

**ANAHEIM CITY COUNCIL REGULAR
AND REGULAR AJOURNED MEETING OF SEPTEMBER 26, 2017**

The regular meeting of September 26, 2017 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 September 26, 2017 was called to order at 3:30 P.M. in the Council Chamber of Anaheim City Hall, located at 200 S. Anaheim Boulevard. The meeting notice, agenda, and related materials were duly posted on September 22, 2017.

PRESENT: Mayor Pro Tem James Vanderbilt and Council Members: Denise Barnes, Jose F. Moreno, Lucille Kring, and Stephen Faessel.

ABSENT: Mayor Tom Tait and Council Member Kris Murray.

STAFF PRESENT: Interim City Manager Linda Andal, Acting City Attorney Kristin Pelletier, and Acting City Clerk Theresa Bass.

ADDITIONS\DELETIONS TO CLOSED SESSION:

Acting City Attorney Kristin Pelletier announced Closed Session Item Nos. 2 and 3 related to tort claims filed by Raul Quezada and Dan Cahill, respectively.

PUBLIC COMMENTS ON CLOSED SESSION ITEMS: None

CLOSED SESSION: At 3:36 P.M., Mayor Tait recessed to closed session for consideration of the following items:

1. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case:** Kirton v. City of Anaheim, Orange County Superior Court Case No. 30-2017-00898830
2. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of
California Government Code Section 54956.9:** One potential case.
3. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of
California Government Code Section 54956.9:** One potential case.
4. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Subdivision (d)(1) of Section 54956.9 of the California Government Code)
Name of Case:** Shelley McKerren v. City of Anaheim, Orange County Superior Court
Case No. 30-2017-0000938143-CU-OE-CJC

At 5:06 P.M., the council session was reconvened.

INVOCATION: Chief Randy Bruegman, Anaheim Fire & Rescue Department

FLAG SALUTE: Mayor Pro Tem James Vanderbilt

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

Proclaiming October 2017, as Domestic Violence Awareness Month

Tracy Theodore, Orange County Family Justice Center, thanked Council and the City for recognizing the important issue of domestic violence and for the proclamation declaring October as Domestic Violence Awareness Month. She invited the public to their fundraiser on October 15th at the Grove in Anaheim.

Proclaiming October 2017, as Arts and Humanities Month

Carol Latham, President of the Anaheim Arts Council, commented on the arts giving significance to lives and thanked Council and the City for the proclamation. She referenced the item on tonight's agenda relative to the Anaheim Poet Laureate, commented on the City's Art in Public Places program, announced their award ceremony on November 2nd at 5:30 P.M. in the City Council Chamber, reported they were seeking nominations, and encouraged residents to submit nominations to erika@chanceverita.com. Additional information can be obtained at www.anaheimartscouncil.com.

Proclaiming October 2017, as Filipino American History Month

Proclaiming October 2017, as International Walk to School Month

Dr. Linda Kimble, Anaheim Elementary School District Superintendant, introduced Mike Heiner, Principal, Olive Street Elementary School, who provided information on a new program, Walking School Bus, which through the participation of parents and students, have created a virtual school bus for students, providing a safe route for students to walk to and from school. Arlette and Camille, students at Olive Street Elementary School, provided a description of the program.

Dr. Kimble reported that all 24 schools will be implementing the program and thanked Council and the City for the proclamation.

Proclaiming October 1-7, 2017, as Public Power Week

Janet Lonneker, Assistant General Manager Electric Services, Anaheim Public Utilities, spoke regarding Public Power Week and thanked Council and the City for the proclamation. She addressed their mission and announced a kick-off celebration on October 5th, on Center Street Promenade at 9:00 A.M. On the same day, from 12:00 P.M to 3:00 P.M., the public is invited to visit booths and learn about City programs allowing residents to save.

Proclaiming October 2, 2017, as World Habitat Day

Proclaiming October 4, 2017, as National Hockey League Opening Day

Steve Hoem, PR Manager, Anaheim Ducks Hockey Club, thanked Council and the City for the proclamation and their support.

Proclaiming October 5, 2017, as World Teachers' Day

Proclaiming October 8-14, 2017, as Fire Prevention Week

Allen Hogue, Deputy Fire Marshal, accepted the proclamation on behalf of Fire Chief Randy Bruegman and thanked Council and the City for acknowledging October 8-14, 2017, as Fire Prevention Week. He addressed this year's theme and reported on their Home Safety Visits program where they install free smoke alarms to all residents of the City.

Mayor Pro Tem Vanderbilt called to order the Successor Agency to the Anaheim Redevelopment Agency and Anaheim Housing Authority (in joint session with the City Council) at 5:21 P.M.

