

ANAHEIM CITY COUNCIL REGULAR AND REGULAR AJOURNED MEETING OF JANUARY 6, 2015

The regular meeting of January 6, 2015 was called to order at 3:00 P.M. and adjourned to 3:30 P.M. for lack of a quorum. The regular adjourned meeting of January 6, 2015 was called to order at 3:35 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 January 2, 2015.

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

STAFF PRESENT: Interim City Manager Paul Emery, City Attorney Michael Houston and Assistant City Clerk Theresa Bass.

UTILITY RATE WORKSHOP:

Dukku Lee, Utilities General Manager, provided an update on Anaheim's water and electric utility rates; how they were structured, how Anaheim compared to other cities/utilities and the process for adjusting those rates.

WATER UTILITY: In terms of governance, he noted, Anaheim City Council oversaw utility matters, setting rates and conducting hearings. The utility was a "not for profit" enterprise, meaning the cost to purchase supplies and deliver service was passed onto the ratepayers, and, in addition, Anaheim had no utility user tax and did not include utility charges on property tax bills. He emphasized that water and electricity were heavily regulated industries and capital intensive enterprises and that all of these factors together drove the cost of providing electricity and water to Anaheim's customers. Although City Council made the ultimate determination over utility matters, he emphasized regulatory compliance must also be met via various state and federal laws, offices and agencies.

Facts about Anaheim's Water System: There were two water suppliers for the city; Metropolitan Water District (MWD) and Orange County Water District (OCWD). There were 750 miles of pipe in the water system, a treatment plant, 13 reservoirs, 9 pump stations, 17 wells and 7,800 fire hydrants all providing services to 348,000 residents, 15,000 businesses and 20 million visitors. Water reliability was measured by the number of main breaks occurring in the city with Mr. Lee emphasizing that Anaheim was one of the top performing agencies with main breaks less than the industry standard. He added the slight upward trend in breaks reflected reduced investments purposely made during the economic downturn and that proactive replacements were now being recommended to maintain reliability. At this point, he remarked the Utility would like to see this slight upward trend reversed by reinvesting in the system and to redo about 7 to 8 miles of pipe a year, rather than the usual 3 to 4 miles of pipe, acknowledging that rising construction costs were likely to be a factor as well.

Water Delivery Costs: Mr. Lee reported the cost of water delivery for customers reflected the following components: 6% customer support (labor associated with service representatives and the supplies and equipment costs for doing business), 16% operation and maintenance (pipeline workers), 13% treatment and pumping (treating wastewater was cheaper than purchasing new water supply); 16% infrastructure costs (the debt service cost that helped fund the capital system including the replacement of a 4 million gallon tank to help with fire flows and a storage facility for central Anaheim and the biggest element, 49% related to the cost of

purchasing water supplies. Those costs, he explained, were accumulated and a per unit commodity cost was then applied uniformly across all customer classes. He added since Measure N was not approved in November, those dollars could now be used to help offset capital improvement costs.

Putting this into perspective, Mr. Lee remarked a \$1 pint of water could be purchased; however, Anaheim Utilities could deliver 365 gallons of water for that same figure. Compared to other Orange County water agencies with an average monthly water rate of approximately \$67 a month, Anaheim's \$47.20 monthly cost (to be increased to \$52) was still the lowest rate around. Mayor Tait asked if other agencies had the same amount of mix between groundwater and purchased water with Mr. Calkins replying that about two-thirds had the same mix, 70 percent of ground water and 30 percent of imported. Mayor Tait suggested those agencies should be used in comparison to Anaheim rather than all Orange County municipalities.

ELECTRIC UTILITY: Mr. Lee remarked electricity was different in that the technology to store that product was not available yet and it must be produced as it was consumed. He indicated that 11 western states were interconnected in a regional grid: Washington, Oregon, Idaho, Montana, Wyoming, California, Nevada, Utah, Colorado, Arizona and New Mexico and that regional reliability was crucial in preventing widespread outages. He added that the California ISO managed 80 percent of the state's grid and that Anaheim was part of that larger grid and contributed to power markets via power plant ownerships, contracts and market purchases. For the city's local system, there were 140 circuits operating in Anaheim, two power plants, 13 substations, and its 115,000 meters reflected 348,000 residents, 15,000 businesses and 20 million visitors.

Electric Costs: The city's electrical costs reflected the following makeup: 3% customer support, 8% O&M (lineman and troubleshooters), 18% infrastructure (a robust system in terms of reliability which had to do with replacing aging transformers and wires), 11% regulatory (those major initiatives passed by the state which required a renewables portfolio of 33% by 2020 with Anaheim working toward divesting its portfolio of coal resources), and 60% power supply purchases.

To answer the question as to why electric rates were different, Mr. Lee explained water was stored while on the electric side, it reflected a market that fluctuated even on a 10 minute basis. There were off peak prices in evenings and early mornings with some variability to pricing to allow residents to have a flat rate. There was also a time-based option for residents but as of yet no homeowner was taking advantage of that option and it was up to the residents as to how they used their energy. Peaking power plants, he added, were also built to meet short periods of high customer usage and large business users paid electric rates that were time-based to encourage reduction of load during peak hours.

