

MINUTES OF CITY COUNCIL MEETING  
OF THE CITY OF BUENA PARK  
HELD JANUARY 9, 2018

Vol. 49 Pg. 215

CALL TO ORDER

The City Council met in a regular session on Tuesday, January 9, 2018, at 5:04 p.m. in the City Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Vaughn presiding.

ROLL CALL

PRESENT: Berry, Brown, Smith, Vaughn, Swift  
ABSENT: None

Also present were: Jim Vanderpool, City Manager; Patrick K. Bobko, City Attorney; and Adria M. Jimenez, MMC, City Clerk.

INVOCATION

The invocation was led by Reverend Mary Trainor, St. Joseph's Episcopal Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Meg Riley, Director of Community Services.

CITY MANAGER REPORT

City Manager Vanderpool invited the public to attend the State of the City luncheon on Wednesday, February 7, at 11:30 a.m., at the Knott's Berry Farm Hotel. Tickets are \$30 each, and available for purchase from the City Manager's Office during regular business hours. Tickets will not be sold at the door. Please call (714) 562-3551 for information.

PRESENTATIONS

Mayor Pro Tem Brown presented the 2018 Americana Citizen of the Year Award for Buena Park to Dr. Sue Johnson.

Council Member Smith presented a proclamation in recognition of Korean-American Day to Dr. Jon Kim.

Beautification-Environmental Commissioners Ken McKinney and Susan Sonne announced the winners for the City's 2017 Holiday Home Decoration Contest and presented certificates to the following: First Place: Jerry and Connie Wold; Second Place: Lane Moore and Richard Garrett; and, Third Place: Mike Tawekjian.

Dr. Brad Fieldhouse, Bright Paths, presented information on the status of the riverbed homeless encampment and homelessness in Buena Park.

ORAL COMMUNICATIONS

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

Todd Trout, Chief Executive Officer, Boys and Girls Club of Buena Park, thanked the City Council for their support and invited the City Council and the public to the Gym Grand Re-Opening and Ribbon Cutting on January 24, 2018.

John Kinner, Buena Park resident, expressed concern regarding his residential water bill.

There being no one else desiring to speak, Mayor Vaughn closed Oral Communications.

**CONSENT CALENDAR (1 - 12)**

Mayor Vaughn announced that Consent Calendar Items 1 through 12 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: Smith  
AYES: Swift, Smith, Berry, Brown, Vaughn  
NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar be approved.

**CONSENT CALENDAR (1-12)**

**Minutes**

1. APPROVAL OF MINUTES  
Meetings of November 28, 2017, 3:30 p.m., November 28, 2017, 5 p.m.,  
December 12, 2017, 3:30 p.m., and December 12, 2017, 5 p.m.

Recommended Action: Approve.

APPROVED.

**Finance 75**

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 13725:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA,  
ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$13,272.52 DEMAND NOS.  
388222 THROUGH 388226

RESOLUTION NO. 13726:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA,  
ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$6,955,670.35 DEMAND  
NOS. 388227 THROUGH 388474 CANCELLED NO. 388205 VOIDS SEE ATTACHED LIST

RESOLUTION NO. 13727:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA,  
ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$491,044.69 DEMAND NOS.  
388475 THROUGH 388497 CANCELLED NO. 386739 VOIDS SEE ATTACHED LIST

RESOLUTION NO. 13728:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA  
ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$747,197.41 COVERING  
REGULAR PAYROLL ENDING DECEMBER 1, 2017

**Reports & Studies 129**

3. TREASURER'S REPORT FOR THE MONTH OF NOVEMBER  
Reports on all investments including value, original purchase price, maturities, and a  
summary of cash by fund.

Recommended Action: Receive and file.

APPROVED the recommended action.

**Boards & Commissions 42**

## 4. COMMISSION/COMMITTEE APPOINTMENTS

Purpose: Accept the appointments of commissioners as recommended by Mayor Vaughn.

Recommended Action: 1) Confirm the re-appointment of Rick Gomez to the Park and Recreation Commission for a term that will expire December 31, 2020; and 2) Confirm the re-appointment of Felix Lopez to the Traffic and Transportation Commission for a term that will expire October 25, 2020.

APPROVED the recommended action.

**Proclamations 119**

## 5. PROCLAMATION HONORING DR. SUE JOHNSON, 2018 AMERICANA CITIZEN OF THE YEAR FOR BUENA PARK

Recommended Action: Approve proclamation.

APPROVED the recommended action.

**Proclamations 119**

## 6. PROCLAMATION IN RECOGNITION OF SCHOOL BOARD APPRECIATION MONTH

Recommended Action: Approve proclamation.