ADDITIONS/DELETIONS TO THE AGENDAS: None

PUBLIC COMMENTS (all agenda items): *Prior to receipt of public comments, a brief decorum statement was provided by Acting City Clerk Theresa Bass.*

Cecil Jordan Corkern, Outreach Homeless Ministries, read from the Bible and commented on Disney being in trouble with employees.

Rich Good thanked Council for its role in a recent job fair, commented on a decrease in unemployment, and noted the YMCA has openings for jobs and the job fair has been a good way for them to find people. He addressed the organization's role in helping people learn the skills they need to enter the work force.

Mark R. Daniels spoke regarding the historical significance of September in terms of the Constitutional Convention of 1787 in Philadelphia, the Emancipation Proclamation in 1862, and the anniversary of the Little Rock Nine. He commented on Nancy West, who was born in September 1962 and has made a significant impact to the community. He stated she was the essence of the American condition, people who will stand up to fight for their beliefs, commended her for her work and for establishing Al Fresco Gardens and invited Council and residents to review her plan at www.alfrescogardens.com.

William Fitzgerald, Home Owners Maintaining Our Environment, made allegations of council members receiving illegal conflict of interest funds. He referenced an article in Sunday's *Los Angeles Times* regarding the Operation Home Safe program to remove the homeless out of Anaheim and addressed Council's approval of an ordinance allowing the Anaheim Police Department to seize and destroy property and later approved an ordinance changing minor infractions for a homeless person into a criminal misdemeanor, punishable for up to one year in jail. He addressed removal of portable bathrooms on the river trail and commented on an increase in Hepatitis A in the City. He commented on the recent approval of Operation Home Safe and alleged Council's approved criminal actions against the homeless in Anaheim.

Renee B. referenced the wrongful death trial of an Anaheim police officer had been postponed until further notice, a different wrongful death trial was scheduled for October 24th at the Reagan Federal Building in Santa Ana, and encouraged Council and the public to attend. She commented on an officer-involved shooting and claimed there has been no accountability, which made the Anaheim Police Department a liability, in her opinion.

R. Joshua Collins, Homeless Advocates for Christ, read from the Bible and encouraged Council to pursue housing first for the homeless. He referenced a study by UCI regarding the cost of providing supportive services to the homeless and savings that can be obtained by the public support of housing. He spoke in support of providing restrooms at Maxwell Park and the riverbed and reported Anaheim Police was taking people's property without warning. He alleged laws were being selectively enforced and urged Council to repeal laws targeting the poor and homeless.

"The Cameraman" referenced Council's recent approval of Operation Home Safe and public comments made during the last City Council meeting. He opined those comments proved Anaheim was not a city of kindness but rather a city of racism and bigotry against the homeless. He noted only a small percentage of the homeless were criminals and suggested the need for the City to educate the public on the matter; adding that only love, understanding, and

compassion would resolve the problem. He encouraged each Council Member to denounce any acts of violence against the homeless, by any member of their district, as a solution to the problem.

Dennis Davino, North Orange County Community College District, provided information on the organization, their students, and reported the School of Continuing Education was now known as the North Orange Continuing Education. He addressed the services they provide, their programs, and encouraged those wanting more information to visit www.noce.edu. He spoke regarding their upcoming Harvesting Opportunities event on October 21st.

In reply to Council Member Kring's question, Mr. Davino reported they still have their culinary school and Council Member Kring commented positively on the program.

Council Member Faessel noted he has been a member of their technical program and commented positively on it.

Lou Noble commented on the history of homelessness and read a quote from Thomas Jefferson regarding the dangers of the banking industry and corporations. He indicated that when the City criminalizes the homeless, it makes it worse for them. He shared the testimony of a lady whose wheelchair was taken away and was given crutches and reported many of the homeless were afraid to speak out because of potential retaliation. He noted the need for sanitation and suggested Council allow Al Fresco Gardens to work. He spoke regarding unlawful foreclosures and hoped the City will work towards positive changes.

LaShay Rodriguez, Environment California, spoke about the organization and reported California's coast has been added to a list of possible places for expanded off-shore drilling, stating this would have a devastating effect to ocean life and coastal communities and economies. She announced Environment California was sending a letter asking Secretary of Interior Ryan Zinke to remove California from the list and asked City Council to oppose the item and sign on to their letter.

In response to Mayor Pro Tem Vanderbilt regarding a source for obtaining additional information, Ms. Rodriguez encouraged the public to visit www.environmentcalifornia.org.

