

MINUTES OF CITY COUNCIL MEETING  
OF THE CITY OF BUENA PARK  
HELD FEBRUARY 24, 2015

Vol. 46 Pg. 175

CALL TO ORDER

The City Council met in a regular session on Tuesday, February 24, 2015, at 5 p.m., in the City Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Brown presiding.

ROLL CALL

PRESENT: Berry, Brown, Smith, Swift, Vaughn

ABSENT: None

Also present were: Jim Vanderpool, City Manager; Steven L. Dorsey, City Attorney; and Shalice Tilton, City Clerk.

INVOCATION

The invocation was led by Ken Singh, Buena Park Sikh Gurdwara.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Jim Biery, Director of Public Works.

PRESENTATION

Irene Castaneda and Lisa Acosta of Successful Families of Buena Park gave a presentation on the organization's programs and activities in advocacy of a healthier environment for the schools, families and the community.

ORAL COMMUNICATIONS FOR ITEMS NOT ON THE AGENDA

Mayor Brown announced that this is the time for the public to speak on any city-related issue and inquired if anyone present desired to speak.

Marge Rollins, presenting the Buena Park Community Chorus, announced its fundraiser "Music, Arts, Just Desserts" to be held March 15.

James Bass spoke in support of the City Council retaining its elected authority.

Jose San Ramon made comments about self forgiveness.

There being no further requests to speak, Mayor Brown closed oral communications.

CONSENT CALENDAR (1 - 7)

Mayor Brown announced that Consent Calendar Items 1 through 7 would be acted upon by one motion affirming the actions as recommended on the agenda and agenda bills submitted and inquired if anyone present desired to have any item removed for separate consideration. There being no requests for separate consideration the following action was taken:

MOTION: Swift

SECOND: Berry

AYES: Swift, Berry, Smith, Vaughn, Brown

NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 7 be approved.

## CONSENT CALENDAR NOTICE

The items listed under the Council Consent Calendar are considered routine business and will be voted on together by one motion unless a Council Member requests separate action. At this time the City Council or public may ask to speak on any item on the Consent Calendar.

## CONSENT CALENDAR (1 - 7)

**Minutes**

1. APPROVAL OF MINUTES  
Meeting of January 27, 2015.

Recommended Action: Approve.

APPROVED.

**Finance 75**

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 13202:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 601,175.08 COVERING REGULAR PAYROLL ENDING JANUARY 30, 2015

RESOLUTION NO. 13203:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$51,865.48 DEMAND NOS. 370588 THROUGH 370604

RESOLUTION NO. 13204:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$986,342.02 DEMAND NOS. 370605 THROUGH 370842 CANCELLED NOS 369476 AND 369936 VOIDS SEE ATTACHED LIST

(Successor Agency)

**Successor Agency 600**

3. RESOLUTION TO APPROVE THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2015, THROUGH DECEMBER 31, 2015

Recommended Action: 1) Adopt a resolution approving the Recognized Obligation Payment Schedule (ROPS 15-16A) for the six-month fiscal period from July 1, 2015, through December 31, 2015; and 2) Forward the ROPS 15-16A to the Oversight Board and State Department of Finance for review and approval.

ADOPTED the following titled resolution:

RESOLUTION NO. SA-11:

A RESOLUTION OF THE SUCCESSOR AGENCY TO THE CITY OF BUENA PARK COMMUNITY REDEVELOPMENT AGENCY APPROVING A RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 15-16A) FOR THE SIX-MONTH FISCAL PERIOD FROM JULY 1, 2015 THROUGH DECEMBER 31, 2015 PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177 AND TAKING CERTAIN RELATED ACTIONS

**Proclamations 119**

- 4. PROCLAMATION HONORING JOSEPH AND LAURA RODEHAVER AS THE 2015 AMERICANA CITIZENS OF THE YEAR

Recommended Action: Approve proclamation.

APPROVED the recommended action.

**Boards & committees 42**

- 5. COMMISSION/COMMITTEE APPOINTMENTS AND RESIGNATIONS

Recommended Action: 1) Accept with regrets the resignation of Marisela Iniguez from the Traffic and Transportation Commission effective February 5, 2015; and 2) Accept with regrets the resignation of Evan Martin from the Traffic and Transportation Commission effective February 5, 2015.

