



ANAHEIM CITY COUNCIL

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

▪**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.

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

Call to order the Anaheim City Council.

5:00 P.M.

INVOCATION: Secretary Mohammad Moniruzzaman and Youth Director and Imam Mustafa Abdelhafiz, West Coast Islamic Society

FLAG SALUTE: Council Member Stephen Faessel

CITY ATTORNEY CLOSED SESSION REPORT [To include report 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

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

Recognizing Green Bird for their 10 years of service to the City of Anaheim

Presentation by Disney VoluntEARS

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

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

Recognizing February 2024, as Black History Month

ADDITIONS/DELETIONS TO THE AGENDA:

PUBLIC COMMENTS (all agenda items, except public hearings):
(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:

CITY MANAGER'S UPDATE:

5:00 P.M. - CITY COUNCIL

MOTION: _____ 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.
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.
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.
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).

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.
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.

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. _____ 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. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention 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].

25. RESOLUTION NO. _____ 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. _____ 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. _____ (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. _____ (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:

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

RESOLUTION NO. _____ 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.

MOTION: _____

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. _____ 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, _____, 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.

MOTION: _____

5:30 P.M. PUBLIC HEARINGS:

- 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. _____ 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. _____ 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. _____ (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).

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].

PUBLIC COMMENTS (non-agenda items):

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

COUNCIL AGENDA SETTING:

ADJOURNMENT:

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

All agenda items and reports are available for review in the City Clerk’s Office and www.anaheim.net/councilagendas, and the Central Library. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be available at the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2nd Floor, Anaheim, CA 92805 during regular business hours and by contacting the office by phone, 714-765-5166, or email to cityclerk@anaheim.net.

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such reasonable modification, accommodation, aid, or service by contacting the City Clerk’s Office either in person at 200 South Anaheim Boulevard, Anaheim, California, by telephone at (714) 765-5166, or via email to cityclerk@anaheim.net, no later than 8:00 AM on the day of the scheduled meeting.

TRANSLATION SERVICES: Spanish interpreting services are provided at City Council meetings. Simultaneous Spanish interpretation is provided through the use of headsets and consecutive interpretation (Spanish-to-English) is also available to anyone addressing the Council by stating your request at the podium. The use of city provided interpreters is not required and persons are welcome to use their own interpreter. Because many dialects and regionalisms exist, the City cannot guarantee that interpreters will be able to interpret into a particular dialect or regionalism, and disclaims any liability alleged to arise from such services. For translation services in other languages, contact the City Clerk’s office no later than 48 hours prior to the scheduled meeting.

VIEW CITY COUNCIL MEETINGS LIVE AND ARCHIVED: Anaheim City Council meeting videos can be viewed live on the City’s website at www.anaheim.net/councilvideos.



POSTING STATEMENT: On February 22, 2024, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 200 S. Anaheim Blvd., Anaheim, CA. Internet Access to City Council, Agency, and Authority agendas and related material is available prior to meetings at www.anaheim.net.