



ANAHEIM CITY COUNCIL

ACTION AGENDA

FEBRUARY 27, 2024

Ashleigh E. Aitken
Mayor

Norma Campos Kurtz
Mayor Pro Tem
District 4

Jose Diaz
Council Member
District 1

Carlos A. Leon
Council Member
District 2

Natalie Rubalcava
Council Member
District 3

Stephen Faessel
Council Member
District 5

Natalie Meeks
Council Member
District 6

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•**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 Chamber, 200 S. Anaheim Blvd., Anaheim, CA 92805 or such other location as noted. 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.

•**REPORTS:** All agenda items and reports are available for review in the City Clerk's Office and www.anaheim.net/councilagendas. 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) are available at the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2nd Floor, Anaheim, CA 92805 and by contacting the office by phone, 714-765-5166, or email to cityclerk@anaheim.net.

•**PUBLIC COMMENTS:** There are two Public Comment periods with speakers having one opportunity to address the City Council, except for scheduled public hearing items. Public comments are limited to three (3) 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. Speakers shall refrain from profane language and other disruptive remarks or behavior which disrupts or disturbs the meeting, or risk being removed (AMC 1.12.017). Additionally, members of the public may correspond with the City Council and all other related agencies, on any agenda items or matters within the jurisdiction of such governing bodies, by submitting comments electronically for City Council consideration by sending them to publiccomment@anaheim.net. **To ensure distribution to the City Council prior to consideration of the agenda, please submit comments at least 2 hours prior to the scheduled start time of the meeting.** Those comments, as well as any comments received after that time, will be distributed to the City Council, posted on the City's website, and will be made part of the official public record of the meeting. Current and archived public comments are available at www.anaheim.net/publiccomment. Contact the City Clerk's Office at 714-765-5166 or cityclerk@anaheim.net with any questions.

•**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.

**ANAHEIM CITY COUNCIL
ANAHEIM, CALIFORNIA
FEBRUARY 27, 2024
5:00 P.M.**

Call to order the Anaheim City Council. **5:04 p.m.**

MEMBERS PRESENT: **Mayor Aitken and Council Members Kurtz, Diaz, Leon, Rubalcava, Faessel, and Meeks.**

5:00 P.M.

INVOCATION: Imam Mustafa Abdelhafiz, West Coast Islamic Society

FLAG SALUTE: Council Member Stephen Faessel

CITY ATTORNEY CLOSED SESSION REPORT

City Attorney Robert Fabela stated for the record that at the February 13, 2024 Council meeting regarding Closed Session Item No. 1, approval was given to enter as an amicus curiae in the case of *Johnson v. City of Grant Pass*, a class action matter addressing public camping.]

PRESENTATIONS: Recognizing Frank Garcia for his years of service to the Anaheim community
Accepted by Frank Garcia, La Casa Garcia Restaurant

Recognizing Cypress College Foundation's Citizens of the Year for Anaheim, Jody Daily and Kevin Kidney

Presented by Executive Director, College Foundation & Community Relations at Cypress College; Recognized Jody Daily, and Kevin Kidney, as well as Person of the Year, Bobbie Stovall

Recognizing Green Bird for their 10 years of service to the City of Anaheim
Accepted by Jody Daily and Kevin Kidney

Presentation by Disney VoluntEARS
Presented by Gina Arreola, Disneyland Resort

ACCEPTANCE OF OTHER RECOGNITIONS (To be presented at a later date):

Recognizing February 11, 2024, as 2-1-1 OC Day and February 2024, as 2-1-1 OC Month

Accepted by Elizabeth Andrade, Executive Director, 2-1-1 Orange County

Recognizing February 18-24, 2024, as National Engineers week

Accepted by Carlos Castellanos, City Engineer

Recognizing February 2024, as Black History Month

Accepted by Shedrick Collins, President, Orange County Heritage Council

ADDITIONS/DELETIONS TO THE AGENDA: None

PUBLIC COMMENTS (all agenda items, except public hearings): Twenty-Four (24) in-person speakers; City Clerk Theresa Bass reported fifteen (15) public comments were received electronically prior to 5:00 p.m. (Total of nineteen (19) public comments received via email).