Rate Comparison: Mr. Lee emphasized Anaheim's monthly residential electric bill (approximately 500 kilowatt hours per month) was 24 percent less than the average of other Orange County cities. There was also no utility user tax, and variable market purchases made up about 20 percent of the portfolio. As resources were contracted for longer periods of time, costs were more stable and was reflected in the future proposal, transitioning from variables to fixed market purchases with longer term contracts.

Rate Process: Proposition 218 amended the California Constitution which required voter approval for taxes, however, Mr. Lee pointed out, electrical, telecommunication and natural gas rates were exempt, governed by city councils, special districts or the California Public Utilities Commission. In addition, water, sewer and refuse rates were required follow state procedures requiring public hearing and noticing and a majority protest process. The City Charter mandated that public hearings were conducted by the Public Utilities Board and that utility rates must follow certain criteria to recover costs and since, he explained, there was no profit margin all costs were considered a pass-through. Mr. Lee noted there were three options available to Anaheim; i.e., the city could increase base rates whenever there was a supply increase, with some communities passing a 4-5 year rate increase in order to collect for the next 4-5 years or the city could increase financial reserves and agencies could over-collect to insure there were sufficient funds to recover costs. A third option was tied to wholesale costs for water and power and in this case, he stated, the goal was to keep money in residents' pockets to make it easier on residents and businesses in Anaheim adding that credit rating agencies now recognized this approach as an alternative. Comparing Anaheim with other Orange County cities, there was a perceived benefit of \$250 a year for residing in this city.

Scheduling Dates: The Public Utilities Board hearing for water rates was scheduled for January 28th. In February, council would review a regulatory relief initiative to eliminate duplicative water rate schedules and sometime during 2015, staff would be looking at income qualified discounts of 10 percent to include applicable military veterans and to phase out electric water heater discounts no longer applicable.

Mayor Pro Tem Kring remarked the overall trend for water main breaks appeared to be targeting down with Mr. Lee responding that Utilities Assistant General Manager Don Calkins took extraordinary measures to reduce main breaks but some factors were out of the city's control and it was time to begin planning for replacement. Council Member Vanderbilt questioned the main break benchmark wondering whether it was a national trend and took into account older utilities. Mr. Lee responded older utilities in the midwest and the east were included. Typically, he added, water pipes lasted about 100 years depending on other impacting factors and Anaheim's system was nearing 90 years.

Council Member Murray praised the Department for its early stance in moving toward renewable energy, asking about the current portfolio mix. Mr. Lee indicated the city was on target with just over 20 percent in renewables and in making sure Anaheim rates were staying significantly lower than other cities. Council Member Brandman asked if staff anticipated other Orange County water agencies either increasing at the same rate or higher during the same period, with Mr. Lee responding that a 2013 study had been analyzed and it was more likely the rates for other agencies were higher now but that Anaheim would remain 22 to 23 percent below those agencies. On the electric rate side, staff anticipated rates would remain stable at 24 to 28 percent below other agencies, as the Department worked to hold prices static for as long as possible, while aggressively moving to a more renewable portfolio on both water and power. Regarding the protest process, Council Member Vanderbilt remarked it was a lot of information packed into one page, wondering if there was any consideration in making the voting process easier. Mr. Lee remarked there had been considerable outreach to the community, consisting of memorandums, public hearing notices, and the customer alert section on the city's website regarding why and how rates were being adjusted. He added that staff responded to any request for a public speaking engagement to get the word out as well and would look for other opportunities to reach the community.

DISTRICTING OVERVIEW WORKSHOP:

Theresa Bass, Assistant City Clerk, introduced the districting workshop explaining it was offered in response to Mayor Tait's request to provide council with a general overview of Measures L and M, recently approved by Anaheim voters. City Attorney Michael Houston and consultant, Ben De Mayo, former County Counsel with the County of Orange, would assist in the presentation regarding council's role in this process, steps staff had taken to date and plans to move forward.

Michael Houston stated the voters approved Measure L by 68.8 percent last November, a measure that required council members elected in 2016 and thereafter to live in and be elected from a geographical district and only by voters of that district. There would be only one council member from each district with the mayoral position remaining at large. He added the Election Code required council establish districts no later than July 6, 2016 and that no current council member's term of office be cut short or require residence in a district. Mr. Houston noted that council had the ultimate responsibility for approving districts and that those districts must comply with state and federal law as well. Council could also establish other permissible criteria for a district shape and must also establish a transition plan to move from the present "at large" system to a "by district" system to allow for election to newly created seats and to identify those seats for election in 2016 and 2018. He added that Measures L and M required two seats that would be up for reelection in 2016 to be placed on the ballot plus two more additional seats.

