



# ANAHEIM CITY COUNCIL

## AGENDA

### APRIL 24, 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](http://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., 2<sup>nd</sup> 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**

**APRIL 24, 2018**

**3:30 P.M.**

Call to order the Anaheim City Council.

**3:30 P.M. – WORKSHOP**

User and Development Impact Fees

**ADDITIONS\DELETIONS TO CLOSED SESSION:**

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS:**

Recess to closed session.

**CLOSED SESSION**

1. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
(Section 54956.8 of the Government Code)**  
**Property:** 2200 East Katella Avenue, Anaheim, CA 92806  
**Agency Negotiator:** Greg Garcia, Acting Assistant City Manager  
**Negotiating Parties:** Anaheim Performing Arts Center Foundation and City of Anaheim  
**Under Negotiation:** Price and Terms of Payment for Lease of Property
  
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.

Reconvene the Anaheim City Council.

**5:00 P.M.**

**Invocation:** Pastor Ty Austin, The Rock Church

**Flag Salute:** Council Member Denise Barnes

**Presentations:** Recognizing Elmer Thill's 104<sup>th</sup> Birthday

Recognizing Anaheim Global Medical Center for 25 Years as an Obstetrics & Gynecology Center

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

Proclaiming April 8-14, 2018, as National Library Week

Proclaiming April 2018, as National Poetry Month

Proclaiming May 2018, as Water Awareness Month

**ADDITIONS/DELETIONS TO THE AGENDA:**

**PUBLIC COMMENTS (all agenda items):**

**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 Library Board meeting of March 12, 2018.
2. Approve recognitions recognizing Mark Taul on his retirement and 50 years of service with Disney; Safety Seat Checkup Week for Anaheim Global Medical Center (May 6 -12, 2018); and Childhood Cancer Awareness Month (September 2018).
3. Approve the Investment Portfolio Report for March 2018.
4. Award the contract to the lowest responsible bidder, Vido Samarzich, Inc., in the amount of \$478,991, for the La Palma Avenue Sidewalk Improvements Project along the south side of La Palma Avenue, 500 feet west of East Street to East Street and authorize the Finance Director to execute the Escrow Agreement.
5. Accept the bid from Liberty Climate Control, Inc., in the amount of \$975,000 plus a 20% contingency, for the replacement of the HVAC system, including chillers, cooling tower, and controls, at Anaheim City Hall, and authorize the Purchasing Agent to issue a purchase order, in accordance with Bid #9094.
6. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue a master agreement to Dave Bang Associates, Inc., in an amount not to exceed \$50,000, to purchase park amenities on an as-needed basis for the City for a one year period with four one-year optional renewals and authorize the Purchasing Agent to exercise the renewal options, in accordance with Colton Joint Unified School District Bid #18-02.
7. Waive the sealed bidding requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue a purchase order to SICO America Inc., in the amount of \$26,074 plus applicable tax, for the purchase of replacement portable stage decks, and issue a purchase order to Virco, Inc., in the amount of \$20,240 plus applicable tax, for the purchase of replacement chair parts, all for use in the Anaheim Convention Center.
8. Waive the sealed bid requirement of Council Policy 4.0 and ratify the purchase order to Global Power Group, in the amount of \$24,205.17, for emergency maintenance and repair services to generators at various City locations.

9. Approve Contract Change Order No. 1 with TE Roberts, Inc., in the amount of \$499,957.26, for the Katella Avenue Water Main Replacement Project and authorize the Public Works Director to execute the Change Order and any related documents.
10. Approve an agreement with Concentra Medical Centers, in an amount not to exceed \$235,789, to provide occupational health examinations and other services for City of Anaheim employees for a one year term with the option to renew for up to four additional one year terms, for a maximum of five one-year terms, which will assist in the City's compliance with Cal/OSHA and Department of Transportation regulations; and authorize the Human Resources Director, or designee, to administer the agreement and any subsequent renewals.
11. Approve a Professional Services Agreement, in substantial form, with eight consultants, in an amount not to exceed \$400,000 per work order package and with a total contract amount not to exceed \$1,000,000 per contract year per consultant, for on-call materials testing, deputy inspection, and environmental engineering and science services to support the Construction Services Division of the Public Works Department for a two year term with an option to renew for two two-year terms for each consultant; authorize the Director of Public Works to execute each agreement and take the necessary actions to implement and administer the agreements; and authorize de minimus changes that do not substantially change the terms and conditions of the agreements, as long as such changes are determined to be de minimus by the City Attorney (AESCO, Albus-Keefe & Associates, Inc., Fenagh Engineering and Testing, LLC., Group Delta, Harrington Geotechnical Engineering, LLC., Leighton Consulting, Inc., Ninyo & Moore, and SCST, Inc.).
12. Approve the Sewer Transfer Agreement with the Orange County Sanitation District conveying the 39" and 42" sewer pipe and appurtenant facilities located on State College Boulevard to the City of Anaheim, and authorize the City Clerk to cause the agreement to be recorded in the Office of the Orange County Recorder.
13. Approve and authorize the City Manager to execute and administer the Second Amendment to Professional Services Agreement with Thirtieth Street Architects, Inc., extending the term for one-year beginning January 1, 2018 for continued on-call architecture services to support the Community and Economic Development Department.
14. Approve and authorize the City Manager to execute and administer Professional Services Agreements with Fehr & Peers and Michael Baker International, Inc., each in an amount not to exceed \$100,000, for on-call engineering consulting services to support the Community and Economic Development Department, each for a one year term beginning January 1, 2018 with two one-year optional extensions.
15. Approve and authorize the City Manager to execute and administer a Professional Services Agreement with JSPR, in an amount not to exceed \$100,000, for on-call communications and media relations services to support current and future economic development needs for a one year term beginning January 1, 2018 with two one-year optional extensions.

16. 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. 12203; 1710-1730 Anaheim Boulevard).
17. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the Director of Public Works or designee to submit an application to the Orange County Transportation Authority under the Orange County LocalWorks Transportation Ordinance No. 3 for Funds for the Environmental CleanUp, 2018 Tier 1 Grant Program for Modjeska Park Underground Storm Water Detention and Infiltration System Project and if awarded, authorizing the acceptance of such grant on behalf of the City amending the budget accordingly and determining that these actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Guideline Section 15303 (\$500,000 in grant funds).
18. RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM modifying the Rates, Rules and Regulations, which do not materially increase electric revenues, for the sale and distribution of electricity as adopted by Resolution No. 71-478 and most recently amended by Resolution No. 2018-036 and determining said actions are exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080 (b)(8) and Sections 15061(b)(3) and 15273(a) of Title 14 of the California Code of Regulations (modify Rule No. 29 to replace the Green Power Program with the Solar Power Program for income-qualified residential customers; discontinue an outdated energy allowance for electric space heating and align rate incentives with conservation efforts; establish a developmental non-domestic electric vehicle rate; and update formulas used to compensate for energy from generators of renewable energy).
19. ORDINANCE NO. 6436 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Chapters 18.06 (Multiple-Family Residential Zones) and 18.32 (Mixed Use (MU) Overlay Zone) of Title 18 (Zoning) of the Anaheim Municipal Code and finding and determining that this ordinance is exempt from the requirements to prepare environmental documentation per California Environmental Quality Act (CEQA) Guidelines, Section 15060(c)(2) because there is no possibility that this ordinance may have a significant effect on the environment (Zoning Code Amendment No. 2017-00142; DEV2017-00075; to implement new Mid Density and Mixed Use General Plan land use designations) (Introduced at Council meeting of April 10, 2018, Public Hearing Item No. 31).
20. ORDINANCE NO. \_\_\_\_\_ (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Chapter 6.43 to Title 6 (Public Health and Safety) of the Anaheim Municipal Code relating to unmanned aircraft systems (drones) and finding and determining that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment and is not a "project", as defined in Section 15378 of the State CEQA Guidelines.
21. Approve minutes of City Council meetings of July 25, 2017 and August 15, 2017.

## END OF CONSENT CALENDAR

22. Discuss and consider approving a resolution amending City Council Policy 1.6, to sunset in 6 months (November 24, 2018) relating to the process in which agenda items requested by Council Members are presented on a future City Council agenda.

RESOLUTION NO. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Policy 1.6 of the City Council Policy Manual relating to the manner in which members of the City Council may place matters on the agenda of a regular City Council meeting and rescinding Resolution No. 2017-041.

### Report on Closed Session Actions:

### Council Communications/Agenda Requests:

### Adjournment:

Next regular City Council meeting is scheduled for May 8, 2018.

All agenda items and back-up materials are available for review at the Anaheim City Clerk's Office, [www.anaheim.net](http://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., 2<sup>nd</sup> 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 April 20, 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](http://www.anaheim.net).