[Public Comments Submitted – February 27, 2024 City Council Meeting](#)

(limited to 90 minutes, or until all agenda item speakers have been heard; any time remaining shall be provided to non-agenda item speakers)

COUNCIL COMMUNICATIONS:

Mayor Pro Tem Kurtz thanked residents and businesses who have taken the time to call, email, or text the District 4 office regarding problems or concerns in their neighborhoods. She stated that the complaints range from trash not being picked up to more serious issues like graffiti, double parking in alleys, illegal fireworks, speeding, poor or nonexistent lighting, and unsafe tree branches and sidewalks. She stated that the areas around Walnut Street, 9th Street, and Cerritos Avenue have 65 upgraded lights because residents expressed concerns. District 4 also has a new left turn at an intersection, parks are being revitalized, a parking study is taking place, sidewalks have been fixed in neighborhoods, and unsafe trees have been trimmed. Mayor Pro Tem Kurtz thanked Anaheim Public Utilities, Public Works, and Community Services for all the help.

Council Member Faessel thanked Public Works and Anaheim Public Utilities for fixing streetlights and working with Caltrans to fix the lights at the 91 freeway underpass at State College and East Street that was vandalized by unhoused individuals. He stated that residents should have received a copy of the Community Services Spring 2024 Anaheim Activity Guide. He stated that he reviewed every page of the guide and there are hundreds of programs for kids, adults, and seniors. Some of the programs include the STARS After-School Program, Fun on Wheels Mobile Recreation Program, Project S.A.Y. Teen Program, VolunTEEN Program, and Aquatics Program. Council Member Faessel shared that he has been a longtime member of the Anaheim Community Foundation, and they recently presented a \$1,500 grant to the Anaheim Ballet for their no-cost community outreach program for underserved Anaheim youth and a \$1,000 grant to Girls, Inc. of Orange County for their StrongHer Together Program which provides Anaheim teen girls with educational and health and wellness programming. He noted that District 5 recently hosted a neighborhood community meeting at Sunkist Elementary School and approximately 30 residents attended. He thanked the residents for asking very important questions. He also thanked Community Services, Public Works, Anaheim Public Utilities, Anaheim Police Department, and Code Enforcement for their participation. Council Member wished his wife Susan a Happy Birthday and shared that they will be celebrating their 52nd wedding anniversary in August.

Council Member Diaz highlighted and shared photographs of Aqua-Tots Swim Schools at 3150 West Lincoln Avenue. He shared that swimming classes are available, and the water is always 90 degrees. There are plenty of chairs for parents to sit and observe their kids learning how to swim. He recommended Aqua-Tots Swim Schools to everyone who has a child who needs to learn how to swim. Council Member Diaz stated that a business like this brings new life to District 1.

Council Member Rubalcava thanked everyone who provided a public comment and participated in the process. She highlighted and shared photographs of events in District 3 including the grand opening of En Familia restaurant. She stated it was an honor to join Evelyn and Chef David Fuerte to celebrate the modern Mexican cuisine at the historic Anaheim Packard Building. Council Member Rubalcava stated that the owners already have reservations because of a convention at the Resort District and it is nice to see that the economic development is trickling into the heart of Anaheim. She thanked Council Members Faessel and Leon for attending the grand opening and the Anaheim Packing District for hosting the event. Council Member Rubalcava congratulated Anaheim High School Girls Wrestling Team Captain, Lilyana Balderas, who placed third at the Girls CIF State Wrestling Championships. Lilyana is a two time CIF-Southern Section Masters Champion and a state competitor. She announced that Little People's

Park has been selected for a Kaboom Park makeover and thanked Community Services. Little People's Park was developed in 1969 and officially became a park in 1970. This park has always been a place of significance for a primarily working class Chicano neighborhood, populated by immigrants and first and second generations since the early 1900s. The park was the center of unrest in 1978 when a rival gang opened fire on a celebration in the community. The police response was seen as heavy handed against the victims who reported the incident. The incident became known as the Chicano riots. She stated that since then, significant progress has been made. Residents and the police force came together last year when the new mural was unveiled, and the City Council recognized August as Chicano Heritage Month in the City of Anaheim. Council Member Rubalcava noted that the community design day will be at Benjamin Franklin Elementary School on March 7, 2024, and everyone is invited to participate in the process. May 14th through the 15th are prep days for the build and May 16 is the actual build day. She mentioned that there are 15 parks in District 3 and residents are happy to have the Kaboom playground equipment at Little People's Park.