Mr. Houston noted Measure M had been approved by 54.2 percent of the voters in the November election and increased the size of the city council from its present configuration of four to six plus the mayor for a total of seven council members. The increase would occur at the November 2016 election as follows: two existing council seats that would have already been on the ballot plus two newly created council seats and all four seats would be required to be elected by districts. Following the November 2016 election, one of the four elected council members would be randomly selected to serve a shorter two year term with the remaining three serving four year terms. That requirement, he explained, was included in Measure M to have the term cycle back to the normal council man election of having three council members up per election cycle, consistent with the two seats that were currently up for every cycle.

Mr. Houston reported the settlement agreement between the city and plaintiffs who brought a challenge to the city's at large electoral system was reached in early 2014, important because the agreement contained a component as to how the districting process would occur. He pointed out there was no court oversight of the districting process which was different from other cities that had settled similar claims. Council would retain the discretion and authority to ultimately select the district maps both under the city charter and the settlement agreement. The settlement agreement did require a committee be established to assist in developing district boundaries and to recommend for adoption by the city council those district boundaries. It also required council to appoint a committee of either a panel of three retired Orange County Superior Court Judges registered to vote in Anaheim, and if they were not available, then a committee of up to nine Anaheim voters could be established. He added staff would present a resolution to establish an advisory committee and to identify districting criteria and address related matters at a future meeting.

Mr. Houston remarked the preference was for a panel of three retired Orange County Superior judges registered to vote in Anaheim to make up this committee and significant outreach had already been extended to the Orange County Superior Court in December 2014. The court had

responded that only one retired judge had been identified as a resident and voter in Anaheim and he had indicated an interest in serving on such a committee if one were able to be established. Mr. Houston added that to broaden the pool, staff was in the process of determining if there were other federal or state judges in Anaheim or the vicinity in case the retired judge panel could not be satisfied under the settlement provision. He explained that specific provision had been requested by the plaintiffs and put into the settlement agreement at their request. In the event the pool could not be widened, Mr. Houston indicated staff would seek input from council as to whether they wished to direct the City Attorney's Office to consider amending the Settlement Agreement to seek judges from a broader pool, both with respect to the bench they might have served on as well as judges outside the city of Anaheim, although preference could be given to those residing in Anaheim.

Mr. Houston added that amending the settlement agreement would make it easier to find judges. He mentioned having had preliminary discussions with one of the plaintiff's counsel on the concept of amending the settlement agreement, should council be interested in doing so, but the plaintiff's counsel had not received a definitive answer at this point in time. Alternatively, he explained, if a committee of judges was not possible due to either a lack of interest or failure of qualification, then council must create or appoint a committee of up to nine Anaheim voters who were broadly representative of the city, were not a council member or mayor and who would be willing to declare they would not run for council seats in either 2016 and 2018.

Ben DeMayo then discussed the districting process and its first principle, complying with an equal population among districts. He emphasized the total population in each district must be as close to equal as possible under the US Constitution and the California Elections Code. In addition, the Federal Voting Rights Act required minority groups to have equal power to elect candidates of their choice as do other groups. He added that the Supreme Court had also held in certain 5:4 decisions, that there could not be any racial gerrymandering; i.e., using race as the sole criteria by which a district boundary was created. In addition, California has its own rules for charter cities; that is, equality of population could consider topography and geography, both manmade and natural features, cohesiveness, contiguity, integrity and compactness of territory as well as community of interest. Several elements related to community of interests such as ethnicity, economics, use of community facilities impacted by the same features, schools, and other factors. Population growth could be reviewed if council believed there was an area of the city that would grow significantly faster than another. The last item was to provide voters with the opportunity to retain their elected representatives, if they chose to do so.

Mr. Houston remarked that both state law and the city charter required council establish district boundaries and that responsibility could not be delegated to others, however, an advisory body could make recommendations to the governing body. In addition, state law also required three public hearings of which two must be held by council prior to adoption of district boundaries, that council establish criteria to be considered in determining district boundaries and that the charter required council establish rules for transitioning to increased numbers of council seats and the new districts.

Ms. Bass stated the most important part of Measure L was ensuring that district boundaries were properly drawn while taking into account the mapping criteria outlined by Mr. De Mayo. To guarantee that all criteria was followed and the community was engaged, she stated staff was in the process of reaching out to experts in the area and upon selection would enter into a contract with a demographic consultant. The demographer would be expected to provide an analysis and an evaluation of the Anaheim community based on the current census. The demographer

would be expected to provide tools to the public to create and comment on district maps and provide or present a number of draft maps based on community input and the committee direction for council approval. She added community outreach was key to insuring the public was aware and provided with a number of opportunities to be involved and be heard. She added staff would contract with a consultant and if necessary was open to exploring the opportunity to partner with an outreach specialist as well.

She added to ensure all members of the public were informed about the mapping process and had a chance to participate, in addition to public meetings with the council appointed advisory committee, staff would also hold community public meetings throughout the city together with the demographer and was prepared to hold these meetings at a time that was convenient for all involved including evenings and weekends. A Spanish interpreter would be available at each of these meetings and would be available for any other language. The agendas would be available in various languages and to be consistent with the Voting Rights Act and the settlement agreement, and staff was committed to pursuing a comprehensive public outreach plan through a communication strategy such as developing a dedicated website, identifying and engaging community groups and interested stakeholders as well as press releases and public service announcements. Social media would be part of the mix as well as Anaheim's current communications outlets such as the local cable channel, Anaheim magazine and utility inserts.

As a final wrap up, Ms. Bass reported, this timeline represented an ambitious goal to accomplish districting by the end of this calendar year. This month the City Clerk's office filed required certified documents to the Secretary of State and upon acceptance, the charter amendments would take immediate effect. She pointed out that on today's agenda, the City Attorney's office requested repeal of Ordinance No. 6280, which was a requirement of the settlement agreement because Measure L passed. During the month of February staff would finalize the process for the committee structure and would be prepared to present the structure appointments and districting criteria to council sometime between March and April. Once the committee was appointed and criteria determined, the City Clerk's Office, City Attorney's Office, and the Advisory Committee, together with the demographer would hold a number of public meetings and would schedule a number of community meetings for the public. Between October and December 2015, staff would schedule the three required council public hearings for boundary maps and transition plan and the boundary map would be filed with the Registrar of Voters by July 6, 2016 pursuant to the Election Code. She explained that the advanced time line was to ensure staff gave council enough flexibility should they wish to continue the matter or call additional public meetings or hearings.

Mayor Tait remarked the panel of judges appeared best in his opinion as it reflected a non-biased approach and that judges were familiar with the law and could understand the criteria involved; Mayor Pro Tem Kring concurred. Mayor Pro Tem Kring questioned whether it was fair to shorten the term of one council member, remarking if someone was elected on a four year basis, it was not fair to the electorate to say they were only able to serve for a two year period. Mr. Houston emphasized the charter established the selection of a short-term council period and there was no room for deviation; it was a component of Measure L and the impartial analysis for the voters included a discussion on that topic. Council Member Vanderbilt remarked that other officials in the legal system could be included in that list, such as judicial officers, court commissioners, magistrates. Mr. Houston commented he believed a provision broad enough to encompass other judicial officials or simply looking for judges outside of Anaheim would likely yield a broader pool to draw from. Mayor Pro Tem Kring and Council Member Murray both expressed they would like to have the districts completed by the end of

this year to allow sufficient time prior to the November 2016 election. Mr. Houston stated the timeline would allow for the public to not only comment on proposed maps but to submit their own and give input, which could have council approving the maps in December 2015.

ADDITIONS/DELETIONS TO CLOSED SESSION: None

PUBLIC COMMENTS ON CLOSED SESSION ITEMS:

Cecil Jordan Corkern offered personal comments unrelated to the closed session items.

At 4:51 P.M., Mayor Tait recessed to closed session for consideration of the following items.

CLOSED SESSION:

1. **CONFERENCE WITH LEGAL COUNSEL-INITIATION OF LITIGATION**
Initiation of litigation pursuant to paragraph (4) of subdivision (d) of the California Government Code Section 54956.9
Name of Case: Winifred Stuthers v. City of Anaheim, La Palma Royale Assisted Living, et. al., Orange County Superior Court Case No. 30-2014-00744864-U-PO-CJC

2. **CONFERENCE WITH REAL PROPERTY NEGOTIATORS**
(Subdivision 54956.8 of the California Government Code)
Property: 2000 East Gene Autry Way, Anaheim, CA (Angels Stadium of Anaheim), associated/adjacent parking lots and other property collectively identified as APNs 232-011-02, 06, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 47, 48, 50 and portions of Parcels 1 and 2 of Parcel Map No. 2006-262, recorded in the Office of the County Recorder in Book 357, Pages 25 through 34 of Parcel Maps, Orange County, California (as depicted on diagram available at the office of the City Clerk)
Agency Negotiator: Tom Morton
Negotiating Parties: Angels Baseball, LP, City of Anaheim
Under Negotiation: Price and Terms of Payment Regarding Lease

At 5:29 P.M., Council session was reconvened.

INVOCATION: Pastor Jimmy Gaston, Church of Christ

FLAG SALUTE: Council Member Kris Murray

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

Proclaiming January 19, 2015, as Martin Luther King Jr. Day

Proclaiming January 11, 2015, as Human Trafficking Awareness Day

Recognizing Anaheim Ducks player Teemu Selanne

Steve Hoem, Anaheim Ducks Hockey Team, remarked the team was preparing for January 11th, when they would honor Teemu Selanne, one of the greatest Ducks players of all time. He added with achievements on ice second to none, Teemu's No. 8 would be retired to the rafters of Honda Center. Mayor Tait expressed his appreciation to Teemu and the team for their generous participation in the GOALS program.

Kathy Woodward, OC Black Chamber of Commerce, announced the 16th annual Martin Luther King Jr. program would be held at the Orange County Food Bank once again, thanking the city for their support for this organization and diversity within the city. Mayor Tait added that the Anaheim School District, in celebration of an act of kindness, had thousands of school students participating in a day of service in honor of Martin Luther King Jr. on the 16th.

Chief Raul Quezada introduced Captain Steve Davis, overseeing the Human Trafficking program. Captain Davis spoke to the emotional scars and mental anguish suffered by those caught in the human trafficking cycle and how the city's task force had teamed up with many other law enforcement agencies and nonprofits to combat this crime. To date, over 786 investigations had been conducted, 108 victims identified and over 80 pimps arrested. He added the results when a city and county came together and focused on solutions were incredible.

Nahla Kayali, ACCESS California Services, thanked council for their continuous support in improving the well-being of the community. She emphasized her organization served numerous trafficking victims, offering counseling, job coaching, financial and housing assistance.

ADDITIONS/DELETIONS TO THE AGENDA: At the request of staff, Item No. 18 on the agenda was continued to the January 27, 2015 meeting. A correction was made to Agenda Item No. 21, to reflect Council Member Jordan Brandman as the current representative on the Santa Ana River Flood Protection Agency.

PUBLIC COMMENTS (all agenda items):

Prior to receipt of public comments, a brief decorum statement was provided by Theresa Bass, Assistant City Clerk.

Cecil Jordan Corkern, Outreach Homeless Ministries, discussed various passages of the bible.

Art Montez, LULAC, remarked his agency was encouraging local bodies and policy makers to reach out to the communities affected under the Voting Rights Act to ensure districting maps identified by consultants did not fail to identify polarizing voting areas. He added LULAC was looking for legislation to counter that option and would seek other remedies if necessary. He encouraged the city to identify those polarizing voting areas given that minorities had run during the last election and that the city right the wrongs of years past.

Zeke Hernandez, LULAC, appreciated the redistricting workshop, adding that LULAC had worked on this topic since the 1980's and recently worked with the AUHSD in their "by district election" process. He encouraged allowing community groups of individuals to submit their own districting maps to council, adding that he hoped to be able to work with the city to draw the lines that fell within the civil rights act. Referring to the panel of judges, he urged the city to work with the litigants to amend the settlement agreement for a broader array of candidates.

Nancy Rodriguez, a new resident addressing Item No. 15, warned of the potential for unintended consequences for permit parking. She offered a number of questions regarding permit costs, unexpected visitors, how to access city staff during off hours. Mayor Tait remarked there would be a discussion on Item No. 15 and that some of those questions might be answered at that time.

Kurt Brunner, resident, reported there had been a death in the DeMeyere family and expressed dismay that a scheduled meeting on the Brookhurst Street Improvement Projects had been cancelled. He reported on the continuing problems his neighborhood experienced as a result of this project.

Mayor Pro Tem Kring explained that she and her staff and a member of the Planning Department had been ready to meet with Mr. DeMeyere and staff did not receive a response to the numerous calls left for him. She hoped to be able to reschedule the meeting.

William Fitzgerald, Anaheim Home, stated AQMD had implemented mandatory no burn restrictions for southern California, however, Disney fireworks still continued each day.

Brian Chuchua remarked that CATER supported Council Member Murray's proposal for a charter amendment to require a 2/3 vote of the council to place any local tax measure on the ballot to ensure Anaheim had the same level of taxpayer protection in place as a general law city. He added CATER was ready to assist in the passage of this protection for the citizens of Anaheim.

Michael Buss, Anaheim Arts Council, spoke to the Sacred Arts Festival, an event occurring on March 21st to visit the various religious sanctuaries in the city for their art and cultural displays. He discussed the need for sponsorship support and hoped city council would take the lead to sponsor this event.

Duane Stout, speaking to Item No. 15, remarked in the past, his neighborhood had trouble with parking caused by impacts of the trailer park on the west side of Candlewood, asking that the council approve their request for permit parking.

John Dunton announced the formation of a nonprofit organization called California Crisis Intervention Group, a multi-cultural, business group whose goal was to help families in southern California who suffered personal tragedies, related to shootings, hit and runs and other catastrophes. He added their focus was to give back to their communities.

Carol Latham, Anaheim Muzeo, highlighted four upcoming events for the month of January, urging attendance by the community.

Camellia, spoke to Item No. 16, remarking that many of her neighbors had not received a ballot or information on the proposed permit parking, and while she was sympathetic to her neighborhood's concerns, she had questions regarding the permitting process that were not answered.

Lilia Juarez, addressing Item No. 16, remarked she had no problem with parking on Paradise and felt there were other resolutions to the parking issues raised.

Gill Coffman, addressing Item No. 16, reported city staff had performed their due diligence and all notices had been sent out to residents. It had been Mr. Coffman's experience that he was unable to park near his home because of overcrowding from nearby apartments. He approved of the process, remarking the ballot allowed his neighborhood to have a voice, and he hoped council would approve their request.

An unidentified speaker remarked that the state of Utah seemed to be on the right track towards ending homelessness – giving them apartments first and answer questions later. He reported calculating the annual costs of emergency room visits and jail stays, the average homeless person cost \$16,670 while the cost of providing apartments and a case worker reflected \$11,000 for each participant with the end result, those individuals became self-sufficient. He added the current process was working, asking the city how it hoped to address this issue in the future. Mayor Tait explained the Coming Home Anaheim initiative, and how a whole community was becoming involved getting 260 homeless off the street the past year. He urged Community Services Director Terry Lowe to set up the community meeting that had been discussed in the near future and that progress continued to be made.

Donna Acevedo, resident, announced Anna Drive was organizing a neighborhood cleanup this Saturday, inviting any community member to participate.

John Atilano, addressing Item No. 16, remarked those residents on the east side of Paradise Road needed permit parking, asking that the city approve their request.

COUNCIL COMMUNICATIONS:

Mayor Pro Tem Kring addressed her inability to meet with Daniel DeMeyere, and looked forward to rescheduling the meeting.

CITY MANAGER'S UPDATE:

Paul Emery, Interim City Manager, announced the dedication of Paul Revere Park for Saturday, January 10, 2015. He also announced the January dates for Neighborhood Council meetings (January 21st for the West District Council, January 22nd for the East District, January 28th for the Central District and January 29th for the South District Council).

CONSENT CALENDAR:

Council Member Vanderbilt removed Item Nos. 12 and 14 from the consent calendar for further discussion. Mayor Tait pulled Item Nos. 15 and 16 and reported a potential conflict on Item Nos. 6 and 11 as his firm had worked with County of Orange, OCTA in the past year and he would therefore record an abstention. Mayor Pro Tem Kring moved to approve the balance of the consent calendar 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 (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt). NOES – 0. Motion Carried.

- B105 1. Receive and file minutes of Cultural and Heritage Commission meetings of August 21, 2014 and October 16, 2014.
- D180 2. Waive the sealed bid requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue a purchase order to Black Creek Integrated Systems Corporation, in the amount of \$404,576, to furnish and install an upgrade of the existing Black Creek detention facility security control system for the Police Department.

AGR-7731.II 3. Approve an agreement with Kitchell CEM Inc., in an amount not to exceed \$585,000, for project and construction management services for the Ponderosa Park and Family Resource Center project located at 2100 South Haster Street and authorize the Community Services Director to increase the contract amount by up to 10%, if such increase is necessary.

AGR-8650 4. Determine that the proposal submitted by Grindline Skateparks, Inc. represents the best value to the City, approve and authorize the contract, in its substantial form, with Grindline Skateparks, Inc., in the amount of \$499,983, for the design and construction of the Ponderosa Skate Park, waive any irregularities in the vendor documents, authorize the Director of Public Works to execute related documents and take necessary actions to implement and administer the contract, authorize the City Manager to execute the stipend agreements for the three non-selected respondents, in a total of \$2,500 each, and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions in accordance with Public Contract Code section 22300.

D175 5. Approve speed lumps on Cris Avenue between Euclid Street and Nutwood Street as a traffic calming measure.

AGR-5141.E 6. Approve and authorize the Fire Chief to execute a Transfer Agreement with the County of Orange, acting through its Sheriff-Coroner Department in its capacity as the lead agency for the Orange County Operational Area, for the 2014 State Homeland Security Grant Program.

Mayor Tait abstained 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.

AGR-8651 7. Approve an agreement with Casey O’Callaghan Golf Course Design Inc., in the amount of \$252,000, for comprehensive design and construction observation services for Anaheim Hills Golf Course and authorize the Community Services Director to increase the contract amount by up to 10%, if such increase is necessary.

AGR-3394.0.1 8. Authorize the Director of Community Services to exercise an option to extend the agreement with Orange Unified School District for joint use of Anaheim Hills Elementary School athletic fields with the same terms and conditions for an additional ten (10) years upon expiration of initial term.

AGR-4729.A 9. Approve an agreement with Carpi & Clay, in the amount of \$8,000 per month, for federal advocacy services for an initial term of six months with the option for the City Manager to extend the agreement for an additional six months, as necessary.

R100 10. RESOLUTION NO. 2015-001 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM, CALIFORNIA, in accordance with and as a corollary to Resolution No. 2013-053, expressing continued support for comprehensive federal immigration reform and urging the 114th Congress to revisit and prioritize action on the adoption and enactment of reforms that secure our borders, ensure economic strength, and promote stronger communities.

- D150 11. RESOLUTION NO. 2015-002 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the Director of Community Services, or his designee, to submit a grant application on behalf of the City of Anaheim to the Orange County Transportation Authority and Caltrans for Section 5310 Grant for Non-Urbanized Public Transportation Systems, and if awarded, authorizing the acceptance of such funding on behalf of the City and amending the budget accordingly.

Mayor Tait abstained 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.

- D114 13. RESOLUTION NO. 2015-004 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending City Council Policy 5.8 relating to Neighborhood Traffic Management Program.

- P110 17. RESOLUTION NO. 2015-006 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM vacating sidewalk easements generally located at 333 West Ball Road pursuant to California Streets and Highway Code Section 8330, Et Seq. - Summary Vacation (ABA2014-00280-81-82).

- M142 18. ORDINANCE NO. _____ (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM adding Chapter 13.14 (Dog Parks) to Title 13 (Parks and Boulevards) of the Anaheim Municipal Code relating to Dog Parks and amending Subsection .010 of Section 8.08.080 of Chapter 8.08 of Title 8 and amending Subsection .010 of Section 13.08.020 of Chapter 13.08 of Title 13 of the Anaheim Municipal Code to be consistent with the addition of said Chapter 13.14.

This item was continued to January 27, 2015 at the request of staff. No Action Taken.

- M142 19. ORDINANCE NO. 6313 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM repealing Chapter 1.25 of the Anaheim Municipal Code relating to the establishment and implementation of Residency Districts for City Council Members.

- D114 20. Approve minutes of the Council meeting of December 9, 2014.

END OF CONSENT CALENDAR;

- D114 12. RESOLUTION NO. 2015-003 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending City Council Policy 5.7 relating to permit parking.

Council Member Vanderbilt remarked he had visited all the proposed permit parking site areas and understood council had amended the permit parking process last year. He also recognized that the permit parking fee was not uniformly applied city wide and that there were underlying reasons for this to have occurred. Regardless of the reasons and for the sake of uniformity and fairness, he thought the city might be able to adjust this inequity. Mr. Vanderbilt indicated he had brought this topic up for the sake of discussions but was not requesting to delay any action on these items.

Mayor Tait remarked spillover parking onto neighborhoods from apartments or from convention center attendees was a tough issue facing neighborhoods, asking if a fee was part of the process with the rationale that those needed a parking permit would pay for it, while those that did not would pass on that alternative. Natalie Meeks, Public Works Director, remarked it was a

cost recovery method and that staff had tried to reduce the costs as much as possible; initially the permit was \$60 and the current \$30 fee just covered the program and was not being subsidized by the rest of the residents. He asked for details specific to the convention center, with Ms. Meeks stating that many years ago due to events occurring at the convention center and participants wishing to park in nearby neighborhoods rather than convention facilities, a permit parking program was implemented, subsidized and paid for by the convention center and was still in effect to date.

Mayor Pro Tem Kring asked if visitor permits were available if the city was closed with Ms. Meeks responding that those type of permits were always available on line. Mrs. Kring remarked she felt the process was effective and fair and that Public Works staff worked to ensure all eligible residents were included in the decisions and she would be supporting each of the permit parking items before the city council tonight. Ms. Meeks indicated that those eligible residents who did not vote were counted as a "no" vote, which encouraged the proponents to get everyone to participate; a threshold of 75 percent was necessary before the parking permit program was enacted. Mayor Tait remarked that permit parking was the last resort and he urged other options be considered prior to permits.

Mayor Pro Tem Kring moved to approve RESOLUTION NO. 2015-003, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM amending City Council Policy 5.7 relating to permit parking; seconded by Council Member Vanderbilt. Roll Call Vote: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt.) NOES – 0. Motion Carried.

D175

14. RESOLUTION NO. 2015-005 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM expanding Permit-Eligible Parking District No. 3 and designating Trenton Place from Bayless Street to the end of the cul-de-sac and Bayless Street from Kimberly Avenue to 1775 Bayless Street as "Permit Parking Only" Street within Permit-Eligible Parking District No. 3 and determine the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Regulation No. 15061(b)(3).

Council Member Vanderbilt clarified that tonight's action would expand an existing permit eligible district to include Trenton Place because that neighborhood had been impacted by those parking permits previously issued for the neighboring streets. Ms. Meeks reported that options had been presented during the community meetings but that the community only wanted to pursue permit parking. He asked if no overnight or short-term parking had been discussed with Ms. Meeks responding that one of the challenges of no overnight parking is that no residents could park in the street, an option they did not favor. He asked if the overnight parking could be restricted to certain hours with Ms. Meeks replying staff had put the option out to restrict hours for permit parking to only night time hours, which was not supported by the community.

Mayor Pro Tem Kring moved to approve RESOLUTION NO. 2015-005, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM expanding Permit-Eligible Parking District No. 3 and designating Trenton Place from Bayless Street to the end of the cul-de-sac and Bayless Street from Kimberly Avenue to 1775 Bayless Street as "Permit Parking Only" Street within Permit-Eligible Parking District No. 3 and determine the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Regulation No. 15061(b)(3), seconded by Council Member Vanderbilt. Roll Call Vote: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt). NOES – 0. Motion Carried.

15. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing Permit-Eligible Parking District No. 31 (Kenwood, Norwood & Candlewood) and determine the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Regulation No. 15061 (b)(3).
16. RESOLUTION NO. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM establishing Permit-Eligible Parking District No. 32 (Paradise Road) and determine the action is exempt from the California Environmental Quality Act (CEQA) pursuant to Regulation No. 15061(b)(3).

