

ANAHEIM CITY COUNCIL REGULAR AJOURNED MEETING OF OCTOBER 6, 2015

The regular meeting of October 6, 2015 was called to order at 3:00 P.M. and adjourned to 5:00 P.M. for lack of a quorum. The regular adjourned meeting of October 6, 2015 was called to order at 5:08 P.M. in the chambers of Anaheim City Hall, located at 200 S. Anaheim Boulevard.

The meeting notice, agenda and related materials were duly posted on October 2, 2015.

PRESENT: Mayor Tom Tait and Council Members: Jordan Brandman, Lucille Kring, Kris Murray and James Vanderbilt.

STAFF PRESENT: City Manager Paul Emery, City Attorney Michael Houston and City Clerk Linda Andal.

INVOCATION: Pastor Gary Beebe, Community of Christ Church

FLAG SALUTE: Council Member James Vanderbilt

PRESENTATION: Recognize the winner of the Battle of the Bands

Mayor Tait remarked the Community Services Department established the first Battle of the Bands with a requirement that at least two members of the band be Anaheim residents. The winning band, Detour 91, would receive a \$500 scholarship from the Anaheim Community Foundation, Disneyland Park passes and studio time to record two songs. Janis Heckle, Community Services Superintendent, explained this program was another opportunity to feature the talented youth of the community and introduced the band members.

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

Declaring October 2015, as National Arts and Humanities Month

Declaring October 2015, as Domestic Violence Awareness Month

Lt. James Kazakos, Director of the Orange County Family Justice Center, remarked the Center addressed domestic violence, child abuse, elder/dependent abuse and sexual assault and was committed to doing as much as possible to break the cycle of family crime. Mayor Tait welcomed Tracy Theodore, the new executive director of the OC Family Justice Center Foundation.

Declaring October 2015, as Filipino American History Month

Declaring October 4 – 10, 2015, as Fire Prevention Week

Fire Marshall Jeff Lutz remarked this year's theme was "Hear the Beep", a reminder of the need for working fire alarms, and apprised the community of the Home Safety Assessment visit available to all for information on fire prevention and smoke alarm programs.

Declaring October 4 – 10, 2015, as Public Power Week

Janet Lonneker, Assistant General Manager, Electric Services, invited the community to attend this week's Downtown Farmer' Market, where information on products, rebates and programs was available for Anaheim residents and businesses as part of Public Power Week.

Declaring October 5, 2015, as World Habitat Day

Declaring October 5, 2015, as World Teacher Day

Declaring October 7, 2015, as International Walk to School Month

ADDITIONS/DELETIONS TO THE AGENDA:

PUBLIC COMMENTS (all agenda items, except public hearing): *Prior to receipt of public comments, a brief decorum statement was provided by City Clerk, Linda Andal.*

Cecil Jordan Corkin, Outreach Homeless Ministries, discussed the challenges in opening homeless shelters asking that the Fullerton Armory be opened as well before the weather turned cold. Mayor Tait introduced Cynthia Corkin, Cecil's mother and welcomed her to Anaheim.

Oliver Zavala shared the success of the 10th annual Mariachi Festival on October 2nd, a fund raiser for the RHYTHMO program, a nonprofit helping youth through heritage and music. Gabriel Zavala, Director, remarked the festival raised funds for the nonprofit organization geared to teaching and inspiring the youth to reach higher goals through music and their cultural heritage. Next year they planned to expand the festival during Hispanic Heritage month, hosting smaller events throughout Anaheim and neighboring cities.

Mayor Tait thanked the Zavalas, adding the RHYTHMO program involved significant volunteer hours to bring mariachi music to kids that might not otherwise get such an opportunity. Council Member Murray requested RHYTHMO attend a future council meeting to perform with Mayor Tait concurring.

William Fitzgerald objected to the recent arrest of Lou Noble and Joshua Collins, homeless advocates, as well as the confiscation of homeless belongings, which he stated occurred as result of an ordinance approved by the City Council. He then offered his viewpoint on Council's actions.

Janice Paton reported a problem she was experiencing related to a code enforcement violation for an illegal bathroom in her garage, a citation that occurred as a result of unpermitted access to her property. She explained the circumstances in detail, stating the bathroom had been in place when she purchased the property, and staff's recommended solution to tear down the unpermitted garage and rebuild was not affordable on a fixed income; she submitted documentation for the record asking that the findings be written off and the garage be grandfathered in as it should have been in the first place. Mayor Tait requested the City Attorney look into this matter and report back to Council.

Mike Balsamo, Building Industry Association, OC Chapter, submitted copies of his letter for the record in support of Item No. 25, A-Town Metro project. With over 1,000 member companies and 100,000 plus employees in the business of home building in the County, he stated their mission was to champion housing as the foundation of vibrant and sustainable communities. He reported that according to the state's Legislative Analyst's Office, an additional 7,000 homes were needed in Orange County to meet the demand, and statewide, that demand revealed a shortage of 100,000 homes. He indicated the A-Town proposal would bring in 1,700 new homes comes complete with generous amenities and much-needed parks and would produce \$110 million of local income, \$11 million in taxes and revenue and over 1,700 jobs in that first

year. He believed A-Town's proposal was ideally planned and right-sized for today's market and urged Council's approval of the project.

Larry Brose, OC Business Council, submitted copies of his statement of support for A-Town project for the record. He urged Council's approval of the A-Town project stating it addressed one of his organizations top initiatives; i.e., the shortage of housing necessary to help attract and retain the workforce in Orange County.

Cynthia Dawson, Visit Anaheim, expressed support of the Aramark agreement for food and beverage services to the Anaheim Convention Center. She reported Visit Anaheim had developed a good working relationship with Aramark, bringing in many clients and customers and Visit Anaheim was looking forward to continuing that relationship.

Dr. Howard Knohl, Anaheim Performing Arts Center Foundation (APACF), stated he chaired the liaison task force that had been created to work with the city to insure and facilitate the development of a world class performing arts center in the city. He thanked the APACF board of directors and its many members for their support and determination in establishing a performing arts center and the City for its collaborative work with AMS Corporation, a leading consultant regarding the sustainability of such a project for Anaheim and surrounding communities.

Valerie Hardman, Outdoor Dimensions, submitted a letter in support of Agenda Item No. 25. As a member of the business community for 24 years and serving on the BIA/OC Board of Directors and BIA/Southern California Chapter, she understood the need for different housing alternatives in Anaheim. She stated A-Town was offering the right-sized residence and location for a demographic that did not fit in a typical master-planned community or in urban high rises seen in some downtown areas. She believed this project would bring a key resident base to local Platinum Triangle retailers, restaurants and businesses that had been waiting in anticipation of this project being built.

Lou Noble reported he and Joshua Collins had been falsely arrested and that videos had captured that arrest. He had long been a proponent of providing safe zones for the homeless especially for women and children, the disabled, and the elderly who were in danger of being abused and harassed by the criminal element as well as by police officers who infringed on their 4th amendment rights. Mayor Tait asked if there were examples of safe zones out there with Mr. Noble responding the state of Utah was the first to implement safe havens, however, he believed available vacant land, a parking lot or space in a park with bathrooms and showers and possibly law enforcement on site could be utilized as a safe zone and would be less costly than the current nightly police calls for service from neighbors or others concerned about safety.

R. Joshua Collins, homeless advocate, responding to Mayor Tait's earlier question, pointed out there was a safe zone located in Florida as a result of case law. Regarding his recent arrest by the Anaheim Police Homeless Task Force, Mr. Collins stated a video of that arrest could be found on YouTube. He thanked Jose Moreno of Los Amigos for his effort to stop enforcement of the storage ordinance related to confiscation of homeless belongings and pointed out some of the challenges for the homeless to pick up their property when it was only available for pickup one day a week, and they were often unable to access ID's, medications, blankets and the like.

Ron Bengochea, resident, addressed his comments to Item 24, remarking he had attended the electoral committee meetings and believed the district map submitted by Oscar Reyes

addressed the concerns that were raised in the advisory committee meetings by giving equal representation to all communities. He urged Council to accept the recommendation of the committee and move forward in the right direction.

Jennifer Ayala, Loara Band Boosters, thanked Mayor Tait for nominating Loara High School marching band to not only represent the City of Anaheim, but the State of California in the 2016 National Memorial Day Parade. Loara would be the only high school marching band to represent California and the Boosters were actively fund raising to send 165 students to Washington, DC and presented invitations to Council for the 19th annual Loara High School band review tournament at Glover Stadium.

Frances Noteboom, speaking on behalf of the Anaheim Rental Alliance and as an Anaheim resident, supported Council Member Brandman's request for a \$200,000 appropriation for code enforcement related to short term rental (STRs) complaints and submitted signatures of 137 STR owners who were in support of Agenda Item 8 as well. She reported there were 85 homeowners representing 200 homes at the Planning Department's community meeting regarding STRs, a productive meeting she hoped would continue as the city worked on a balanced approach for all the stakeholders. She recommended that any transient occupancy tax collected from STRs be returned to the areas in which it was collected and used for slurring streets, fixing potholes, adding streets lights, and possibly the addition of pocket parks.

Mark Daniels, resident, spoke to the homeless issue, remarking that Anaheim had the ability to implement safe zones by using any vacant land, distributing food and clothing, allowing overnight stay, and suggesting the property at Anaheim and Lincoln or the Westmont shopping center or Glover Stadium be considered.