Council Member Leon informed everyone that due to rain in the forecast, the park cleanup and beautification project on March 2, 2024 at Modjeska Park has been rescheduled to April 6, 2024. He encouraged everyone to sign up for the event by visiting loveanaheim.org. He stated that the Little Arabia Brookhurst Corridor Ad Hoc Committee met, and the Committee is working towards getting banners and additional signage on Brookhurst Street as the City awaits the approval of the Little Arabia freeway signs by Caltrans. Council Member Leon thanked Mayor Aitken and Mayor Pro Tem Kurtz for their support and recommendations for improvements on Brookhurst Street. He also thanked residents for their patience throughout the approval process as progress is made to address homelessness and quality of life concerns. He thanked everyone who attended the "Cafecito Con Carlos" (Coffee with Carlos) event at Starbucks off Katella Avenue. It was a great opportunity to connect with District 2 residents and hear some of their concerns. He shared that Stoddard Elementary School student Emilio, provided great suggestions for upcoming projects that the District 2 office is considering. He also thanked the West Anaheim Police Team and Community Services for attending the event. Council Member Leon shared that he had the opportunity to tour Sunburst Youth Challenge Academy, which is a residential leadership academy for teens that are at risk of not graduating high school. He encouraged City Council Members to tour the facility because it is amazing. It is a free program that is offered through the Orange County Department of Education to help students develop self-confidence, discipline, and life and education skills that are necessary to become successful and reach their full potential. He was able to connect with a few Anaheim students. He thanked Sergeant Uribe and Katelyn Brazer for the tour and their team's efforts in helping at-risk youth. He stated he looks forward to recognizing Anaheim graduates later this summer. Council Member Leon recognized Angelo's Burgers as the February Restaurant of the Month. Angelo's was nominated by a District 2 resident who said, "they treat you like you're at home, even though you get sit down restaurant service, and it's a real blessing to have them back." The restaurant is located off Ball Road, west of Brookhurst Street. They went through a lengthy closure due to a fire but have since reopened. For the February Business of the Month, he recognized Brizuela's Bakery. Brizuela's is located off Katella Avenue and Euclid Street. Brizuela's opened almost 30 years ago by Mexican immigrants Luz and Jose Avalos. Jose shared that when he was growing up in Mexico, his family did not have a lot to eat, and struggled. He came to the United States because it is the land of opportunity. They offer tamales, cakes, and Mexican sweet bread. Their kids attended Loera High School and participated in the football program. Council Member Leon stated he was proud to recognize Brizuela's Bakery for all their hard work, commitment, dedication, and support to the West Anaheim community.

Mayor Aitken highlighted and shared photographs of events she attended including the Orange County Business Council Annual Dinner, which was held at the Disneyland Hotel honoring some of the significant contributions of Anaheim's business community. She mentioned that she was able to visit with former OC Fair & Event Center colleagues including General Manager and CEO Michele Richards. Mayor Aitken attended the District 4 community meeting. She encouraged all residents to attend community meetings in their Districts and thanked staff from all the different departments who attend the community meetings. She shared that after the District 4 meeting, she visited the Don Churros Food

Truck at the Anaheim Indoor Marketplace. There is always a long line, but it is well worth it because the churros are amazing. She encouraged everyone to support this Anaheim business. Mayor Aitken attended the opening day of the Anaheim Hills Little League. There was a parade in District 6, and all the kids were in their team uniforms. She wished all the kids a great season. She attended the Access California Services Gala. She stated that Founder and Executive Director, Nahla Kayali and the organization do great work in the community. They not only work with immigrant and refugee families from Arab American communities, but they have expanded and helped absolutely everyone with families that are coming here from Latin America. New community caseworkers were recently hired to work with the families. She congratulated Access California Services for all the work that they do in Anaheim.

CITY MANAGER'S UPDATE:

City Manager Vanderpool stated that the City of Anaheim Department of Public Works and Republic Services will host the Annual Compost Giveaway event on Saturday, March 2, 2024, rain or shine, from 7:00 a.m. to 10:00 a.m. while supplies last at the Angel Stadium of Anaheim parking lot. Residents may enter the stadium from Douglass Road off Katella. Residents with proof of Anaheim residency can get up to 60 gallons of fresh compost for use in gardens, potted plants, or as yard soil or ground cover. This event highlights the success of the City's organic waste collection program and allows an opportunity to "close the recycling loop" by giving back to the community. Earth Machine Compost Bins will be available for purchase at the event for only \$20.

5:00 P.M. - CITY COUNCIL

Item pulled for discussion:

Council Member Leon:	Item No. 6
Council Member Rubalcava:	Item Nos. 3, 5, 13, 24
Mayor Pro Tem Kurtz:	Item Nos. 4, 21

MOTION: SF/NM to waive reading of all ordinances and resolutions and adopt the consent calendar.

