to Sections 15307, 15308 and 15061(b)(3) of Title 14 of the California Code of Regulations.

**Item No. 14 Discussion. MOTION: LK/DB to select the proposal by the Salvation Army and approve Item No. 14. ROLL CALL VOTE: 7-0. Motion carried.**

**Council Member Kring left the meeting at 7:57 P.M.**

15. Consider appointments to the Youth Commission to serve a term, ending August 31, 2021 (continued from City Council meeting of January 14, 2020).

**Youth Commission (6 appointments):**

District 4 appointment:

(one (1) appointment) \_\_\_\_\_

**District 4 appointment continued.**

District 5 appointment:

(one (1) appointment) \_\_\_\_\_ Haven Enriquez

**Mayor Pro Tem Faessel appointed Haven Enriquez. ROLL CALL VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Kring). Appointment approved.**

District 6 appointments:

(two (2) appointments) \_\_\_\_\_ Aris Castro

**Council Member O'Neil appointed Aris Castro. ROLL CALL VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Kring). Appointment approved.**

\_\_\_\_\_ Asher Parra

**Council Member O'Neil appointed Asher Parra. ROLL CALL VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Kring). Appointment approved.**

Mayoral appointments:

(two (2) appointments) \_\_\_\_\_

\_\_\_\_\_ **Mayoral appointments continued.**

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

16. This is a public hearing to consider adopting the 2019 Edition of the California Fire Code and the 2019 California Building Standards Codes: California Building Code; California Residential Code; California Electrical Code; California Mechanical Code; California Plumbing Code; California Energy Code; California Historical Building Code; California Existing Building Code; California Green Building Standards; California Referenced Standards Code; and 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings.

ORDINANCE NO. 6477 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM repealing Chapter 15.03 and adding new Chapter 15.03 to Title 15 of the Anaheim Municipal Code pertaining to the California Building Standards Codes (Introduced at Council meeting of January 14, 2020, Item No. 24).

ORDINANCE NO. 6478 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM repealing existing Chapter 16.08 and adding new Chapter 16.08 to Title 16 of the Anaheim Municipal Code pertaining to the California Fire Code (Introduced at Council meeting of January 14, 2020, Item No. 24).

Determine the proposed ordinances are exempt from the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the State CEQA Guidelines because it can be seen with certainty that there is no possibility that adoption of the ordinances may have a significant change on the environment.

**Item No. 16 Mayor Sidhu opened the public hearing. Public comment by 3 speakers. Mayor Sidhu closed the public hearing. Discussion.**

**MOTION: JB/TO ROLL CALL VOTE: 6-0 (AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Kring). Motion carried; ordinances adopted.**

#### **Report on Closed Session Actions:**

City Attorney Robert Fabela announced all items were heard. Item No. 4 authorized a settlement in the amount of \$77,908.43, acceptance of that amount to settle the case, and for consent to release non interveners (VOTE: 6-0; AYES: Mayor Sidhu and Council Members Faessel, Barnes, Brandman, Moreno, and O'Neil; ABSENT: Council Member Kring)

**Public Comments (non-agenda items):**                      None

#### **Council Communications/Agenda Requests:**

Council Member Barnes addressed the passing of Esther Wallace, offered condolences, and shared her experiences with Ms. Wallace through WAND. She requested an agenda item to issue a Request for Proposals for motel conversions to permanent supportive housing citywide, one per district, concurred by Council Members Brandman and Moreno. She requested the West Anaheim Youth Center be renamed as the Esther Wallace Community Center. In response, City Manager Chris Zapata reported staff was researching practices, policies, and criteria regarding naming facilities and would report back to the Council.

Council Member Brandman provided a tribute to Esther Wallace, noting her commitment to the Magnolia School District, and shared his history and experiences with Ms. Wallace.

Council Member O'Neil shared his continued opposition to the proposed Serrano Center project, stating there were other more-suitable sites in Anaheim Hills for housing developments. He acknowledged pressure from the State to provide more housing but stressed a need to not permanently change existing neighborhoods and recommended the process to allocate RHNA numbers be looked at in the future. He stated the Ad Hoc Housing Committee would soon bring forward recommendations to spur housing development at all levels and encouraged his colleagues to engage with residents and preserve a valuable neighborhood center.

Mayor Pro Tem Faessel requested the meeting adjourn in memory of Esther Wallace. He reported his attendance at a Love Anaheim project at Edison Park, the Cambria Hotel ribbon-cutting, the Sycamore Junior High School envisioning meeting, the re-branding event of the Youth Protection Program as the Priority Center, and the Black History Parade.

Council Member Moreno thanked Code Enforcement staff for a meeting with residents regarding local apartment conditions and reported his participation in the Black History Parade, thanking the organizers and volunteers. He requested a memo from the City Manager or City Attorney regarding the City's role in the implementation phase and enforcement of AB1482 regarding rent stabilization and just-cause evictions and a separate memo regarding how the City evaluates its homeless shelters, their effectiveness, and the operators. He thanked the Public Works Department for installing signage and solar-powered flashing lights on Anaheim Boulevard for pedestrian safety and asked to research placing the same on Harbor Boulevard. He looked forward to hearing the proposals from the Housing Ad Hoc Committee and shared his appreciation for Esther Wallace.

Mayor Sidhu acknowledged Esther Wallace and her contributions to the community.

**Adjournment: 8:47 P.M. in memory of Esther Wallace.**

Next regular City Council meeting is scheduled for February 11, 2020.

All agenda items and back-up materials are available for review at the Anaheim City Clerk's Office, [www.anaheim.net](http://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., 2<sup>nd</sup> 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 30, 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](http://www.anaheim.net).