Chad Hoffman reported attending a recent panel at the Phoenix Club, regarding solutions to the homeless crisis as well as a policy working group meeting where he listened to legal issues on both sides. He shared a comment made by an activist wondering why community residents did not attend. In terms of the homeless problem, he believed the ultimate answer is not the riverbed and that what is needed is a compelling event. He urged Council to help press the County on their need to act in other developments and cities.

Nancy West shared her mission relative to homelessness and addressed miscommunication regarding a study showing that homelessness shortens life expectancy.

Michelle Montes spoke regarding police brutality in the City and across the State, as well as the lack of accountability. She urged Council to address the issue.

Edward Allen stated he recently moved to Anaheim and noted rebates for new appliances were notably less in Anaheim than other cities, reported his insurance rates were doubling because of his zip code, and noted problems with the nearby homeless community. He reported the Orange County Health Officer, Dr. Katz, had interesting ideas and programs the City may find worthwhile.

Council Member Kring welcomed him to Anaheim, reported he lives in District 1, and stated every city operates differently in terms of rebates. Regarding his insurance rates, she reported that was a private matter in which the City cannot involve itself.

Mayor Pro Tem Vanderbilt informed him he will have his staff contact him to see if they can help him.

Louis Ybarra commented on those comparing the homeless issue in Anaheim with the situation of the Jews during Hitler's reign. He opined they use fear tactics to change the minds of City Council to prevent them from doing their duties for the residents of Anaheim. He stated the arguments are despicable and demeaning to the millions of Jews who were tortured and murdered by Hitler and Nazis. Mr. Ybarra stated he will continue to stand and speak against ideas that decrease property values and increase property theft. He referenced previous comments about District 5 residents and reported the problem was getting out of control and needed to be resolved.

Yesenia Rojas thanked Mayor Tait and Council Member Faessel for supporting Noche Mexicana, celebrating Mexican Independence Day. She thanked the City for allowing leaders of Guanajuato to tour the City and meet City Officials. She thanked the City for supporting her and believing in her work and encouraged everyone to work together.

Kara Sandoval, homeless advocate, reported many of the homeless on the riverbed moved to La Palma Park and feared they will endure harassment by the Homeless Liaison Officers of the Anaheim Police Department. She stressed the need for a safe zone for the homeless and stated the State of Emergency should be treated as one; giving the homeless the same basic rights as others.

In reply to Council Member Moreno's question, Ms. Sandoval stated enforcement activities on the riverbed were pushing people from the riverbed to La Palma Park.

Jeanine Robbins commented on County Supervisor Todd Spitzer's comments at a recent City Council meeting, specifically, the importance of having sanitary services while clearing out the riverbed. She noted Operation Home Safe included no provisions for restrooms, no provision for hand-washing stations, and no provision for showers. A lack of sufficient drainage at the watering station at Rampart Park has turned into a mud-filled cesspool of stagnant water and Vector Control is there spraying, trying to stop West-Nile virus. She addressed a possible outbreak of Hepatitis A and warned it would be devastating to the City's tourism. If a health outbreak occurs, residents will blame the City and lawsuits will be enormous. These can be prevented with simple sanitation and she failed to understand why Council's plan did not include it in the State of Emergency plan.

Council Member Kring commented on the dangers of mosquitos and reported CityNet was vaccinating homeless people on the riverbed against Hepatitis A.

Ms. Robbins responded that the homeless were not responding to CityNet and activists will be going tent-to-tent and offer to stay with their belongings while they go to get vaccinated.

Mike Robbins commented on housing first as a method of resolving the homeless population and opined the current plan served to criminalize the homeless instead of helping them. He addressed a recent "roundup" of the homeless and commented on the causes of homelessness. He stressed the cost of homelessness declines when homeless individuals were housed and reported 33 people died on the streets in August because of homelessness.

Wes Jones spoke about the challenges of homelessness and stated attitudes towards homelessness at the last Council meeting were disappointing, referenced various studies on homelessness, and noted the majority of the homeless were such because of purely economic reasons. Additionally, more people experiencing homelessness, die every month than those who receive housing.

Dr. Patricia Adelekan thanked Council Member Faessel for nominating Kimberly Keys to be honored as an educator. She reported as human beings, our purpose is to care for and help one another and stated human rights include food, shelter, and health. She shared she recently returned from a trip to China where she saw no homeless people and noted we have a lot to learn from China.

Bryan Kaye indicated he was surprised that in Anaheim, 150 people were arrested per year, commented on equating present problems with Hitler, reported receiving a text message, from an Anaheim Police Officer with derogatory language, and distributed copies of a document.