CONSENT CALENDAR:

1. Approve recognitions recognizing Rosary Academy's Girls Water Polo Team for winning the CIF-Southern Section Division 4 Championship; and Boys and Girls Club 2024 Youth Awardees.
2. Approve the First Amendment to the Fiscal Year 2023-2024 Annual Action Plan to allocate \$1,694,799 of Community Development Block Grant (CDBG) funds for park improvements; \$1,000,000 HOME Investment Grant (HOME) funds for Tenant Based Rental Assistance (TBRA) for the Senior Safety Net Program and \$20,000 for the One Time Rental Assistance Program for security deposits; and \$90,000 of Emergency Solutions Grant (ESG) funds to increase homeless prevention and housing stabilizations services to assist individuals or households who are at risk of homelessness; designate the Director of the Housing and Community Development Department as the Certifying Official authorized to execute all documents related to the administration, management, and implementation of the funding; and amend the Housing and Community Development, Community Services and Public Works Departments' FY 2023/24 budgets accordingly.

3. Receive and file the list of Professional Services Agreements executed by the City Manager in January 2024.

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

Mayor Aitken considered the remainder of agenda items that were pulled out of order and heard Item No. 5 prior to Item No. 4.

4. Waive the bidding and publication requirements of Council Policy 4.0 and award an agreement with Airbus Helicopters Inc., in an amount not to exceed \$350,000 plus applicable tax and a 20% contingency, to purchase airframe helicopter parts, components and labor for the Police Air Support Division for a one year term with up to four one-year optional renewals; and authorize the Purchasing Agent, or designee, to execute the agreement and related documents, and exercise the renewal options, subject to available budget appropriations.

Item No. 04 Discussion. MOTION: NM/SF ROLL CALL VOTE: 7-0. Motion carried.

5. Waive the bidding and publication requirements of Council Policy 4.0 and authorize the purchase of six (6) Tesla Model Y vehicles from Tesla, Inc., in an amount not to exceed \$320,000 plus all applicable taxes and fees; waive the bidding and publication requirements of Council Policy 4.0 and authorize the purchase of the parts and associated upfitting for the aforementioned vehicles from Unplugged Performance Inc., in an amount not to exceed \$297,000 plus all applicable taxes and fees and a 20% contingency; and authorize the Purchasing Agent, or designee, to execute all documents necessary to complete the purchases and upfittings.

Item No. 05 Discussion. MOTION: NM/AA ROLL CALL VOTE: 6-1 (AYES: Mayor Aitken and Council Members Kurtz, Diaz, Leon, Faessel, and Meeks; NOES: Council Member Rubalcava). Motion carried.

6. Award an agreement with Golden Buckeye, Inc. dba Burnett Printing, in an amount not to exceed \$78,236.50 plus applicable tax and a 20% contingency, for as-needed citywide printing services of envelopes, letterhead and business cards for a one year term with up to four one-year optional renewals; ratify a three-month extension of the agreement with Tajen Graphics, Inc., dba Apollo Printing & Graphics, in an amount not to exceed \$30,000 plus a 20% contingency, for citywide printing services of envelopes, letterhead and business cards; and authorize the Purchasing Agent, or designee, to execute the agreements and related documents, and exercise the renewal options, subject to available budget appropriations (Bid #9751).

Item No. 06 Discussion. MOTION: NK/CL to approve the agreement with Golden Buckeye, Inc. for a one year term with no optional renewals. ROLL CALL VOTE: 7-0. Motion carried.

7. Ratify an increase of \$50,000 plus a 20% contingency in the value of the current agreement with Waxie Sanitary Supply, from an amount not to exceed \$100,000 to \$150,000 to accommodate the increased demand of janitorial supplies for the agreement expiring April 30, 2024; authorize the Purchasing Agent, or designee, to exercise a one year agreement renewal, in an amount not to exceed \$150,000 plus a 20% contingency, in accordance with the terms of National Cooperative Purchasing Alliance (NCPA) Cooperative Contract #02-27; and authorize the Purchasing Agent, or designee, to execute documents related to the agreement.

