



# ANAHEIM CITY COUNCIL ACTION AGENDA

January 24, 2012

Tom Tait  
Mayor

Lorri Galloway  
Mayor Pro Tem

Harry S. Sidhu, P.E.  
Council Member

Gail E. Eastman  
Council Member

Kris Murray  
Council Member

## CITY COUNCIL REDEVELOPMENT AGENCY HOUSING AUTHORITY

- **ORDER OF BUSINESS:** Public sessions of all regular meetings of the City Council/Redevelopment Agency/Housing Authority/Public Financing Authority/Public Improvement Corporation begin at 5:00 P.M. Public hearings begin at 5:30 P.M. unless otherwise noted. Closed sessions begin at 3:00 P.M. or such other time as noted. Closed sessions may be preceded by one or more public workshops. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. Not all of the above agencies may be meeting on any given date. The agenda will specify which agencies are meeting.
- **REPORTS:** All agenda items and reports are available for review in the City Clerk's Office, the Central Library and [www.anaheim.net](http://www.anaheim.net). Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2<sup>nd</sup> Floor, Anaheim, CA 92805, during regular business hours.
- **PUBLIC COMMENTS:** Prior to the business portion of the agenda, the City Council and all other related agencies meeting on such date will convene in joint session to receive public comments regarding any agenda items or matters within the jurisdiction of any such governing bodies. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or chairperson will separately call for testimony at the time of each public hearing. If you wish to speak, please step to the podium at the appropriate time and state your name and address for the record. The time limit established for public comments is three minutes per speaker unless a different time limit is announced. Testimony during public hearings is not subject to the three minute time limit but speakers are encouraged to be brief. The Mayor or chairperson may limit the length of comments during public hearings due to the number of persons wishing to speak or if comments become repetitious or irrelevant. Pursuant to Government Code Section 54954.2(a)(2), no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.
- **ADDITIONS/DELETIONS:** Items of business may be added to the agenda upon a motion adopted by a minimum 2/3 vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon request of staff or upon action of the Council or Agency.
- **CONSENT CALENDAR:** Consent Calendar items will be acted on by one roll call vote unless members, staff or the public request the item be discussed and/or removed from the Consent Calendar for separate action.

**ANAHEIM CITY HALL  
ANAHEIM, CALIFORNIA  
JANUARY 24, 2012  
3:00 P.M.**

Call to order the Anaheim City Council.      **3:06 P.M.**

**3:00 P.M. - WORKSHOP**

3:00 P.M. – PERS workshop

**Public comments by 2 speakers.**

**ADDITIONS/DELETIONS TO CLOSED SESSION:            None**

**PUBLIC COMMENTS ON CLOSED SESSION ITEMS:      None**

Recess to closed session.      **4:32 P.M.**

**CLOSED SESSION**

1.      **PUBLIC EMPLOYEE APPOINTMENT (Government Code Section 54957)**  
Title: City Manager
  
2.      **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to subdivision (c) of Government Code  
**Section 54956.9:** Approximately 35 potential cases
  
3.      **CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION**  
**(Subdivision (a) of Section 54956.9 of the Government Code)**  
**Name of Case:** Whitehouse v. The City of Anaheim, et al., OCSC Case No. 30-  
2008 00109274-CV-PO-CJC
  
4.      **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION**  
Initiation of litigation pursuant to subdivision (c) of Government Code  
**Section 54956.9:** One case

Reconvene Anaheim City Council.      **5:16 P.M.**

**5:00 P.M.**

**Invocation:**                      Pastor Ed Bartel, Sunkist Community Church

**Flag Salute:**                      Council Member Kris Murray

**Presentations:**                  Recognizing long term City retirees with more than 20 years of  
service

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

Recognizing Youth Leadership America graduates

Recognizing the recipients of the Women's Division, Anaheim Chamber of Commerce, Educator Spotlight Awards

Proclaiming February 2012, as Make Kindness Contagious Month

Proclaiming February 2012, as Career and Technical Education Month

Recognizing Century 21 Award on their Grand Opening

Recognizing the YWCA North Orange County Man and Woman of the Year

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

**ADDITIONS/DELETIONS TO THE AGENDAS:     None**

**PUBLIC COMMENTS (all agenda items, except public hearing):     Public comments by 28 speakers.**

Recess the Anaheim City Council and Anaheim Housing Authority.