Council Member Moreno reported Mr. Kaye forwarded the alleged text to him and asked the Police Department to investigate and found the telephone from which the text came was not in the name of any Anaheim Police Officer. He requested the City Manager confirm whether that was an Anaheim Police Department cell phone.

Acting City Attorney Kristin Pelletier noted the City can confirm if the cell phone belongs to the City or not. Council Member Moreno asked staff to verify if that was a City cell phone and report back to Council and the public.

Pat Davis reported becoming involved with homeless advocates and commented positively on their hard work and commitment. She reported she and her partner became legal observers for the ACLU and attended various forums regarding the homeless, claiming there were contradictions in terms of the City's policy. She referenced County Supervisor Todd Spitzer's visit to Council during a previous meeting and asked about the status of obtaining the resources he offered. She added the lack of sanitation on the riverbed was scary and expressed concern with the slow pace wherein things happen. She wished she could see the same commitment from Council as she sees with advocates and hoped Council would work together towards specific solutions.

Council Member Kring stated residents need to pressure the Board of Supervisors, as they are sitting on millions of dollars from the federal government.

Dave Durand felt there was nothing he could say that would convince Council to move forward at a faster rate that has been experienced but noted he will work hard to apply pressure, where pressure needs to be applied. He urged Council to do the right thing, sooner than later.

Council Member Kring reported there are trash receptacles on the riverbed that are picked up twice a month. There are also containers for needles and CityNet is there every day to provide bottled water and information on services.

Council Member Barnes stated she pays close attention to neighborhoods in District 1 and attempts to protect children, as there is a lot of loitering of homeless people. Her primary goal is to protect residents and suggested using Next Door to report problems. She stated she is grateful that the City is working, collaboratively, to fix the problem and suggested Ms. Davis attend CityNet meetings.

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Council Member Moreno requested a report within 30-days regarding Operation Home Safe to include updates regarding sanitation and water conditions and County actions regarding placement of restrooms as stated by Supervisor Spitzer, and, if none, to agendaize City consideration of placement of portable restrooms at the riverbed. He also requested a report to Council on allegations by Bryan Kaye regarding a police officer's use of a City-issued cell phone.

Council Member Kring requested clarification on the policy for proclamations and for Girl Scout Troop No. 4111 to lead the flag salute at the October 17, 2017 Council meeting.

Council Member Barnes reported her travel to Sacramento to attend the League of California Cities meeting.

Mayor Pro Tem Vanderbilt presented the www.anaheimcare.org website, a non-governmental website for finding food, shelter, and other services daily.

CITY MANAGER'S UPDATE:

Interim City Manager Linda Andal reported Assistant City Manager Kristine Ridge was appointed as the city's point of contact regarding Operation Home Safe and homelessness. She also announced the Public Works Department was collecting surveys regarding permit parking through October 6th, hosting a community workshop at the Anaheim West Tower Gordon Hoyt Conference Room on October 3rd at 6:00 P.M., presenting a workshop to Council on October 17th, and presenting final recommendations in late 2017 or early 2018.

Fire Chief Randy Bruegman provided an update on the Canyon Fire and invited Council to tour the command post.

Mayor Pro Tem Vanderbilt recessed the Anaheim City Council at 7:01 P.M. to address the Successor Agency to the Redevelopment Agency and Anaheim Housing Authority agendas and reconvened the Anaheim City Council meeting at 7:05 P.M.

CONSENT CALENDAR: At 7:05 P.M., the Consent Calendar was considered with Council Member Moreno pulling Item No. 10 for further discussion and Council Member Faessel pulling Item No. 15.

MOTION: Council Member Moreno 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 Barnes. ROLL CALL VOTE: AYES - 5: (Mayor Pro Tem Vanderbilt and Council Members Barnes, Moreno, Kring, and Faessel); NOES - 0; ABSENT - 2: (Mayor Tait and Council Member Murray). Motion carried.

B105 4. Receive and file minutes of Cultural and Heritage Commission meetings of April 20, 2017 and May 18, 2017, Parks and Recreation Commission meeting of July 26, 2017, and Community Services Board meeting of August 10, 2017.

D116 5. Approve proclamations recognizing 40 years of friendship between the Anaheim Shores community and the city of Mito, Japan; Sylvia Mendez, in honor of the 70th Anniversary of the landmark Supreme Court case, Mendez v. Westminster; the individuals and families affected by the United States' Mexican Repatriation Program; and Acts of Kindness by

Juan Gallegos & his son Dominic Gallegos for assisting 85-year-old Francisco Martinez during a health crisis.

- D117 6. Approve the Investment Portfolio Report for August 2017.
- D180 7. Accept the bid from Rasix Computer Center, Inc., in the amount of \$144,462.12 plus a 30% contingency and applicable tax, for the purchase of printer supplies, ink and toner cartridges for a one-year period with four one-year optional renewals, and authorize the Purchasing Agent to exercise the renewal purchase orders in accordance with Bid #8996.
- AGR-4206.B
AGR-1606.E
AGR-10763
AGR-1609.0 8. Accept the proposals and approve agreements with Standard Enterprises, Inc., dba To' n' Mo Towing, P & H Enterprises, Inc., dba Anaheim-Fullerton Towing, Pacific Towing Service, Inc., and Country City Towing, Inc. for vehicle towing and associated services for the Police Department, commencing on October 1, 2017 for a one year period with up to four one-year optional renewals and authorize the Chief of Police to execute and take the necessary actions to implement and administer the agreements, including exercising the renewal options.
- D180 9. Waive the sealed bidding requirement of Council Policy 4.0 and authorize the Purchasing Agent to issue a purchase order to Siemens Industry, Inc., in the amount of \$598,730 including all applicable taxes, for the upgrade of building automation control panels at the Anaheim Convention Center.
- AGR-10765 11. Determine that the Underground Utility Locating Services are categorically exempt from the California Environmental Quality Act pursuant to Sections 15061(b)(3) and 15301(b) of Title 14 of the California Code of Regulations, approve an Agreement with Kana Substructure Engineering, Inc. to perform the locating services, in the amount of \$1,074,200 for the two-year initial term and approximately \$537,148 with Consumer Price Index adjustments for each one-year extension for up to three years, plus an additional 15% for as-needed extra services, and authorize and direct the Public Utilities General Manager, or designee, to execute the agreement, and any related documents, and take the necessary actions to implement and administer the agreement.
- AGR-10766 12. Approve a Joint Participation Agreement with the City of Fullerton, in an amount not to exceed \$160,000, for the funding of the design and construction of the State College Boulevard Reconstruction Project.
- AGR-10767
AGR-10768
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AGR-10780
AGR-10781
AGR-10782 13. Approve a Professional Services Agreement for on-call consulting and engineering support for the Public Works Traffic and Transportation Section and authorize the Public Works Director to execute the agreements with the consultants for a three year term with up to two one-year extensions: ADVANTEC Consulting Engineers, Inc.; Alta Planning and Design, Inc.; Cambridge Systematics, Inc.; DKS Associates; Fehr & Peers; Interwest Consulting Group, Inc.; Iteris, Inc.; Kimley Horn and Associates, Inc.; Kittleson & Associates, Inc.; KOA Corporation; Linscott, Law and Greenspan, Engineers; LSA Associates, Inc.; Michael Baker International, Inc.; PMK, Inc.; RRM Design Group; Stantec Consulting Services, Inc.; and Transpo Group USA Inc.; approve a not-to-exceed award amount of \$400,000 per work order package, with a total not-to-exceed limit per

consultant per contract year of \$1,000,000 in total awards during each fiscal year of the agreement's three year term, inclusive of extra work; authorize the Public Works Director to take the necessary actions to implement and administer the agreement; and authorize changes to the agreement that do not substantially change the terms and conditions of the agreement, so long as such changes are determined to be de minimis by the City Attorney's Office.

AGR-
10783

14. Approve the Site License Agreement for Telecommunications Facilities Mounted on City Facilities, in substantial form, with New Cingular Wireless PCS, LLC (AT&T), which authorizes AT&T to install 68 Distributed Antenna System Antennas in the Anaheim Convention Center Expansion project to provide cellular service coverage, pay to the City a monthly fee in the amount \$3,523.18 with an initial term of ten years with up to two automatic successive five five-year renewals, and pay to the City a one-time fee, in the amount of \$181,160, for reimbursement of AT&T's apportioned share of the furnishings and installation of all infrastructure costs for cellular providers as noted in the City of Anaheim Department of Public Works Anaheim Convention Center Betterment VII Project Change Order B approved by Council on June 6, 2017, authorize the Interim City Manager to execute the agreement, authorize the Executive Director of the Convention, Sports & Entertainment Department to execute any other related documents, and take necessary actions to implement and administer the agreement, and authorize de minimis changes that do not substantially change the terms and conditions of the agreement, as determined by the City Attorney's Office.

D114

16. RESOLUTION NO. 2017-141 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM adding Policy 2.2 to the City Council Policy Manual relating to establishing a Poet Laureate for the City of Anaheim.