APPROVED the recommended action.

**Proclamations 119**

## 7. PROCLAMATION IN RECOGNITION OF KOREAN-AMERICAN DAY

Recommended Action: Approve proclamation.

APPROVED the recommended action.

**Contracts 70 C-2446**

## 8. AMENDMENT NO. 1 TO AGREEMENT WITH G4S SECURE SOLUTIONS (USA), INC. TO PROVIDE JAIL SERVICES

Purpose: Authorize the Police Department to extend an agreement with G4S to provide jail services. Associated costs in the amount of \$381,992 are allocated in the FY 17-18 budget (Account 11-6240-650308) for this purpose.

Recommended Action: 1) Approve Amendment No. 1 to an Agreement with G4S Secure Solutions (USA), Inc. ("G4S") in the amount of \$381,992 per year; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the amendment; and 3) Authorize the Mayor, Police Chief, and City Attorney to execute the agreement.

APPROVED the recommended action.

**Contracts 70 C-2980 Budgets 47**

## 9. GENERAL SERVICE AGREEMENT WITH MILLENNIUM OPERATIONS, LLC D/B/A KNOTT'S BERRY FARM FOR POLICE SERVICES

Purpose: Authorize the Police Department to enter into an agreement with KBF to provide police services. Associated costs in the amount of \$471,000 shall be reimbursed by KBF based on the total officer compensation amount and final vehicle costs, paid by the City, and as outlined in the General Service Agreement.

Recommended Action: 1) Approve a General Service Agreement with Millennium Operations, LLC d/b/a/ Knott's Berry Farm ("KBF") for police services; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager to execute the agreement; and 4) Approve a budget amendment in the amount of \$471,000 for this purpose.

APPROVED the recommended action.

**Public Financing Authority 212**

10. RESOLUTION APPROVING THE DISSOLUTION OF THE COUNTYWIDE PUBLIC FINANCING AUTHORITY

Purpose: Approve the dissolution of the Countywide Public Financing Authority, as there are no remaining assets, liabilities or other outstanding obligations.

Recommended Action: 1) Adopt a resolution approving the dissolution of the Countywide Public Financing Authority.

ADOPTED the following titled resolution:

RESOLUTION NO. 13729:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE DISSOLUTION OF THE COUNTYWIDE PUBLIC FINANCING AUTHORITY

**Public Imp. Projects 191.11**

11. RESOLUTION AUTHORIZING PARTICIPATION IN THE BEACH BOULEVARD COALITION

Purpose: Adopt a resolution solidifying the City's participation in the Beach Boulevard Coalition initiative of beautifying and enhancing Beach Boulevard. There is no budget impact with this item.

Recommended Action: 1) Adopt a resolution authorizing the City to participate in the Beach Boulevard Coalition.

ADOPTED the following titled resolution:

RESOLUTION NO. 13730:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, AUTHORIZING PARTICIPATION IN THE BEACH BOULEVARD COALITION

**Contracts 70 C-2760 Budgets 47**

12. LICENSE AGREEMENT WITH SHC LICENSED BUSINESS, LLC (SEARS) FOR USE OF THE PROPERTY LOCATED AT 8150 LA PALMA AVENUE FOR THE BUENA PARK FARMERS MARKET

Purpose: Authorize the City Manager's Office to execute an agreement with Sears to allow for the Buena Park Farmers Market to be held on their property. Associated costs in the amount of \$6,000 will require a budget amendment from the Economic Development Fund for this purpose.

Recommended Action: 1) Approve the license agreement with SHC Licensed Business, LLC ("Sears") for the use of their site at 8150 La Palma Avenue for the Buena Park Farmers Market; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager to execute the agreement; and 4) Approve a budget amendment in the amount of \$6,000 from the Economic Development Fund for this purpose.

APPROVED the recommended action.

NEW BUSINESS (13-14)

**Contracts 70 C-2764**

13. SATISFACTION AND RELEASE AGREEMENT WITH BUENA BEACH, LLC ("PORTO'S") FOR CERTAIN OFF-SITE PUBLIC IMPROVEMENTS AT 7620 – 7640 BEACH BOULEVARD IN CONNECTION WITH THE CONSTRUCTION OF PORTO'S BAKERY AND RESTAURANT  
Staff report by David Jacobs, Director of Public Works

Purpose: Authorize the Public Works Department to reimburse Buena Beach, LLC for the public improvements installed at 7620-7640 Beach Boulevard to satisfy Section 9(c) of Development Agreement No. DA15-002.

Recommended Action: 1) Approve an agreement with Buena Beach, LLC ("Porto's") for certain off-site improvements at 7620-7640 Beach Boulevard in the amount of \$303,000; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the Mayor to execute the agreement and all other related documents; and 4) Authorize the payment of \$303,000 to Buena Beach, LLC for the reimbursement of constructed public improvements as designated in Section 9(c) of Development Agreement No. DA15-002.

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

MOTION CARRIED to approve the recommended action.

**Contracts 70 C-2761**

14. AMENDMENT NO. 2 TO PROFESSIONAL SERVICES AGREEMENT WITH ITERIS, INC. FOR ON-CALL AND IN-HOUSE TRAFFIC ENGINEERING SERVICES  
Staff report by Iris Lee, Assistant City Engineer

Purpose: Authorize the Public Works Department to amend the professional services agreement with Iteris to provide on-call and in-house traffic engineering services. Associated costs in the amount of \$226,394 will be funded by a combination of General Fund, Gas Tax, and Measure M funds.

Purpose: Authorize the Public Works Department to amend the professional services agreement with Iteris to provide on-call and in-house traffic engineering services. Associated costs in the amount of \$226,394 will be funded by a combination of General Fund, Gas Tax, and Measure M Funds.

Recommended Action: 1) Approve Amendment No. 2 to Professional Services Agreement No. 15-44 with Iteris, Inc. ("Iteris") in the amount of \$226,394 to provide on-call and in-house traffic engineering services; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the amendment; and 3) Authorize the City Manager and the City Clerk to execute the amendment.

Ms. Lee summarized the staff report explaining the City entered into an agreement with Iteris in December, 2015 to provide on-call and in-house traffic engineering services. Amendment No. 1 was approved in January 2017, and this request is to approve Amendment No. 2 to continue services. The total cost of Amendment No. 2 is \$226,394. Half of the total amount of Amendment No. 2 is included in the FY 17-18 budget; the remaining amount will be included in the proposed FY 18-19 budget.

Council Member Swift expressed concern regarding committing budget funds for this contract in next year's proposed FY 18-19 budget.

MOTION: Brown  
SECOND: Berry  
AYES: Brown, Berry, Smith, Vaughn  
NOES: Swift

MOTION CARRIED 4-1 to approve the recommended action.

**MAYOR/CITY COUNCIL REPORTS**

Council Member Smith reported on the following:

- December 19 New Moon Restaurant Ribbon Cutting Ceremony
- December 19 BPCEA Annual Holiday Luncheon
- December 19 Buena Park Noon Lions Christmas Party
- December 21 City Manager's Annual Holiday Luncheon
- January 8 Historical Society Installation Dinner

Council Member Swift reported on the following:

- December 16 Buena Park School District Super Saturday GATE (Gifted and Talented Education) Event

- December 17 Buena Park Police Department Project Give a Christmas Event
- December 19 BPCEA Annual Holiday Luncheon
- December 19 Eng Family Concert
- December 20 OCFA Academy Graduation
- December 21 Buena Park Junior High School Problem Solving Activity
- January 7 Eagle Scout Court of Honor Ceremony
- January 8 Buena Park School Board Meeting and presented a Proclamation in Recognition of School Board Appreciation Month

Council Member Berry reported on the following:

- December 19 New Moon Restaurant Ribbon Cutting Ceremony
- December 19 BPCEA Annual Holiday Luncheon
- December 19 Meeting with The Source (M&D)
- December 19 Buena Park Noon Lions Christmas Party
- December 21 City Manager's Annual Holiday Luncheon
- January 8 Historical Society Installation Dinner

Council Member Berry announced that the deadline for ordering a personalized brick to be laid along the historical district walkway, was extended to Saturday, January 13. To purchase a brick online, visit [www.fundraisingbrick.com/buenapark](http://www.fundraisingbrick.com/buenapark).

Mayor Pro Tem Brown reported on the following:

- December 13 Orange County Korean-American Installation of Officers
- December 14 Cypress Chamber of Commerce Dinner
- December 15 Retirement Luncheon for "Santa Claus" at the Speech and Language Development Center
- December 15 Mobility 21 Reception at Los Angeles Union Station
- December 19 BPCEA Annual Holiday Luncheon
- December 21 Police Administration Open House
- December 21 City Manager's Annual Holiday Luncheon

Mayor Vaughn reported on the following:

- December 19 New Moon Restaurant Ribbon Cutting Ceremony
- January 3 Oath of Office Ceremony for new Police Officers
- Korean-American Chamber 40<sup>th</sup> Anniversary Event
- Sister City Meeting
- January 9 Buena Park Cable Foundation Meeting

PUBLIC HEARING 6 P.M. (15)

**Codes 64 Contracts 70 C-2981**

15. PUBLIC HEARING – ORDINANCES FOR ZONE CHANGE NO. Z17-26737 AND DEVELOPMENT AGREEMENT NO. DA17-26734 TO ALLOW A NEW TWO-STORY MIXED-USE DEVELOPMENT WITH 2,056 SQ. FT. OF RESIDENTIAL ABOVE 3,708 SQ. FT. OF GROUND LEVEL OFFICE SPACE, 18 ON-SITE PARKING SPACES, AND RELATED SITE IMPROVEMENTS LOCATED AT 6172 BEACH BOULEVARD, BUENA PARK, CALIFORNIA; AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK  
Staff report by Brady M. Woods, Planning Manager

Purpose: Approve a new two-story mixed-use development with two apartment units above the ground level office space, on-site parking spaces, and related site improvements located at 6172 Beach Boulevard. There is no budget impact with the approval of this item.

Recommended Action: 1) Adopt Ordinances approving Zone Change No. Z17-26737 and Development Agreement No. DA17-26734 to allow a new two-story mixed-use development with 2,056 sq. ft. of residential above 3,708 sq. ft. of ground level office space, 18 on-site parking spaces, and related site improvements located at 6172 Beach Boulevard; and 2) Authorize the Mayor and City Clerk to execute the Development Agreement.

Mayor Vaughn opened the public hearing and inquired if anyone present desired to speak on Item 15. There being no one desiring to speak, Mayor Vaughn closed the public hearing.

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

MOTION CARRIED to approve the recommended action and ADOPT the following titled ordinances:

ORDINANCE NO. 1638:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING ZONE CHANGE NO. Z17-26737 FROM CG (COMMERCIAL GENERAL) TO GMU (GENERAL MIXED-USE) ON PROPERTY LOCATED AT 6172 BEACH BOULEVARD WITHIN THE CITY OF BUENA PARK

ORDINANCE NO. 1639:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING THAT DOCUMENT ENTITLED "DEVELOPMENT AGREEMENT NO. DA17-26734 CONCERNING PROPERTY LOCATED AT 6172 BEACH BOULEVARD, BUENA PARK, CALIFORNIA" AND AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE THE SAME ON BEHALF OF THE CITY OF BUENA PARK

MAYOR/CITY COUNCIL REPORTS & CALENDAR

- Relocation of the Farmer's Market to the Historical District (across from City Hall) (Berry)
- Workflow Assessment and Cost Analysis for Scanning and Printing (Vaughn)

RECESS

Mayor Vaughn recessed the meeting at 6:13 p.m., and announced the meeting would be reconvened for Study Session. The meeting was reconvened at 6:26 p.m.

STUDY SESSION (16-26)

16. DISCUSS AND PROVIDE DIRECTION REGARDING CONCEPTUAL ARCHITECTURAL PLANS FOR A PROPOSED 187 FT.-TALL MIXED-USE DEVELOPMENT WITH 250 RESIDENTIAL CONDOMINIUM UNITS AND 11,900 SQ. FT. OF COMMERCIAL SPACE WITHIN THE BEACH ORANGETHORPE MIXED-USE SPECIFIC PLAN (BOMUSP) LOCATED AT 6900 BEACH BOULEVARD (THE SOURCE)  
Report by Brady M. Woods, Planning Manager

Council Member Swift recused herself from this item and left the dais as her residence is within close proximity of the proposed development site.

At the City Council Meeting of August 22, 2017, The Source (M&D) submitted a Postmodernism conceptual plan proposal for residential units located at 6900 Beach Boulevard, which included 250 residential units, and 12,000 sq. ft. of ground-level retail. At that meeting, the City Council expressed support of the conceptual architectural design as it was consistent with the Beach-Orangethorpe Mixed-Use Specific Plan. The City Council also requested staff to work with the developer to create a less "chaotic" design and return to City Council with any changes or modifications to the design for review. The conceptual plan presented tonight was modified per the City Council's requests.

Ardy Emerson, reviewed the modifications to the conceptual plan including façade design modifications to the development. Modifications included the addition of a live landscape wall along Melrose Street to buffer and make the concrete garage more aesthetically pleasing; incorporating direct pedestrian access to The Source (M&D) from the condominium development to help reduce traffic; the penthouses maintained the same components, but without the balconies encroached over the sidewalk; and, a softer aesthetic with a full green façade and live landscape are brought in to the architecture along Beach Boulevard.

A parking study was completed and determined that the development would have minimal impact on people coming off of Melrose Street and Brenner Avenue. Over the course of five years, there would be a total of a six second increase in waiting time for people pulling off Melrose Street and Brenner Avenue. A secondary access was added to the development that

would go directly into the parking garage so vehicular traffic does not have to pull off or on to Melrose Street. These modifications were collaborated with traffic engineers.

Planning Manager Woods reviewed the next steps of the development approval process which included a water quality management plan for staff review and staff approval, a comprehensive traffic analysis for staff review and staff approval and an inter-departmental review of architecture and site design for approval by the Community Development Director. The Source (M&D) is required to submit a subdivision map for a Planning Commission public hearing and approval.

Mayor Vaughn opened this item for public comment.

Doo Hyun Baek, Buena Park resident, expressed concern about events currently held at The Source (M&D), and the future addition of 200 condos that will bring more people, more cars, and more traffic. Mr. Baek asked about construction noise mitigation and commented on his previous experience with construction noise when The Source (M&D) was built.

Beth Swift, Buena Park resident, stated none of the neighbors received information regarding a traffic study and the estimated six second delay pulling out onto the street. There should be a meeting with the neighbors to explain what is going on, what is being proposed, and to explain how the traffic study was conducted. Mrs. Swift commented about the previous project approval and postcard meeting notification to neighbors. She complimented the developer on toning down the chaos presented previously, but stated she still has several problems with the project, the biggest issue is the development being in context with The Source (M&D), not in context with Buena Park and the neighborhood. Mrs. Swift commented on the height of the development, the impact the development will have on the City's groundwater, and traffic on Melrose Street and Brenner Avenue.

Having no one else come forward, Mayor Vaughn closed public comment.

Council Member Smith asked if the penthouses encroach over the sidewalk as seen in the plans attached to the staff report. He noted the revised plans incorporated the recommendations from City Council and although he does not believe this is Buena Park, it does follow and match the Specific Plan approved by a previous City Council in 2008.

Mr. Woods stated the plans in the book are incorrect. The penthouses would be within the footing areas and will not encroach over the sidewalk or street.

Council Member Berry stated he met with representatives from The Source (M&D) and they have addressed all his concerns. The City Council wanted to have some unique aspect to the project that is going to cause someone to look at it artistically from an entertainment perspective, and the architect has retained that element. It fits along the Entertainment Corridor and blends in well with The Source (M&D). The development will not be a big benefit to the residents on Melrose Avenue, but the architect has done his best to buffer the look with the green walls, green plants attached to the wall. The developer has addressed his concerns, concessions were made, and the revised development is a good compromise.

Mayor Pro Tem Brown spoke about the development's fit within the City of Buena Park, past actions taken against preserving the City's history, and maintaining the history within the historical district. Development within the City is changing and there is a need for more housing in Buena Park. Mayor Pro Tem Brown stated he is supporting this project because it makes Buena Park a better place. Buena Park has always been an entertainment destination and it will continue to be an entertainment destination where people will come to live and visit the other venues along Beach Boulevard.

Mayor Vaughn thanked the architect and The Source (M&D) for taking time and listening, and asked Mr. Woods to explain the Specific Plan approval in 2008.

Mr. Woods explained the Specific Plan governs the development on this site and was approved in 2008. The approval entitled the project to have the number of residential units, parking, and commercial spaces the project is providing. The developer, architect, and applicant provided a project built to those specifications. The applicant can move forward with the project already approved and proceed with the development proposed tonight.

Mayor Vaughn explained that the second review brought to City Council tonight was because of City Council's expressed concerns with the development, and she believes the architect has addressed those concerns. The changes made to the development shows that the developers



are willing to work with the City and residents. Mayor Vaughn stated she is supporting this project.

Council Member Smith confirmed changes cannot be made to the developer's plans without City Council's review and approval. Mr. Woods stated if that is City Council's direction. If approved as proposed, major or substantial changes would be brought back to City Council for review and approval. City Council will be informed of minor changes, but the minor changes will not be brought back for discussion at a City Council Meeting.

Council Member Smith stated he would like for the development to follow the plans as proposed tonight, and any major changes should return to City Council for approval.

Mayor Vaughn clarified major changes as important elements of the development such as the green wall.

Council Member Berry asked staff's recommendation on how neighborhood residents can manage and address construction noise, dust, and traffic concerns. Mr. Woods stated the City has an on-site inspector every day to manage and mitigate any nuisances. Residents can contact Gary Reynolds directly or talk to the job superintendent to rectify problems.

The City Council supported the development as proposed.

Council Member Swift returned to the dais.

17. DISCUSS AND PROVIDE DIRECTION REGARDING CONCEPTUAL ARCHITECTURAL PLANS FOR A PROPOSED 54 FT.-TALL MIXED-USE DEVELOPMENT WITH 34 APARTMENT UNITS AND 1,420 FT. OF COMMERCIAL SPACE AT 6555 BEACH BOULEVARD  
Report by Brady M. Woods, Planning Manager

Mr. Woods clarified that the number of apartments within the development is 34, not 24 as noted in the title. The subject property is located at the corner of Beach Boulevard and 9<sup>th</sup> Street. M&D Properties purchased the property to develop their billboard sign for The Source (M&D) and develop a mixed-use development. In 2017, City Council reviewed the proposal and gave support for the conceptual design. Some Council Members expressed concerns regarding building height, potential traffic and parking issues, and the architectural design of the building. The preference was for the building to have a "historic feel" given the location of the building along Beach Boulevard. City Council's direction was to bring those modifications back for review and approval. Mr. Woods advised the project has a new architect, Corbel Architects. Corbel Architects is the same company that designed the On-Beach project, a six story senior living facility, with ground level office space on Beach Boulevard. This project has 34 multi-family units and 1-2 studio bedroom configurations. There will be 2,900 sq. ft. of common open space, and 1,400 sq. ft of neighborhood serving commercial. There will be 84 parking spaces and the building height remains at 54-feet.

David Kim, Corbel Architects, reviewed the project and referenced the conceptual plans. Design modifications include the curvature design to mask the noise from the railroad and the I-5 Freeway, and a central courtyard providing more than 2,000 sq. ft. of open space. The curvature is facing the railroad and the freeway as the first impression of the building. When viewed from the other side, the apartments are more conventional and square. The most important design element is respecting the existing historical corridor and more presence of 1,400 sq. ft of commercial space for a café, which will present a gateway from the I-5 Freeway to Beach Boulevard. Outside seating for the commercial space is important to introduce more activity and people on Beach Boulevard. First floor parking is masked by greenery.

Council Members discussed the size of the development for the property, the historical elements versus a historically correct building, the height of the block wall along the railroad property, working with the businesses next to the development to ensure continued operations, notifying new residents of the business operations next door as a condition of approval and as a part of the lease, conducting community meetings, and providing the traffic analysis report to staff, City Council, and the public as part of the required public hearings.

Mr. Woods reviewed the next steps of the proposal: water quality management plan, a comprehensive traffic analysis; a zone change to General Mixed Use, which requires Planning Commission and City Council public hearings; and, a development agreement to establish development standards in the zone which also requires noticed public hearings before the Planning Commission and City Council.

A majority of City Council approved the project's next steps.

18. DISCUSS AND PROVIDE DIRECTION REGARDING TRAIN NOISE ALONG BURLINGTON NORTHERN SANTA FE (BNSF) RAIL LINE  
Report by Aaron France, Deputy City Manager

Mr. France stated this item is a result of concerns the City received along the Burlington Northern Santa Fe (BNSF) railroad corridor, more specifically near Lakeside Development, off Malvern Avenue, and from some homeowners in the Bellhurst area. Concerns include train revving, whistle blowing and staging or banging of train cars. Lena Kent, Public Affairs Director for BNSF of California and Arizona, was contacted and she advised the third track was purchased some time ago from the Lakeside Home Owner's Association (HOA) for several hundred thousand dollars, and the intent was freight car storage. Ms. Kent mentioned there has been some increased action in the area; however, she cannot guarantee the noise will subside after the construction concludes. Staff conducted research and the owners were advised of the railroad line and BNSF in the property disclosure documents when the homes were purchased.

Jason Gallego and Mr. and Mrs. Joe Duarte, Buena Park residents, stated the specific concern is when the third track was added. The understanding was it was added for storage, but it is used for staging. The concern is in the middle of the night between 11:00 p.m. and 6:00 a.m., with the ground shaking and noise so loud that it wakes up everyone in the home. It is a public health concern. Establishing a quiet zone would hold BNSF accountable.

Mrs. Duarte, Buena Park resident, stated the staging noise in the past year has been the most disturbing. Residents have requested the agreement documents between BNSF and Lakeside HOA from the HOA, but have yet to receive them. All the neighbors have noticed the increase in noise, especially in the middle of the night. She expressed appreciation for City Council's assistance in resolving this issue.

Mayor Vaughn asked if the residents have met with the HOA to give them an opportunity to explain the agreement between them and BNSF.

Ms. Duarte stated she was on the HOA Board, and at the time she requested the information, and it was never provided. The lawyer that represented the HOA remembers the discussions with the HOA and BNSF, but the HOA has been unresponsive to any requests for information.

Mr. France stated the representative from BNSF was very responsive. The representative stated that the third track was being used a little more than intended because of two construction projects down the line. She could not say when that was going to end, but they understood the noise concern.

Council Member Swift asked if the activity time was brought up by staff when talking with the representative from BNSF, and how does someone in Lakeside send a complaint to BNSF management. Mr. France stated BNSF acknowledged the night activity and are aware of the concern from residents and the City, but this is the time of day they conduct this type of activity. In regards to BNSF Management, Mr. France has contact information available. If City Council desires to meet with local representatives who may have more influence on this issue, staff can arrange the discussions.

City Council directed staff to continue to try to address the issue with BNSF, schedule a meeting to discuss next steps, i.e, in the form of a letter from Congressional representatives.

**Sister City Program 138**

19. DISCUSS AND PROVIDE DIRECTION REGARDING SISTER CITY BUDGET ALLOCATION  
Report by Aaron France, Deputy City Manager

Mr. France explained in the summer of 2017 a delegation from Buena Park visited Seongbuk-gu, Korea and entered into a more formal Sister City relationship. In October 2017, the Buena Park Sister City Committee hosted a delegation of students from Seongbuk-gu, Korea. Due to the more formal arrangement with Seongbuk-gu and in order to continue the successful relationship with Sister City, City Council may want to consider a small budget allocation for the Sister City program. The Sister City Committee paid for all expenses when the delegation visited Buena Park. When the Buena Park delegation visited Seongbuk-gu, the district hosts Buena Park's dignitaries.

The City Council discussed: bringing this item forward at next year's budget discussion; fostering the relationship with Seongbuk-gu; Seongbuk-gu hosting the City's delegation for hotels, meals, and visits to the city and police department; whether area cities budget funds for Sister City programs; the invitation from Seongbuk-gu to visit in late March or early April; working towards a foreign exchange program for Buena Park students; collaborating with the Buena Park School District for funding to send students from Buena Park High School (BPHS); designating funds from next year's League of California Cities Conference in Long Beach for airfare and hotels towards the Sister City exchange; limiting whom from the City can participate in the exchange to the Mayor, two staff members and students; allocating \$3,000 per person to go to Seongbuk-gu, including airfare; allocating money to host representatives from Seongbuk-gu in Buena Park during the next budget process; and the Sister City foundation seeking sponsorships for students to attend the exchange.

After discussion, a majority of the City Council directed staff to work with BPHS to send a delegation consisting of the Mayor, two staff members and students, with \$15,000 of City assistance.

20. DISCUSS AND PROVIDE DIRECTION REGARDING ELECTRIC VEHICLE (EV) CHARGING STATIONS IN THE CITY  
Report by Iris Lee, Assistant City Engineer

Ms. Lee provided information on Electric Vehicle (EV) charging stations in the City. In Buena Park there are approximately 300-350 EV registered drivers, and 26 charging stations, and most are located on private property. In relation to the number of EV registered vehicles, there should be approximately 60 EV ports in the City.

Staff selected ChargePoint to conduct a feasibility analysis for installing EV charging stations at City facilities. ChargePoint's analysis included five major key points: electrical service; Americans with Disabilities Act (ADA) requirements; visibility; ease-of-use; and, cost. ChargePoint's analysis focused on public infrastructure-commercial EV charging stations: Level 2 and DC Fast Chargers. The Level 2 EV charger is an all purpose charger, that can charge up to a 25 mile range per hour. A DC Fast Charger is more powerful and can fully charge a vehicle in a matter of hours, approximately a 200 mile range per hour. Two locations were identified. The first is the Community Center with one Level 2 EV charging station and one DC charging station. In order to meet ADA accessibility requirements, one common parking stall would need to be restriped with an ADA buffer zone. The EV charging station would be placed in the planter median so both sides of the parking stalls can access the charge port. An alternative location for a Level 2 charger is at the Community Center in the front parking stalls.

The second location is the Ehlers Event Center, a high public attendance location. The recommendation is for two Level 2 chargers and one DC charger. There is no need to restripe any of the parking stalls. The EV charging station would be placed in the planter median so both sides of the parking stalls can access the charge port.

Mobile Source Air Pollution Reduction Review Committee (MSRC) is offering a one-time non-competitive Local Government Partnership Program grant for 75% or \$270,000 for the installation of EV charging stations. The remaining 25% or \$30,000 would be paid for from the Air Quality Improvement Subvention Funds. Depending upon the approved fee structure, City funds could be recouped in approximately three years.

Ms. Lee reviewed the next steps in the process: adopt a resolution to submit an application for the program; enter into an agreement with ChargePoint; develop a fee structure and amend the City's master fee schedule.

The City Council supported staff's proposal for applying for a grant to install EV charging stations.