Mayor Tait recommended Agenda Item Nos. 15 and 16 be continued to the next meeting to address some of the comments brought up during oral communications regarding lack of proper notification, seconded by Council Member Vanderbilt.

DISCUSSION: Ms. Meeks was asked if there was a way to track whether notices were sent and the response was given that staff had the information on who and who had not responded and whether the notice was delivered and would include those details at the next meeting. Mayor Tait encouraged members of the community to contact Natalie Meeks if there were any questions that were not yet answered.

Roll Call Vote: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring and Murray.)
NOES – 0. Motion to continue carried.

B105

21. Review the list of regional agency appointments and appoint or reappoint representatives to serve on the following regional agencies.

With the consent of council, Mayor Tait moved to reappoint all eligible current members, seconded by Mayor Pro Tem Kring. Roll Call Vote: AYES – 5: (Mayor Tait and Council Members: Brandman, Kring, Murray and Vanderbilt.) NOES – 0. Motion Carried.

Anaheim Union High School District Foundation:

(RE)APPOINTMENT: _____ Tom Tait _____
(currently held by Mayor Tait)

(RE)APPOINTMENT: _____ Tom Morton _____
(currently held by Tom Morton, Staff)

APPOINTMENT: _____ James Vanderbilt _____
(vacant)

Mayor Tait nominated James Vanderbilt, seconded by Mayor Pro Tem Kring. No other nominees were offered and Mr. Vanderbilt was unanimously appointed.

Fire Training Joint Powers Authority:

(RE)APPOINTMENT: _____ Lucille Kring _____
(currently held by Council Member Lucille Kring)

Orange County-City Hazardous (HAZMAT) Emergency Response Authority:

(RE)APPOINTMENT: _____ Lucille Kring _____
(currently held by Council Member Lucille Kring)

Metropolitan Water District (MWD):

(RE)APPOINTMENT: Don Calkins
(currently held by Don Calkins, Staff)

Orange County Sanitation District (OCSD):

(RE)APPOINTMENT: Lucille Kring
(currently held by Council Member Lucille Kring)

ALTERNATE: Jordan Brandman
(currently held by Council Member Jordan Brandman)

Santa Ana River Flood Protection Agency (SARFPA):

(RE)APPOINTMENT: Jordan Brandman
(currently held by Council Member Jordan Brandman)

ALTERNATE: Rudy Emami
(currently held by Rudy Emami, Staff)

Southern California Association of Governments (and OCCOG):

(RE)APPOINTMENT: Kris Murray
(currently held by Council Member Kris Murray)

ALTERNATE: Jordan Brandman
(currently held by former Council Member Gail Eastman)

Mayor Pro Tem Kring nominated Jordan Brandman to the alternate position, seconded by Mayor Tait and with no other nominees offered; Mr. Brandman was unanimously appointed.

Transportation Corridor Agency, Foothill Eastern Area (TCA):

(RE)APPOINTMENT: Lucille Kring
(currently held by former Council Member Gail Eastman)

Mayor Pro Tem Kring expressed an interest in this appointment with Council Member Vanderbilt expressing an interest in the alternate position, barring no other individual's preference. Mayor Tait moved to appoint Mayor Pro Tem Kring to the TCA, seconded by Council Member Murray. Ms. Kring was unanimously appointed.

ALTERNATE: James Vanderbilt
(currently held by Council Member Lucille Kring)

Mayor Tait moved to appoint Council Member Vanderbilt to the alternate position, seconded by Council Member Murray; Mr. Vanderbilt was unanimously appointed.

REPORT ON CLOSED SESSION ACTIONS:

Michael Houston, City Attorney, reported City Council unanimously authorized the City Attorney to file a cross-complaint against cross-defendant La Palma Royale Assisted Living in connection with pending litigation titled Winifred Stuthers v. City of Anaheim, La Palma Royal Assisted Living, et. al (Closed Session Item No. 1; Vote 5-0).

COUNCIL COMMUNICATIONS:

Mayor Pro Tem Kring requested staff research and bring forward an ordinance for Council consideration which offered quality of life incentive programs for motel property owners; such as rebates for certain property upgrades. She also highlighted the Paul Revere Park dedication on Saturday, the West District Coffee with a Cop program and the Flashlight Walk at Twila Reid Elementary School.

Council Member Vanderbilt reported he had visited the various neighborhoods requesting permit parking districts on this agenda.

Council Member Murray spoke of the upcoming Star Wars Half Marathon weekend and expressed her gratitude for continued City support of the Flag Day celebration. Ms. Murray also requested staff bring forward an ordinance in February or March related to penalties for property owners violating the City's ban on medical marijuana dispensaries.

Each member of the council wished all a happy, healthy and prosperous 2015.

ADJOURNMENT: At 7:04 P.M., with no other business to conduct, Mayor Tait adjourned the January 6, 2015 council meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Theresa Bass', with a long horizontal flourish extending to the right.

Theresa Bass, CMC
Assistant City Clerk