John Sacristen, OC Automobile Dealers Association, announced he represented 123 new vehicle dealers in Orange County that collectively had an economic impact annually of \$11 billion, employing 12,000 with an annual payroll of \$660 million. He spoke in support of Aramark Sports & Entertainment for ensuring the success of the OC International Auto Show, the largest public event held at the Anaheim Convention Center for almost two decades. On behalf of the OC automotive community, he requested Council continue their successful partnership with Aramark, whose exceptional food quality, professionalism, and expertise were necessary to make the OC International Auto Show successful.

Carl Mittleman, President of Aramark Sports & Entertainment, spoke to Agenda Item No. 13. He stated there were a number of attributes that made Aramark the right choice for the city and its visitors; its commitment to excellence in food and service, the executive team's commitment to community projects, events and fund-raisers, and its sustainability program, in collaboration with the city. He added that a number of industry firsts had come from its operation at the Convention Center emphasizing that the continuation of Aramark's agreement would offer the city a sustainable revenue stream and he looked forward to continuing the partnership.

Ralph Winnick, Della Lane resident objected to short term rentals in his neighborhood, stating the only one benefiting from this enterprise was the owner of the property and the city was faced with neighbors who were distressed that the rentals were operating in their neighborhoods and code enforcement and/or police calls for service occurred regularly. He recommended that no new short term rentals be permitted, and that when any of the current permits lapsed, the city not renew.

Mr. Emery, City Manager, reminding the community of a meeting to be held this Thursday evening at the Downtown Community Center for residents to work with city staff to look at some of the short term rental issues. Mayor Tait added that a moratorium on short term rentals had been put in place and that Mr. Winnick had the opportunity to speak at the October 20th agenda when it would return to Council for consideration.

Rene, objected to the Anaheim Police Department's Homeless Task Force treatment of the homeless, using harassment tactics, taking their property, and generally being disrespectful. Videos of these encounters were available on Facebook, LeakPress.com and YouTube.

Ada Tamayo, resident, commended Council for the selection and appointment of the redistricting committee, stating the retired judges listened and were respectful to the people and recognized the importance district elections held for the community who now feel, through this process, they will be represented.

Miguel Hernandez, OCCCCO, commented on the high level of community participation at every one of the meetings held by the city on the district election process, remarking the public had been involved and invested in the process from beginning to the end. OCCCCO was proud of the community participation and looked forward to the implementation of the recommended district map urging Council's support.

Martin Lopez, resident and Unite Here member, spoke to Item No. 24, adding that the retired judges did not take their decision lightly, considered all aspects of the legal requirements. He stated he believed the final recommended map kept the Colony intact, the Resort District together, the Platinum Triangle and State College together with the industrial corridor on State College, but separated from the Disney resort. It also established Euclid as the dividing line for the west side and respected Little Arabia. He added the judges were objective, knew how to make decisions not based on feelings but on facts, and reflective of the public's input. He recommended Council accept the findings of the committee, the final report and the resulting district map.

Raymond David Arroyo spoke of his personal life challenges and how his gift of music helped him through this journey.

Marisol Ramirez speaking on the electoral districts item, thanked the committee of judges that created such an inclusive space for residents to share their concerns and express their needs for a map that was representative of all communities. She remarked throughout this process she spoke to residents in their homes in the west and eastern parts of the city, heard their personal stories and how much they loved Anaheim. She thanked city staff, attorney Ben DeMayo and demographer Justin Levitt for accomplishing a successful and transparent process.

Brian Chuchua, resident, was opposed to establishing a dog park in Twila Reid Park, stating he felt it would not alleviate the homeless issues. Regarding short-term rentals, he inquired if those rental units had to adhere to the same safety regulations as hotels or were they exempt.

TRANSLATION: SPANISH, Irma Hernandez speaking about the district map, remarked she and other members of the public participated in the process from the beginning, attending meetings, following each presentation at the various locations citywide and that she personally tried to inform and educate the rest of the community about what she had learned in these meetings.

She requested Council accept the recommendation made by the judges and through the people's voices, remarking she could now tell people she lived in District 4.

Jonathan Mendez, North Dickel Street resident, stated that over the course of 18 months, his neighborhood had been working with city staff to create a parking permit district and he was now here to ask for Council's support. Living in front of Glover Stadium presented parking challenges from the various events going on in the stadium and he asked Council's approval of Item No. 17.

Marta, resident of Dickel Street, requested Council approve the implementation of parking permits for Dickel Street, Agenda Item No. 17.

Tim Moore, Dickel Street resident, urged Council's support of Item No. 17, adding that it would help cut down on crime in that area as well.

Joanne Sosa commented that the districting process had been historic, with masses of people coming together providing input and judges whose actions were impeccable. She applauded all those who had struggled for representation and urged Council to accept the electoral committee's final report. She also announced the Sacred Arts Festival could now be seen on local channel 3 and YouTube, courtesy of the Anaheim Arts Council.

Vern Nelson, Orange Juice Blog, reported two years ago Police Chief Quezada affirmed the public's right to film officers as long as their work was not hindered and that a warning would be issued should the videographer get too close. He added advocates for the homeless regularly filmed officer's interactions with the homeless and posted those videos on line for the public's information. Lou Noble and Joshua Collins were arrested last week in Maxwell Park while video taping officers and had their cell phones taken as evidence. Mr. Nelson believed the officers were breaking the laws, not enforcing them, asking that these tactics stop before litigation resulted.

Cynthia Ward reported that at the September 1st council meeting, she had provided documents for the record that were not referenced in the minutes. She asked that the record be corrected to reflect that the documents she had submitted were obtained through a public records request and that they corroborated her statement that a city staff member did not tell the truth to the court regarding payment of \$10 million to Turner Construction. Her goal was to ensure staff was held accountable for their statements and their actions.

Mike Robbins explained he represented an organization trying to put together families against short term rentals, remarking there were 167 homes advertised right now on HomeAway; i.e. a 4,400 square foot home with a water park, one that sleeps 20 with six bedrooms and each room with two queen beds. He was opposed to STRs, asking the city to keep family neighborhoods a priority.

Fred Cornejo, Tonya Lane resident, remarked that STRs were the cause of many new problems to neighborhoods, increased police activity and code enforcement complaints. Regarding the proposed increase in code enforcement budget to handle STR complaints, he emphasized the community would rather see tax dollars for something other than regulating short term rentals and would prefer to see them prohibited. Investors were buying up these homes and turning them into rentals for profit and this business should not be allowed in residential neighborhoods. He urged Council to not turn their back on neighbors.

Victoria Michaels, resident, supported Agenda Item No. 20, banning the use of electronics on the dais, remarking using the devices during meetings was disrespectful to those in attendance. She opposed Agenda Item 21, urging the reform of federal housing programs to allow refugees to participate. Regarding Agenda Item No. 24, she urged Council to support the recommendations of the electoral advisory committee and to not undo their hard work. She also requested the City Manager, when asked to follow-up on items brought to the city's attention by a member of the public, that a status report be given.

Bob Donaldson, June Place resident, explained that he lived in Sherwood Village right behind the Convention Center and when he first moved to the neighborhood, there were one or two short term rentals. Now, he pointed out there were 55 and he and his neighbors were meeting with their HOA trying to insure rentals must be at least 30 days. He emphasized STRs were a business and property owners were trying to sidestep the hospitality industry and they should be eliminated.

An unidentified speaker remarked he stood in strong support of the recommended electoral districts and was also in support of retaining union vendors in the Convention Center to ensure secure jobs with benefits. On the homeless issue, he was opposed to the suggestion that dog parks was an insensitive method to get rid of the homeless so neighbors felt safe using the parks. He added any criminal element should be dealt with separately whether or not they were homeless and the homeless should not be marginalized into criminal categories to appease the rights of neighboring homeowners. Regarding the arrest of Lou Noble and Joshua Collins, he remarked, the video spoke for itself and was indicative of a long-standing practice of the Anaheim Police Department and correction action should be done. He added as a member of the Center for Orange County Community Advisory Board and the LGBT caucus, he recognized on any given night there were 550,000 homeless youth in this country and 40 to 50 percent of them were LGBT with no place else to go and when the homeless situation was addressed, these other issues must be addressed as well.

Mayor Pro Tem Kring, as a point of personal privilege, responded she had been advocating for dog parks since 1998, because the public had been asking for this for years. She explained the dog park at La Palma was a success because of the community socialization and energy that a dog park brought. Another dog park was slated for Olive Hills next year and she suggested one for Twila Reid Park in the future because many people had come to the Council distressed that they could not use their neighborhood park because the homeless were bathing in the bathroom, doing their laundry, using benches and bushes to dry their clothing, and were not following the rules and leaving at 10 p.m. She was a supporter of the homeless shelter on Kraemer believing those options would better serve the homeless population.

Deborah Ferris, resident, remarked she had been organizing and participating in community meetings in the county for the last 15 years and she had never seen such an incredible process as that of Anaheim's advisory committee on electoral districts. She commended the panel of retired judges who led the process, the care they took to comprehend every point of view in the room and the strong community participation both in the meetings and outside of them, where neighbors talked to neighbors, listened to different perspectives and participated in the drawing of the Reyes map which was ultimately the map recommended by the committee. She urged Council to honor the participation and the values that went behind this process and to support Recommended Map 3.

Janine Robbins, resident, remarked she lived in a neighborhood where a total of 60 homes were or would be short term rentals. She read a quote from an email sent by the Anaheim Rental Alliance to the many STRs owners regarding last Thursday's meeting quoting the importance of the group to keep communication professional, factual, solution driven, to refrain from personal stories or emotion, and to leave the emotions to the neighbors. She remarked that was a particularly offensive remark as it spoke to the core of the problem, that people were emotional about where they lived and raised their children while for the property owners, it was simply a business. She remarked if the city of Anaheim was collecting transient occupancy taxes from the rentals, it was acknowledging and insuring neighborhoods would have a constant influx of transients. She added the Planning Department indicated there were about 198 permitted properties and another 190 plus properties under review, and while not permitted, they were being allowed to operate. She urged Council to bring this business to an end and return the neighborhoods back to what it was.