APPROVED the recommended action.

**Commendations 65**

- 6. RESOLUTION HONORING MARISELA INIGUEZ FOR SERVICE ON THE TRAFFIC AND TRANSPORTATION COMMISSION

Recommended Action: Adopt resolution.

ADOPTED the following titled resolution:

RESOLUTION NO. 13205:  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING MARISELA INIGUEZ FOR HER SERVICE ON THE TRAFFIC AND TRANSPORTATION COMMISSION

**Commendations 65**

- 7. RESOLUTION HONORING EVAN MARTIN FOR SERVICE ON THE TRAFFIC AND TRANSPORTATION COMMISSION

Recommended Action: Adopt resolution.

ADOPTED the following titled resolution:

RESOLUTION NO. 13206:  
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING EVAN MARTIN FOR HIS SERVICE ON THE TRAFFIC AND TRANSPORTATION COMMISSION

END OF CONSENT CALENDAR

NEW BUSINESS (8 - 10)

**Purchasing 127 State Grants 185**

- 8. APPROVAL OF THE USE OF STATE OF CALIFORNIA 9-1-1 EMERGENCY COMMUNICATIONS (CA 9-1-1) BRANCH FUNDS TO UPGRADE AND MODERNIZE THE POLICE DEPARTMENT'S 9-1-1 SYSTEM  
Staff report by Kevin Shea, Police Lieutenant

Purpose: To upgrade and modernize the Police Department's 9-1-1 system using funds allocated by the State of California.

Recommended Action: 1) Approve the use of State funds to upgrade the Buena Park Police Department's 9-1-1 system; 2) Dispense with the competitive bidding process pursuant to Buena Park Municipal Code section 3.28.080H for the reasons outlined in this report; 3) Authorize the Purchasing Agent to execute the no-cost purchase order per the Scope of Work in amount of \$343,765; and 4) Authorize the Chief of Police to expend the remaining allotment of funds in the amount of \$20,235 for equipment needs per the State specifications.

MOTION CARRIED to approve the recommended action.

**Contracts 70 C-2669 PW Proj. 125 PW-800**

9. CONTRACT WITH COLICH & SONS L.P. FOR THE EMERGENCY VALLEY VIEW SEWER REPAIR PROJECT  
Staff report by Francisco Gutierrez, Associate Engineer

Purpose: To approve project specifications and hire a contractor to repair a sanitary sewer line on an emergency basis.

Recommended Action: 1) Adopt a resolution approving specifications; 2) Award a contract to Colich & Sons L.P. in the amount of \$46,020 for the Emergency Valley View Sewer Repair; 3) Authorize contingency funds in the amount of \$6,000 in the purchase order; and 4) Authorize the City Manager and the City Clerk to execute the contract.

MOTION: Vaughn  
SECOND: Berry  
AYES: Vaughn, Berry, Smith, Swift, Brown  
NOES: None

MOTION CARRIED to approve the recommended action and to adopt the following titled resolution:

RESOLUTION NO. 13207:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING SPECIFICATIONS FOR THE EMERGENCY VALLEY VIEW SEWER REPAIR IN SAID CITY

**Codes 64**

10. EXTENSION OF THE INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK PROHIBITING THE COMMENCEMENT OF OPERATION OF ANY NEW MASSAGE ESTABLISHMENTS INCLUDING ISSUANCE OF BUILDING PERMITS AND OTHER LAND USE ENTITLEMENTS TO CONSTRUCT AND/OR OPERATE ANY NEW MASSAGE ESTABLISHMENT AND DECLARING THE URGENCY THEREOF  
Staff report by Jay Saltzberg, Planning Manager

Purpose: To extend the current Interim Urgency Ordinance moratorium prohibiting new or expanded massage establishments while developing new City regulations consistent with new State law.

Recommended Action: 1) Extend the current Interim Urgency Ordinance, which imposed a 45-day moratorium on new massage establishments, including any permits, entitlements, or approvals to construct and/or operate new massage establishments, for an additional ten months and fifteen days.

Council Member Vaughn announced that she has a conflict of interest because she owns a business that could be affected by the ordinance. She recused herself from participating on this item and left the room.