8. Award an agreement with Merrimac Energy Group, in an amount not to exceed \$2,458,149.40 plus applicable tax and a 25% contingency, for the purchase of automotive fuel for a one year term with up to four one-year optional renewals; ratify a one-month extension of the agreement with AAA Oil, Inc., in an amount not to exceed \$120,000 plus a 20% contingency, for the purchase of automotive fuel; and authorize the Purchasing Agent, or designee, to execute the agreement and related documents, and exercise the renewal options, subject to available budget appropriations (Bid #9760).
9. Award an agreement with Universal Protection Service, LP, dba Allied Universal Security Services, in an amount not to exceed \$680,142.19 per year plus a 20% contingency, for street-sweeping parking enforcement services for a two year term with up to three one-year optional renewals; and authorize the Purchasing Agent, or designee, to execute all necessary documents, and exercise the renewal options, subject to available budget appropriations (Bid #9740).
10. Award an agreement with American Freedom Security, LLC, in an amount not to exceed \$37,030 plus a 20% contingency, for as-needed unarmed security guard services for a one year term with up to four one-year optional renewals; and authorize the Purchasing Agent, or designee, to execute all necessary documents, and exercise the renewal options, subject to available budget appropriations (Bid #9763).
11. Award agreements with Pacific Towing Inc. and Archie's Towing, in a combined amount not to exceed \$146,085 plus a 20% contingency, to provide as-needed towing services for city-owned vehicles for a one year term with up to four one-year optional renewals; and authorize the Purchasing Agent, or designee, to execute all necessary documents, and exercise the renewal options, subject to available budget appropriations (Bid #9748).
12. Award the construction contract to the lowest responsible bidder, All American Asphalt, in the amount of \$6,339,671, for the construction of Residential Street Improvement Project – Peary and Avenida, Group 16; authorize the Director of Public Works to execute the contract and any other related documents, and take the necessary actions to implement and administer the contract; authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions; and determine 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.
13. Award the contract to the lowest responsible bidder, R.J. Noble, in the amount of \$1,384,243.82, for the East Street Rehabilitation from Cypress Street to La Palma Avenue Project; authorize the Director of Public Works to execute the contract and any other related documents, and take the necessary actions to implement and administer the contract; authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions; and determine that the project is categorically exempt under the California Environmental Quality Act pursuant to Class 1, Section 15301 (Existing Facilities) of Title 14 of the California Code of Regulations.

Item No. 13 Discussion. MOTION: NR/SF ROLL CALL VOTE: 7-0. Motion carried.

14. Approve Cooperative Agreement No. 2024-1 between the City of Anaheim and the cities of La Habra, Fullerton, Garden Grove, Santa Ana, and Fountain Valley to implement traffic signal synchronization on Euclid Street from the intersection of Euclid Street and La Habra Boulevard in the City of La Habra to Euclid Street and I-405 Southbound Ramps in the City of Fountain Valley, for a term through December 31, 2028 and authorize a cost match in an amount not to exceed \$230,230.
15. Approve a Cooperative Agreement between the City of Anaheim and the cities of Fullerton, Placentia, and Yorba Linda to implement traffic signal synchronization on Yorba Linda Boulevard/Weir Canyon Road from the intersection of Yorba Boulevard and State College Boulevard in the City of Fullerton to Weir Canyon Road and Oak Canyon Drive in the City of Anaheim, for a term through December 31, 2030 and authorize a cost match in an amount not to exceed \$161,077.90.
16. Approve the Final Map and Subdivision Agreement of Tract No. 19192 with OrangeAve 2024, LLC, for a proposed residential condominium project comprised of 24 attached single-family townhomes with open space, private drives, and landscaped areas, located at 2219 W. Orange Avenue.
17. Approve a First Amendment to Agreement with MWH Constructors, Inc., in the amount of \$2,275,863 with a 15% contingency for extra services to be applied to the total Contract Amount, as so amended, to provide for additional construction management and inspection services for the Groundwater Treatment Program; and authorize the Public Utilities General Manager, or designee, to execute the First Amendment and other related documents and take the necessary actions to implement and administer the agreement, as amended.
18. Approve an agreement with NewGen Strategies and Solutions, LLC (NewGen), in an annual not to exceed amount of \$60,000, for electric utility cost of service studies and related consulting services for a four year term with two one-year optional extensions; authorize the Public Utilities General Manager, or designee, to execute the agreement and related documents and take the necessary actions to implement and administer the agreement; and authorize de minimis changes that do not substantially change the terms and conditions of the agreement as long as such changes are determined to be de minimis by the City Attorney's Office.
19. Approve an agreement with Borrego Energy, LLC, in an annual amount of \$125,000 per year with rollovers of unspent funds to subsequent years and an annual Consumer Price Index escalator, for solar photovoltaic (PV) systems operated by Anaheim Public Utilities for a term of five years with up to five one-year optional extensions; and authorize the Public Utilities General Manager, or designees, to execute and deliver the agreement and any supporting documents, including to execute letter agreements and make changes to Exhibits A and B of the agreement on an as-needed basis to add new PV systems to the agreement's scope of services, and take the necessary actions to implement, fund, and administer the agreement.
20. Approve Agreement No. A0-5296 regarding the assignment of extraordinary supply from the Santa Ana River Conservation and Conjunctive Use Program among The Metropolitan Water District of Southern California, the Municipal Water District of Orange County, the Orange County Water District, the City of Anaheim, the City of Fullerton, and the City of Santa Ana, with a term of 61 years; and authorize the Public Utilities General Manager, or designees, to execute and deliver the agreement and any related documents, such as extraordinary supply certifications and

cost-neutral amendments of the Agreement that are deemed de minimis by the City Attorney's Office, and take the necessary actions to implement and administer the agreement.