D182

17. RESOLUTION NO. 2017-142 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM determining that a procurement target of up to 11 Megawatts of Energy Storage Systems by December 31, 2026 is appropriate subject to City Council authorization for future capital expenditures and authorize the Public Utilities General Manager or designee to prepare, execute and submit documents and take such actions as necessary in connection with the determination made hereunder.

END OF CONSENT CALENDAR 7:22 P.M.

AGR-
10764

10. Waive Council Policy 4.1 and approve a professional services agreement with The Counseling Team International, Inc., in an amount not to exceed \$250,000, for peer support services for a three-year period, and authorize the Chief of Police, or his designee, to execute and administer the agreement.

Deputy Police Chief Julian Harvey presented details of the staff report, stating the item was to approve a professional services agreement with The Counseling Team International, Inc. (TCTI) to provide peer support services for the Fire and Police Departments. The peer support program is an internal program where members of the departments that might need counseling can reach out confidentially to receive peer support. To supplement that program, the departments contract out with a professional counseling firm that has been in place for several years. TCTI has provided such services to other agencies throughout Southern California, such as San Bernardino after the massacre and the City of Whittier after the killing of a Whittier Police Officer.

Deputy Chief Harvey stated staff recommended awarding the contract to TCTI for one year with two one-year renewal options.

DISCUSSION: Council Member Moreno commented on the importance of providing these types of services for those who constantly respond to stressful events, noting it takes a special human being to be under the constant stress of dealing with traumatic situations. He thanked staff for bringing the item forward.

Council Member Barnes asked regarding the effectiveness of the program and Deputy Chief Harvey reported that for the years the program has been in place, the use of services far exceeded expectations. It was a way for employees to reach out to fellow employees when they are going through a crisis. Cases are held confidentially and, when necessary, employees were referred to The Counseling Team International for additional support. The program has proven to be exceptionally beneficial throughout the department.

MOTION: Council Member Moreno moved to waive Council Policy 4.1 and approve a professional services agreement with The Counseling Team International, Inc., in an amount not to exceed \$250,000, for peer support services for a three-year period, and authorize the Chief of Police, or his designee, to execute and administer the agreement, seconded by Council Member Faessel. ROLL CALL VOTE: AYES - 5: (Mayor Pro Tem Vanderbilt and Council Members Barnes, Moreno, Kring, and Faessel); NOES - 0; ABSENT - 2: (Mayor Tait and Council Member Murray). Motion carried.

15. Approve the Agreement for Sale of Property and Joint Escrow Instructions with Los Altos V, LP, in the amount of \$4,750,000, for the purchase of the former Northgate Market site located at 718-744 N. Anaheim Blvd., approve the Cooperation Agreement (City/Housing Authority Loan Agreement) with the Anaheim Housing Authority, and authorize the Director of Community and Economic Development, or designee, to execute and administer the agreements, and other documents as may be necessary to consummate the transactions (related to Housing Authority Item No. 03).

AGR-
10762.1

Community and Economic Development Director John Woodhead provided a brief staff report, stating this was the site of the original Northgate Market on Anaheim Blvd. He reported the City became aware of an opportunity to acquire the site for a potential learning center and an appraisal was completed by the City as well as by the owners of Northgate. Northgate's appraisal was higher; as a negotiating compromise, they offered to sell the property to the City at fair market value. The terms of the sale provide for a purchase price of \$4,750,000 with the City making a \$2,500,000 down payment. The Seller will carry back a promissory note for the balance of the purchase price which is to be retired by the City making equal monthly payments over a five year term. During the term of the note, the City will lease a portion of the building back to the owner for \$1 per year, during which time the owner will manage, maintain, collect, and keep all rents for that portion of the property. At the end of the lease term, the City will take possession of the remainder of the property.

DISCUSSION: In response to Council Member Moreno's question, Mr. Woodhead reported the City will make payments on the note and allowing them to lease the north part of the site and collect those rents will make up for the differences in appraisals.

Council Member Moreno reported meeting with City staff to discuss trying to find spaces for families, creating open spaces, community centers, and investing in City neighborhoods. When the subject property was identified, they discussed its possibilities and hoped the idea of an academic learning center can move forward. His vision is that the property will be used for that purpose and thanked staff for its diligence. He thanked the property owners for the opportunity,

noting this would be a way to engage the City's youth. He asked whether CDBG funds will be used for the project.

Mr. Woodhead reported the City has funded many projects for the community with CDBG funds and this is in keeping with it.

Council Member Kring indicated she was uncomfortable with this matter as residents voiced concerns relative to CDBG monies being decreased by the federal government and the site is in a very poor neighborhood. However, she noted it makes great economic sense for the City and the community as well as the City's youth and stated she would support the matter.

MOTION: Council Member Moreno moved to approve the Agreement for Sale of Property and Joint Escrow Instructions with Los Altos V, LP, in the amount of \$4,750,000, for the purchase of the former Northgate Market site located at 718-744 N. Anaheim Blvd., approve the Cooperation Agreement (City/Housing Authority Loan Agreement) with the Anaheim Housing Authority, and authorize the Director of Community and Economic Development, or designee, to execute and administer the agreements, and other documents as may be necessary to consummate the transactions (related to Housing Authority Item No. 03), seconded by Council Member Faessel. ROLL CALL VOTE: AYES - 5: (Mayor Pro Tem Vanderbilt and Council Members Barnes, Moreno, Kring, and Faessel); NOES - 0; ABSENT - 2: (Mayor Tait and Council Member Murray). Motion carried.

- B105 18. Consider appointments to the Senior Citizen Commission to serve terms through December 31, 2018 and December 31, 2020 (continued from September 12, 2017, Item No. 18).

MOTION: Council Member Kring moved to continue the item until the attendance of a full City Council. The motion died for lack of a second.

DISCUSSION: Council Member Moreno noted the matter had been continued twice and many of the applicants were anxious to proceed with their responsibilities.

Mayor Pro Tem Vanderbilt suggested proceeding with appointments for which there were nominations.

Council Member Kring stated she was not ready at this time to make a nomination.

Senior Citizen Commission (7 appointments)

Council Member Barnes appointed Dr. Emma J. Burns to the Senior Citizen Commission for District 1.

District 1 appointment: Dr. Emma J. Burns (December 31, 2020)

District 4 appointment was continued to October 17, 2018

District 4 appointment: _____ (December 31, 2020)

Council Member Faessel appointed Harold K. Ramey to the Senior Citizen Commission for District 5.

District 5 appointment: Harold K. Ramey (December 31, 2020)

Council Member Moreno appointed Paul W. Vicknair to the Senior Citizen Commission for District 3.

District 3 appointment: Paul W. Vicknair (December 31, 2018)

Interim City Manager Linda Andal reported Council Member Murray indicated she would support any appointment. Acting City Clerk Theresa Bass reported Mayor Tait recommended Michael K. Collins and Gary S. Kellison for two of the at large appointments

At large appointment: Michael K. Collins (December 31, 2018)

At large appointment: Gary S. Kellison (December 31, 2018)

Mayor Pro Tem Vanderbilt nominated Tim Schindler to the Senior Citizen Commission.

At large appointment: Tim Schindler (December 31, 2018)

MOTION: Council Member Faessel moved to appoint Michael K. Collins, Gary S. Kellison, and Tim Schindler for the at-large appointments, seconded by Council Member Moreno. ROLL CALL VOTE: AYES - 5: (Mayor Pro Tem Vanderbilt and Council Members Barnes, Moreno, Kring, and Faessel); NOES - 0; ABSENT - 2: (Mayor Tait and Council Member Murray). Motion carried. District 4 appointment was continued to October 17, 2017.

D112

19. Conduct a six-month review of the Council action taken on March 7, 2017 reducing the City Manager's authority from \$100,000 to \$50,000, adopt a resolution setting the authority of the City Manager to execute professional services agreements at a sum between \$50,000 and \$100,000, direct staff to amend Council Policy 4.1 as necessary to reflect the settlement authority conferred to the City Manager (continued from September 12, 2017, Item No. 23).

RESOLUTION NO. 2017-143 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ANAHEIM authorizing the City Manager to enter into certain agreements for and on behalf of the City when the amount does not exceed \$50,000 dollars and directing staff to amend Council Policy 4.1 as necessary to reflect this authority.

DISCUSSION: Council Member Kring stated she would prefer to wait until there was a City Manager in place to approve the subject resolution.

Acting City Attorney Kristin Pelletier reported currently the City Manager has no authority and felt the City Manager should be given some authority, noting that a sunset clause was included in the current resolution and that date has passed.

MOTION: Council Member Kring moved to approve the resolution with a not to exceed amount of \$50,000 for a period of six months, seconded by Council Member Faessel.

DISCUSSION: Council Member Moreno stated he would rather make the decision without having a permanent City Manager noting this was irrespective of the City Manager and was about good fiscal policy. In response to his inquiry, Ms. Pelletier reported the action required four votes.

Ms. Pelletier noted the importance of giving the City Manager authority as it would facilitate the City's on-going business and there was not another City Council meeting for three weeks.

SUBSIDIARY MOTION: Council Member Moreno moved to amend the motion on the floor, seconded by Mayor Pro Tem Vanderbilt. **ROLL CALL VOTE:** AYES - 3: (Mayor Pro Tem Vanderbilt and Council Members Barnes and Moreno); NOES – 2: (Council Members Kring and Faessel); ABSENT – 2: (Mayor Tait and Council Member Murray). Motion carried.

MOTION: Council Member Moreno moved to approve the resolution as presented, with a not to exceed amount of \$50,000, seconded by Mayor Pro Tem Vanderbilt. **ROLL CALL VOTE:** AYES - 4: (Mayor Pro Tem Vanderbilt and Council Members Barnes, Moreno, and Faessel); NOES – 1: (Council Member Kring); ABSENT – 2: (Mayor Tait and Council Member Murray). Motion carried.

REPORT ON CLOSED SESSION ACTIONS: None

COUNCIL COMMUNICATIONS/AGENDA REQUESTS:

Council Member Barnes thanked everyone for work performed and the ribbon cutting for the Convention Center, thanked Anaheim Anytime users for reporting issues, and asked for patience and participation in meetings regarding permit parking.

Council Member Faessel thanked the Anaheim Fire & Rescue Department for their efforts on the Canyon Fire, reported his attendance at the Mexican Independence Day celebration on September 17, reported almost 1,000 people were assisted at the Health Fair last weekend, announced the Miss Anaheim Fall Festival and the upcoming 94th celebration next month, the next meeting of the Homeless Policy Working Group at the Downtown Community Center on September 28th at 6:00 P.M, Public Power Week next week with bucket truck rides on October 5th, and free smoke alarms and home inspections from Anaheim Fire & Rescue.

Council Member Kring announced September is National Insurance Month and the Kaboom! playground build day at Willow Park last Saturday with three more to come, the next at Pearson Park in early 2018 designed by Anaheim Achieves participants. She also announced the opening of Towne Park Brewery last Friday, Bottle Logic named as the No. 1 brewery in the Orange County Register's Best Places, the ribbon cutting of the 7th expansion of the Convention Center, and congratulated the Loara High School Drum and Bugle Corp Band for their participation. She further requested a report regarding crime and other issues at a mobile home park and to limit council communications to three minutes per council member.

Council Member Moreno announced the last day to renew DACA applications is October 5th and reported his and his office's participation in a DACA workshop, GOALS Academy career discussion, St. Boniface town hall community meeting with Public Works regarding the proposed Lincoln Avenue Widening Project, ACCESS California citizenship day party, the Anaheim Public Library's Big Read event with Luis Alberto Urrea, Anaheim Lighthouse meeting regarding addiction, community meeting regarding crime and other issues at Sage Park held at the Church of Jesus Christ of Latter-day Saints, Julianna Park community meeting regarding expansion and Kaboom! playground at Horace Mann Elementary School, AMEA tour of the Police Department's civilian sections, Anaheim Republican Assembly meeting regarding homelessness, the Willow Park Kaboom! Playground build day, and the Health Fair and Citizenship Fair where more than 400 citizenship applications were reviewed. Regarding the Homeless Policy Working Group, he reported the previous meeting included a legal discussion and announced upcoming evening meetings on September 28th at the Downtown Community Center and October 3rd at South Junior High School as well as the regular meeting on October 6th at the Gordon Hoyt Conference Room. He further announced the Mariachi Festival at River Church on October 14th, the District 3 community meeting on October 11, and the September 17th signing by the mayor with AUHSD the Anaheim Pledge to create pathways of college and career readiness for

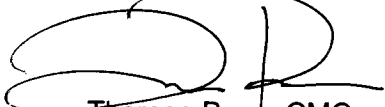
Anaheim's youth. For the next agenda, he requested a resolution with amendments to the Operation Home Safe program to include directing the City Manager to request ATID partners to cover operating deficit for ARTIC and formally ask corporate partners to considering renegotiating existing TOT agreements as well as approach the Anaheim Community Foundation to initiate a philanthropy fund to accept donations to support Operation Home Safe.

Mayor Pro Tem Vanderbilt requested participation in the Public Works Department's nine-question permit parking survey and announced a community run on September 30th in the ABC, Alameda-Brownwood-Catalina, neighborhood in conjunction with Orange County Human Relations.

ADJOURNMENT:

With no further business before the City Council and without objection, Mayor Pro Tem Vanderbilt adjourned the meeting of September 26, 2017 at 8:11 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'TBass', written over the text 'Respectfully submitted,'.

Theresa Bass, CMC
Acting City Clerk