MOTION: Smith  
SECOND: Swift  
AYES: Smith, Swift, Berry, Brown  
NOES: None  
ABSTAIN: Vaughn

MOTION CARRIED to approve the recommended action and to adopt the following titled ordinance:

ORDINANCE NO. 1585:

AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, PROHIBITING THE COMMENCEMENT OF OPERATION OF ANY NEW MASSAGE ESTABLISHMENTS, INCLUDING ISSUANCE OF BUILDING PERMITS AND OTHER LAND USE ENTITLEMENTS TO CONSTRUCT AND/OR OPERATE ANY NEW MASSAGE ESTABLISHMENT, AND DECLARING THE URGENCY THEREOF

Items 14 and 15 were considered at this point in the meeting.

CALL TO ORDER 6 P.M.

PUBLIC HEARING (11 - 12)

**Codes 64 Zoning 14.6**

11. PUBLIC HEARING – ORDINANCE FOR TEXT AMENDMENT NO. C14-002 ADDING SECTION 19.128.040A1.f.(iii) TO DIVISION 1 OF TITLE 19 OF THE BUENA PARK ZONING CODE TO CHANGE THE SITE PLAN REVIEW PROCESS FOR LARGE ADDITIONS TO SINGLE-FAMILY HOMES AND NEW HOMES TO PROVIDE FOR PUBLIC NOTICE INCLUDING ADOPTION OF "GUIDELINES FOR SINGLE-FAMILY RESIDENTIAL ADDITIONS"  
Staff report by Jay Saltzberg, Planning Manager

Purpose: To revise the current Site Plan Review process for large additions to single-family homes and construction of new homes to require public notice to adjacent property owners and potentially impacted property owners. To provide for design guidelines for single-family residential additions to promote high-quality additions, compatible with adjacent properties.

Recommended Action: 1) Adopt an ordinance approving Text Amendment No. C14-002; and 2) Adopt a resolution approving "Guidelines for Single-Family Residential Additions."

Mayor Brown stated that this was the time and place for a public hearing to consider the Ordinance for Text Amendment No. C14-002 and Guidelines for Single-Family Residential Additions, and requested a staff report.

Mr. Saltzberg reported on the proposed text amendment as outlined in the written staff report. The text amendment would change the site plan review process for new and expanded homes greater than 150% of existing living area to require notice to adjacent and impacted property owners. He also reported on the proposed Guidelines for Single-Family Residential Additions that would promote disclosure, balance property rights, promote compatibility, and protect privacy. The guidelines would address rooflines, enhanced exteriors, balconies, windows/glass doors, and landscaping.

Mayor Brown opened the public hearing and inquired if anyone present desired to speak.

Marge Rollins spoke in support of the text amendment that would provide neighbors with notice of large additions.

There being no further requests to speak, Mayor Brown closed the public hearing.

MOTION: Smith  
SECOND: Berry  
AYES: Smith, Berry, Swift, Vaughn, Brown  
NOES: None

MOTION CARRIED to approve the recommended action and to adopt the following titled ordinance and resolution:

ORDINANCE NO. 1586:  
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK REVISING REGULATIONS REGARDING LARGE SINGLE FAMILY RESIDENTIAL ADDITIONS AND NEW HOMES ADOPTING TEXT AMENDMENT NO. C14-002 ADDING SECTION 19.128.040A1.f.(iii) OF DIVISION 1 OF TITLE 19 TO THE BUENA PARK CITY CODE REGARDING SITE PLAN REVIEW REQUIREMENTS

RESOLUTION NO. 13208:  
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK ADOPTING THE "GUIDELINES FOR SINGLE FAMILY RESIDENTIAL ADDITIONS" AND MAKING FINDINGS IN SUPPORT THEREOF

**Codes 64 Zone Changes 14.5 Master Plan 14.2 CUP 14.1**

12. PUBLIC HEARING - APPROVAL OF AN ORDINANCE FOR ZONE CHANGE NO. Z14-002 AND RESOLUTIONS FOR GENERAL PLAN AMENDMENT NO. GP14-002 AND CONDITIONAL USE PERMIT NO. CU15-002 CONCERNING

CONVERSION OF A LEGAL NON-CONFORMING MEDICAL OFFICE BUILDING TO A COMBINATION NEIGHBORHOOD RESTAURANT AND MARKET LOCATED AT 6550 KNOTT AVENUE

Staff report by Monique Schwartz, Assistant Planner

Purpose: To approve the conversion of an existing legal non-conforming medical office building into a combination neighborhood restaurant and market at 6550 Knott Avenue.

