



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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ANAHEIM CITY COUNCIL ACTION AGENDA

OCTOBER 29, 2024

CITY COUNCIL
PUBLIC FINANCING AUTHORITY
HOUSING AND PUBLIC IMPROVEMENTS AUTHORITY
HOUSING AUTHORITY

▪**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 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
OCTOBER 29, 2024
4:00 P.M.**

Call to order the Anaheim City Council. **4:00 p.m.**

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

4:00 P.M. - CLOSED SESSION

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

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: **One (1) in-person speaker; no electronically submitted comments were received related to Closed Session.**

Recess to closed session. **4:05 p.m.**

1. **CONFERENCE WITH LABOR NEGOTIATORS
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representative:** Linda Andal, Human Resources Director
Name of Employee Organizations: **(1)** American Federation of State, County and Municipal Employees (General Management, Professional/Technical, and Confidential Units); **(2)** Anaheim Firefighters Association, Local 2899; **(3)** Anaheim Municipal Employees Association (General, Clerical, and Part-Time Units); **(4)** Anaheim Municipal Employees Association, Police Cadet Unit; **(5)** Anaheim Police Association; **(6)** Anaheim Police Management Association; **(7)** International Brotherhood of Electrical Workers (IBEW), Local 47; **(8)** IBEW, Local 47 Part-Time Service Employees; **(9)** International Brotherhood of Electrical Workers, Local 47 (Professional Management and Part-Time Management Units) **(10)** Service Employees' International Union, United Service Workers West; **(11)** Teamsters, Local 952

Reconvene the Anaheim City Council. **5:07 p.m.**

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

5:00 P.M.

INVOCATION: Pastor Esther Dang, West Anaheim United Methodist Church

FLAG SALUTE: Council Member Natalie Rubalcava

Call to order the Anaheim Public Financing Authority, Anaheim Housing and Public Improvements Authority and Anaheim Housing Authority (in joint session with the City Council). **5:12 p.m.**

ADDITIONS/DELETIONS TO THE AGENDAS: City Clerk Theresa Bass announced that Consent Calendar Item Nos. 12 and 13 were withdrawn from the agenda by staff.

PUBLIC COMMENTS (all agenda items, except public hearings): Ten (10) in-person speakers; City Clerk Theresa Bass reported thirteen (13) public comments were received electronically prior to 4:30 p.m. (Total of fifteen (15) public comments received via email).

Public Comments Submitted – October 29, 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)

Without objection, Mayor Aitken moved Council Communications and the City Manager’s Update to the end of the meeting and considered the remainder of the agenda.

Recess the Anaheim City Council, Anaheim Housing and Public Improvements Authority, and Anaheim Housing Authority. **5:47 p.m.**

5:00 P.M. - PUBLIC FINANCING AUTHORITY **5:47 p.m.**

MOTION: SF/NM to approve the consent calendar as presented. ROLL CALL VOTE: 7-0. Motion carried.

CONSENT CALENDAR:

1. RESOLUTION NO. APFA-2024-003 A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANAHEIM PUBLIC FINANCING AUTHORITY establishing the dates and times for regular meetings of the Authority for the 2025 calendar year.
2. Approve minutes of the Public Financing Authority meeting of May 21, 2024.

Adjourn the Anaheim Public Financing Authority. **5:47 p.m.**

Reconvene the Anaheim Housing and Public Improvements Authority. **5:47 p.m.**

5:00 P.M. – HOUSING AND PUBLIC IMPROVEMENTS AUTHORITY **5:48 p.m.**

MOTION: NK/NM to approve the consent calendar as presented. ROLL CALL VOTE: 7-0. Motion carried.

CONSENT CALENDAR:

3. RESOLUTION NO. AHPIA-2024-005 A RESOLUTION OF THE GOVERNING BOARD OF THE ANAHEIM HOUSING AND PUBLIC IMPROVEMENTS AUTHORITY establishing the dates and times for regular meetings of the Authority for the 2025 calendar year.
4. Approve minutes of the Housing and Public Improvements Authority meeting of July 16, 2024.

Adjourn the Anaheim Housing and Public Improvements Authority. **5:48 p.m.**

Reconvene the Anaheim Housing Authority. **5:48 p.m.**

5:00 P.M. - HOUSING AUTHORITY

5:49 p.m.

MOTION: NM/NK to approve the consent calendar as presented. ROLL CALL VOTE: 7-0. Motion carried.

CONSENT CALENDAR:

5. RESOLUTION NO. AHA-2024-008 A RESOLUTION OF THE GOVERNING BOARD OF THE ANAHEIM HOUSING AUTHORITY establishing the dates and times for regular meetings of the Authority for the 2025 calendar year.
6. Approve minutes of the Housing Authority meetings of May 21, 2024, June 11, 2024, June 18, 2024, and August 13, 2024.

Adjourn the Anaheim Housing Authority. **5:49 p.m.**

Reconvene the Anaheim City Council. **5:49 p.m.**

5:00 P.M. - CITY COUNCIL

5:49 p.m.

Items pulled for discussion:

Council Member Faessel: Item Nos. 16, 19

MOTION: NR/NM to waive reading of all ordinances and resolutions and adopt the balance of the consent calendar as presented. ROLL CALL VOTE: 7-0. Motion carried. [Item No. 25: Council Members Diaz and Meeks requested to record a “No” vote for Item No. 25. MOTION: NR/NM ROLL CALL VOTE: 5-2 (AYES: Mayor Aitken and Council Members Kurtz, Leon, Rubalcava, and Faessel; NOES: Council Members Diaz and Meeks). Motion carried.]

CONSENT CALENDAR:

7. Receive and file minutes of the Community Services Board meeting of September 12, 2024, the Cultural and Heritage Commission meetings of March 17, 2022, June 16, 2022, September 15, 2022, January 19, 2023, February 16, 2023, March 16, 2023, April 20, 2023, May 18, 2023, July 20, 2023, August 17, 2023, October 19, 2023, November 16, 2023, January 18, 2024, February 15, 2024, April 30, 2024, May 16, 2024, and August 15, 2024, and the Library Board meeting of September 9, 2024.
8. Receive and file the list of Professional Service Agreements executed by the City Manager in September 2024 and the list of Visit Anaheim Subcontractor Agreements approved by the Executive Director of Convention, Sports, and Entertainment in September 2024.

9. Accept bids from TYR Tactical LLC and Adamson Police Products, in the amount of \$157,842 and \$201,452.50, respectively plus applicable tax, for a one time purchase of SWAT Personal Protective Equipment; authorize the Purchasing Agent to issue agreements, in the amounts of \$17,799.30 to TYR Tactical LLC and \$34,620 to Adamson Police Products, plus applicable tax and a 25% contingency, for a one year period with four one-year optional renewals; and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #9765.
10. Accept the bids from Advanced Helicopter Services and Rotorcraft Support Inc., in a combined amount of \$348,805.08 plus applicable tax and a 25% contingency, for as-needed Safran Turbomeca engine parts, components, and labor for the Police Air Support Division, for a one year period with four one-year optional renewals, and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #9820; and accept the bids from Advanced Helicopter Services and Standard Aero Limited, in a combined amount of \$579,034.87 plus applicable tax and a 25% contingency, for as-needed helicopter airframe parts, components, and labor for the Police Air Support Division, for a one year period with four one-year optional renewals, and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #9821.
11. Waive Council Policy 4.0 and authorize the Purchasing Agent to issue a Purchase Order to Safran Helicopter Engines USA, Inc., in the amount of \$761,860 plus applicable tax, for the 3,600 hour helicopter engine overhaul/mid-life inspection and engine rental for the Police Air Support Division; and authorize the Purchasing Agent to issue a Purchase Order and exercise any necessary change order required to complete the engine overhaul, subject to available budget appropriations.
12. Accept the bid from A.J.M.F. Enterprises Inc., in the amount of \$18,552 plus 20% contingency, to provide vehicle washing services for City vehicles for a one year period with four one-year optional renewals; and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #9825.
Item No. 12 Withdrawn by staff.
13. Approve a Master Agreement with eight contractors and such other pre-qualified contractors as may be pre-qualified by the City during the term of the Master Agreement, each in amount not to exceed \$1,000,000 per work order package or request for emergency response services, for park facility maintenance, demolition, repair, replacement and emergency response services each for a five year period with two two-year optional extensions; authorize the Director of Public Works, or designee, or Director of Community Services, or designee, to execute the Master Agreements; and to take the necessary actions to implement and administer the Master Agreements, including any extensions; authorize de minimis changes that do not substantially change the terms and conditions of the Master Agreement, as determined by the City Attorney's Office; and determine that the projects to be performed under the Master Agreement shall be categorically exempt under the California Environmental Quality Act, Sections 15301, 15302, 15303, and/or 15304 of Title 14 of the California Code of Regulations [Academy Electric Inc., Carmody Construction Company, Evolution Landscaping Inc., PALP, Inc., dba Excel Paving Company, Hardy & Harper, Inc., Leighton Consulting, Inc., New Dimension General Construction, Inc., RAMCO General Engineering Contractors, Inc.].
Item No. 13 Withdrawn by staff.

14. Approve a Joint Participation Agreement with the City of Fullerton, in an amount not to exceed \$534,624.65, for Anaheim's pro-rata share for the design, construction, and administration of the Orangethorpe Avenue Rehabilitation from State College Boulevard to Placentia Avenue, and authorize the Director of Public Works, or designee, to execute the agreement and any related documents, and to take the necessary actions to implement and administer the agreement.
15. Approve a Cooperative Agreement with the City of Placentia, in an amount not to exceed \$10,000, for Anaheim's pro-rata share for the design, construction, and administration of Anaheim's portion of La Jolla Street as part of the City of Placentia FY 2023-2024 Residential Streets Slurry Seal Project, and authorize the Director of Public Works, or designee, to execute the agreement and any related documents, and to take the necessary actions to implement and administer the agreement.
16. Determine that the Rio Vista Safe Routes to School Project is categorically exempt from the California Environmental Quality Act pursuant to Title 14, Sections 15301, 15302, 15303, 15304, and 15319 of the California Code of Regulations.
Item No. 16 Discussion. MOTION: SF/NM ROLL CALL VOTE: 7-0. Motion carried.
17. Ratify the submission of the Encampment Resolution Funding grant application and attachments to the California Department of Housing and Community Development; authorize the Housing and Community Development Department Director, or designee, to accept the grant, execute required grant documents, and to take the necessary actions to implement grant activities; approve the Encampment Resolution Funding Program Subrecipient Agreement with Mariposa Women and Family Center to provide encampment resolution activities to individuals experiencing homelessness at the specified prioritized site for a two year contract term commencing November 1, 2024, ending on November 1, 2026, with maximum compensation authority in the amount of \$3,047,465.21; authorize the Housing and Community Development Department Director, or designee, to execute the agreement and other documents necessary to implement and administer the program, provided that the maximum compensation authority is not increased; and increase the Housing and Community Development Department Fiscal Year 2024/25 revenue and expenditure budget by \$3,182,054.17, commensurate to the grant award.
18. Approve an Agreement with The Segal Company, Western States, Inc., in an amount not to exceed \$125,000, for continued consulting services for purposes of classification and compensation implementation strategies; authorize the Human Resources Director, or designee, to execute the agreement and enter into any other additional agreements or amendments thereto, for as needed services that may be required for implementation, in an amount not to exceed \$50,000, and to take the necessary actions to implement and administer the agreement.
19. RESOLUTION NO. 2024-104 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM forming Underground Utility District No. 72 (La Palma/East) and determining that said action is exempt from the California Environmental Quality Act pursuant to Sections 15301(b), 15302(c), 15302(d), and 15303 of Title 14 of the California Code of Regulations.
Item No. 19 Discussion. MOTION: SF/CL ROLL CALL VOTE: 7-0. Motion carried.

20. RESOLUTION NO. 2024-105 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM ratifying the submission of a grant application and the acceptance of a grant on behalf of the City of Anaheim for the FY 2025 Alcoholic Beverage Control (ABC) Grant Program and authorizing the City Manager, or his designee, to execute all required grant documents and amending the budget accordingly [grant funds in the amount of \$40,000].
21. RESOLUTION NO. 2024-106 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving amendments to the Conflict of Interest Code for the City and various City agencies.
22. RESOLUTION NO. 2024-107 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing the dates and times of regular meetings of the Anaheim City Council for the 2025 calendar year.
23. ORDINANCE NO. 6589 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Chapter 11.11 (Obstruction of Public Rights-of-Way and Facilities), to Title 11 (Public Property) of the Anaheim Municipal Code prohibiting interference with the public's right of access to public streets, sidewalks, rights-of-way and facilities [includes determination that adding Chapter 11.11 to the Anaheim Municipal Code is not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(2), 15060(c)(3), and Section 15378 of Title 14 of the California Code of Regulations] [introduced at the Council meeting of October 8, 2024, Item No. 19].
- ORDINANCE NO. 6590 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Chapter 11.13 (Prohibition on Repair and Sales of Bicycles and Bicycle Parts in Public Areas) to Title 11 (Public Property) of the Anaheim Municipal Code to prohibit bike sales and bike repairs on public property [includes determination that adding Chapter 11.13 to the Anaheim Municipal Code is not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(2), 15060(c)(3), and Section 15378 of Title 14 of the California Code of Regulations] [introduced at the Council meeting of October 8, 2024, Item No. 19].
- ORDINANCE NO. 6591 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 6.30 (Smoking in Public Places) of Title 6 (Public Health and Safety) of the Anaheim Municipal Code to prohibit smoking in public parks and within specified distances of schools, day care centers and transit stops [includes determination that amendments to Chapter 6.30 of the Anaheim Municipal Code are not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(2), 15060(c)(3), and Section 15378 of Title 14 of the California Code of Regulations] [introduced at the Council meeting of October 8, 2024, Item No. 19].
24. ORDINANCE NO. 6592 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 17.24 (Underground Utilities) of the Anaheim Municipal Code to establish a timeline for removal of overhead facilities, declare a public nuisance, and authorize enforcement and penalties associated with the removal of overhead telecommunication facilities within Underground Utility Districts [includes determination that amendments to Chapter 17.24 of the Anaheim Municipal Code are not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(3), 15378, 15301, 15302, 15303, and 15304 of Title 14 of the California Code of Regulations] [introduced at the Council meeting of October 8, 2024, Item No. 20].

25. ORDINANCE NO. 6593 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding Chapter 17.40 to Title 17 of the Anaheim Municipal Code establishing inclusionary housing requirements for new residential projects [includes determination that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (General Rule) and is not considered a project as defined pursuant to Public Resources Code Section 21065] [introduced at the Council meeting of October 8, 2024, Item No. 21].
Item No. 25: Council Members Diaz and Meeks requested to record a “No” vote for Item No. 25. MOTION: NR/NM ROLL CALL VOTE: 5-2 (AYES: Mayor Aitken and Council Members Kurtz, Leon, Rubalcava, and Faessel; NOES: Council Members Diaz and Meeks). Motion carried.

26. ORDINANCE NO. 6594 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Section 1.04.310 and adding Section 1.04.312 of Chapter 1.04 of Title 1 of the Anaheim Municipal Code relating to the procurement of certain equipment, materials, supplies and services for the Public Utilities Department to address emergency repairs, operations, maintenance, and construction of electric and water utility infrastructure.

Determine that the ordinance relates to organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and therefore is not a project within the meaning of the California Environmental Quality Act (CEQA) and the State CEQA Guidelines, Section 15378(b).

Approve an agreement with ProcureAbility, Inc., in an average annual not-to-exceed amount of \$1,503,704 plus 15% for as-needed extra services, for strategic sourcing and procurement services for a five year term with two two-year optional extensions; and authorize the Public Utilities General Manager, or designees, to execute all related documents and to take the necessary or advisable actions to implement, fund, and administer the agreement.

27. Approve recognitions recognizing Anaheim Fire and Rescue for their assistance with Hurricane Helene and Hurricane Milton; and Anaheim Police SWAT Team for being selected as the California Association of Tactical Officers 2024 Team of the Year.
28. Approve minutes of the City Council meeting of April 2, 2024.

BUSINESS CALENDAR: 5:56 p.m.

29. RESOLUTION NO. 2024-108 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM requesting the State of California take emergency action to strengthen and stabilize California’s marketplace for property insurance [continued from Council meeting of October 8, 2024, Item No. 22].
Item No. 29 MOTION: NM/AA ROLL CALL VOTE: 7-0. Motion carried.

30. **DEVELOPMENT APPLICATION NO. 2023-00050**
ADDENDUM NO. 13 TO FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT NO. 339
AND ITS ADDENDA, INCLUDING PREVIOUSLY-CERTIFIED ADDENDUM NO. 11 AND
MITIGATION MONITORING PLAN (MMP) NO. 383; MITIGATION MONITORING AND
REPORTING PROGRAM NO. 106C; AND OTHER PREVIOUSLY-APPROVED
ENVIRONMENTAL DOCUMENTS FOR DEVELOPMENT IN THE PLATINUM TRIANGLE AREA
GENERAL PLAN AMENDMENT
PLATINUM TRIANGLE MASTER LAND USE PLAN AMENDMENT
ZONING CODE AMENDMENT (CHAPTER 18.20) – PLATINUM TRIANGLE MIXED USE (PTMU)
OVERLAY ZONE
ZONING CODE AMENDMENT (CHAPTER 18.38) – SUPPLEMENTAL USE REGULATIONS
AMENDED AND RESTATED DEVELOPMENT AGREEMENT NO. 2020-00004 INCLUDING
AMENDMENT TO MASTER SITE PLAN (MIS2020-00751)
CONDITIONAL USE PERMIT AMENDMENT
MINOR CONDITIONAL USE PERMIT AMENDMENT
APPLICANT: Anaheim Real Estate Partners, LLC, 2101 East Coast Highway, Suite 230, Corona Del Mar, CA 92625
PROJECT LOCATION: The approximately 100-acre OCVIBE project site is generally bounded by State Route 57 (SR-57) to the west (excluding the parcel at the southwest corner of Katella Avenue and Douglass Road), the Santa Ana River to the east, the confluence of the SR-57 and Santa Ana River to the south, and the Southern California Edison easement to the north. Off-site improvement areas include the State Route 57 (SR-57) northbound Katella Avenue off-ramp and intersection, SR-57 southbound Ball Road off-ramp and intersection, and dedication and improvements to River Road.
REQUEST: The applicant requests approval of amendments to the previously-approved OCVIBE mixed-use project (DEV2020-00125) in the Platinum Triangle to demolish the Arena Corporate Center office buildings and construct up to 750 additional residential units including affordable units with a density bonus and up to 325,000 square feet (s.f.) of office space; remove the previously-approved pedestrian bridge from Parking Deck C across Douglass Road; remove the approved Meadow Park Amphitheater; and dedicate additional public park space. The request includes the following land use entitlements, collectively referred to as Amendment No. 1 to the OCVIBE Master Site Plan. Following are the proposed applications associated with the request:
GENERAL PLAN AMENDMENT (DEV2023-00050): The applicant requests to amend the General Plan Land Use and Green Elements to modify the total amount of development permitted in the Platinum Triangle to increase the amount of residential development to 18,476 dwelling units, decrease the amount of office development to a range of 7,182,427 s.f. to 7,407,427 s.f.; increase the size of the Public Park (Meadow Park) from 4-acres to 4.85-acres; update the Bicycle Master Plan to reflect bicycle facility changes associated with the previously-approved removal and addition of streets; and, revise maps, figures, text, and tables throughout the General Plan to conform to the proposed changes.
PLATINUM TRIANGLE MASTER LAND USE PLAN (PTMLUP) AMENDMENT (DEV2023-00050): The applicant requests to amend the PTMLUP to modify the permitted amount of development within the Platinum Triangle Mixed Use (PTMU) Overlay Zone to up to 18,476 residential dwelling units, decrease the amount of office development to a range of 7,182,427 s.f. to 7,407,427 s.f.; modify appendices for the OCVIBE Sign and Identity Program and PTMU Overlay Zone District Sub-Area Development Intensities; and, revise figures, text, and tables throughout the PTMLUP to conform to the proposed changes.

ANAHEIM MUNICIPAL CODE AMENDMENTS (DEV2023-00050): The applicant requests amendments to Chapter 18.20 (Platinum Triangle Mixed Use (PTMU) Overlay Zone) and Chapter 18.38 (Supplemental Use Regulations). The proposed amendments would amend definitions, development intensities, development standards, and procedures to regulate development within the PTMU Overlay Zone, including within the Arena and Transit Districts.

AMENDED AND RESTATED DEVELOPMENT AGREEMENT (DAG2020-00004): The applicant requests an amendment to Development Agreement No. DAG2020-00004 between the City of Anaheim and Anaheim Real Estate Partners, LLC including an amendment to Master Site Plan (MIS2020-00751) to amend the boundaries of Arena District Sub-Areas D1 and D2; amend the development intensities associated with residential and office development within Sub-Areas D1 and D2; provide a process for the potential removal of the previously-approved pedestrian bridge from Parking Deck C across Douglass Road; remove the previously-approved Meadow Amphitheater; dedicate additional park space in Transit District Sub-Area B; modify the request for Density Bonus and Development Incentives pursuant to Chapter 18.52 (Housing Incentives) of the Anaheim Municipal Code; increase the number of allowed residential units and the number of required affordable units; increase the off-site Park Contribution Fee, and modify terms related to Community Facilities District (CFD) 08-1 (Platinum Triangle) including annexing two parcels into CFD 08-1 providing partial funds for the new fire station and the proposed River Road.

CONDITIONAL USE PERMIT AMENDMENT (DEV2023-00050): The applicant requests to amend the previously-approved Conditional Use Permit (DEV2020-00125) to add a banquet facility to the list of conditionally permitted uses within the OCVIBE project, which currently allows Alcoholic Beverage Manufacturing, Alcoholic Beverage Sales – Off-Sale and On-Sale, Bars and Nightclubs, Entertainment Venues, Farmer’s Market, Recreation Commercial-Outdoor and -Indoor, Retail Sales-Outdoor, and Wine Bar.

MINOR CONDITIONAL USE PERMIT AMENDMENT (DEV2023-00050): The applicant requests to modify the Coordinated Sign Program and Mural Plan previously approved under a minor conditional use permit.

ENVIRONMENTAL DETERMINATION: The City Council will consider whether Addendum No. 13 to the previously-certified Final Subsequent Environmental Impact Report No. 339 (FSEIR No. 339) and its Addenda, including Previously-Certified Addendum No. 11 and Mitigation Monitoring Plan No. 383 (MMP No. 383); Mitigation Monitoring and Reporting Program No. 106C (MMP No. 106C); and other previously-approved environmental documents for development in the Platinum Triangle area, are the appropriate environmental documentation for the project and approve and adopt Addendum No. 13 and confirm that MMP No. 383 remains valid for the OCVIBE mixed-use project (DEV2020-00125) inclusive of Amendment No. 1 to the OCVIBE Master Site Plan.

ACTION TAKEN BY THE PLANNING COMMISSION: Recommended City Council approval of the project and approved Resolution Nos. PC2024-028 (recommended City Council approve and adopt Addendum No. 13 to the previously-certified FEIR No. 339 and confirm that MMP No. 383 remains valid for the OCVIBE mixed-use project (DEV2020-00125) inclusive of Amendment No. 1 to the OCVIBE Master Plan), PC2024-029 (recommended City Council approve and adopt a proposed General Plan Amendment and amending the Land Use and Green Elements and the City’s Bicycle Master Plan), and PC2024-030 (recommended City Council approve and adopt the Amended and Restated Development Agreement No. 2020-00004 by and between the City of Anaheim and Anaheim Real Estate Partners, LLC, as amended, with the deletion of Condition No. 87 and subsequent renumbering thereafter). **VOTE: 7-0** (Chairperson Walker and Commissioners Castro, Kelly, Lieberman, Perez, Tran-Martin, and Kring voted yes). (Planning Commission meeting of September 23, 2024).

RESOLUTION NO. 2024-109 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting Addendum No. 13 to the previously-certified Final Subsequent Environmental Impact Report No. 339 and confirming that Mitigation Monitoring Plan No. 383 remains valid for the OCVIBE mixed use project (DEV2020-00125) inclusive of Amendment No. 1 to the OCVIBE Master Site Plan (DEV2023-00050).

RESOLUTION NO. 2024-110 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending the General Plan Land Use and Green Elements and the City's Bicycle Master Plan (DEV2023-00050).

RESOLUTION NO. 2024-111 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending the Platinum Triangle Master Land Use Plan, and making findings in connection therewith (DEV2023-00050).

ORDINANCE NO. 6595 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapter 18.20 (Platinum Triangle Mixed Use (PTMU) Overlay Zone) and Chapter 18.38 (Supplemental Use Regulations) of Title 18 (Zoning) of the Anaheim Municipal Code (DEV2023-00050).

ORDINANCE NO. 6596 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM approving and adopting the Amended and Restated Development Agreement No. 2020-00004 by and between the City of Anaheim and Anaheim Real Estate Partners, LLC and making certain findings related thereto (DEV2023-00050).

RESOLUTION NO. 2024-112 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving an amendment to a previously-approved Conditional Use Permit to add banquet facility to the list of conditionally permitted uses within the OCVIBE project, and making certain findings in connection therewith (DEV2023-00050).

RESOLUTION NO. 2024-113 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving an amendment to a previously-approved Minor Conditional Use Permit for the OCVIBE Coordinated Sign Program and Murals, and making certain findings in connection therewith (DEV2023-00050).

Item No. 30 Discussion. Mayor Aitken opened the public hearing at 6:08 p.m. Two (2) in-person speakers; no electronic public comments submitted. Mayor Aitken closed the public hearing at 6:19 p.m.

MOTION: SF/NM ROLL CALL VOTE: 7-0. Motion carried; ordinances introduced.

DEVELOPMENT APPLICATION NO. 2021-00137
FINAL ENVIRONMENTAL IMPACT REPORT (FEIR) NO. 355 AND
MITIGATION MONITORING PROGRAM NO. 390

GENERAL PLAN AMENDMENT

HILLS PRESERVE SPECIFIC PLAN

ZONING RECLASSIFICATION

ZONING CODE AMENDMENT (CHAPTER 18.124) - HILLS PRESERVE SPECIFIC PLAN

TENTATIVE TRACT MAP NO. 19228

FINAL PLAN

DISCRETIONARY TREE REMOVAL PERMIT

DEVELOPMENT AGREEMENT

APPLICANT/OWNER: SALT Development, LLC, 205 North 400 West, Suite 300, Salt Lake City, UT 84103

PROJECT LOCATION: The approximately 76-acre property is along the south side of Santa Ana Canyon Road, generally between Eucalyptus Drive to the west and Festival Drive to the east.

REQUEST: The applicant requests approval of a General Plan Amendment, Specific Plan, Zoning Reclassification, Zoning Code Amendment, Tentative Tract Map, Final Plan, Discretionary Tree Removal Permit, and Development Agreement to permit and construct a 498-unit multiple-family residential building and 40,000 square feet of commercial uses, with approximately 50 acres designated as Open Space (Environmental Impact Report Alternative #2). The following are the proposed applications associated with the request:

GENERAL PLAN AMENDMENT: The applicant requests an amendment to Figure LU-4 (Land Use Plan) of the General Plan Land Use Element to re-designate portions of the Project Site from "Estate Density Residential", "Low Density Residential", and "Open Space" to "Medium Density Residential", "Open Space", and "General Commercial", and to amend Figure C-2 of the Circulation Element.

HILLS PRESERVE SPECIFIC PLAN: The applicant has proposed the "Hills Preserve Specific Plan" to establish a land use vision and implement land use designations for commercial, residential, and open space development areas.

ZONING RECLASSIFICATION: The applicant requests to reclassify the property as the "Hills Preserve Specific Plan" zoning designation.

ZONING CODE AMENDMENT: The applicant requests to amend the Anaheim Municipal Code (Code) to establish standards and procedures to implement the Hills Preserve Specific Plan which would be added as Chapter 18.124 of the Code.

TENTATIVE TRACT MAP NO. 19228: The applicant requests to subdivide the property generally into three development areas in accordance with the Hills Preserve Specific Plan and to provide for internal circulation with private streets for public use including Deer Canyon Road.

FINAL PLAN: The applicant requests approval of a Final Plan for the Multiple-Family Development Area to permit the construction of apartments and associated improvements. The Final Plan includes items such as the site plan, floor plans, elevations, and landscape plan to demonstrate compliance with the guiding principles and standards as proposed in the Hills Preserve Specific Plan.

DISCRETIONARY TREE REMOVAL PERMIT: The applicant requests to remove trees on the project site within the Scenic Corridor Overlay Zone that the Code defines as "specimen trees" which are not dead, diseased, weakened, or otherwise posing a threat to persons or property.

DEVELOPMENT AGREEMENT: The applicant requests approval of a Development Agreement between the City of Anaheim and SALT Development, LLC to provide certainty to the developer to facilitate development of the Specific Plan, and to provide specified benefits to the City including a contribution to the City's Affordable Housing Trust Fund; improvement of Deer Canyon Road and trail, Santa Ana Canyon Road and trail; designation of approximately 50 acres of Open Space; Operations and Maintenance agreement for the Deer Canyon Road and Santa Ana Canyon Road signalized intersection; and a one-time Fire Protection Enhancement Payment.

ENVIRONMENTAL DETERMINATION: The City Council will consider whether to certify Final Environmental Impact Report (FEIR) No. 355 and adopt Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring Program (MMP) No. 390 and determine that FEIR No. 355 and MMP No. 390 is the appropriate environmental documentation for the project.

ACTION TAKEN BY THE PLANNING COMMISSION:

Recommended City Council approval of the project consistent with Alternative #2 from EIR No. 355 - which includes the reduction of commercial uses from 80,000 square feet to 40,000 square feet and the elimination of the six single-family detached residential lots – with the condition that the applicant provide a covenant requiring the preservation and maintenance of all Open Space (increased from 43.2 to 50 acres with Alternative #2) so that it could not be developed in the future: approved Resolution Nos. PC2024-031 (Recommended the City Council approve and adopt proposed General Plan Land Use and Circulation Element Amendment); PC2024-032 (Recommended the City Council approve and adopt a proposed Development Agreement by and between the City of Anaheim and SALT Development, LLC); PC2024-033 (Approved Tentative Tract Map No. 19228 and making certain findings in connection therewith); and adopted motions recommending City Council approval of the Specific Plan, Zoning Reclassification, Zoning Code Amendment, and Final Plan (Multiple-Family Development). **VOTE: 4-2** (Chairperson Walker and Commissioners Perez, Tran-Martin, and Kring voted yes; Commissioners Lieberman and Castro voted no; Commissioner Kelly was absent) (Resolution Nos. PC2024-031 through PC2024-033 and approvals of a Specific Plan, Zoning Reclassification, Zoning Code Amendment, and Final Plan (Multiple-Family Development)); and approved Resolution No. PC2024-034 (Recommended City Council certify a Final Environmental Impact Report and adopt Findings of Fact, a Statement of Overriding Considerations, and Mitigation Monitoring Program No. 390 for the project and related actions); and adopted a motion recommending City Council approval of a Discretionary Tree Removal Permit including a condition requiring the applicant to evaluate the tree removal plan to determine if any additional trees could be preserved and/or replanted. **VOTE: 5-1** (Chairperson Walker and Commissioners Perez, Tran-Martin, Lieberman, and Kring voted yes; Commissioner Castro voted no; Commissioner Kelly was absent) (Resolution No. PC2024-034 and the Discretionary Tree Removal Permit). (Planning Commission Special Meeting of September 30, 2024).

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM certifying a Final Environmental Impact Report and adopt Findings of Fact, a Statement of Overriding Considerations, and Mitigation Monitoring Program No. 390 for the Hills Preserve Project and related actions (DEV2021-00137).

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending the General Plan of the City of Anaheim (DEV2021-00137).

ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting Development Agreement No. 2024-1 by and between the City of Anaheim and SALT Development, LLC and making certain findings related thereto (DEV2021-00137).

ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting Hills Preserve Specific Plan No. 2024-1 (DEV2021-00137).

ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding new Chapter 18.124 (Hills Preserve Specific Plan No. 2024-1 Zoning and Development Standards) to Title 18 (Zoning) of the Anaheim Municipal Code (DEV2021-00137).

ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending the Zoning Map referred to in Title 18 of the Anaheim Municipal Code relating to zoning (DEV2021-00137).

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving Tentative Tract Map No. 19228 and making certain findings in connection therewith (DEV2021-00137).

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Final Plan and making certain findings in connection therewith (DEV2021-00137).

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Discretionary Tree Removal Permit and making certain findings in connection therewith (DEV2021-00137).

Item No. 31 Discussion. Mayor Aitken opened the public hearing at 7:10 p.m. Sixty-six (66) in-person speakers; four hundred seventy-six (476) electronic public comments submitted. (Total of four hundred eighty-five (485) electronic public comments received). [Public Comments Submitted – October 29, 2024 City Council Meeting](#)

Mayor Aitken closed the public hearing at 11:31 p.m.

MOTION: NM/SF To authorize and approve a resolution denying the request and finding the following (Resolution No. 2024-114):

- 1. Amending the General Plan to increase development density and intensity at the requested magnitude on Property located in a Very High Fire Hazard Severity Zone, would exacerbate existing conditions beyond those currently planned for in the General Plan with both the proposed density and peak vehicular trips over 5 times greater than identified in the General Plan. Because the magnitude of the increased density and intensity, inhabitants, and vehicular trips will increase evacuation time and result in an exacerbation of risk, the General Plan Amendment would be detrimental to the public interest, health, safety, convenience or welfare of the City; and therefore, Required Finding No. 2 that the proposed amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the City is unsupported.**
- 2. The General Plan Amendment would increase the residential density on the Property and considering the physical constraints of the site largely attributable to topography, Required Finding No. 4, that the subject property is physically suitable to accommodate the proposed modification, including but not limited to, access, physical constraints, topography, provision of utilities, and compatibility with surrounding land uses, is not established.**

ROLL CALL VOTE: 5-2. (AYES: Mayor Aitken and Council Members Diaz, Rubalcava, Faessel, and Meeks; NOES: Mayor Pro Tem Kurtz and Council Member Leon). Motion carried.

COUNCIL COMMUNICATIONS:

Council Member Faessel requested to adjourn the meeting in memory of District 5 resident Jessica Ferrino who passed away tragically and unexpectedly on October 8th. She was a Rio Vista Elementary School Instructional Assistant for four years. She leaves her husband William, son William Jr., and daughter Elena.

CITY MANAGER'S UPDATE: None

REPORT ON CLOSED SESSION ACTIONS: None

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:

Mayor Aitken requested to recognize the Anaheim Fall Festival organizers to acknowledge the amazing job that they did on the 100th anniversary of the Fall Festival.

Council Member Leon requested to recognize a West Anaheim Girl Scout Troop on their 50th anniversary and GBS Linens for their 40th anniversary. He also requested a Strategic Plan update.

Council Member Diaz requested a resolution encouraging State of California Legislators and the Governor to abolish Senate Bill 357 which legalizes the solicitation of prostitution.

Council Member Rubalcava requested to agendaize an update from the Visit Anaheim CEO regarding the State mandated Oversight Committee.

Mayor Pro Tem Kurtz requested an update on the Police Department's Tesla vehicles.

ADJOURNMENT: **1:13 a.m. on October 30, 2024, in memory of Jessica Ferrino.**

Next regular City Council meeting is scheduled for Wednesday, November 13, 2024.

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