**5:00 P.M. - REDEVELOPMENT AGENCY     6:30 P.M.**

MOTION: E/M . **Approved Vote: 5-0**

**CONSENT CALENDAR:**

1. Approve and authorize the Agency Executive Director, or his designee, to execute and administer the Save Harmless In-Lieu of Encroachment Agreement and Covenant Not to Sue with the City for an approved remedial action plan for the Anaheim Westgate site located at the northeast corner of Beach Boulevard and Lincoln Avenue.
  
2. RESOLUTION NO. ARA 2012-001 A RESOLUTION OF THE ANAHEIM REDEVELOPMENT AGENCY adopting an amended enforceable obligation payment schedule as referred to in section 34169(G) of the California Health and Safety Code.
  
3. Approve minutes of Redevelopment Agency meeting of December 20, 2011.

Adjourn the Anaheim Redevelopment Agency.

Reconvene the Anaheim Housing Authority.

**5:00 P.M. - HOUSING AUTHORITY**

**6:31 P.M.**

MOTION: E/M . **Approved Vote: 5-0.**

**CONSENT CALENDAR:**

4. RESOLUTION NO. AHA 2012-001 A RESOLUTION OF THE GOVERNING BOARD OF THE ANAHEIM HOUSING AUTHORITY electing under Part 1.85 of Division 24 of the California Health and Safety Code to assume the Housing assets and functions previously held and performed by the Anaheim Redevelopment Agency upon dissolution of the Anaheim Redevelopment Agency.
  
5. Approve minutes of Housing Authority meeting of November 15, 2011.

Adjourn the Anaheim Housing Authority.

Reconvene the Anaheim City Council.

**5:00 P.M. - CITY COUNCIL**

**6:32 P.M.**

Items pulled for further discussion:

- Council Member Murray: Item Nos. 7 and 8
- Mayor Tait: Item No. 16

MOTION: M/G Waive reading in full of all ordinances and resolutions and adopt the consent calendar. **Approved Vote: 5-0. Item Nos. 7, 8, 10 and 12 – Mayor Tait recorded a conflict. Approved Vote: 4-0-1; Ayes: Council Members Sidhu, Galloway, Murray and Eastman; Abstain: Mayor Tait.**

6. Approve the Investment Portfolio Report for December 2011.

**Mayor Tait declared a conflict on Item Nos. 7 and 8 and excused himself from the dias during discussion of both items. 6:34 P.M.**

7. Determine, on the basis of the evidence submitted by Lennar Platinum Triangle Partners, LLC, that the property owner has complied in good faith with the terms and conditions of Development Agreement No. 2005-00008 for the 2010-2011 review period for the A-Town Metro project in the Platinum Triangle.  
**Item No. 07 Discussion. Motion M/S (Approved Vote: 4-0-1; Ayes: Council Members Sidhu, Galloway, Murray and Eastman; Abstain: Mayor Tait)**

8. Determine, on the basis of the evidence submitted by LNR Platinum Stadium, LLC, that the property owner has complied in good faith with the terms and conditions of Development Agreement No. 2006-00002 for the 2010-2011 review period for the A-Town Stadium project in the Platinum Triangle.  
**Item No. 08 Discussion. Motion M/S (Approved Vote: 4-0-1; Ayes: Council Members Sidhu, Galloway, Murray and Eastman; Abstain: Mayor Tait)**

