ANAHEIM CITY COUNCIL
AGENDA
SEPTEMBER 24, 2019
CITY COUNCIL
HOUSING AUTHORITY

•ORDER OF BUSINESS: Public sessions of all regular meetings of the City Council/Successor Agency to the Redevelopment Agency/Housing Authority/Public Financing Authority/Housing and Public Improvements Authority begin at 5:00 P.M. Public hearings begin at 5:30 P.M. unless otherwise noted. Closed sessions begin at 3:00 P.M. or such other time as noted. Closed sessions may be preceded by one or more public workshops. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. Not all of the above agencies may be meeting on any given date. The agenda will specify which agencies are meeting. All meetings are in the Anaheim City Hall, Council 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: There are two Public Comment periods with speakers having one opportunity to address the City Council, except for scheduled public hearing items. The time limit established for public comments is three 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. 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 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.
Call to order the Anaheim City Council.

ADDITIONS/DELETIONS TO CLOSED SESSION:

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

Recess to closed session.

3:00 P.M. - CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
   (Subdivision (d)(1) of Section 54956.9 of the California Government Code)
   Name of Case: Wotring v. City of Anaheim, Orange County Superior Court Case No. 30-2017-00914303

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
   Initiation of litigation – authorization to file amicus curiae brief pursuant to paragraph (4) of subdivision (d) of the California Government Code Section 54956.9: One potential case

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
   (Subdivision (d)(1) of Section 54956.9 of the California Government Code)
   Name of Case: Turner Construction Company v. City of Anaheim; STV Construction, Inc., Orange County Superior Court Case No. 30-2017-00956538

4. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
   (Section 54956.8 of the California Government Code)
   Property: 1619 -1621 W. Lincoln Avenue (APN 072-110-10) and a 0.70 acre portion of right-of-way located between Euclid Street and APN 072-110-50 in Anaheim, CA 92801
   Agency negotiator: Chris Zapata, City Manager
   Negotiating parties: Shopoff Realty Investments and City of Anaheim
   Under negotiation: Price and Terms

5. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
   (Section 54956.8 of the California Government Code)
   Agency Negotiator: Chris Zapata, City Manager
   Negotiating Parties: Angels Baseball, LP; City of Anaheim
   Under Negotiation: Price and Terms of Payment

6. CONFERENCE WITH LABOR NEGOTIATORS
   (Subdivision (a) of Section 54957.6 of the California Government Code)
   Agency Designated Representatives: Linda Andal, Human Resources Director and Angel Ho, Employee Relations Manager
   Name of Employee Organization: Anaheim Police Association
7. CONFERENCE WITH LABOR NEGOTIATORS
(Subdivision (a) of Section 54957.6 of the California Government Code)
Agency Designated Representatives: Linda Andal, Human Resources Director and Angel Ho, Employee Relations Manager
Name of Employee Organizations: American Federation of State, County and Municipal Employees (General Management, Professional/Technical, and Confidential Units)

Reconvene the Anaheim City Council.

5:00 P.M.

Invocation: Pastor Mark Bove, Calvary Chapel Anaheim
Flag Salute: Council Member Jose F. Moreno
Presentations: Recognizing the 2019 Flag Day Essay Contest winners
Recognizing the 2019 Community Services Volunteers

Acceptance of Other Recognitions (To be presented at a later date):
Recognizing October 6 - 12, 2019, as Public Power Week
Recognizing October 2019, as Domestic Violence Awareness Month

Call to order the Anaheim Housing Authority (in joint session with the City Council).

ADDITIONS/DELETIONS TO THE AGENDAS:

PUBLIC COMMENTS (all agenda items):
(limited to 90 minutes, or until all agenda item speakers have been heard; any time remaining shall be provided to non-agenda item speakers)

CITY MANAGER’S UPDATE:
Recess the Anaheim City Council.

5:00 P.M. - HOUSING AUTHORITY

CONSENT CALENDAR:

1. Approve the Commercial Property Purchase Agreement and Joint Escrow Instructions including Addendum No.1, in substantial form, in the acquisition payment of $7,700,000, for the purchase of an approximate 2.81 acre property at 331 and 401 W. Carl Karcher Way; authorize de minimus changes that do not substantially change the terms and conditions of the agreement, so long as such changes are determined to be de minimus by the City Attorney; and authorize the Housing Authority Executive Director, or designee, to execute and administer the agreement.

2. Approve minutes of the Housing Authority meetings of June 18, 2019 and July 30, 2019.
Adjourn the Anaheim Housing Authority.

Reconvene the Anaheim City Council.

5:00 P.M. - CITY COUNCIL

MOTION: __________ Waive reading of all ordinances and resolutions and adopt the consent calendar.

CONSENT CALENDAR:

3. Receive and file minutes of the Community Services Board meeting of August 8, 2019 and the Library Board meeting of August 12, 2019.