Recommended Action: 1) Adopt an Ordinance approving Zone Change No. Z14-002; and 2) Adopt Resolutions approving General Plan Amendment No. GP14-002 and Conditional Use Permit No. CU15-002.

Mayor Brown stated this was the time and place for a public hearing to consider a Zone Change, General Plan Amendment, and Conditional Use Permit for a restaurant and market at 6650 Knott Avenue and requested a staff report.

Ms. Schwartz gave an overview of the proposed project as outlined in the written staff report. The proposal includes conversion of a medical office building to a combination neighborhood restaurant and market, including parking and landscape improvements, at the northeast corner of Knott Avenue and 9th Street. Because the current General Plan and Zoning designations do not allow commercial uses, revisions to the General Plan and Zoning Ordinance are required in order to accommodate the proposed development concept.

MOTION: Vaughn  
 SECOND: Berry  
 AYES: Vaughn, Berry, Smith, Swift, Brown  
 NOES: None

MOTION CARRIED to approve the recommended action and to adopt the following titled ordinance and resolutions:

ORDINANCE NO. 1587:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING ZONE CHANGE NO. Z14-002 CHANGING THE ZONING FROM RM-20 (MEDIUM DENSITY MULTIFAMILY RESIDENTIAL) TO CS (COMMUNITY SHOPPING) ON CERTAIN PROPERTY LOCATED AT 6550 KNOTT AVENUE WITHIN THE CITY OF BUENA PARK

RESOLUTION NO. 13209:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, ADOPTING GENERAL PLAN AMENDMENT NO. GP14-002 FOR CERTAIN PROPERTY LOCATED AT 6550 KNOTT AVENUE, AND MAKING FINDINGS IN SUPPORT THEREOF

RESOLUTION NO. 13210:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, APPROVING CONDITIONAL USE PERMIT NO. CU15-002, TO RENOVATE AN EXISTING MEDICAL OFFICE BUILDING TO INCLUDE OPERATION OF A NEW COMBINATION NEIGHBORHOOD RESTAURANT AND MARKET WITH INTERIOR AND EXTERIOR BUILDING, PARKING LOT AND LANDSCAPE IMPROVEMENTS AT 6550 KNOTT AVENUE WITHIN THE RM-20 (MEDIUM DENSITY MULTIFAMILY RESIDENTIAL) ZONE

MAYOR/CITY COUNCIL REPORTS

Council Member Vaughn reported on the following:

- February 12 Shelley BMW Local Charity Reception
- February 18 Buena Park Police Department Community Meeting on Use of Force
- February 20 Orange County Aging Services Collaborative Meeting
- February 24 Pendleton Elementary School Career Day

Council Member Swift reported on the following:

- February 11 OCFA Budget Committee Meeting
- February 18 Buena Park Police Department Community Meeting on Use of Force
- February 19 ACC-OC Public Engagement Committee Meeting
- February 20 High School Art Show
- February 23 St. Jude Community Benefit Committee Meeting
- February 24 Pendleton Elementary School Career Day

Mayor Pro Tem Smith reported on the following:

- February 18 ACC-OC Board of Directors Meeting
- February 18 Buena Park Police Department Community Meeting on Use of Force
- February 20 High School Art Show

Council Member Berry introduced Boy Scout Russell De Los Reyes, Troop 440, who was in attendance to earn his Citizenship in Community merit badge.

Mayor Brown reported on the following:

- February 18 Buena Park Police Department Community Meeting on Use of Force

#### CITY MANAGER REPORT

City Manager Vanderpool announced the following:

The National Little League Opening Day scheduled for February 28, 2015, at Bellis Park.

Buena Park High School Boys Basketball team will play against Yorba Linda in Round 3 of the CIF play-offs February 24.

City Manager Vanderpool attended Pendleton Elementary School Career Day earlier today, and said "hello" to Mrs. Smith's class.

#### RECESS

Mayor Brown recessed the meeting at 6:22 p.m. and announced the meeting would be reconvened in the Main Conference Room for study session. The meeting was reconvened at 6:35 p.m.