**Contracts 70 C-2962 C-2911 C-2893 C-2894 C-2897 C-2838 (non-agenda) C-2872 C-2788 C-2789 C-2786 C-2959 C-002 (PFA)**

21. UPDATE ON FIRE STATION NO. 61 PROJECT CONSTRUCTION  
Report by Iris Lee, Assistant City Engineer

Griffith Construction Project Manager Justin DiRico provided an update and reviewed the project's past and future milestones. Mr. DiRico noted the following future milestones: window and drywall installation in January; plaster application and demolition of the old Fire Station in

February; finishes and landscaping installed in May; Orange County Fire Authority would transition in to the new facility in June; and, in July there would be a grand opening and ribbon cutting. To date, project expenditures are \$13.7 million, with 18 approved change orders (20% of contingency). All project change orders were due to on-site construction adjustments. Mr. DiRico showed a time lapse video of Fire Station No. 61's construction progress. Currently, WestNet and the general contractor are in discussions regarding some items within the contract. However, WestNet has delivered some equipment to the project site.

Eddie Fenton, Director of Human Resources and Risk Management, explained there are three components of the insurance claim: the building and its contents and the continuing operating expenses. The City received \$5.6 million from the insurance company to date, and the City just received a proposal for another \$1.4 million. The total combined value is \$7 million.

The City Council received and filed the report.

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**22. CITY COMMISSION & COMMITTEE GUIDE REVIEW AND UPDATE**  
Report by Adria M. Jimenez, MMC, City Clerk

Ms. Jimenez reviewed the substantial changes to the guide which included the incorporation of the policy recently adopted by City Council regarding City Commission Business Cards, City Apparel, Email Addresses, Event Entry, Name Badges and Coffee Mugs; and, the updated policy regarding Grounds and Conditions for Removal. Non-substantial changes included the addition of Resolution Number 7020 for the establishment of Community Development Citizen's Advisory Committee and an item inadvertently left out of the guide but listed in the City's Municipal Code.

Mayor Pro Tem Brown asked if the Council needs to include a policy for removal of a Commissioner for cause. City Attorney Bobko stated if the Commissioner sits at the City Council's discretion, then it is in the power of the City Council to remove that person for reason or no reason at all.

The City Council reviewed the guide and supported the updates as proposed.

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**23. CITY COUNCIL APPOINTMENTS TO OUTSIDE BOARDS AND COMMITTEES**  
Report by Adria M. Jimenez, MMC, City Clerk

The City Council did not recommend revisions to the committee assignments and approved the list as submitted:

	<u>CITY COMMITTEES</u>	<u>OUTSIDE COMMITTEES</u>
STEVE BERRY	Buena Park Foundation Deferred Comp Advisory	Santa Ana River Flood Prot (Alt.) Oversight Board
ARTHUR C. BROWN	Buena Park Foundation Deferred Comp Advisory	Santa Ana River Flood Prot.
FRED R. SMITH	Buena Park Foundation	Orange County Sanitation District Oversight Board (San District Appt.)
ELIZABETH A. SWIFT, Ed.D.	Buena Park Foundation	Orange County Fire Authority Interjur. Planning Forum GMA #1 (Alt.) Interjur. Planning Forum GMA #2 (Alt.)
VIRGINIA VAUGHN	Buena Park Foundation	OC San District (Alt.) Interjur. Planning Forum GMA #1 Interjur. Planning Forum GMA #2

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**24. CITY COUNCIL APPOINTMENTS AS LIAISONS TO CITY COMMISSIONS**  
Report by Adria M. Jimenez, MMC, City Clerk

The City Council submitted their ballots and selected the following City Commissions:

Beautification-Environmental	Council Member Smith
CAC	Council Member Swift
Cultural and Fine Arts	Mayor Vaughn
Parks & Recreation	Council Member Swift
Planning Commission	Mayor Pro Tem Brown
Senior Citizens	Mayor Vaughn
Traffic and Transportation	Council Member Berry

**25. CITY MANAGER REPORT**

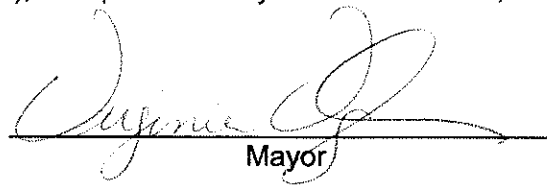
No report.

**26. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS**

No report.

**ADJOURNMENT**

There being no further business, Mayor Vaughn adjourned the meeting at 8:47 p.m., in memory of Dorothy Ellen Decker Ehlers (wife of Walter Ehlers), who passed away on December 19, 2017.



\_\_\_\_\_  
Mayor

ATTEST:



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