4. Approve proclamations recognizing the Orange County Historical Society’s 100th Anniversary, Dave Wilk with GOALS Academy, Childhood Lead Poisoning Prevention Week (October 20-26, 2019), the 2018-19 Miss Anaheim Beautiful and her Court, the 2019-20 Miss Anaheim Beautiful and her Court, Extra Mile Day (November 1, 2019), the Complex Regional Pain Syndrome Annual Convention, the Orange County Conservation Corps 25th Anniversary, and Henry Barbosa of the Orange County Conservation Corps.


6. Approve the Anaheim Workforce Development Board Recertification Request, under the Workforce Innovation and Opportunity Act, for program years 2019-2021 and direct staff to submit the Recertification Request to the State of California as a requirement of the State once every two years.

7. Accept the bid from Matheson Tri-Gas, Inc., in the amount of $53,212.50 plus applicable tax, to provide as-needed cryogenic liquid oxygen 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 #9329.

8. Accept the bid from Agricultural Pest Control Services, in the amount of $27,720 plus applicable tax and a 20% contingency, to provide as-needed bee and stinging insect removal services 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 #9330.

9. Accept the bid from Anaheim Glass, Inc., in the amount of $39,350 plus a 20% contingency, to perform as-needed glass repairs and maintenance services for facilities throughout the City for a one year period with four one-year optional renewals and authorize the Purchasing Agent to execute the renewal options in accordance with Bid #9334.

10. Accept the bid from Hangar One Avionics, Inc., in the amount of $117,180.76, to furnish, install and integrate Garmin GTN 750H avionics equipment in two police helicopters and authorize the Purchasing Agent to execute the purchase order in accordance with Bid #9324.
11. Award the contract to the lowest responsible bidder, Onyx Paving Company, Inc., in the amount of $2,930,000, for the Residential Street Improvement Project – Acacia Phase II; determine that the project is categorically exempt from California Environmental Quality Act pursuant to Sections 15301, Class 1, and 15302, Class 2, of Title 14 of the California Code of Regulations; and authorize the Finance Director to execute the escrow agreement pertaining to contract retentions.

12. Waive the sealed bidding requirement of Council Policy 4.0 and authorize the Purchasing Agent to execute an agreement with Axon Enterprise, Inc., in an amount not to exceed $1,185,148.14 inclusive of applicable tax, for the purchase of 415 Taser 7 Electronic Incapacitation Devices (EID) and related accessories and services for use by sworn Anaheim Police personnel for a term of five years and authorize the Purchasing Agent to issue future purchase orders of EIDs, accessories, and related services and execute any and all documents necessary to complete the transactions, subject to available budget appropriations.

13. Approve an agreement with Gemalto Cogent Inc., in an amount not to exceed $110,000 including taxes, for an 11-month lease, maintenance and support of an automated biometric identification system and authorize the Chief of Police to execute the agreement.

14. Approve an agreement with California Forensic Phlebotomy, Inc., in the total amount not to exceed $250,000, to perform forensic phlebotomy services for a one year period with four one-year optional renewals; and authorize the Chief of Police to execute any amendments or renewal options under the terms and conditions of the agreement.

15. Approve a representation agreement, in substantial form, with the firms of Robins Kaplan, LLP and Andrews & Thornton, AAL, ALC to represent the City of Anaheim in opioid-related litigation and authorize the City Attorney to execute the agreement.

16. Approve an agreement with AODI, Inc., in an annual amount not to exceed $40,000, for original graphic design services for various promotional materials and marketing campaigns; an agreement with Recreation Branding Services, in an annual amount not to exceed $25,000, for production and printing preparation of the Community Services Department Activity Guide and graphic design services; and an agreement with Geographics, in an annual amount not to exceed $20,000, for production and print preparation of the Your Community/Tu Comunidad and various promotional materials and branding services, each for a one year term beginning October 1, 2019, with two one-year optional extensions.

17. Approve an agreement with American Golf Corporation Management, LLC., in substantial form, in the base management fee of $130,000 per year plus an incentive fee of 20% of the adjusted net operating income on the excess above the threshold of $2,000,000, to provide Golf Course Operation Services and Golf Course Maintenance Services at Anaheim Hills Golf Course, and Golf Course Operation Services, Golf Course Maintenance Services, and Food & Beverage Services at Dad Miller Golf Course for an initial term starting January 1, 2020 and ending on February 9, 2024; authorize de minimus changes that do not substantially change the terms and conditions of the agreement, so long as such changes are determined to be de minimus by the City Attorney and Risk Manager; and authorize the Director of Community Services execute the agreement and take any necessary actions to administer the agreement.
18. Approve the Second Amendment to License Agreement with Higher Ground Youth and Family Services, Inc. to place additional portable units at Lincoln Park and authorize the Director of Community Services, or designee, to execute and administer the amendment.

19. Approve an agreement with Hyas Group, LLC, in a total amount not to exceed $222,560, to provide professional services and act as co-fiduciary regarding Anaheim's Defined Contribution Programs for a four year period and authorize the Human Resources Director to execute and administer the agreement.

20. RESOLUTION NO. ____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-093 for the purpose of creating, deleting and/or modifying certain classifications designated as Administrative Management.

RESOLUTION NO. ____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing classifications and rates of compensation for classifications assigned to the Anaheim Municipal Employees Association, Part-Time Unit.

RESOLUTION NO. ____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing classifications and rates of compensation for classifications assigned to the Anaheim Municipal Employees Association, General Unit.

RESOLUTION NO. ____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-092 for the purpose of creating, deleting and/or modifying certain unrepresented classifications designated Executive Management.

RESOLUTION NO. ____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Resolution No. 2014-094 for the purpose of creating, deleting and/or modifying certain classifications designated as Middle Management.

21. 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 in classifications represented by the Anaheim Municipal Employees Association, General Employees (effective January 5, 2018 through June 23, 2022).

22. 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 in classifications represented by the Anaheim Municipal Employees Association, Clerical Employees (effective January 5, 2018 through June 23, 2022).
23. RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM ratifying the submission of grant applications and the acceptance of grants on behalf of the City of Anaheim for the Selective Traffic Enforcement Program (STEP) Grant, Pedestrian and Bicycle Safety Program Grant, Child Passenger Safety Program Grant and Motorcycle Safety Program, and authorizing the Chief of Police to execute all required grant documents, and amending the budget accordingly (increasing the Police Department’s fiscal year 2019/20 revenue and expenditure appropriations by $408,000 for STEP, $60,000 for Pedestrian and Bicycle Safety Program, $70,000 for Child Passenger Safety Program, and $55,000 for Motorcycle Safety Program).

24. RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving the 2017 Edward Byrne Memorial Justice Assistance Grant fund transfer agreement between the City of Anaheim and the County of Orange, authorizing the City Manager or his designee to execute all documents required to transfer the grant fund, and authorizing the acceptance of such grant fund on behalf of the City and amending the budget for the fiscal year 2019-20 accordingly (allocation of $80,555.40 from the Fiscal Year 2017 Justice Assistance Grant).

RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving the 2018 Edward Byrne Memorial Justice Assistance Grant fund transfer agreement between the City of Anaheim and the County of Orange, authorizing the City Manager or his designee to execute all documents required to transfer the grant fund, and authorizing the acceptance of such grant fund on behalf of the City and amending the budget for the fiscal year 2019-20 accordingly (allocation of $80,316.90 from the Fiscal Year 2018 Justice Assistance Grant).

25. RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating various public utility easements pursuant to California Streets and Highway Code Section 8330, et seq. - Summary Vacation (ABA2018-00383; 901 East South Street).

26. RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating public utility easements located at 5468, 5500, and 5510 East La Palma Avenue pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2019-00386).

27. RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating a public utility easement located at 801 East Orangewood Avenue pursuant to California Streets and Highways Code Section 8330, et seq. - Summary Vacation (ABA2019-00394).

28. RESOLUTION NO. _____________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM accepting certain deeds conveying to the City of Anaheim certain interests in real property (City Deed Nos.12316, 12317, 12318, and 12319; city uses in connection with the provision of utility services).
29. RESOLUTION NO. ________________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM forming Underground District No. 67 (Sycamore) and determining said action is exempt from the California Environmental Quality Act pursuant to Sections 15302(d) and 15303 of Title 14 of the California Code of Regulations.

30. RESOLUTION NO. ________________ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM forming Underground District No. 68 (Eucalyptus) and determining said action is exempt from the California Environmental Quality Act pursuant to Sections 15302(d) and 15303 of Title 14 of the California Code of Regulations.


END OF CONSENT CALENDAR

32. Approve a General Fund appropriation increase of up to $1,000,000 for one-time capital improvements to the former Northgate Market site located at 718-744 N. Anaheim Blvd. to fund tenant improvements necessary for the establishment of a youth learning center.

Motion: ____________

33. Approve a General Fund appropriation increase of $125,000 for the creation of the Anaheim Public Art Plan to promote visual arts in Anaheim and amend the Community Services Department fiscal year 2019/2020 budget appropriation by $125,000.

Motion: ____________

34. ORDINANCE NO. ________________ (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding Section 1.04.392 providing for a Board and Commission member orientation and amending Section 1.04.396 of Chapter 1.04 of Title 1 of the Anaheim Municipal Code relating to the removal of Board and Commission members due to excessive absences from meetings.

ORDINANCE NO. ________________ (INTRODUCTION) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending Section 1.04.970 of Chapter 1.04 of Title 1 of the Anaheim Municipal Code changing the Anaheim Youth Commission to Anaheim Youth Advisory Committee, and amending the structure and term, including the allowance of a “Committee of the Whole” in the absence of a quorum.

35. Consider an appointment to the Sister City Commission to fill a scheduled vacancy with term ending June 30, 2022 (continued from Council meeting of September 10, 2019, Item No. 19).

SISTER CITY COMMISSION

Appointment: __________________________ (term ending June 30, 2022)  
(vacancy of Brigitte Rodgers)
Report on Closed Session Actions:

PUBLIC COMMENTS (non-agenda items):

Council Communications/Agenda Requests:

Adjournment:

Next regular City Council meeting is scheduled for October 22, 2019.

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 September 19, 2019, 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.