#### STUDY SESSION (13 - 22) (Adjourn to Conference Room)

##### 13. REVIEW AND DECISION REGARDING THE CITY'S MID-YEAR BUDGET

Present for the discussion was Sung Hyun, Director of Finance

The City Council reviewed carryover requests, which are appropriations that have not been expended or encumbered due to timing constraints. The City Council also considered mid-year budget adjustments for items that were not anticipated during the budget process. Following discussion, the City Council concurred with the carryover amounts and mid-year budget adjustments as presented, including an additional \$50,000 to the capital projects fund for the fire station replacement project. For the \$19,000 mid-year adjustment request for SeniorServ Adult Day Care, the City Council directed that half of funding be remitted on July 1, 2015, and the remaining half on January 1, 2016.

##### 14. DISCUSSION AND DIRECTION REGARDING BUS BENCH DESIGN

Present for the discussion was Jim Biery, Director of Public Works.

The City Council expressed concern with the existing design of some of the bus benches because some of the benches are being used by loiterers who are lying down on the benches. Following discussion, the City Council directed staff to look into options for modifying the existing benches to make them less-conducive for lying down.

##### 15. DISCUSSION AND DECISION REGARDING THE FORMATION OF A BUSINESS ADVISORY COMMITTEE

Present for the discussion was Scott Riordan, Economic Development Manager.

The City Council discussed the merits of establishing a business advisory committee to identify and serve the needs of the business community, exchange ideas, and problem solve. Following discussion, direction was given for staff to prepare a concept plan for a business advisory

committee to include its mission statement, goals and objectives, frequency of meetings, anticipated staff time, and its role with respect to the role of the Chamber of Commerce.

16. DISCUSSION AND DIRECTION REGARDING SINGLE-MEMBER VOTING DISTRICTS  
– NUMBER OF DISTRICTS AND OPTION FOR AN AT-LARGE MAYOR

Present for the discussion was Shalice Tilton, City Clerk.

City Clerk Tilton reported that at its January 27 meeting, the City Council entered into a professional services agreement with National Demographics Corporation to switch from the existing at-large election system to a single-member district election system, where council members are elected by geographically-defined districts to meet requirements of the California Voting Rights Act.

City Clerk Tilton requested feedback from the City Council on districting criteria, such as the number of districts and if the Council desired to establish an at-large, directly elected mayor position. For purposes of preparing districting plans for future consideration, the City Council favored four districts, with a directly-elected, at-large mayor who would serve for two years.

17. DISCUSSION AND DIRECTION REGARDING MEMORIAL DAY CEREMONY  
GUIDELINES

Present for the discussion was Aaron France, Assistant to the City Manager.

The City Council discussed the need for continuity and proper protocol in administering the Memorial Day Ceremony. Since the program rotates from one service organization to another each year, there are challenges in keeping instructions current and complete. Following discussion, the City Council directed Staff to work with the service organizations to compile complete, accurate, and up-to-date instructions. It was recommended that the instructions be available for all service organizations and posted on the City's website.

18. DISCUSSION AND DIRECTION REGARDING A LIAISON TO COORDINATE  
COMMUNITY EVENTS HOSTED BY SERVICE CLUBS  
Discussion requested by City Council

The City Council discussed the need for a city-wide master calendar identifying events that are sponsored by service organizations and those events that require City assistance. It was recommended that the events be identified on a community calendar on the City's website. Staff was directed to provide a list of events for future consideration.

19. CITY COUNCIL CALENDAR

The following items were scheduled for future discussion:

- Lease with Buena Park School District for Gilbert School West Field (Swift)
- Audio Sound Board for Balancing Council Chamber Sound (Brown)
- Street Lights on Holder Avenue between Myra & Cerritos (Brown)
- CNG Alternative Fuel Vehicles for City Fleet (Brown)

20. CITY COUNCIL REPORT

No report.

21. CITY MANAGER REPORT

No report.

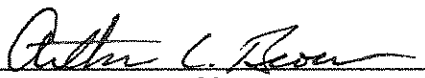
22. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

No report.



ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 8:22 p.m. to Tuesday, March 10, 2015, at 3:30 p.m. for closed session. The regular meeting will begin at 5 p.m.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk