RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM, CALIFORNIA, REPEALING ORDINANCE NO. 6376 APPROVING DEVELOPMENT AGREEMENT NO. 2016-00001 PERTAINING TO THE CONSTRUCTION OF A FOUR DIAMOND HOTEL LOCATED AT 1700 S. HARBOR BLVD.

WHEREAS, on July 26, 2016, the Anaheim City Council approved Development Agreement No. 2016-00001 with Good Hope International by Ordinance No. 6376, approving certain vested development rights in connection with a proposed hotel project to be constructed on property located at 1700 S. Harbor Blvd.; and

WHEREAS, Development Agreement No. 2016-00001 vested the entitlements granted by Conditional Use Permit No. 2016-05858, Variance No. 2016-05060 and Final Site Plan No. 2016-00001 permitting the demolition of existing buildings and the construction of an eight-story Four Diamond Hotel containing 580 rooms and 75,600 square feet of supporting retail, conference/meeting rooms/event space, and restaurants on a designated 8.8 acre property located at 1700 S. Harbor Blvd. (the "1700 South Harbor Hotel") for the five-year duration of the Development Agreement; and

WHEREAS, on August 25, 2016, Unite Here! Local 11 submitted a referendum petition to the City Clerk’s Office containing approximately 17,763 signatures seeking to require the City Council to reconsider Ordinance No. 6376 approving Development Agreement No. 2016-00001; and

WHEREAS, Ordinance No. 6376 approving Development Agreement No. 2016-00001 is a legislative act which is subject to referendum pursuant to the provisions of the California Constitution, the Anaheim City Charter, and the Elections Code of the State of California; and

WHEREAS, the City Elections Official heretofore delivered its certificate to the City Council finding and determining that said referendum petition contained the requisite number of valid signatures to require the City Council to reconsider Ordinance No. 6376 approving Development Agreement No. 2016-00001 pursuant to Section 9240 and 9114 of the Elections Code of the State of California; and

WHEREAS, based upon the certification of said referendum petition, the effective date of Ordinance No. 6376 approving Development Agreement No. 2016-00001 was suspended and the City Council was required to reconsider Ordinance No. 6376/Development Agreement No. 2016-00001 pursuant to Section 1303 of the City Charter and Sections 9237 and 9241 of the Elections Code of the State of California; and
WHEREAS, in accordance with the referendum petition and the provisions of Section 9241 of the Elections Code of the State of California, the City Council desires to repeal Ordinance No. 6376 and Development Agreement No. 2016-00001.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ANAHEIM DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1.
That Ordinance No. 6376 approving Development Agreement No. 2016-00001 be, and the same is hereby, repealed in its entirety and shall be of no further force or effect.

SECTION 2.
That the City Council's adoption of Ordinance No. 6376 approving Development Agreement No. 2016-00001 is hereby rescinded in its entirety and for all purposes.

SECTION 3.
That nothing contained herein shall be deemed to have any effect upon Conditional Use Permit No. 2016-05858, Variance No. 2016-05060, Final Site Plan No. 2016-00001 or any of the other approvals or authorizations granted, or findings made, by the City Council on July 12, 2016 in connection with the 1700 South Harbor Hotel.

THE FOREGOING RESOLUTION is approved and adopted by the City Council of the City of Anaheim this ___ day of ______________, 2016, by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY OF ANAHEIM

By ____________________,
MAYOR OF THE CITY OF ANAHEIM

ATTEST:

CITY CLERK OF THE CITY OF ANAHEIM

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