



ANAHEIM CITY COUNCIL

ACTION AGENDA

NOVEMBER 13, 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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TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the regular meeting of November 13, 2024 at 3:00 P.M. (PST) will include teleconference participation by Mayor Ashleigh E. Aitken and Council Member Stephen Faessel from Tampa Marriott Water Street, Meeting Room 3 (Second Floor), 505 Water Street, Tampa, FL 33602.

This Notice and Agenda will be posted at the teleconference location. Public comment on the agenda from this address shall be allowed pursuant to Government Code Section 54954.3.

▪ **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
NOVEMBER 13, 2024
3:00 P.M.

TELECONFERENCE NOTICE

Pursuant to Government Code Section 54953, Subdivision (b), the regular meeting of November 13, 2024 at 3:00 P.M. (PST) will include teleconference participation by Mayor Ashleigh E. Aitken and Council Member Stephen Faessel from Tampa Marriott Water Street, Meeting Room 3 (Second Floor), 505 Water Street, Tampa, FL 33602.

This Notice and Agenda will be posted at the teleconference location. Public comment on the agenda from this address shall be allowed pursuant to Government Code Section 54954.3.

Call to order the Anaheim City Council. **3:01 p.m.**

MEMBERS PRESENT: Mayor Aitken (via teleconference), Mayor Pro Tem Kurtz and Council Members Diaz, Leon, Faessel (via teleconference), and Meeks. Council Member Rubalcava joined the meeting during Closed Session.

3:00 P.M. - CLOSED SESSION **3:01 p.m.**

ADDITIONS/DELETIONS TO CLOSED SESSION: City Attorney Robert Fabela reported that Closed Session Item No. 1 has been removed from the agenda and Item No. 3 relates to a potential settlement with JW Marriott regarding a Transient Occupancy Tax dispute.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: No in-person speakers and no public comments from the teleconference location. No electronic public comments were received related to the Closed Session agenda.

Recess to closed session. **3:02 p.m.**

1. **CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**
(Significant exposure to litigation pursuant to paragraph (2) of Subdivision (d) of California Government Code Section 54956.9): One Potential Case
(A copy of the claim against the City is included in the agenda packet and available for review by contacting the City Clerk's Office and on-line electronically with the agenda at: www.anaheim.net/councilagendas.)
2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case: Grandma's House of Hope v. City of Anaheim, et al, Orange County Superior Court Case No. 30-2022-01241823
3. **CONFERENCE WITH LEGAL COUNSEL – POTENTIAL LITIGATION**
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of California Government Code Section 54956: One Potential Case

4. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Section 54956.8 of the California Government Code)
Assessor Parcel Number: 234-121-25: 514-522 East Vermont Avenue, Anaheim, CA 92805
Agency Negotiators: Jim Vanderpool, City Manager, Rudy Emami, Director of Public Works and Randy Saldana, Public Works Real Property Analyst
Negotiating Parties: City of Anaheim and Anaheim East Vermont, LLC
Under Negotiation: Price and Terms of Payment

Reconvene the Anaheim City Council.

MEMBERS PRESENT: Mayor Aitken (via teleconference), Mayor Pro Tem Kurtz and Council Members Diaz, Leon, Rubalcava, Faessel (via teleconference), and Meeks.

5:00 P.M.

INVOCATION: Pastor Erica Flora, Eastside Christian Church

FLAG SALUTE: Mayor Pro Tem Norma Campos Kurtz

PRESENTATION: Recognizing Oliver Cortez's Artwork throughout the City

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

Recognizing October 6 – 12, 2024, as Code Enforcement Officers Appreciation Week

Recognizing October 20 – 26, 2024, as National Friends of the Library Week
Accepted by Bonne Stevens, Treasurer, Friends of the Anaheim Public Library

Recognizing October 20 – 26, 2024, as Childhood Lead Poisoning Prevention Week

Recognizing November 14, 2024, as Law Enforcement Records and Support Personnel Day
Accepted by Chief of Police Rick Armendariz and Records and Support Personnel Staff

ADDITIONS/DELETIONS TO THE AGENDA: City Clerk Theresa Bass noted that for Consent Calendar Item No. 12, Ordinance No. 6596 regarding the approval of the Amended and Restated Development Agreement with Anaheim Real Estate Partners, LLC, a memo was distributed to City Council from the City Attorney's Office to reflect that their office inserted previously omitted information and deleted redundant Condition No. 87 included in Exhibit L of the Amended and Restated Development Agreement. The insertions and correction to the Conditions of Approval were part of the record of the public hearing and the action before Council includes replacing Exhibit B of the Ordinance. The memorandum was distributed to Council as well as posted on the City's website and made publicly available.

PUBLIC COMMENTS (all agenda items, except Public Hearings): Five (5) in-person speakers; City Clerk Theresa Bass reported thirty (30) public comments were received electronically prior to 1:00 p.m. (Total of thirty (30) public comments received via email).

Public Comments Submitted – November 13, 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:

Council Member Leon thanked everyone who joined him at 85 Degrees Bakery Café last month for the Cafecito event in partnership with Assembly Member Valencia. He stated that it was a great opportunity to connect with neighbors, discuss key issues in neighborhoods, and how to work together to make positive changes in the community. He thanked the Brookhurst Jr. High School Project S.A.Y. students for taking the time on a Saturday morning to get involved and engaged on key issues that are important to them and the City. Council Member Leon highlighted and shared photographs of events he attended including the Second Annual Trunk or Treat event at the Anaheim Elementary Key Campus. He thanked all the community partners including the Anaheim Elementary School District, the Brown Descents Car Club, Naranjeros Car Club, Anaheim Car Club, and everyone who stopped by to make it such a fun event. He congratulated all the volunteers and City staff for their efforts with the 100th Anniversary of the Halloween Parade. He congratulated Public Works for their trophy. Council Member Leon recognized all the amazing Día de Los Muertos events that took place across the City with vibrant decorations and heart-felt alters. He attended celebrations at Savanna High School, Peter Marshall Elementary, and the City's event at Center Greens. He also recognized Veterans Day and all the veterans in the community who served in the military. He thanked all veterans for their bravery, sacrifice, and strength to protect everyone's freedom. Council Member Leon invited everyone to an upcoming Turkey Giveaway on Sunday, November 24 from 10:00 a.m. to 12:00 p.m. at the Brookhurst Community Center. He stated he was honored to continue supporting Frank Garcia and his Thanksgiving tradition of giving thanks and giving back to the community. He stated the event will not be the traditional Thanksgiving event at the Honda Center, but in partnership with Frank Garcia, he will be distributing 200 turkeys to families in the community. The drive-thru event will be first come, first served. Council Member Leon congratulated Mr. Z Noodle House, the October Restaurant of the Month. Mr. Z Noodle House is a family-owned small business that has been serving authentic Chinese flavors in District 2, located at Euclid Street and Crescent Way. They serve tasty noodles, savory stir-fries, and fresh dim sum. He stated that their dedication to traditional cooking shines through in every bite, and he encouraged everyone to support the restaurant as they continue to grow in our community. Council Member Leon congratulated 1 Stop Flooring Supply, the October Business of the Month. 1 Stop Flooring Supply has a location in Anaheim off Euclid Street and Broadway and a location in the City of Artesia. They have been providing top-notch flooring materials including hardwood, vinyl, and laminate. They have been in business for over 20 years and Andy the manager at the Anaheim location, and his father started the company even before he could speak English, showing how hard work and dedication can build something great. Council Member Leon stated that it is immigrants like Andy's father who play a vital role in the economy. He wished 1 Stop Flooring Supply continued success.

Council Member Rubalcava shared that she had the opportunity to speak to a class at Chapman University on local politics and congratulated Mayor Pro Tem Campos Kurtz on the recent election. Council Member Rubalcava stated that it was an honor to be able to speak to many students about governing a local municipality and making budget decisions for public safety and other things like that. She shared that K&A Café and Catering, a local small business in Anaheim, will be hosting their annual Christmas Eve Community Brunch. Council Member Rubalcava stated that she will be requesting assistance again this year from the Anaheim Police Department, Fire and Rescue, and Anaheim Public Utilities. Approximately 800 individuals attended the event last year and received toys for their families and were also treated to a complimentary brunch. The event will take place on Christmas Eve, December 24th from 9:00 a.m. to 12:00 p.m. on Center Street. She noted that toy donations are being accepted at this time for kids of all ages including teens who are usually left out. Toy donation boxes are

located at K&A Cafe and wrapping paper donations are also being accepted. Council Member Rubalcava noted that she attended Anaheim High School, Class of 1996, and she congratulated the football team who is currently in the CIF playoffs. They are playing this Friday, and she stated she is sending them fierce vibes for a win on Friday. Council Member Rubalcava stated that the Veterans Day event honoring many veterans in the City, including some Public Works employees who are also veterans, was held in District 3. Council Member Rubalcava requested adjourning the meeting in memory of Jacob Anthony Maldonado. Jake was born on January 23, 2002, and he passed away on August 13, 2024. He was a talented logistics specialist, admired by his colleagues for his dedication and work ethic. Outside of his professional life, he had a deep passion for basketball and music. He enjoyed playing basketball and was a devoted fan. She stated that he also loved the Dodgers, and although she is an Angels fan, she congratulated the Dodgers on their recent World Series win. Jacob is also remembered, not only for his skills on the court and his musical taste, but also for his infectious sense of humor and quick wit. Jake had a unique ability to bring joy to those around him, making every moment brighter. He is survived by his loving parents, her brother and sister-in-law, and his siblings Regina, Steven, and Jada. His presence will be deeply missed.

Mayor Pro Tem Kurtz highlighted and shared photographs of events she attended including two Halloween celebrations. She thanked Supervisor Vicente Sarmiento for donating hundreds of pumpkins to the Ponderosa Family Resource Center. Mayor Pro Tem Kurtz along with Mayor Aitken and Supervisor Vicente Sarmiento distributed the pumpkins to very excited families. She also thanked Community Services for their assistance. Mayor Pro Tem Kurtz also distributed pumpkins at the Golden Skies Mobile Home Park. She thanked Bharat Patel from Castle Inn & Suites and Tina Riley from Wincome Hospitality who helped make that possible. She attended the Friends of the Anaheim Public Library event and highlighted the importance of their work in raising funds for books for the Mobile Family Resource Center. Mayor Pro Tem Kurtz attended the Veterans Day celebration and expressed pride in her husband, a Vietnam War veteran, and the overall success of the Veterans Day celebration.

CITY MANAGER'S UPDATE: None

5:00 P.M. - CITY COUNCIL 5:46 p.m.

Item pulled for discussion:

Council Member Leon:	Item No. 2
Council Member Meeks:	Item No. 13

MOTION: CL/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.

CONSENT CALENDAR:

1. Receive and file minutes of the Public Utilities Board meetings of August 28, 2024 and September 25, 2024.

2. Approve recognitions recognizing Mike Rubin's retirement as a Board Member with the Anaheim Community Foundation; 2024 Anaheim Tech Scholar Recipients; Anaheim Fall Festival Committee's efforts in the 100th Anniversary of the Fall Festival; the 50th Anniversary of West Anaheim Girl Scout Troop 3702; and the 40th Anniversary of GBS Linens.
Item No. 2 Discussion. MOTION: CL/NM to include recognizing City Departments involved with the Anaheim Fall Festival Committee's efforts in the 100th Anniversary of the Fall Festival. ROLL CALL VOTE: 7-0. Motion carried.
3. Approve the 2025 Investment Policy for the City of Anaheim.
4. Approve carryover expenditure appropriations of \$120,540,934 from Fiscal Year 2023/24 to Fiscal Year 2024/25 for projects previously approved by the City Council but not completed.
5. Determine, on the basis of the evidence submitted by Good Hope International, that the property owner has complied in good faith with the terms and conditions of Development Agreement No. 2016-00001 for the 2024 review period for the eight-story, 580-room hotel project located at 1700 South Harbor Boulevard in The Anaheim Resort.
6. Approve the agreement with Nichols Consulting Engineers, Chtd, dba NCE, in the amount of \$532,840 inclusive of a 10% contingency for as-needed extra work for the completion of services, for engineering services to provide the Citywide Pavement Management Plan Update for the Arterial Highway System and Local Street System from Fiscal Year 2025 to Fiscal Year 2029; and authorize the Director of Public Works, or designee, to execute the agreement and related documents and to take the necessary actions to implement and administer the agreement.
7. 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 an 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 up to two two-year optional extensions; authorize the Director of Community Services, or designee, to execute the agreements and to take the necessary actions to implement and administer the agreements, including any extensions; 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; and 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 [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.; and RAMCO General Engineering Contractors, Inc.].

8. Approve the Renewable Power Purchase and Sale Agreement with Energy Development & Construction Corporation, dba EDCC, by which EDCC will own, operate, and maintain a wind farm generating facility (Project) and sell to the City all Project-generated energy and renewable attributes including a right of first refusal to all of the Project's future potential products, at an approximate annual cost of \$1,800,000 during the initial term, which may be increased once at any time by up to 17% if EDCC elects to repower the Project to expand its generating capacity, for an initial term of ten years with up to two ten-year optional extensions; authorize the Public Utilities General Manager, or designees, to execute the Agreement and any associated documents; execute any amendments or restatements to the Agreement, including the optional term extensions, that are cost-neutral/reducing or would involve only minor administrative cost increases; execute any documents needed to carry out the transaction as contemplated by the Agreement, such as collateral assignment agreements, power scheduling agreements, and scheduling coordinator agreements; and to take the necessary actions to implement and administer the Agreement.
9. Approve the Grace Orchard Solar Project Power Sales Agreement with Southern California Public Power Authority (SCPPA) by which SCPPA will sell to the City energy and associated renewable attributes generated by the Grace Solar Project, at an annual cost not to exceed \$13,300,000, for a twenty year term; authorize the Public Utilities General Manager, or designees, to execute the Agreement and associated documents; execute any amendments or restatements to the Agreement that are cost-neutral/reducing or would involve only minor administrative cost increases; execute any documents needed to carry out the transaction as contemplated by the Agreement; and to take the necessary actions to implement and administer the Agreement.
10. Approve a First Amendment to Allocation Agreement Resettlement of Injunctive Claims with Anaheim Arena Management, LLC (AAM), increasing the final reimbursable amount payable to AAM by approximately \$139,000, from \$1,300,000 to \$1,439,000, for work performed by AAM related to the completion of certain architectural remedial work at the Honda Center pursuant to the previously authorized settlement of lawsuits filed under the Americans with Disabilities Act of 1990; and authorize the Executive Director of the Convention, Sports & Entertainment Department to execute the amended agreement and to take the necessary actions to implement the agreement.
11. ORDINANCE NO. 6594 (ADOPTION) 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 [up to \$3,000,000 per procurement award; introduced at the Council meeting of October 29, 2024, Item No. 26].

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).

12. ORDINANCE NO. 6595 (ADOPTION) 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) [Amendment No.1 to the OCVIBE Master Site Plan; introduced at the Council meeting of October 29, 2024, Public Hearing Item No. 30].

ORDINANCE NO. 6596 (ADOPTION) AN ORDINANCE OF THE CITY COUNCIL 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) [Amendment No.1 to the OCVIBE Master Site Plan; introduced at the Council meeting of October 29, 2024, Public Hearing Item No. 30].

Includes inserted previously omitted information and deleted redundant Condition No. 87 included in Exhibit L of the Amended and Restated Development Agreement and replacement of Exhibit B of the Ordinance.

13. ORDINANCE NO. 6597 (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding Chapter 14.72 to Title 14 of the Anaheim Municipal Code regarding the operation of motorized wheeled conveyances in the City of Anaheim [including E-Bike regulations].

Item No. 13 Discussion. MOTION: JD/NM ROLL CALL VOTE: 7-0. Motion carried. Ordinance introduced.

14. Receive and file the Anaheim Police Department's Annual (2023) Military Equipment Report.

ORDINANCE NO. 6598 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM renewing, with modifications, Ordinance No. 6561 approving the Anaheim Police Department's Military Equipment Use Policy (Policy 705) pursuant to California Government Code Section 7071.

15. ORDINANCE NO. 6599 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Section 13.08.020 of Chapter 13.08 of Title 13 of the Anaheim Municipal Code (Public Parks - Prohibited Conduct Generally) [includes determination that ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment as there is no possibility it will have a significant effect on the environment and it is not a "project", as defined in Section 15378 of State CEQA Guidelines].

BUSINESS CALENDAR: 6:05 p.m.

16. ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Section 1.11.085 (Gift Restrictions), to Chapter 1.11 (Sunshine Provisions) of Title 1 (Administration) of the Anaheim Municipal Code [Prohibiting gifts from restricted resources over fifty dollars (\$50)].
Item No. 16 Discussion. MOTION: SF/AA to continue the item to a future Council meeting. ROLL CALL VOTE: 4-3 (AYES: Mayor Aitken and Council Members Kurtz, Faessel, and Meeks; NOES: Council Members Diaz, Leon, and Rubalcava). Motion carried.
17. RESOLUTION NO. 2024-115 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM requesting the State of California take action to mitigate the impacts of Senate Bill 357 [SB 357 – “Safer Streets For All Act”].
Item No. 17 Discussion. MOTION: JD/NR ROLL CALL VOTE: 7-0. Motion carried.
18. RESOLUTION NO. 2024-116 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM, authorizing the execution and delivery of a schedule to the Master Equipment Lease/Purchase Agreement for the acquisition, financing and leasing of certain equipment for the public benefit within the terms provided herein; authorizing the execution and delivery of other documents required in connection therewith; and authorizing all other actions necessary to the consummation of the transactions contemplated by this Resolution [for three emergency transport ambulances and various equipment for a total principal amount not to exceed \$1,500,000].

Approve Contract Number MA#106-498218 with Republic EVS LLC., in an amount not to exceed \$688,088.59, for the purchase of three (3) Emergency Transport Ambulances.

Item No. 18 Discussion. MOTION: NR/JD ROLL CALL VOTE: 7-0. Motion carried.

5:30 P.M. PUBLIC HEARINGS: 7:08 p.m.

19. **INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS/MND) AND MITIGATION MONITORING AND REPORTING PLAN NO. 391**
DEVELOPMENT APPLICATION NO. 2023-00042 (DEV2023-00042)
GENERAL PLAN AMENDMENT
TENTATIVE TRACT MAP NO. 19290
OWNER: Lumberyard Was Here, LLC, 709 Randolph Avenue, Costa Mesa, CA 92626
APPLICANT: MLC HOLDINGS, LLC (Meritage Homes), 5 Peters Canyon Road Suite 310, Irvine, CA 92606
PROJECT LOCATION: The approximately 2.05-acre site consists of two properties located at 275 and 301 East Santa Ana Street at the northwest and northeast corners of Philadelphia Street and Santa Ana Street.
REQUEST: The applicant requests to construct a new residential development consisting of 56 for-sale 3-story condominium townhomes. Ten percent of the units would be for moderate-income buyers. The project requires the following entitlements: (i) a General Plan Amendment to change the land use designation of the project site from Low Medium Density Residential to Medium Density Residential and (ii) a Tentative Tract Map to create a one-lot condominium map to construct 56 townhomes.
ENVIRONMENTAL DETERMINATION: The City Council will determine whether to approve and adopt the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan No. 391 as the appropriate environmental documentation for the project.

ACTION TAKEN BY THE PLANNING COMMISSION: Recommended City Council approval of the project and approved Resolution Nos. PC2024-025 (Recommended City Council approve and adopt the Mitigated Negative Declaration and Mitigation Monitoring Plan No. 391 for the project), PC2024-026 (Recommended City Council approve and adopt proposed General Plan Land Use Element Amendment), and PC2024-027 (Approved Tentative Tract Map No. 19290, as amended with a new Condition No. 3, subsequent renumbering thereafter, and revisions to Condition No. 44 renumbered as No. 45). **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. 2024-117 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan No. 391 for Development Application No. 2023-00042 (275 and 301 East Santa Ana Street).

RESOLUTION NO. 2024-118 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending the General Plan of the City of Anaheim (DEV2023-00042) (275 and 301 East Santa Ana Street).

RESOLUTION NO. 2024-119 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving Tentative Tract Map No. 19290 and making certain findings in connection therewith (DEV2023-00042) (275 and 301 East Santa Ana Street).

Item No. 19 Discussion. Mayor Pro Tem Kurtz opened the public hearing at 7:08 p.m. One (1) in-person speaker; two (2) electronic public comments submitted. Mayor Pro Tem Kurtz closed the public hearing at 7:42 p.m.

[Public Comments Submitted – November 13, 2024 City Council Meeting](#)

MOTION: NR/NK ROLL CALL VOTE: 7-0. Motion carried.

20. This is a public hearing under the requirements of the Tax Equity and Fiscal Responsibility Act and the Internal Revenue Code of 1986, as amended, to consider a resolution approving the issuance of the California Enterprise Development Authority Revenue Bonds, in an aggregate principal amount not to exceed \$37,000,000, for the purpose of financing and refinancing the cost of the acquisition, construction, renovation, equipping and furnishing of healthcare facilities and other related and appurtenant facilities for the benefit of Benevolence Industries Incorporated, dba Benevolence Health Centers, a California nonprofit public benefit corporation, located at: 1010 Crenshaw Boulevard, Suite 100, Torrance, California 90501; 303 North East Street, Anaheim, California 92805 (Anaheim Facility); 1126 East South Street, Long Beach, California 90805; 505-515 North Arrowhead Avenue, San Bernardino, California 92401; 3631 Crenshaw Boulevard, Suite 109, Los Angeles, California 90016; and 12610 Glenoaks Boulevard (also known as 14040 Hubbard Street), Sylmar, California 91342, and providing the terms and conditions for such Bonds and other matters relating thereto.

RESOLUTION NO. 2024-120 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving the issuance of revenue bonds pursuant to a plan of finance by the California Enterprise Development Authority in an aggregate principal amount not to exceed \$37,000,000 for the purpose of financing and refinancing the cost of the acquisition, construction, renovation, equipping and furnishing of certain healthcare facilities for the benefit of Benevolence Industries Incorporated and/or a related or successor entity, providing the terms and conditions for such bonds, and other matters relating thereto.

Item No. 20 Discussion. Mayor Pro Tem Kurtz opened the public hearing at 7:59 p.m. One (1) in-person speaker; no electronic public comments submitted. Mayor Pro Tem Kurtz closed the public hearing at 8:05 p.m.

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

REPORT ON CLOSED SESSION ACTIONS: City Attorney Robert Fabela reported that for Closed Session Item No. 2, the City Council, by a vote of 4 to 3 (AYES: Mayor Aitken and Council Members Diaz, Kurtz, and Faessel; NOES: Council Members Leon, Rubalcava, and Meeks), directed the City Attorney to dismiss the pending appeal.

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 asked when the new Mayor Pro Tem appointment will be on the agenda.

City Clerk Theresa Bass responded on December 17, 2024.

ADJOURNMENT: 8:08 p.m. in memory of Jacob Anthony Maldonado.

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

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