**Mayor Tait returned to the dias. 6:39 P.M.**

9. Determine, on the basis of the evidence submitted by Prologis, that the property owner has complied in good faith with the terms and conditions of Development Agreement No. 2006-00004 for the 2010-2011 review period for the Experience at Gene Autry Way project in the Platinum Triangle.
10. Award the contract to the lowest responsible bidder, RJ Noble Company, in the amount of \$688,374.08, for the Anaheim Boulevard Improvements project from Cypress Street to 125 feet south of La Palma Avenue and authorize the Finance Director to execute the Escrow Agreement pertaining to contract retentions.
11. Accept the bid of Mercury Fuels, in the amount of \$318,400 (plus sales tax), for the as-needed purchase of Jet A Turbine helicopter fuel for the Police Department for a one year period, with four one-year optional renewals and authorize the Purchasing Agent to execute the renewal options, in accordance with Bid #7573.
12. Accept an award of funds by the County of Orange Board of Supervisors and approve and authorize the City Manager, or his designee, to execute and administer an agreement, and any amendments, with County of Orange for the provision of vocational training activities.
13. Approve Amendment No. 1 of Agreement C-9-0622 with the Orange County Transportation Authority (OCTA) for coordinating Brookhurst Street as part of OCTA's Traffic Light Synchronization Program.
14. Approve and authorize the Public Utilities General Manager to execute and to take such actions as necessary or advisable to implement the Second Amended and Restated Metered Subsystem Agreement, and any related documents, with California Independent System Operator Corporation.

15. Approve and authorize the Human Resources Director to implement and offer an accelerated separation program for full-time employees in classifications assigned to the Confidential, Professional/Technical, Middle Management, Supervisory, and Administrative Management units employed within the Community Development Department.

RESOLUTION NO. 2012-006 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving a Letter of Understanding between the Anaheim Municipal Employees Association, General and Clerical Units and the City of Anaheim (Accelerated Separation Program).

16. Waive compliance with Council Policy 4.1, approve an agreement with the Anaheim Chamber of Commerce, in the total not-to-exceed amount of \$1,766,500, with up to \$50,000 in additional payments for processing vouchers, to implement the Anaheim Enterprise Zone program and approve a Hiring Tax Credit Voucher Application Fee, in the amount of \$100.

RESOLUTION NO. 2012-007 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM approving the boundaries and identifying the census tracts comprising the targeted employment area for the City of Anaheim.  
**Item No. 16 Discussion. Motion M/G (Approved Vote: 5-0)**

17. RESOLUTION NO. 2012-008 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM electing under part 1.85 of Division 24 of the California Health and Safety Code not to retain the Housing assets and functions previously performed by the Anaheim Redevelopment Agency upon dissolution of the Anaheim Redevelopment Agency.

18. RESOLUTION NO. 2012-009 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM declaring its intention to amend the non-exclusive taxicab franchises of Yellow Cab of Greater Orange County, Inc., Cabco Inc. dba California Yellow Cab, and A White and Yellow Cab, Inc. dba A-Taxi Cab to extend the terms thereof until May 15, 2012, and establishing the date, hour and place when and where any persons having any interest therein or any objection thereto may appear and be heard thereon (public hearing scheduled for February 28, 2012).

19. Approve minutes of the Council meeting of January 10, 2012.

20. ORDINANCE NO. 6230 (ADOPTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending the zoning map referred to in Title 18 of the Anaheim Municipal Code relating to zoning (Reclassification No. 2011-00245; DEV2011-00083; 1102 and 1160 North Homer Street; Introduced at the Council meeting of January 10, 2012, Item No. 10).

21. ORDINANCE NO. 6232 (INTRODUCTION) AN ORDINANCE OF THE CITY OF ANAHEIM amending the zoning map referred to in Title 18 of the Anaheim Municipal Code relating to zoning (Reclassification No. 2011-00244; DEV2011-00070; 2201 East Cerritos Avenue).

**END OF CONSENT CALENDAR 6:57 P.M.**

22. Discussion relating to record management practices and policies.

Motion: \_\_\_\_\_

**Item No. 22 Discussion. Staff will return to Council with recommendations to further improve the city's records management practices.**

23. Discussion to consider an amendment to an existing economic assistance agreement and provide direction to staff to develop an agreement with the developer (GardenWalk Hotel Project).

