



ANAHEIM CITY COUNCIL AGENDA

MAY 15, 2018

SPECIAL AND REGULAR MEETING OF MAY 15, 2018

CITY COUNCIL

Tom Tait
Mayor

Dr. Jose F. Moreno
Mayor Pro Tem
District 3

Kris Murray
Council Member
At Large

James Vanderbilt
Council Member
At Large

Denise Barnes
Council Member
District 1

Lucille Kring
Council Member
District 4

Stephen Faessel
Council Member
District 5

- **ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council/Successor Agency to the Redevelopment Agency/Housing Authority/Public Financing Authority/Housing and Public Improvements Authority begin at 5:00 P.M. Public hearings begin at 5:30 P.M. unless otherwise noted. Closed sessions begin at 3:00 P.M. or such other time as noted. Closed sessions may be preceded by one or more public workshops. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. Not all of the above agencies may be meeting on any given date. The agenda will specify which agencies are meeting. All meetings are in the Anaheim City Hall, Council Chambers 200 S. Anaheim Blvd., Anaheim, CA 92805 or such other location as noted.
- **REPORTS:** All agenda items and reports are available for review in the City Clerk's Office, the Central Library and www.anaheim.net. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2nd Floor, Anaheim, CA 92805, during regular business hours.
- **PUBLIC COMMENTS:** 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 to receive public comments regarding any agenda items or matters within the jurisdiction of any such governing bodies. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or chairperson will separately call for testimony at the time of each public hearing. The City uses speaker cards that should be submitted to the City Clerk (Please note, speaker cards are not required; everyone will have an opportunity to address the Council). The time limit established for public comments is three minutes per speaker unless a different time limit is announced. Testimony during public hearings is subject to the following time limits: Project applicant or issue initiator: twenty minutes for initial presentation and ten minutes for rebuttal; Residents within the noticed area of the subject property: ten minutes; All other members of the public: three minutes. Public hearings regarding legislative matters: five minutes. The Mayor or chairperson may limit the length of comments during public hearings due to the number of persons wishing to speak or if comments become repetitious or irrelevant. Pursuant to Government Code Section 54954.2(a)(2), no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.
- **ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council or Agency.
- **CONSENT CALENDAR:** Consent Calendar items will be acted on by one roll call vote unless members, staff or the public request the item 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.

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ANAHEIM CITY COUNCIL
ANAHEIM, CALIFORNIA
MAY 15, 2018
2:30 P.M.

Call to order the Anaheim City Council.

2:30 P.M. – WORKSHOP- SPECIAL MEETING

Fiscal Year 2018/19 Preliminary Budget (Police Department and Fire & Rescue)

PUBLIC COMMENTS ON WORKSHOP:

ADDITIONS\DELETIONS TO CLOSED SESSION:

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

Recess to closed session.

CLOSED SESSION – SPECIAL MEETING

1. **CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of the California Government Code Section 54956.9: One potential case.
2. **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.
3. **CONFERENCE WITH LABOR NEGOTIATORS**
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representative: Jason Motsick, Acting Human Resources Director
Name of Employee Organizations: Anaheim Firefighters Association, Local 2899
4. **CONFERENCE WITH LABOR NEGOTIATORS**
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representative: Jason Motsick, Acting Human Resources Director
Name of Employee Organizations: Service Employees International Union
5. **CONFERENCE WITH LABOR NEGOTIATORS**
(Government Code Section 54957.6)
Designated Representative: Jason Motsick, Acting Human Resources Director, and a Representative from Avery Associates
Position: City Manager
6. **PUBLIC EMPLOYEE APPOINTMENT**
(Government Code Section 54957)
Title: City Manager

Reconvene the Anaheim City Council.

5:00 P.M.

Invocation: Pastor Rudy Trejo, Calvary Apostolic Church

Flag Salute: Council Member Lucille Kring

Presentations: Recognizing the 5th Annual Community Pride Poster Contest City-Wide Winners
Recognizing the Anaheim Poet Laureate
Recognizing the Lord Baden-Powell School for their Act of Kindness

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

Proclaiming May 19, 2018, as Kids to Parks Day
Proclaiming May 20-26, 2018, as Public Works Week
Proclaiming June 2018, as Men’s Health Month
Proclaiming June 1, 2018, as Say Something Nice Day

ADDITIONS/DELETIONS TO THE AGENDA:

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

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

CITY MANAGER’S UPDATE:

5:00 P.M. - CITY COUNCIL

MOTION: _____ Waive reading in full of all ordinances and resolutions and adopt the consent calendar.

CONSENT CALENDAR:

1. Receive and file minutes of the Sister City Commission meeting of March 26, 2018.
2. Approve recognitions recognizing Immigrant Heritage Month (June 2018), LGBTQ Pride Month (June 2018), Acaciawood Preparatory Academy students who placed in a statewide history paper competition, the 60th Anniversary of St. Justin Martyr Church (May 27, 2018), and Harvey Milk Day (May 22, 2018).
3. Accept the lowest responsive bids of Vulcan Strength Training Systems, Coast Fitness, and Extreme Training Equipment Factory Outlet Inc. and authorize the Purchasing Agent to issue three Purchase Orders, in the respective amounts of \$16,213, \$17,600 and \$70,352 plus applicable tax, for the purchase of fitness equipment, in accordance with Bid #9109.

4. Accept the lowest responsive bid of California Waters Development, Inc., in the amount of \$95,036, to provide maintenance and repair services for water features, including weekly cleaning service, supply of needed chemicals, quarterly and semi-annual inspections of pumps and piping, and winterization service during down months (bid items #3-#32 only) at Colony, Ponderosa, and Miraloma Parks and Anaheim Police Department's main station for a one-year period with up to four one-year optional renewals; and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #9099.
5. Accept the bid from Roy Allan Slurry Seal, Inc., in the amount of \$1,022,320, to provide slurry seal and crack seal repairs for streets and alleys for a one year period with up to four one-year optional renewals and authorize the Purchasing Agent to exercise the renewal options, in accordance with Bid #9118.
6. Award the contract to the lowest responsible bidder, R. J. Noble Company, in the amount of \$447,975.59, for the Kraemer Boulevard and Orangthorpe Avenue Rehabilitation Project; authorize the Finance Director to execute the Escrow Agreement; determine the project is categorically exempt under the California Environmental Quality Act; approve the Joint Participation Agreement with the City of Placentia for partial funding of design, construction, and administration of the Project and periodical land surveying services on Chapman Avenue and Orangthorpe Avenue.
7. Award the contract to the lowest responsible bidder, All American Asphalt, in the amount of \$396,233, for the Slurry Seal Group 2 Project, authorize the Finance Director to execute the Escrow Agreement, and determine the project is categorically exempt under the California Environmental Quality Act.
8. Approve and adopt the 2018 Integrated Resource Plan (IRP) for the City of Anaheim (Anaheim), including the Renewable Energy Procurement Plan and Enforcement Program, that ensures Anaheim achieves a 50% renewable energy resource target by 2030, greenhouse gas emission targets established by the California Air Resources Board, and all other Senate Bill 350 mandates; and authorize the Public Utilities General Manager, or designee(s), to take all actions as are necessary or advisable to implement the IRP, consistent with the mandates of California State law including, but not limited to, de minimis revisions to the IRP to address any California Energy Commission recommended revisions, periodic updates to IRP Appendix A, and data disclosures, as well as prepare, execute, certify, deliver, upload, and update any and all documents, information, data, declarations or affidavits, certifications, notices, consents, disclosures, plans, reports, filings, and compliance submittals.
9. Waive the sealed bidding requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue master agreements to Academy Electric, Inc. and Kourtis Industries Ltd., in a combined not to exceed amount of \$60,000, to perform as needed electrical repair work for the period May 16, 2018 through July 31, 2018.
10. Approve the Anaheim Parks Plan.
11. Approve the Anaheim Tourism Improvement District Fiscal Year 2016/17 Annual Reports for the marketing and transportation component funds.

12. Approve an agreement with Automated Cash Management Systems, Inc. (ACMS) for the installation, operation and maintenance of automated teller machines (ATMs) at the Anaheim Convention Center for a three year term with two additional one-year optional renewals in which ACMS will charge \$3.25 per approved transaction to ATM users and of that amount ACMS will pay to the City a \$2.00 per transaction fee which will result in an estimated revenue in the amount of \$26,000 annually and an additional one- time signing bonus payment in the amount of \$2,000 will also be remitted to the City; and authorize the Convention Center Executive Director to administer the agreement and execute any optional renewals under the terms in the agreement.
13. Approve the Final Map and Subdivision Agreement with Anaheim Townhomes, LLC for Tract No. 18046 located at 2726 West Lincoln Avenue to establish a one-lot 34-unit airspace residential subdivision.
14. Approve and authorize the Community Services Director to execute an agreement with the Orange County Flood Control District (District) adopting a strategy to process encroachment permits allowing the City to design, construct and maintain bikeways on District maintenance roads throughout the City as funding becomes available, and determine that the agreement is not subject to the California Environmental Quality Act pursuant to Sections 15060(c)(2), 15060(c)(3) and 15061(b)(3) of Title 14 of the California Code of Regulations because there is no possibility that these actions may have a significant effect on the environment and because these actions do not constitute a project as defined in Section 15378 of Title 14 of the California Code of Regulations (continued from Council meeting of May 8, 2018, Item No. 13).
15. Approve a Memorandum of Understanding (MOU) with Los Angeles SMSA Limited Partnership, d.b.a. Verizon Wireless (Verizon) for the purpose of continuing Verizons use of their existing telecommunication tower at Lincoln Park until May 31, 2019 and allow the Director of Community Services to extend the terms of the MOU, on a month- to-month basis, should conditions develop requiring an additional extension to the MOU.
16. Approve and authorize the City Manager to execute and administer Professional Services Agreements with KSA Design Studio, Inc., KTG Y Group, Inc., M. Arthur Gensler, Jr. & Associates, Inc., RRM Design Group, Selbert Perkins Design, Urban Arena, Inc., Urban Field Studio, LLP, and RDC-S111, Inc., each in an amount not to exceed \$100,000 and each for a one-year term beginning January 1, 2018, with two one-year extensions for on-call architectural consulting services.
17. Approve and authorize the Human Resources Director to execute and administer agreements with ICMA-RC, as the Defined Contribution Plan Provider, for the 457(b), 401(a), Part-Time Seasonal, and Retiree Health Savings Plans for a five year period with two optional one-year extensions.
18. Determine that SCE Contract No. 9.1798 and SCE Contract No. 9.1579 (collectively the License Agreements) with Southern California Edison Company (SCE) for existing Public Utilities Department electric facilities and infrastructure remaining within the SCE right-of-way are categorically exempt from the California Environmental Quality Act pursuant to Section 15301(b) of Title 14 of the California Code of Regulations; approve electric transmission and fiber optics right-of-way license agreement between the City and SCE (SCE Contract No. 9.1798) and an electric overhead and underground distribution right-of-way license agreement with SCE (SCE Contract No. 9.1579), in the amounts of \$8,716.58 and \$12,867.11, respectively, for the first year

with 3% annual escalations for each of the four remaining years thereafter; and authorize the Public Utilities General Manager to execute the License Agreements and related documents and to take such actions as reasonable or necessary to implement and administer the License Agreements.

19. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adopting the Mitigated Negative Declaration and Mitigation Monitoring Plan No. 2018-001 for rehabilitation and expansion of the Lenain Water Treatment Plant supported by those findings required by the California Environmental Quality Act.

Authorize the Public Utilities General Manager, or designee, to negotiate and execute a Lake and Streambed Alteration Agreement (LSA Agreement) and any related documents with the California Department of Fish and Wildlife (DFW), in an amount not to exceed \$7,000, for rehabilitation work requiring DFW approval, and take such actions as are necessary to implement and administer the LSA Agreement; award the construction contract to the lowest responsible bidder, Pacific Hydrotech Corporation, in the amount of \$15,508,000, for the construction of the Rehabilitation and Expansion of Lenain Water Treatment Plant Project (Project) and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions; approve and authorize the Director of Public Works to execute an agreement with MNS Engineers, Inc., in the amount of \$983,012 plus an additional 10% for as-needed extra services, for construction management services; and approve and authorize the Public Utilities General Manager to execute the First Amendment to Agreement with GHD Inc., increasing compensation from \$943,188 to \$1,401,571, for additional engineering services for the design of the Project.

20. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM initiating proceedings for the annual levy of assessments in, and accepting an Assessment Engineer's Report for, the Anaheim Resort Maintenance District.

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention to provide for an annual levy and collection of assessments in the Anaheim Resort Maintenance District, and setting a time and place for Public Hearing thereon.

21. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim certain real properties or interests therein (City Deed No. 12188, 12189, and 12190; for public right-of-way purposes).

22. Approve minutes of City Council meetings of September 12, 2017, September 26, 2017 and October 6, 2017 (special meeting).

END OF CONSENT CALENDAR

23. Receive presentations regarding the economic impacts of minimum wage policies on local jurisdictions and discuss the initiative measure to increase the minimum wage payable by hospitality industry employers located in the Anaheim Resort or Disneyland Resort that have tax rebate agreements with the City, submitted on May 1, 2018 and accepted for filing by the City Clerk on May 3, 2018 (the "minimum wage initiative").

5:30 P.M. PUBLIC HEARINGS:

24. This is a public hearing to consider a resolution pertaining to the approval of a Disposition and Development Agreement, in substantial form, with Greenlaw Anaheim Hotel, LLC (Developer), regarding certain real property generally located at Anaheim Blvd. and the Interstate 5 Freeway in the City of Anaheim in which the City will convey the property at the appraised fair market value of \$3,650,000 and the Developer will construct a 12-story, 326-room Radisson BLU hotel with ground floor and rooftop restaurants and pool amenities (APN 082-220-09 and adjacent remnant property) (continued from Council meeting of May 8, 2018, Item No. 21).

RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Disposition and Development Agreement with Greenlaw Anaheim Hotel, LLC, authorizing the Director of Community and Economic Development to finalize such Disposition and Development Agreement; authorizing the Director of Community and Economic Development to implement such Disposition and Development Agreement; determining that no further environmental review is required; and making certain other findings in connection therewith.

25. **DEVELOPMENT AGREEMENT NO. 2005-00008G**
(DEV2013-00034A)

LOCATION: 1404 East Katella Avenue

OWNER/APPLICANT: PT Metro, LLC, 95 Enterprise, Suite 200, Aliso Viejo, CA 92656

REQUEST: To amend the Development Agreement between the City of Anaheim and PT Metro, LLC for the A-Town Metro Project to add a term extension milestone at the seven and one-half year mark.

Environmental Determination: The City Council will consider whether the Addendum No. 4 to the Platinum Triangle Expansion Project Subsequent Environmental Impact Report No. 339 for the Revised Platinum Triangle Expansion Project, along with Mitigation Monitoring Plan No. 321, together with other previously approved environmental documentation, serves as the appropriate environmental documentation.

ACTION TAKEN BY THE PLANNING COMMISSION:

Approved, recommended City Council Approval of Development Agreement No. 2005-00008G (PC2018-022) Vote: 5-1 (Chairperson Dalati and Commissioners Armstrong, Gillespie, Keys and Lieberman voted yes. Commissioner White voted no. Commissioner Carbajal was absent.) Motion Carried. (Planning Commission meeting of April 16, 2018)

ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM approving Amendment No. 1 to Amended and Restated Development Agreement No. 2005-00008 by and between the City of Anaheim and PT Metro, LLC and making certain findings related thereto; and authorizing the Mayor to execute and the City Clerk to attest said agreement for and on behalf of the City.

Approve the Amendment No. 1 Acquisition and Funding Agreement (Acquisition Agreement) by and among the City of Anaheim Community Facilities District No. 08-1, the City, and PT Metro, LLC; and authorize the Director of Public Works to approve request(s) for payment in accordance with provisions of the Acquisition Agreement and Exhibit B, and take the necessary actions to administer and implement the Acquisition Agreement.

MOTION: _____

Report on Closed Session Actions:

Council Communications:

Adjournment:

Next regular City Council meeting is scheduled for June 12, 2018.

All agenda items and back-up materials are available for review at the Anaheim City Clerk's Office, www.anaheim.net and the Central Library. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2nd Floor, Anaheim, CA 92805, during regular business hours.

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

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 200 South Anaheim Boulevard, Anaheim, California, or by telephone at (714) 765-5166, no later than 10:00 AM on the day preceding the scheduled meeting.

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

POSTING STATEMENT: On May 11, 2018, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 200 S. Anaheim Blvd. Internet Access to City Council/Successor Agency to the Redevelopment Agency/Housing Authority agendas and related material is available prior to City Council Meetings at www.anaheim.net.