21. Waive Council Policy 4.1 (to the extent applicable) and approve an Attorney Services and Consulting Agreement with Arif Alikhan, Esq. and Alikhan Insights, LLC, in an amount not to exceed \$400,000, for advice and services of an attorney-consultant to analyze the practices, processes, and protocols of the Anaheim Police Department and develop a program and strategy to ensure compliance with the principles of Constitutional Policing for a one-year term with two one-year optional renewals; authorize the Chief of Police to execute and administer the agreement and any renewal options; and authorize minimal changes that do not substantially modify the terms and conditions of the agreement, provided the changes are determined to be de minimis by the City Attorney's Office.

Item No. 21 Discussion. MOTION: NR/NM to approve the agreement in an amount not to exceed \$125,000 for a one year term with no optional renewals. ROLL CALL VOTE: 7-0. Motion carried.

22. Approve a First Amendment to Agreement with Carpi & Clay Inc. for federal advocacy services for an additional two one-year optional renewals and to increase the total not to exceed contract amount from \$180,000 to \$315,000; and authorize the City Manager, or designee, to administer the agreement under the terms and conditions of the Agreement.

23. RESOLUTION NO. 2024-013 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 Federal Transit Administration and 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.

24. RESOLUTION NO. 2024-014 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention to consider to vacate certain public streets, highways and easements [three easements for public road purposes generally known as: Magic Way, lying between Walnut Street and Disneyland Drive; Hotel Way, lying north of Disney Way; and Clementine Street, lying south of Katella Avenue related to the DisneylandForward project; Public Hearing scheduled for Council meeting of April 16, 2024].

Item No. 24 Discussion. MOTION: NM/NK to approve as amended. ROLL CALL VOTE: 7-0. Motion carried.

25. RESOLUTION NO. 2024-015 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating a portion of a public equestrian and hiking trail easement located at 7651, 7671 and 7673 East Corto Road and 370 and 371 South Timken Road pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2020-00402).

Authorize the City Clerk to hold the recordation of resolution until a new multi-use trail easement deed is (1) accepted by the Director of Public Works, in accordance with Resolution No. 2021-042, and (2) recorded in Official Records of the Office of the Orange County Recorder; and approve the return of all Park and Recreation Impact Fees, totaling \$27,775.84, related to this development in consideration of a supplemental multi-use Trail Easement segment filling in a trail gap.

26. RESOLUTION NO. 2024-016 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adopting a Memorandum of Understanding establishing terms and conditions of employment for employees represented by the Service Employees' International Union, United Service Workers West, and repealing Resolution No. 2022-143 (effective December 22, 2023 through December 19, 2025).
27. ORDINANCE NO. 6569 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Section 1.01.389 of Title 1 (Administration) of the Anaheim Municipal Code to make it unlawful for any person to threaten, follow, intimidate, obstruct, or impede any Community Preservation Officer engaged in the performance of his or her respective duties, job description, and/or enforcement authority as provided in the Anaheim Municipal Code; and to authorize Community Preservation Officers to ask persons who are violating provisions of the Code or State law for their identification, as allowed by law, in order to facilitate the enforcement of the Code and State Law [includes determination that the proposed amendments are not subject to the California Environmental Quality Act (CEQA) under Sections 15060(c)(2) and 15060(c)(3) of Title 14 of the California Code of Regulations].
- ORDINANCE NO. 6570 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapters 18.04 (Single-Family Residential Zones); 18.06 (Multiple-Family Residential Zones); 18.08 (Commercial Zones); 18.10 (Industrial Zone); 18.14 (Public and Special-Purpose Zones); 18.30 (Downtown Mixed Use (DMU) Overlay Zone); 18.38 (Supplemental Use Regulations); 18.42 (Parking and Loading); 18.44 (Signs); 18.46 (Landscaping and Screening); 18.52 (Housing Incentives); 18.62 (Administrative Reviews); 18.92 (Definitions); 18.122 (Beach Boulevard Specific Plan No. 2017-1 (SP 2017-1) Zoning and Development Standards) of Title 18 (Zoning) of the Anaheim Municipal Code; Adjustment No. 7 to the Beach Boulevard Specific Plan No. 2017-1 (SP 2017-1) Zoning and Development Standards; and finding and determining that this ordinance is not subject to the requirements to prepare additional environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15061(b)(3) because it will not have a significant effect on the environment (Development Application No. 2023-00047) [Annual Code Update].
28. ORDINANCE NO. 6567 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending certain sections of Chapter 1.09 of Title 1 of the Anaheim Municipal Code to impose limitations on loans to, and the retirement of outstanding debt incurred by, candidates and candidate controlled committees [setting limits on the amount that candidates may lend to their campaigns, and requiring candidate to retire campaign debt within twelve months of an election] (introduced at the Council meeting of February 13, 2024, Item No. 22).
29. ORDINANCE NO. 6568 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending the title of Chapter 4.52 of the Anaheim Municipal Code from "Peddlers and Solicitors" to "Solicitors and Sidewalk Vendors"; amending certain sections of Chapter 4.52 of the Anaheim Municipal Code to establish operational standards for sidewalk vendors in order to protect public health, safety, and welfare; to provide an additional enforcement mechanism and appeal process for a violation of sidewalk vendor regulations; and to make other modifications consistent therewith (introduced at the Council meeting of February 13, 2024, Item No. 23).

BUSINESS CALENDAR:

9:23 p.m.

30. Recall Petition of Council Member Natalie Rubalcava, District 3.

RESOLUTION NO. 2024-017 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting the certification of the Orange County Registrar of Voters as to the sufficiency of signatures on the petition to recall Council Member Natalie Rubalcava, District 3.

Approve an increase to the City Clerk's Fiscal Year 2023/24 budget by \$26,224.20 to cover the cost of signature verification of the recall petition by the Orange County Registrar of Voters.

Upon acceptance of the certification of the Orange County Registrar of Voters as to the sufficiency of signatures of the recall petition, in accordance with the requirements of Section 1303 of the City Charter and California Elections Code §§11227 and 11240, take the following actions:

RESOLUTION NO. 2024-018 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM calling, ordering, and giving notice of the holding of a Special Municipal Election to be held in District 3 of the City of Anaheim on Tuesday, June 4, 2024 for the submission of the question of the recall of a certain officer; and requesting that the Orange County Board of Supervisors direct the Orange County Registrar of Voters to render services to the City relating to the conduct of a Special Municipal Election.

Approve an increase to the City Clerk's Fiscal Year 2023/24 budget by \$700,000 to cover the cost to conduct a Special Municipal Election.

Item No. 30 Discussion. MOTION: NM/NK ROLL CALL VOTE: 7-0. Motion carried.

5:30 P.M. PUBLIC HEARINGS:

9:33 p.m.

31. **INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

MITIGATION MONITORING PLAN NO. 388

DEVELOPMENT APPLICATION NO. 2019-00161 (DEV2019-00161)

PROJECT LOCATION: This approximately 1.5-acre site is located at **125 East Ball Road** at the northwest corner of Ball Road and Technology Circle.

REQUEST: The applicant requests approval to permit the demolition of an existing vacant two-story commercial building and construction of a 5-story, 65-foot high 120-room hotel, and a drive-through fast food restaurant with associated parking. The project requires the following entitlements: (i) Rezone APN 234-161-04 from Industrial (I) to General Commercial (C-G), (ii) a Conditional Use Permit (CUP) to permit a hotel with a detached drive-through fast-food restaurant, and (iii) a CUP to allow for a Floor Area Ratio (FAR) greater than permitted by the Zoning Code (1.08 proposed, 0.50 permitted), and (iv) a Minor CUP to permit valet parking.

ENVIRONMENTAL DETERMINATION:

The City Council will consider whether the Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring Plan No. 388 prepared for the project are the appropriate environmental documentation for this request pursuant to Sections 15070 to 15075 of the State California Environmental Quality Act Guidelines.

ACTION TAKEN BY THE PLANNING COMMISSION:

Recommended City Council approval of Development Application No. 2019-00161, including a condition regarding ownership; and approval of Resolution No. 2023-033 (adoption of the

Mitigated Negative Declaration and Mitigation Monitoring Plan No. 388). **VOTE: 6-1** (Chairperson Kring and Commissioners Henninger, Castro, Lieberman, Tran-Martin, and Walker voted yes; Commissioner Perez voted no) (Planning Commission meeting of December 4, 2023).

RESOLUTION NO. 2024-019 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan No. 388 for Development Application No. 2019-00161 (125 East Ball Road).

RESOLUTION NO. 2024-020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving Conditional Use Permits and Minor Conditional Use Permit to construct a hotel, a drive-through restaurant, permit a floor area ratio above 0.50, and permit valet parking and making certain findings in connection therewith (DEV2019-00161) (125 East Ball Road).

ORDINANCE NO. 6571 (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 (DEV2019-00161) (125 East Ball Road) (reclassify a portion of the project site from the "I" (Industrial) Zone to the "C-G" (General Commercial) Zone).

Item No. 31 Discussion. Mayor Aitken opened the public hearing at 9:40 p.m. Six (6) in-person speakers; Three (3) electronic public comments submitted. [Public Comments Submitted – February 27, 2024 City Council Meeting](#)

Mayor Aitken closed the public hearing at 9:58 p.m.

MOTION: NM/JD to amend Condition No. 59 of the resolution approving Conditional Use Permits and Minor Conditional Use Permit to construct a hotel, a drive-through restaurant, permit a floor area ratio above 0.50, and permit valet parking and making certain findings in connection therewith; approve resolution approving and adopting a Mitigated Negative Declaration and Mitigation Monitoring Plan No. 388 for Development Application No. 2019-00161; and introduced ordinance. **ROLL CALL VOTE: 5-2 (AYES: Mayor Aitken and Council Members Kurtz, Diaz, Faessel, and Meeks; NOES: Council Members Leon and Rubalcava).** Motion carried

32. **CEQA CATEGORICAL EXEMPTION, CLASS 1**
DEVELOPMENT APPLICATION NO. 2023-00011

PROJECT LOCATION: The approximately 0.81-acre property is located at **2125 - 2129 South Harbor Boulevard**, approximately 300 feet south of Orangewood Avenue.

REQUEST: The applicant requests a determination of Public Convenience or Necessity to permit off-site sales of alcoholic beverages in an existing retail sales-general use that is incidental to and integrated with The Carriage Inn motel, an amendment to Conditional Use Permit No. 2725 to remove a condition of approval requiring a restrictive covenant on the property, and approval of an administrative adjustment for a 5% reduction in Code-required parking spaces.

ENVIRONMENTAL DETERMINATION: The City Council will consider whether to find and determine that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15300.2 (c) and 15301, Class 1 (Existing Facilities) of Title 14 of the California Code of Regulations.

ACTION TAKEN BY THE PLANNING COMMISSION:

Approved a Determination of Public Convenience or Necessity for the sale of alcoholic beverages for off-site consumption, an amendment to Conditional Use Permit No. 2725 to remove a

condition of approval, and an administrative adjustment for a 5% reduction in Code-required parking and making certain findings in connection therewith (PC2024-002). **VOTE: 7-0** (Chairperson Kring and Commissioners Henninger, Castro, Lieberman, Perez, Tran-Martin, and Walker voted yes).
(Planning Commission meeting of January 17, 2024) **Appealed by:** Talab Ibrahim.

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM denying the appeal of the Planning Commission's decision and approving a Determination of Public Convenience or Necessity for the sale of alcoholic beverages for off-site consumption, an amendment to Conditional Use Permit No. 2725 to remove a condition of approval, and an administrative adjustment for a 5% reduction in code-required parking and making certain findings in connection therewith (Development Application No. 2023-00011) (2125-2129 South Harbor Boulevard) [includes determination that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Sections 15300.2 (c) and 15301, Class 1 (Existing Facilities) of Title 14 of the California Code of Regulations].

Item No. 32 Discussion. Mayor Aitken opened the public hearing at 10:40 p.m. There (3) in-person speakers; Five (5) electronic public comments submitted. [Public Comments Submitted – February 27, 2024 City Council Meeting](#)

Mayor Aitken closed the public comment portion of the public hearing at 11:13 p.m.

MOTION: NM/AA to continue the public hearing to March 26, 2024. ROLL CALL VOTE: 7-0.
Motion carried.

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

(opened only if any remaining non-agenda speakers were not called to speak during the first Public Comment period)

COUNCIL AGENDA SETTING:

Council Member Rubalcava requested a recognition for Lilyana Balderas, an Anaheim High School student, who placed third at the Girls CIF State Wrestling Championships. She requested to agendize the City's purchasing policy for City Council review.

Council Member Leon requested to agendize general clean up language for the Campaign Ordinance, a discussion on a gift ban, and a retirement recognition for California Highway Patrol Officer Ray Payton.

Council Member Meeks requested to agendize a workshop regarding the Workforce Development Program.

ADJOURNMENT: 11:57 p.m.

Next regular City Council meeting is scheduled for March 19, 2024.

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