Austin Lynch, Unite Here Local 11, represented over 5,000 working men and women in the county, over 1,500 of who were Anaheim residents. He explained his members were affected negatively by STRs because they undercut the services the members provided at hotels and because they exacerbated a housing crisis in the city. He added Unite Here was taking a strong stance in favor of restrictions that were enforceable and to ensure they were enforced. He reported Santa Monica enacted such an ordinance.

Ricardo Torro, Rio Vista neighborhood, commended the panel of judges and the demographer who facilitated the districting committee, along with the significant community participation whose concerns were heard and considered. He encouraged the city council to accept the recommended electoral district plan. He appreciated Council Member Vanderbilt meeting with some of the Rio Vista residents regarding the homeless shelter and problems related to the nearby shopping center and commended the city council and Council Member Murray for her leadership on the homeless issue. He also spoke in support of Item No. 21 on the agenda regarding the Syrian refugees, stating they need all the help the world could offer them.

Nahla Kayali, Access California Services, spoke in support of Item No. 21 stating the Syrian community had been contributing citizens for over 100 years, in medicine, academia, and business and their families were now suffering in Europe. She urged the government to open the borders to Syria to address the humanitarian crisis, adding that becoming an American was everyone's dream.

Lauren Wilson, Tonya Lane, addressed her comments to short term rentals, emphasizing she no longer had a sense of community with the proliferation of STRs and was opposed to the idea of the city funding additional code enforcement complaints related to the STRs. She recommended the property owners pay for their own issues and problems they were creating and urged a total ban in Anaheim.

TRANSLATION: SPANISH, Elia Lopez, resident, related she had received a \$72 parking citation and apparently a parking permit was going to be required for her neighborhood, asking Council to consider offering permits to residents at no cost. She addressed another problem with a car she had sold months ago with Mayor Tait offering that the Department of Motor Vehicle was the right entity to solve that problem.

An unidentified speaker urged Council to work together to find a solution to the homeless impacts explaining she would like to share her ideas, attend meetings and be part of the solution.

Ross Romero, resident and businessman, suggested synchronized lights on Ball Road to mitigate the traffic congestion in the mid-afternoon, both east and westbound. Regarding the redistricting process, he had participated in some of the hearings where input was gathered, proposals were made, and everyone had an opportunity to be heard. He urged Council to approve the final recommended plan of the advisory committee that represented the will of the people.

TRANSLATION: SPANISH, Jesus stated he had to diversify his business and took out a license to sell autos on Lincoln/Harbor. When he tried to renew his license, he was told a conditional use permit was needed at a cost of \$5,000. He was told the ordinance was passed because auto sales owners parked their vehicles in the neighborhoods. He pointed out the conditional use permit required all nearby residences be contacted to make sure there was no problem with the auto sales business and if the neighbors concurred there was no problem, the license would be granted. He had this license for five years, had received no complaints, and he believed the process was unjust and costly to a small business owner. He suggested the city absorb the cost of the mailings adding that he needed the license to keep operating.

Brian Chuchua, resident, stated he did not think a dog park at Twila Reid Park would solve the homeless problems and regarding the short term rentals, he asked if they must abide by the same regulations as hotels, or were they exempt.

COUNCIL COMMUNICATIONS:

Mayor Pro Tem Kring announced the first Orange County Boot Camp Games to benefit homeless veterans was scheduled at Ronald Reagan Park On October 10, 2015 and the Faces of Freedom exhibit at the Downtown Community Center would be available through October.

Council Member Murray addressed comments regarding the integrity of staff, city council's unanimous support of the homeless shelter on Kraemer, and the resolution regarding Syrian refugees drafted in support of a humanitarian crisis.

CITY MANAGER'S UPDATE:

City Manager Paul Emery announced the Short-Term Rental community meeting would be held on October 8th at the Downtown Community Center for all interested persons and addressed an arrest incident at Maxwell Park, advising the Chief of Police was reviewing the arrest and would ensure staff was properly trained as it related to the removal of personal property. He further encouraged residents interested in being part of the solution to attend the Homeless Collaborative meetings held every 2nd Wednesday at the Central Library.

CONSENT CALENDAR: Council Member Murray removed Item No. 14 from the consent calendar for further discussion. Mayor Tait removed Item Nos. 13, 19, 20, 22 and 23, adding that he would also record an abstention on Item No. 16 as his firm had worked with the County of Orange in the recent past. Council Member Vanderbilt remarked he would abstain on Item No. 21, consistent with his intention to vote solely on local issues. Mayor Pro Tem Kring moved then moved to waive reading in full of all ordinances and resolutions and to adopt the balance of

the consent calendar as presented, in accordance with reports, certifications and recommendations furnished each city council member and as listed on the consent calendar, seconded by Council Member Murray. Roll Call Vote: Ayes – 5: (Chairman Tait and Council Members: Brandman, Kring, Murray and Vanderbilt.) Noes – 0. Motion Carried

1. Receive and file minutes of the Library Board meetings of June 8, 2015 and July 13, 2015, Community Services Board meeting of July 9, 2015, and Public Utilities Board meeting of August 26, 2015.
2. Award the construction contract to the lowest responsible bidder, Paulus Engineering, Inc., in the amount of \$1,049,830, for the Lincoln Avenue 12" Water Main Replacement Project between La Plaza and State College, authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions and determine said project is categorically exempt from the California Environmental Quality Act pursuant to Section 15302 of Title 14 of the California Code of Regulations.
3. Accept the low bid from Heli-One American Support, in the amount of \$353,102.50 plus applicable tax, for a 7,200 hour helicopter engine overhaul and engine repair services for the Police Air Support Division, direct the Purchasing Agent to issue a purchase order and exercise any necessary change orders required to complete the engine overhaul, all subject to available budget appropriations, in accordance with Bid #8548.
4. Accept the lowest responsive bids of Ramco General Engineering Contractors, in the amount of \$150,800, CSI Fullmer, Inc., in the amount of \$186,807, and Signature Flooring, Inc., in the amount of \$89,650, for the materials and services required to implement security enhancements and tenant improvements in the Anaheim City Hall and West Tower building, in accordance with Bid #8515 and #8560.
5. Accept the lowest responsive bid and approve an agreement with JL Landscape Services, in an amount not to exceed \$121,565, for landscape maintenance services for various sites throughout the City 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 #8562.
6. Accept the lowest responsive bids and approve agreements with JL Landscape Services and Ron Ubrun Farms, in the amounts not to exceed \$135,807 and \$63,072 respectively, for landscape maintenance services for the city's public utility sites 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 #8457.
7. Approve the Contract Change Order No. 1, in the amount of \$130,000, in favor of Grindline Skateparks, Inc. for the Ponderosa Skate Park Project, and authorize and direct the Director of Public Works to execute the Contract Change Order and any related documents.
8. Approve an appropriation increase, in the amount of \$200,000, to the Planning and Building Department Budget to fund additional resources to address Short Term Rentals and other code enforcement issues.

9. Approve an agreement with the Anaheim Aquatics Association, a non-profit corporation, to utilize Pearson Park Pool to conduct year-round swim programs.
10. Approve a License Agreement with the Boys and Girls Clubs of Anaheim for the exclusive use of the Manzanita Park Recreation Center located at 1260 Rivera Street as their administrative headquarters and to provide education and recreation based programming for youth and families.
11. Approve the First Amendment to Agreement with ValleyCrest Golf Course Maintenance, Inc., in the amount of \$1,276,806.24 for the first year plus the adjustment for turf replacement, for golf course maintenance services for the Anaheim Hills and Dad Miller Golf Courses, for a three year term, and authorize and direct the Purchasing Agent to execute the amendment and future renewal options provided for in the agreement, as requested by the Community Services Director, in accordance with approved budget appropriations.
12. Approve the First Amendment to Agreement with Turbo Data Systems, Inc., increasing the annual agreement amount to \$386,495 for parking citation processing services and authorize the Purchasing Agent to revise the contract amount, for future contract renewal years, in accordance with the approved budget appropriations for each applicable year.
15. RESOLUTION NO. 2015-258 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM ratifying the submission of a grant application and the acceptance of a grant on behalf of the City of Anaheim for the Fiscal Year 2014 Assistance to Firefighters Grant Program, authorizing and directing the Anaheim Fire Chief to execute all required grant documents, and amending the fire grant fund budget For fiscal year 2015/2016 accordingly.
16. RESOLUTION NO. 2015-259 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM to approve the 2015 Edward Byrne Memorial Justice Assistance Grant Funds Transfer Agreement between the City of Anaheim and the County of Orange, authorizing the Chief of Police or his designee to execute all documents required to transfer the grant funds, and authorizing the acceptance of such grant funds on behalf of the City and amending the budget for the fiscal year 2015-16 accordingly.

Mayor Tait recorded an abstention on this item. ROLL CALL VOTE: AYES – 4: (Mayor Pro Tem Kring and Council Members: Brandman, Murray and Vanderbilt). NOES – 0. ABSTENTION – 1: Mayor Tait. Motion to Approve Carried.

17. RESOLUTION NO. 2015-260 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM designating Dickel Street from La Palma Avenue to La Verne Street as "Permit Parking Only" street within Permit-Eligible Parking District No. 36 ("Helena Dickel Clementine Lemon Zeyn Neighborhood").
18. RESOLUTION NO. 2015-261 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM designating Illinois Street from Broadway to Santa Ana Street, west side of West Street between Fay Lane and Santa Ana Street, east side of West Street between Broadway and Santa Ana Street and north side of Santa Ana

Street between West Street and Illinois Street as "Permit Parking Only" streets within Permit-Eligible Parking District No. 39 ("Illinois Neighborhood").

21. RESOLUTION NO. 2015-264 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM urging the President of the United States and Congress to significantly increase the number of Syrian refugees allowed in the United States of America and to work with other nations to preserve the lives and dignity of Syrian refugees and to take steps to reform Federal Housing Programs to allow refugees to receive priority housing benefits.

Council Member Vanderbilt recorded an abstention on this item. ROLL CALL VOTE: AYES – 4: (Mayor Tait and Council Members: Brandman, Kring, and Murray). NOES – 0. ABSTENTION – 1: Council Member Vanderbilt. Motion to Approve Carried.

END OF CONSENT CALENDAR:

13. Approve the Food/Beverage Operations Agreement with Aramark Sports and Entertainment Services, LLC, granting Aramark the exclusive right to provide food and beverage service at the Anaheim Convention Center, authorize and direct the Executive Director of the Convention, Sports & Entertainment Department to execute the agreement and any other related documents, including all actions necessary to implement and administer the Agreement.

Tom Morton, Convention, Sports & Entertainment, introduced David Meek, Convention Center Manager to brief Council on the proposed Aramark agreement. Mr. Meek presented a power point stating this item was for approval of a concessions agreement between Aramark Sports and Entertainment Services and the City granting Aramark the right to provide food and beverage service at the Anaheim Convention Center. He stated the city had enjoyed a long and successful relationship with Aramark and that their current agreement would expire at the end of the year. Staff, therefore, began an open Request for Proposal (RFP) process for the selection of the Center's food and beverage provider using consultant William Caruso of William Caruso & Associates, to prepare an RFP inviting qualified food and beverage providers to submit their detailed proposals to the City.

Mr. Caruso highlighted his firm's expertise in commercial food facilities planning and design, particularly in the area of contract development negotiations for convention centers, and their experience both nationally and globally in the industry. A detailed RFP was prepared along with contract development documents and various methods of reaching out to food and service operators were utilized. A scoring matrix taking into account both the written and formal presentations was part of that process along with assisting the selection committee in a non-voting manner.

Mr. Meek noted the RFP had been advertised and distributed to well-known food and beverage providers within the convention center industry such as Aramark Sports and Entertainment Services, Centerplate Corporation, Levy Restaurants, Premier Food Services, Legends Hospitality, Ovations Food Service, Sodexo, Culinaire International and Sportservice Corporation. He pointed out the RFP also identified minimum qualifications for the food and beverage providers, as listed: continuous operation for the past five (5) years or more and five (5) years' experience in providing food and beverage services in a convention center; a minimum annual gross revenue of not less than \$10,000,000 in at least one venue for a

minimum of five (5) consecutive years; a commitment to provide \$2M to be used for the procurement of kitchen equipment, small wares and related items associated with the kitchen and food and beverage operations related to the Betterment VII expansion; financial resources, sufficient to meet the operating requirements, including inventory, management and staff necessary to provide food and beverage services to clients, exhibitors and guests of the Center; and to demonstrate the ability to supplement management and catering staff for major event needs. He reported those prospective food service providers were required to submit their proposal along with evidence of their qualifications to the City by June 26, 2015.

Three providers submitted proposals: Aramark Sports and Entertainment Services, Premier Food Services, and the Centerplate Corporation. Mr. Meek reported that in order to ensure a thorough and impartial evaluation of the proposals, the City created a committee for the review of the written proposals and attendance at the oral interview presentations that included staff, hospitality industry, and local business stakeholders as follows: David Meek, Convention Center Manager; Tom Morton, Convention, Sports and Entertainment Director; Tom Philip, Financial Services Manager, Convention, Sports and Entertainment Dept.; Chris Snyder, President, Taps Fish House & Brewery, The Catch & Lillie's Q; Ed Munson, President and CEO, Cypress Chamber of Commerce and President of the City of Anaheim's Community Center Authority; Jay Burrell, President and CEO, Visit Anaheim; and Greg Garcia, Deputy City Manager. Each member of the Review Committee scored the written proposals submitted and also scored an oral presentation using evaluation criteria that included: experience in large convention center operations; financial resources and capability to perform services required, management and operational qualifications; marketing, merchandising and sales creativity; on site management team qualifications; bottom line financial results to the city; and sustainability and overall business plan. The scoring was broken down into five major categories and a number of subcategories with each category receiving a rating from zero to four, four being the best. A similar evaluation matrix was used for the oral presentation using that same rating.

Regarding the actual voting results, Aramark received five 1st place votes and two 2^{nds}, Premier receiving two 1st place votes, three 2^{nds} and two 3rd and Centerplate with no 1st place votes, two 2^{nds} and five 3rd places. Mr. Meek noted the majority of the Review Committee agreed that while both Premier Food Services and the Centerplate Corporation submitted good proposals and had excellent references from the venues in which they served, Aramark had excelled. They were more qualified based on experience in comparable sized venues, the experience and qualifications of their proposed General Manager and Executive Chef, their commitment to sustainability and the creativity of their future proposed programs and breadth of menus offered.

He then explained the three financial pro formas submitted which took into account the seven year agreement basis and a corresponding management fee. Centerplate bid the lowest overall management fee, followed by Premier and then Aramark. Mayor Tait commented the higher the management fee, the better it was for the city with Mr. Meek confirming that statement adding that Centerplate submitted the lowest management fee for which the Convention Center would be paying to that food service operator. The management fee by the three firms using the same normalized estimated yearly revenue over a seven year basis again indicated Centerplate had the lowest overall management fee, followed by Premier and Aramark. In the final analysis, Mr. Meek pointed out there were two alternate management fee proposals submitted by Premier, the first option provided for an additional \$1.5 million of capital investment but increased the base management fee to 4.25 percent or \$900,000 per year, whichever was less. The second alternate included an added convention center grant of \$500,000, which further increased the management fee to 4.5 percent up to \$17.5 million and 5.25 percent above that total. Each of

these alternates, he stated, were not unlike a loan as they had a payback based on the increasing management fee.

Mr. Meek indicated the agreement terms for food and beverage services at the Center would run from January 1, 2016 through December 31, 2022, a seven year agreement with three additional one year options. Aramark would receive an annual base management fee of \$650,000 or 4% of Gross Receipts, (whichever was less) for their services and was eligible for incentive fees up to an additional 20% of the base fee paid by the City annually and contingent on established performance criteria. He added that revenues generated from the agreement would be used to support operations in the Convention, Sports & Entertainment Department.

Mayor Tait commented that all three submittals were fairly close in net fees and he supposed it became more of a qualitative selection with Mr. Meek responding that there were a number of categories and subcategories in both the written submittals and oral presentations, and that the financial portion was only one of those categories, with all categories having the same weight in scoring. Mayor Tait requested clarification on the alternate proposals with Mr. Meek replying that Premier was the only company of the three that offered alternative proposals and that they were allowed to do so. Premier's base proposal was 3.25 percent or \$650,000 (whichever was less), and the first enhancement of the \$1.5 million they offered would have increased their base percentage by a full percentage point or the base fee difference of \$250,000 (between \$650,000 and \$900,000) for the additional \$1.5 million. The second alternative was an additional \$500,000 which would make a total of \$2 million and Premier would have then increased their percentage by another 25 percent up to \$17.5 million and up to 5.25 percent for anything over \$17.5 million.

Mayor Tait disclosed that he had met with Premier and Aramark and both had raised questions or comments. He asked whether references were checked and verified in the proposals. Mr. Meek answered that none of the references were called; adding that staff and the consultants personally knew all three companies and did not feel there was any reason to not accept the references given. Mayor Tait added that initially he was concerned about the difference in price with the alternate proposals but now recognized there was not that much of a differential.

Council Member Vanderbilt stated that as part of this process, council members were asked not to speak to the firms until last Friday to preserve the integrity of the process, wondering if a similar request was made of the Committee, and whether that might be included in future processes. Mr. Morton confirmed the Committee a written policy did not exist for the selection committee, however it was understood within the role of the selection committee. Mayor Tait suggested Mr. Vanderbilt had made a good point and asked the city manager to consider a no lobbying condition be used as part of the RFP process.

MOTION: Mayor Pro Tem Kring moved to approve Agenda Item No. 19, seconded by Council Member Murray. She also disclosed that she had met with Aramark after 5:00 P.M., last Friday.

DISCUSSION: Council Member Vanderbilt added that he had an opportunity to speak with Aramark representatives per their request this afternoon.

Mayor Tait remarked that although off script, he would grant Premier's representatives an opportunity to speak as it was his sense that there had been confusion as to when they might speak on this item during the council meeting; no objections were raised.

Maureen Ginty, Premier Food Services, stated she had thought there would be an opportunity to speak to Item 19 when Council considered the matter to offer clarity on a very thorough process. Not having seen the scoring matrix before this evening, she reported Premier had come up with numbers that did not correlate to the numbers shown and therefore could not say they agreed with the financial analysis. She requested an opportunity to perform an analysis to give Council an alternative view on the results that had been reported to them.