**Item No. 23 Discussion. Motion M/E Direct staff to prepare an amendment consistent with developer's proposal and authorize the City Manager, or his designee, to execute said amendment (Approved Vote: 3-2; Ayes: Council Members Sidhu, Murray and Eastman; Noes: Mayor Tait and Mayor Pro Tem Galloway)**

**5:30 P.M. PUBLIC HEARINGS:**

**7:43 P.M.**

24. This is a public hearing to introduce an ordinance approving the Sixth Amended and Restated Franchise Agreement with Republic Waste Services of Southern California, LLC, dba Anaheim Disposal for the collection, handling, processing, recycling, transportation and disposal of solid waste within the city.

**Mayor Tait opened the public hearing. Public comment by 1 speaker. Mayor Tait closed the public hearing.**

ORDINANCE NO. 6233 (INTRODUCTION) AN UNCODIFIED ORDINANCE OF THE CITY OF ANAHEIM approving the Sixth Amended and Restated Franchise Agreement for the collection, handling, processing, recycling, transportation and disposal of solid waste within the city limits of Anaheim for Republic Waste Services of Southern California, LLC, dba Anaheim Disposal.  
**Item No. 24 Discussion. Motion G/M (Ordinance Introduced; Vote 5-0).**

**Report on Closed Session Actions:**

**None**

**Council Communications:**

Council Member Eastman spoke of her attendance at a non-profit community group meeting regarding building community gardens and invited citizens interested in gardening to participate. She thanked Bob Wingenroth, Acting City Manager, for his analysis with respects to the GardenWalk project.

Council Member Sidhu announced the Youth Leadership America's 10<sup>th</sup> Anniversary and graduation ceremony to be held on January 27. He also spoke about Irv Pickler, former Council Member and Orange County Water District representative, retirement reception to be held on January 25 at Anaheim West Tower, Gordon Hoyt.

Mayor Pro Tem Galloway announced the birth of her first grandson, Shane Galloway Bradford. She reported on the East Street Community Renewal Initiative and the town hall meeting she attended on January 23 and also read a letter written by a 9-year old girl impacted by gang activity in that area.

Council Member Murray announced the following upcoming City events: Irv Pickler's retirement reception to be held on January 25, Orange County Black History Month parade and festivities on February 4, and the Anaheim Family Justice Center 4<sup>th</sup> Annual Comedy Club fundraiser at the Brea Improv on February 26. She spoke of her work with Orange County regarding the Homeless and Poverty Taskforce. Council Member Murray also requested staff to take a strategic focus on how the city can develop programs, address neighborhood concerns, and revitalize communities during the next budgetary cycle. She further asked staff to address the graffiti removal concerns.

Mayor Tait commended the Police Department and citizens involved in apprehending the suspect involved in the homeless killings. He spoke of the town hall meeting at the East Street community meeting and requested staff to focus on ways to revitalize these communities. He urged citizens to participate in the community gardening group and to contact Council Member Eastman for more information. He also commended and congratulated Irv Pickler on his retirement and requested the meeting adjourn in honor of his service to the City.

**Adjournment: 8:19 P.M.**

Adjourned in honor of Irv Pickler for his contributions to the City.

Next regular City Council meeting is scheduled for February 7, 2012.

All agenda items and back-up materials are available for review at the Anaheim City Clerk's Office, [www.anaheim.net](http://www.anaheim.net) and the Central Library. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk, located at 200 S. Anaheim Blvd., 2<sup>nd</sup> Floor, Anaheim, CA 92805, during regular business hours.

If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132), and the federal rules and regulations adopted in implementation thereof.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 200 South Anaheim Boulevard, Anaheim, California, or by telephone at (714) 765-5166, no later than 10:00 AM on the day preceding the scheduled meeting.

POSTING STATEMENT: On January 20, 2012, a true and correct copy of this agenda was posted on the kiosk outside City Hall, 200 S. Anaheim Blvd. Internet Access to City Council/Redevelopment Agency/Housing Authority agendas and related material is available prior to City Council Meetings at [www.anaheim.net](http://www.anaheim.net).