Paul, managing director of Premier Services, remarked Premier's financial perspective revealed that if you looked at the \$15 million threshold revenue over a seven year term on the base deal of \$2 million, the city would put out \$2 million to Premier and \$3 million to Aramark, and Premier's saving to the city was over \$1 million in seven years. In addition, taking that \$15 million threshold and considering Premier's \$2 million plus \$1.5 million additional investment to make improvements to the rest of the center and an additional \$500,000 grant with no restrictions as to use, Premier was still less expensive to the city by over \$1.2 million. He emphasized their proposal was financially superior to the others and asked for an adjournment to the next council meeting to allow Premier to present their findings.

Mayor Pro Tem Kring remarked that she had understood that the \$2 million Premier was offering was a loan to the city that would be paid back, with Mr. Meek responding in the affirmative. He added in the original RFP, the city asked only for \$2 million, and nothing in addition but the proposers were allowed the opportunity to come up with alternate proposals. The feeling of the panel and especially convention center management was that the city was not asking for nor did it need the additional \$1.5 or \$2 million. Mayor Pro Tem Kring stated it appeared to be a fair, balanced process and she was prepared to move forward with Aramark.

ROLL CALL VOTE: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt.) NOES – 0. Motion Carried.

14. RESOLUTION NO. 2015-257 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM expressing support for the Anaheim Performing Arts Center Foundation efforts to develop a Performing Arts Center in the City of Anaheim.

Tom Morton, Convention, Sports & Entertainment, reported this item was for the approval of a resolution in support of the Anaheim Performing Arts Center Foundation (APACF) for their efforts in developing a new performing arts center in the City of Anaheim on the current site of the City National Grove of Anaheim, or elsewhere in the City.

He stated at the October 7, 2014 Council meeting, then Mayor Pro Tem Kris Murray asked staff to explore the feasibility of developing a new performing arts center in the City on the current site of the City National Grove of Anaheim and to bring back a resolution of support.

Staff first took the step to hire a performing arts consultant to conduct a market and feasibility analysis to determine the viability of a new performing arts center in Anaheim; AMS was ultimately selected as they met the requirements of the scope of work and provided the best financial proposal. Their analysis consisted of a market analysis using the Grove site as the geographic center, a primary consumer research, a competitive venue analysis, comparison of venue case studies and an emerging vision workshop. Through their research, AMS found that the Anaheim area was a strong market for arts consumption and that musical theater, pop music concerts, comedy, and first run films had a higher than average attendance and interest.

In addition, support for a new performing arts center was very strong with over 80% of respondents in favor and that support would translate to the same or higher participation in performing arts activities. AMS also discovered that audiences were generally willing to travel at least 10 miles to attend arts activities, with 70% willing to travel more than 10 miles.

Mr. Morton indicated the proposed resolution set forth the City's support of APACF's continued efforts to develop a new performing arts center in the city at the Grove site. In addition, the resolution specified that while the City was not committing any general fund money for the construction and operation of a performing arts center, the City would continue to collaborate and partner with APACF and its membership. The City would continue to explore all opportunities to promote a performing arts center in the city and would consider the use of city-owned land, or other in-kind contribution, as done in recent years with the Anaheim Family YMCA, Boys and Girls Clubs of Anaheim, and Anaheim GOALS Academy.

Council Member Murray stated Dr. Howard and Linda Nohl had been volunteers raising funds for decades and she looked forward to the city's partnership with them exploring a potential home for the Anaheim Performing Arts Center. The city had supported the establishment of a non-profit foundation to raise funds to construct and operate this private venture and she hoped the City Council would adopt this resolution of support and facilitate fund-raising efforts.

Mayor Tait remarked he would prefer to have some specific details on the partnership, as to what level of funds the Foundation planned on raising, and what had been raised so far, asking this item be tabled until additional information was provided. Council Member Murray responded this was just the first step going forward in support of an organization that was committed to having a performing arts center in the city.

MOTION: Council Member Murray moved to approve RESOLUTION NO. 2015-257, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM expressing support for the Anaheim Performing Arts Center Foundation efforts to develop a Performing Arts Center in the City of Anaheim, seconded by Mayor Pro Tem Kring.

DISCUSSION: Mayor Pro Tem Kring remarked this action would give legitimacy to the Foundation recognizing that the City of Anaheim supported their effort and allowing them to reach out to larger donors. Mayor Tait responded that the city's support did carry a great deal of weight and he was not opposed to the resolution but felt the need for additional financial information. Council Member Brandman pointed out the city had a long-standing tradition of partnering with nonprofits like the YMCA, Boys and Girls Club, and GOALS, and this resolution was in line with those efforts. He added the city had a facility, The Grove of Anaheim, that was being well managed privately, but could be so much more if it became a Performing Arts Center and he was comfortable supporting this resolution. Mayor Tait requested details on the Grove revenues, with Tom Morton responding that the facility was making money from a range as low as \$200,000 a year to as high as \$800,000; adding The Grove only lost money the first year. Council Member Vanderbilt asked, if by the approval of this resolution, would the city be pledging beyond the resolution with Council Member Brandman responding there was no commitment of city funds and it mirrored the same effort that was in place for the YMCA, Boys and Girls Club and GOALS. He added that The Grove had not been a phenomenally profitable venture given the City paid \$6.6 million in 2002 to ensure it did not become a blighted area, but he believed this opportunity with APACF could create a true profitable venture. Mayor Tait remarked the Grove actually was profitable and the cost of the property as well had increased, but the OC Symphony, the Chance Theater, or Anaheim Ballet were not a part of it and he just

wanted more information. Mayor Pro Tem Kring remarked in 2002, she was one of three votes to purchase The Grove property, pointing out that the city was either going to buy it at \$6.6 million or it was going to become a church and, therefore, tax exempt. She supported it, it became profitable, and she believed it would be even more successful, and the Anaheim Ballet and Chance Theater might become a part of it.

ROLL CALL VOTE: AYES – 4: (Mayor Pro Tem Kring and Council Members Brandman, Murray and Vanderbilt). NOES – 1: Mayor Tait. Motion Carried.

19. RESOLUTION NO. 2015-262 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending City Council Policy 1.5 of the City Council Policy Manual relating to city's special event policy and financial support for citywide events.

Terry Lowe, Community Services Director, announced that for many years there had been a city council policy to support and sponsor community events provided by volunteer based local organizations that directly benefited Anaheim residents. This support fell into two categories, formal sponsorship that involved monetary support or in-kind support such as waiver of fees defined as informal sponsorship. He stated organizations had to meet established criteria for both of these types of sponsorships with the former requiring City Council approval and the latter requiring Community Services Department approval. He added the amount of formal financial support had varied throughout the years of this policy based on the availability of funding, but ranged between \$5,000 and \$10,000, per event.

Currently, he reported, the sponsored events included the Cinco De Mayo Fiesta, the Art Council's Children's Art Festival, the July 4th celebration, the Anaheim Fall Festival and the Nutcracker Christmas Tree Lighting Event, with many involving the use of the amphitheater, community centers or park facilities for programs, events and services. He added if the event met the city's criteria, rental fees could be waived and the only charges would be for the direct costs the city would incur to support the event, usually related to staffing expenses.

As requests for funding for other events continued to increase, he stated staff felt the policy needed to be revised to ensure requests for support would be approved in an equitable manner, and that a variety of programs, services and community organizations received the support. Criteria for eligibility were developed along with an application, an assessment, and selection procedure. A panel consisting of city staff designated by the City Manager would review and recommend proposals to the Council with each proposed fiscal year budget, beginning with the next budget in FY 2015/17.

Mr. Lowe remarked that such events created a greater sense of community in the city and recommended Council's approval of this policy.

Mayor Tait supported the policy, remarking there were a number of community events in the city that brought people together and were worth sponsorship by the city and he wanted to make sure this applied to all, including the Anaheim Chamber of Commerce events.

MOTION: Mayor Tait then moved to approve Item No. 19, seconded by Council Member Vanderbilt for purposes of discussion.

City Manager Paul Emery reminding Council that the contract for the Chamber of Commerce had been approved by Council about six months ago and this policy would apply if there had not

been a contract with the Chamber and they were asking for resources. Mayor Tait responded he had opposed the contract with the Chamber of Commerce at that time, but understood this policy would apply to the Chamber when their contract expired and they would be treated the same as any other nonprofit organization, adding he would make that clarification to his motion.

DISCUSSION: A question was raised by Council Member Vanderbilt whether independent reviews of nonprofit organizations ranking them in terms of the percentage of funding used for administration was considered when the standards were developed. Mr. Lowe responded that being a 501C3 non-profit was important because it identified the agency as a non-profit and tax-exempt rather than a business; it was required in the policy and as part of the due diligence of the committee to be appointed by the City Manager, would be to review the organizations and make sure they were fiscally sound. Council Member Vanderbilt requested the committee take into account the efficiency of any non-profit organization. Council Member Murray thanked staff for creating a policy that was equitable and if approved, asked that the non-profit community receive notification of the change in policy and a summary of the new process. Mr. Lowe responded that a marketing component would be part of the process.

AMENDED MOTION: Council Member Brandman asked if the motion was to approve this item as presented. Mayor Tait responded that his motion included that the policy applied to the Chamber of Commerce for their community events, ensuring equity for all non-profits seeking resources. Council Member Vanderbilt seconded that amendment to this motion. Mayor Tait then called for the question.

Paul Emery added that as of this date, the Chamber had a contract with the city but that any request for funds not covered within that contract would have to go through this process. Mayor Tait understood that the current Chamber of Commerce contract for \$160,000 would end next year and therefore any future request for resources would fall under this policy. Mayor Pro Tem Kring remarked that the Chamber events did not pass through the Community Services Department and was facilitated by the Economic Development Department for job creation and business promotion activities, different activities than the community events like the Fall Festival and 4th of July that were facilitated through the Community Services Department. She would not be able to support the amended motion adding the Chamber of Commerce activities to this policy. Mr. Lowe clarified that one of the criteria that determined eligibility of a group was whether or not there was a fee to attend the event, as the events his department helped produce were free to the public and open to everyone. For that reason, the Taste of Anaheim by the Chambers would not qualify because there was a fee to attend that event. Mayor Tait emphasized the city still sponsored these events, mentioning the fireworks for Anaheim Hills at a cost of \$40,000, and he would stand by his amended motion. Council Member Murray remarked she was comfortable separating economic development activities from additional events outside of the scope of the contract for community based events and if the council elected to partner with the Chamber specifically for economic development and business promotion such as the Orange County Job Fair, that would continue to be the prerogative of the council under a separate umbrella. Mayor Tait disagreed stating his motion was to include the Chamber of Commerce events, as they all relied on general fund monies and should be treated equally in this process. He added he was not talking about dismantling the current Chamber agreement, but was talking about going forward and again called for the question.

Council Member Murray wanted to make it clear that this item was related to community based events and she was supportive of the policy, however she still supported the economic development programs in the city emphasizing it should be a separately agendaized discussion

and she felt it had not been properly agendaized and should not be discussed tonight. She would not be able to support the motion if it included the economic development activities.

Council Member Vanderbilt asked for clarification from the city attorney. Mr. Houston remarked the Mayor was confirming this policy would apply to the Chamber of Commerce which was accurate since this policy would apply to any organization seeking funds for a particular type of community event and it would not prevent any type of organization from seeking funds from the city. It would not apply to auto dealers asking for economic development as it was written to apply for community events. Council Member Vanderbilt pointed out that in terms of the approved Chamber of Commerce contract, it would be germane to them in the renewal period. Mr. Houston added the solution would be to vote your conscience on the motion and if it did not pass, another motion could be made. Mayor Pro Tem Kring remarked this resolution had a maximum of \$10,000 per event, asking for the annual budget figure. Mr. Lowe responded it was just under \$40,000 at this point. Ms. Kring emphasized that with such a limited budget and organizations having an expectation they would be funded if they applied, there could be a number of organizations dissatisfied with the outcome.

ROLL CALL VOTE: AYES – 4: (Mayor Tait and Council Members Brandman, Murray and Vanderbilt. NOES – 1: Mayor Pro Tem Kring). Motion carried.

20. RESOLUTION NO. 2015-263 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding Policy 1.8 to the City Council Policy Manual relating to the user of electronic devices during City Council meetings.

Mayor Tait remarked he requested this resolution in the interest of transparency, adding that a number of other cities had adopted a rule that Council and Mayor could not accept text messages or emails from outside people during the meeting. He added public speakers had three minutes to present their comments to the city, and should have Council's full attention, therefore, he would propose a ban on electronic devices.

Mayor Pro Tem Kring remarked there were times when family emergencies occurred and texting was necessary with Mayor Tait remarking there was exclusion for family or personal emergencies.

MOTION: Council Member Murray moved to approve RESOLUTION NO. 2015-263, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding Policy 1.8 to the City Council Policy Manual relating to the user of electronic devices during City Council meetings, seconded by Council Member Vanderbilt.

ROLL CALL VOTE: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt. NOES – 0). Motion Carried.

22. ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending Title 13 (Public Parks) of the Anaheim Municipal Code to add new Section 13.08.130 (Smoking Prohibited in Parks) relating to the prohibition of smoking in public parks based upon the finding and determination that the prohibition of smoking in public parks 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.

Mayor Tait remarked he had pulled this item for discussion, and understood the rationale for staff's recommendation that smoking be banned in all city parks, but he was concerned about overregulation. He indicated there were many activities that were considered unhealthy for individuals but he felt it was not the role of government to regulate an activity that bothered no one, unlike an instance where second hand smoke was an issue. Mayor Pro Tem Kring concurred.

MOTION: Council Member Vanderbilt moved to introduce AN ORDINANCE OF THE CITY OF ANAHEIM amending Title 13 (Public Parks) of the Anaheim Municipal Code to add new Section 13.08.130 (Smoking Prohibited in Parks) relating to the prohibition of smoking in public parks based upon the finding and determination that the prohibition of smoking in public parks 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., seconded for purposes of discussion by Council Member Murray.

DISCUSSION: Council Member Vanderbilt mentioned this ordinance was requested by a community member of west Anaheim and he wanted to facilitate that request. He noted the Parks and Recreation Commission had weighed in on the request and endorsed it, adding there had been no comments or correspondence received tonight on the item, and he believed there was a vetting process and the second reading of the ordinance would offer another opportunity for the community to speak.

ROLL CALL VOTE: AYES – 1: Council Member Vanderbilt. NOES – 4: (Mayor Tait and Council Members: Brandman, Kring and Murray). Motion Failed.

23. Approve minutes of the Council meetings of August 18, 2015 and September 1, 2015.

MOTION: Mayor Tait requested staff review the minutes of September 1, 2015 to determine if the submittal of documents were omitted as referenced by an earlier speaker. He then moved to approve the minutes and authorize the City Clerk, upon review, to amend the September 1st minutes to reflect the inclusion of submitted documents, seconded by Mayor Pro Tem Kring.

DISCUSSION: Council Member Murray commented she realized it was staff's intent to capture the minutes and reflect the proceedings of the meetings as thoroughly as possible. City Clerk, Linda Andal responded that the intent was to always accurately reflect the proceedings of the meetings adding that all documents submitted during the meetings were preserved for the record and retained during the normal retention schedule. She advised any member of the public could contact her office and those documents would be produced, as submitted, even if a statement had not been reflected in the meeting minutes.

ROLL CALL VOTE: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt). NOES – 0. Motion Approved.

24. Receive and file the Final Report of the Advisory Committee on Electoral Districts ("Committee") to the Anaheim City Council, which recommends a City Council districting plan identified as "Recommended Plan (Map 3)" (as described and depicted in the Final Report), and consider, discuss and direct staff to provide further information regarding the Final Report, the process for future approval of City Council district boundaries and related matters.

City Clerk Linda Andal recognized the Advisory Committee team, City Attorney Michael Houston, Justin Levitt, the city's demographer who worked tirelessly with the community as well as the advisory committee, Ben DeMayo, outside special counsel who was also the former county counsel for the County of Orange with broad experience in the redistricting process, and Justice Ed Wallin, retired appellate court justice, chair of the advisory committee and the only Anaheim resident on the committee, although the other members were from neighboring cities. Justice Wallin would provide the committee's rationale for the recommended map.

Ms. Andal stated the only item before council this evening was to receive and file the committee's final report, which would include the committee's recommended plan, also known as Map 3. She noted in discussing the final report, Council could also direct staff to provide additional information regarding the final report and also direct staff to follow any certain process for future approval of the city's boundaries. Following tonight's action, Council would be required to hold three additional public hearings per state law; Ms. Andal advised the full presentation of the process would be reserved for the public hearings.

BACKGROUND: Ms. Andal reported with the passage of Measures L and M, the city began the process of creating six council districts or voting boundaries establishing and presenting a timeline for that process in January. Ms. Andal indicated the Committee had stayed on target with those dates. Last April, the Council appointed the advisory committee of five retired superior court judges and the committee immediately began its work in May holding ten public meetings over the course of five months. Ms. Andal reported the meetings had been held citywide and through a comprehensive outreach plan, over 700 attendees participated with 32 maps submitted by the public. The Committee completed their work on September 16th with the final report and recommended map delivered to Council by October 6th. She added that the Committee's report had been made available to the public since September 11th, the Friday prior to the committee adoption on September 16th.

Over the course of this five month process, she explained, the Committee reviewed over 32 public maps, two consultant test maps and five consultant draft maps for a total of 39 maps. On August 19th, the Committee narrowed their focus to five maps and later on the August 26th, determined that certain communities of interest were best kept together such as the Colony and the Ponderosa community. This action further narrowed their attention to three maps and on September 8th, after significant discussion, the Committee directed staff to prepare a final report and tentatively select Map 3, as amended. Their last action took place on September 16th when the committee unanimously adopted the final report and selected Map 3 as the recommended plan to Council.

Justice Wallin remarked it had been his privilege and honor to chair the Advisory Committee on Electoral Districts and recognized the other four judges on the committee: Judge James Jackman, Nancy Wieben Stock, Stephen Sundvold and Thomas Thrasher. He added that all members of the committee were impressed at the level of civic engagement shown by residents facilitated by the efforts of the City Clerk's office, and noting that at the last four or five meetings, there had been standing room only. He indicated the six districts in the plan were very close in total population, which was the criteria most important in having a plan that met legal requirements; there was only a 1.4 percent deviation from the most populous to the least. He believed for that and other reasons, the plan would be immune to legal challenge if approved by the City Council. The proposed districts also grouped neighborhoods with common interests and in general the lines that were drawn tried to keep communities together while still meeting the demographic and population requirements. The boundaries used were recognizable

boundaries with major streets dividing districts, and district lines were also contiguous and compact. All of those involved, the judges, legal advisory counsel, and the city attorney believed this plan met every legal voting district requirement. He emphasized that Justin Levitt, the demographer worked tirelessly to work with and draft maps for Anaheim citizens, and his efforts was recognized and appreciated by all. Justice Wallin ended his presentation explaining that at the last meeting, everyone who had another map that the committee had been considering, in effect withdrew those maps, supported this plan, and the meeting ended with a standing ovation due to the plan recommended to Council.

Mayor Tait expressed the city's deep appreciation for the judges' efforts and for the level of participation from everyone involved. Council Member Murray added her appreciation as well for the committee members and consultants and for staff for making this process dynamic and equitable to all. Having reviewed the map, she supported it and looked forward to proceeding to the public hearing stage where residents could ensure their voice was part of the process before adoption. Council Member Brandman thanked Justice Wallin for his leadership and the panel for coming up with an independent, fair, and equitable plan.

MOTION: Mayor Tait moved to receive and file the final report of the Advisory Committee on Electoral Districts, seconded by Council Member Murray.

ROLL CALL VOTE: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt). NOES – 0. Motion Carried.

PUBLIC HEARING:

25. **ADDENDUM NO. 4 TO FINAL SUBSEQUENT ENVIRONMENTAL IMPACT REPORT NO. 339 MITIGATION MONITORING PLAN NO. 321 GENERAL PLAN AMENDMENT NO. 2015-00490 MISCELLANEOUS CASE NO. 2015-00598 ZONING CODE AMENDMENT NO. 2013-00112 DEVELOPMENT AGREEMENT NO.2005-00008C TENTATIVE TRACT MAP NO. 17703 FINAL SITE PLAN NO. 2014-00002**

OWNER: PT Metro, LLC, Donna Kelly, 25 Enterprise, 3rd Floor, Aliso Viejo, CA 92656

AGENT: Hunsaker and Associates, Ted Frattone, 3 Hughes, Irvine, CA 92618

LOCATION: The subject property is commonly known as 1404 East Katella Avenue (A-Town) and consists of approximately 43.1-acres generally located west of State College Boulevard between Katella Avenue and Gene Autry Way in an area of the City of Anaheim known as "The Platinum Triangle".

PROJECT: ADDENDUM NO. 4 TO FINAL SUBSEQUENT EIR NO. 339 AND MITIGATION MONITORING PLAN NO. 321 – The City Council will determine whether an addendum to the previously certified 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 for the following described Proposed Actions.

GENERAL PLAN AMENDMENT NO. 2015-00490 – Request to amend the Land Use Element, the Green Element and the Circulation Element of the General Plan to reflect the relocation of the proposed public park and proposed street realignment.

MISCELLANEOUS CASE NO. 2015-00598 – Request to amend the Platinum Triangle Master Land Use Plan to reconfigure the circulation system street types and street-section design based on a new Master Site Plan and to reflect modified ground floor commercial/retail use locations within Development Areas B and C, the deletion of the A-Town Public Realm Landscape and Identity Program and adjustments to the District Boundaries for the Katella and Gene Autry Districts

ZONING CODE AMENDMENT NO. 2013-00112 – Request to amend Chapter 18.20 (PTMU Overlay) of Title 18 (Zoning Code) of the Anaheim Municipal Code to modify the requirement for ground floor commercial uses on Market Street and to clarify that ground floor commercial uses are required on Gene Autry Way east of Union Street and to allow perpendicular parking on connector streets and tandem parking for residential units.

DEVELOPMENT AGREEMENT NO.2005-00008C – Request to approve an Amended and Restated Development Agreement between the City of Anaheim and PT Metro, LLC to provide for the development of a Master Site Plan with between 1,400 to 1,746 residential dwelling units and a range of 38,000 to 50,000 square feet of commercial/retail uses. The plan also includes public park space and the reconfiguration of connector streets.

TENTATIVE TRACT MAP NO. 17703 – Request to approve Tentative Tract Map No. 17703 for condominium purposes to re-subdivide approximately 36.7 acres of the site into lots that correspond with the proposed Master Site Plan. The tentative tract map also establishes the new alignment and configuration of internal public streets and public recreation/park areas to be dedicated to the City of Anaheim with the implementation of the proposed Master Site Plan design.

FINAL SITE PLAN NO. 2014-000022 – Request to approve a Final Site Plan in conjunction with Development Agreement No. 2005-00008C to construct a 400-unit apartment project with a 6-story parking structure in Development Area A of the proposed Master Site Plan

ACTION TAKEN BY THE PLANNING COMMISSION:

Recommended City Council approve Addendum No. 4 to FSEIR No. 339 and MMP No. 321, together with other previously-approved environmental documents; and, approve the GPA, PTMLUP Amendment, ZCA, DAG (modified Condition No. 27), TTM, and FSP (modified Condition No. 16) (Resolution Nos. 065, 066, 067, 068, 069, 070 and 071) (Planning Commission Meeting of September 9, 2015) VOTE: 5-0 (Commissioners Bostwick, Dalati, Henninger, Ramirez and Seymour voted yes. Chairman Lieberman and Commissioner Caldwell were absent.)

RESOLUTION NO. 2015-265 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving Addendum No. 4 to the previously-certified Revised Platinum Triangle Expansion Project Subsequent Environmental Impact Report No. 339 for the Revised Platinum Triangle Expansion Project, along with Mitigation Monitoring Plan No. 321, and determining that said addendum, together with other previously-approved environmental documentation, serves as the appropriate environmental documentation for proposed amendments to the General Plan, the Platinum Triangle Master Land Use Plan, the Zoning Code, and for a new Tentative Tract Map and an Amended And Restated Development Agreement With Pt Metro, LLC for the revised A-town Metro Project. (General Plan Amendment No. 2013-00490, Zoning Code Amendment No. 2013-00112,

Miscellaneous Case No. 2015-00598, Tentative Tract Map No. 17703, Amended and Restated Development Agreement No. 2005-00008C and Final Site Plan No. 2012-00003) (DEV DEV2013-00034A).

RESOLUTION NO. 2015-266 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving General Plan Amendment No. 2013-00490. (General Plan Amendment No. 2013-00490) (DEV2013-00034A).

RESOLUTION NO. 2015-267 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting an amendment to the Platinum Triangle Master Land Use Plan (Miscellaneous Case No. 2015-00598) (DEV2013-00034A).

RESOLUTION NO. 2015-268 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Tentative Tract Map No. 17703 (Tentative Tract Map No. 17703) (DEV2013-00034A).

RESOLUTION NO. 2015-269 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Final Site Plan for Development Area 'A' of the Master Site Plan approved in connection with that certain Amended and Restated Development Agreement No. 2005-00008C (Final Site Plan No. 2014-00002) (DEV2013-00034A).

ORDINANCE NO. 6344 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending certain sections of Chapter 18.20 (Platinum Triangle Mixed Use (PTMU) Overlay Zone) of Title 18 (Zoning) of the Anaheim Municipal Code.

ORDINANCE NO. 6345 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM approving that certain Amended and Restated Development Agreement No. 2005-00008C by and between the City of Anaheim and PT Metro, LLC and authorizing the Mayor to execute for and on behalf of the City.

Mayor Tait stated due to a potential conflict of interest as his firm had worked this past year for Lennar, he would recuse himself from consideration of this item and turned the gavel over to Mayor Pro Tem Kring.

Jonathan Borrego, Planning Services Manager, reported this item was a request to permit construction of A-Town, a mixed use project proposed by home builder Lennar. The proposed development would be located between Katella Avenue, State College and Gene Autry Way and was a revision to a previous approval granted in 2005 to Lennar. The current proposal would reduce the project density based on changes that occurred in the real estate market this past decade and would offer 1,400 to 1,756 for sale and rental residential units and 38,000 to 50,000 square feet of commercial uses, two public parks and a network of local streets.

He stated the applicant cited changes in the housing market and economic conditions as a reason for the reduction in development density from the previous approval of high rise residential towers and about 100 more residential units than currently proposed. He indicated Lennar's market study assessed the current and future market conditions for high residential development in the Platinum Triangle and determined that it was no longer viable under current market conditions and also concluded that reasonable assumptions of increases of home values would not offset the cost of high rise residential development. The commercial areas were

proposed for the ground floor at Katella/Market Street intersection and continuing south along Market Street to a proposed public park. Larger commercial tenants such as a grocery store or pharmacy were anticipated at the intersection and small neighborhood serving commercial uses would occupy ground floor spaces along Market Street. Similar to the residential market study, the applicant also provided a commercial market study analyzing the proposed reduction in commercial space which concluded that the reduction in retail space was warranted and that development was most viable along Katella Avenue because of the high traffic volume and high visibility.

Mr. Borrego remarked the city's consultant, Keyser Marston Associates, also performed a peer review of the market analysis concurring with the market study and concluded that, while the amount of retail proposed was on the low end of the range, it was appropriate given the site's visibility and limited access. Recognizing that commercial market conditions had changed since the original approval, Mr. Borrego indicated staff spent a significant amount of time meeting with the applicant and encouraging them to develop as much commercial space as the market would support. Focus was also to ensure that A-Town would continue to provide ground floor uses that would encourage pedestrian activity around the central park while ensuring connectivity between the project and surrounding residential communities. To that end, the plan included ground floor residential amenities such as offices, fitness centers, and community rooms that would encourage pedestrian activity in the street as well as in those locations without retail store fronts.

The developer and the city also included an option in the proposed development agreement for the city to buy or lease 20,000 square feet adjacent from the east end of the park for a library or community center, a much needed amenity for residents in the Platinum Triangle area. Two public parks were also proposed within the revised A-Town project, the previous project included two parks totaling 3.5 acres in size, while the current park site had been reduced to a total size of 1.8 acres, which corresponded with the reduction in the number of residential units and met park space dedication requirement. The parks would be constructed by the developer and maintained by the homeowner's association and not by the city and each park would serve different functions. Mr. Borrego stated the larger public park would be centrally located in the development and serve as the project's focal point, surrounded by local streets on all four sides and would include a child play area, open grass field and other interactive features. The smaller park was linear in shape and would provide a pedestrian friendly area between residential buildings creating an important link through the project. Residential units with fronts onto either side of this park and would also be designed and included shaped features, furniture, art sculptures, bocce ball court, game tables and walking paths.

Mr. Borrego explained Lennar proposed an amended and restated development agreement to allow the applicant with the certainty to develop the A-Town Project, outlining time frames for the development and establishing milestones for completion of various project components. As part of this package, the applicant was requesting approval of the first final site plan for the project for a five story 400-unit apartment building with a six level parking garage. The building was located within development area A of the master site plan located on the western end of the project site. He indicated the apartment building was designed to front onto Katella Avenue and West Side Drive and wrap around a parking structure west of the building. He added the corner of Katella Avenue and Westside Drive was designed to include enhanced architecture at this key intersection, using brick and steel material reminiscent of classic ballpark architecture. The remainder of the building would have a contemporary architectural style that included varying roof heights, differentiating building wall depths, architectural enhancements and unique first

floor materials that featured the ground floor uses. The apartment building included five courtyards for common recreational space, a pool/spa, and clubhouse area and fitness rooms.

The applicant was requesting additional actions to accommodate the proposed project changes that included a general plan amendment, the zoning code amendment, and an amendment to the Platinum Triangle Master Land Use Plan. These amendments would reflect changes to the local street network, maps, codes and standards associated with this proposal.

Mr. Borrego ended his presentation remarking the proposed A-Town development was a carefully designed project that offered diverse array of for sale and rental housing, a retail focus point on Market Street next to a centrally located park, and included signature architecture that complemented the surrounding neighborhood and stadium area. He indicated the project actions were consistent with the goals and policies of the general plan, met the required findings in the zoning code and would be an appropriate addition to the Platinum Triangle. In addition, the Planning Commission recommended approval of the amendments at their meeting on September 9th.

Mayor Pro Tem Kring opened the public hearing, establishing guidelines for the speakers.

The applicant's representative, Donna Kelly, remarked there were members of the development team present and available should council have any questions. Otherwise, she looked forward to getting the A-Town project underway. .

Chris Fix stated he resided in the Stadium Lofts, a residential development off Katella Avenue directly across from A-Town and supported the project. He submitted a petition of support signed by many of his Stadium Loft neighbors for the record. He appreciated A-Town's redesign which was more in line with Stadium Lofts and other residential areas in that area, adding that the mid and low-rise buildings would better complement the true character of this area in the Platinum Triangle and local retailers where looking forward to increased restaurant and retail business from A-Town residents.

Sarah, speaking on behalf of Joe Manzella, owner of the Catch Restaurant, stated he had requested his comments be read into the record in support of the A-Town development. He stated the vision for the Platinum Triangle was bold and was the reason why he relocated the Catch in the heart of that area in 2010 and also why he continued to work hard to be a part of this exciting new Anaheim. With approval of the A-Town project, the Platinum Triangle would bring in housing next to Angel Stadium, the Grove, Honda Center and ARTIC and fulfill the vision of the Platinum Triangle as a place where residents had a drink and dinner before a game or concert and helped create a great sense of community. He requested Council approve the A-Town plan.

Diane Gainer, speaking on behalf of Armand Karamardian, Zov's Kitchen and Bar in Anaheim, asked to read his comments into the record. Since opening the newest location of Zov's Kitchen in Bar in the Platinum Triangle in December of 2014, the restaurateur had worked hard to become a member of the ever-evolving and dynamic Platinum Triangle community offering a special dining and social experience. He supported the A-Town project that would create a new neighborhood of homes in the area remarking the new homes would translate directly into new customers for Zov's and add to the vibrancy and vitality of the Platinum Triangle. He urged Council to approve the A-Town project.

Carolyn Cavecche, Orange County Taxpayers Association, remarked her agency was in support of the Lennar project, commending them for holding onto the land through the great recession and for absorbing the huge expense of refining its land use plan so that it was viable for the Platinum Triangle. She recognized Lennar for paying their fair share of fees for important infrastructure improvements and for providing parks, playgrounds, and places to gather that exceeded the city's requirement and for providing a new customer base to existing businesses who had been awaiting this addition to the Platinum Triangle.

William Fitzgerald spoke in opposition to the A-Town project, stating the project was changing from luxury condominiums into very high density apartments with inadequate parking.

Diane Gainer, unable to address the Council for a second time, submitted a letter of support on behalf of Jim Yates, President of the BIA/OC, as he was out of town.

Wendy Bucknum, representing Associa Professional Community Management, urged City Council support of the A-Town proposal remarking there was so much that was right in this development from the ground floor retail with store front amenities, residential shops, and patios that would help stimulate the street throughout the new neighborhood and bring about an enhanced pedestrian experience. She added that Lennar built quality projects for those starting out into the home market and was making the American dream a viable reality.

Donna Kelly rebutting earlier comments remarked the parks were consistent with the number of homes being built and that Lennar would begin with 400 apartments, anticipating construction to begin at the end of this year. She added the park would be the centerpiece of the residential areas of the Platinum Triangle and the retail would serve all of the neighborhoods and as more properties were developed, those retail customers would grow as well. She indicated the plan was to develop a parcel a year and if the market was better, the project would be accelerated.

Council Brandman moved to approve the following resolutions:

- RESOLUTION NO. 2015-265, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving Addendum No. 4 to the previously-certified Revised Platinum Triangle Expansion Project Subsequent Environmental Impact Report No. 339 for the Revised Platinum Triangle Expansion Project, along with Mitigation Monitoring Plan No. 321, and determining that said addendum, together with other previously-approved environmental documentation, serves as the appropriate environmental documentation for proposed amendments to the General Plan, the Platinum Triangle Master Land Use Plan, the Zoning Code, and for a new Tentative Tract Map and an Amended And Restated Development Agreement With Pt Metro, LLC for the revised A-town Metro Project. (General Plan Amendment No. 2013-00490, Zoning Code Amendment No. 2013-00112, Miscellaneous Case No. 2015-00598, Tentative Tract Map No. 17703, Amended and Restated Development Agreement No. 2005-00008C and Final Site Plan No. 2012-00003) (DEV DEV2013-00034A);
- RESOLUTION NO. 2015-266 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving General Plan Amendment No. 2013-00490. (General Plan Amendment No. 2013-00490) (DEV2013-00034A).

- RESOLUTION NO. 2015-267 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving and adopting an amendment to the Platinum Triangle Master Land Use Plan (Miscellaneous Case No. 2015-00598) (DEV2013-00034A).
- RESOLUTION NO. 2015-268 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Tentative Tract Map No. 17703 (Tentative Tract Map No. 17703) (DEV2013-00034A).
- RESOLUTION NO. 2015-269 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Final Site Plan for Development Area 'A' of the Master Site Plan approved in connection with that certain Amended and Restated Development Agreement No. 2005-00008C (Final Site Plan No. 2014-00002) (DEV2013-00034A);

and to introduce the following ordinances:

- ORDINANCE NO. 6344 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending certain sections of Chapter 18.20 (Platinum Triangle Mixed Use (PTMU) Overlay Zone) of Title 18 (Zoning) of the Anaheim Municipal Code.
- ORDINANCE NO. 6345 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM approving that certain Amended and Restated Development Agreement No. 2005-00008C by and between the City of Anaheim and PT Metro, LLC and authorizing the Mayor to execute for and on behalf of the City; seconded by Mayor Pro Tem Kring.

DISCUSSION: Council Member Murray remarked the vision of the Platinum Triangle had been ten years in the making and this project was a critical component to the economic vitality, walkability, and livability of this community. It had broad community and stakeholder support and provided a greater breadth of housing for millennials and others looking for a high quality product. Mayor Pro Tem Kring believed this was a better project than the original, and would serve the community well, including homeowners who were downsizing. She thanked Lennar for holding on through the economic downturn and keeping this goal in sight. Council Member Vanderbilt disclosed he had met with the applicant at their request several weeks ago; Mayor Pro Tem had also met with Lennar last week and Council Member Brandman indicated that he had been in communication with the applicant as well.

Roll Call Vote: AYES – 4: (Mayor Pro Tem Kring and Council Members: Brandman, Murray and Vanderbilt). NOES – 0. ABSTENTION – 1: Mayor Tait. Motion to approve carried.

Mayor Tait returned to the dais at 10:39 P.M.

COUNCIL COMMUNICATIONS:

Council Member Murray spoke of the Volunteer Fair and thanked all those involved. She announced the Patriotic Dog Service Foundation fundraiser to be held on October 24th, reported on the homeless forum with Chairman Todd Spitzer, and thanked the Angels for a great season. She also announced the Anaheim Performing Arts Center Foundation Annual Gala would be held on October 10th and the High Speed Rail community forum was scheduled for October 15th at the ARTIC.

Council Member Vanderbilt thanked Renew Anaheim for their meeting and spoke of Chairman Spitzer's homeless forum, recognizing Council Member Murray for her participation.

Mayor Pro Tem Kring requested an update on the Angels negotiations and congratulated new Deputy Police Chief, Dan Cahill.

Mayor Tait congratulated the Angels on a great season, highlighted the Feast of Ales, and recognized Roosevelt Elementary School Act of Kindness "Buddy Bench."

ADJOURNMENT:

With no other business before the Council, without objection, Mayor Tait adjourned the October 6, 2015 meeting at 10:39 P.M.

Respectfully submitted,

Linda N. Andal, CMC
City Clerk