

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD FEBRUARY 13, 2018

Vol. 49 Pg. 254

CALL TO ORDER

The City Council met in a regular session on Tuesday, February 13, 2018, at 5:03 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; Isra Shah, Interim City Attorney; and Adria M. Jimenez, MMC, City Clerk.

INVOCATION

The invocation was led by James Lee, Youth Pastor, of the Thanksgiving Church.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eddie Fenton, Director of Human Resources and Risk Management.

PRESENTATIONS

Mayor Pro Tem Brown presented a ten-year employee service award to Officer Arthur Brice, of the Buena Park Police Department.

Mayor Pro Tem Brown presented a twenty-year employee service award to Lieutenant Bradley Geyer, and Sergeant Nghia Nguyen, of the Buena Park Police Department.

Council Member Berry presented a twenty-year employee service award to Rosemary Nielsen, of the Community Services Department.

Council Member Smith presented a thirty-year employee service award to Edward "Eddie" Martinez, of the Community Services Department.

Council Member Berry presented a resolution honoring and commending Patrick "Pat" Rogers on his retirement.

Mayor Vaughn presented a Certificate of Recognition to Jin Mo Kim and Jon Pak in recognition of the 2018 Winter Olympics in Pyeongchang, South Korea.

Council Member Swift presented a Certificate of Recognition to Pete Bowen, Servite High School President, in honor of Servite High School's 60th Anniversary.

Lanae O'Shields, Public Affairs Manager, Southern California Gas Company, presented a check in the amount of \$30,894, to the City as part of the Energy Efficiency Incentive Program for a pool cover replacement project at Boisseranc Park and William Peak Park.

On behalf of The Church of Reflections Preservation Foundation, Michael Schneider, Pastor, Good Shepherd Lutheran Church, and committee members Yvette Johnson, Former Associate Pastor, Steve Knott, Cecilia Huff, Henry Kwan, Beth Swift, announced the relocation of the historic Church of the Reflections to the front lawn area of Good Shepherd Lutheran Church of Buena Park. Donations for costs associated with moving the church can be sent to The Church of Reflections Preservation Foundation, P.O. Box 6269, Buena Park, CA 90622, or visit their facebook page. For more information, an article detailing the Church's history was published in the February 9, 2018, edition of the Orange County Register.

CITY MANAGER REPORT

No report.

ORAL COMMUNICATIONS

Mayor Vaughn announced the public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council.

Ken Anderson, Buena Park resident, thanked trainers, volunteers, and participants for their participation in the recent Community Emergency Response Team (CERT) classes. He reported on the recent training classes and thanked Allen Wilkes of Orange County Fire Authority, Buena Park Police Department and Sergeant Nunez, and Mike Connolly from the Moose Lodge for their assistance in helping with donating equipment for the barbeque luncheon. He also thanked Mark Saucedo, Community Services Supervisor, Beth Swift and Aaron France, Deputy City Manager for their participation and coordination of the training.

Jorge Alejandro San Ramon, Anaheim resident, read a short statement.

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

CONSENT CALENDAR (1 - 5)

Mayor Vaughn announced that Consent Calendar Items 1 through 5 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: Berry
SECOND: Smith
AYES: Berry, Smith, Brown, Swift, Vaughn
NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 5 be approved.

CONSENT CALENDAR (1-5)

Minutes

1. APPROVAL OF MINUTES
Meetings of January 9, 2018, 3:30 p.m., January 9, 2018, 5 p.m., and January 23, 2018, 3:30 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. 13736:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$11,998.15 DEMAND NOS. 388813 THROUGH 388817

RESOLUTION NO. 13737:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$4,229,106.68 DEMAND NOS. 388818 THROUGH 389106 CANCELLED NO. 388716 VOIDS SEE ATTACHED LIST

RESOLUTION NO. 13738:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$16,900.69 DEMAND NOS. 389107 THROUGH 389112

RESOLUTION NO. 13739:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$773,188.37, COVERING REGULAR PAYROLL ENDING DECEMBER 29, 2017

RESOLUTION NO. 13740:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$24,568.40 COVERING RETIREE PAYROLL ENDING JANUARY 31, 2018

RESOLUTION NO. 13741:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$720,218.41, COVERING REGULAR PAYROLL ENDING JANUARY 12, 2018

RESOLUTION NO. 13742:

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$715,452.50, COVERING REGULAR PAYROLL ENDING JANUARY 26, 2018

Commendations 65

- 3. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING PATRICK "PAT" ROGERS ON HIS RETIREMENT

Recommended Action: Adopt resolution.

ADOPTED the following titled resolution:

RESOLUTION NO. 13743:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING PATRICK "PAT" ROGERS ON HIS RETIREMENT

Finance 76

- 4. WATER BILL INSERT FOR NOTICE OF 2018 WATER SERVICE CHARGE INCREASE
Purpose: Authorize the Public Works Department to provide notice to all water customers of the 2018 water service charge increase. Associated costs in the amount of \$1,000 will be funded by the Water Enterprise Fund (Account No. 52-6240-352363).

Recommended Action: 1) Approve a water bill insert noticing the 2018 water service charge increase effective January 2018.

APPROVED the recommended action.

Records Destriction/Retention 171

- 5. RESOLUTION TO DESTROY SPECIFIED RECORDS AND DOCUMENTS NO LONGER REQUIRED IN THE POLICE DEPARTMENT'S PROFESSIONAL STANDARDS OFFICE
Purpose: Authorize the Police Department to destroy records no longer required.

Recommended Action: 1) Adopt a resolution authorizing the destruction of certain records in the Police Department's Professional Standards Office.

ADOPTED the following resolution:

RESOLUTION NO. 13744:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS IN THE POLICE DEPARTMENT

NEW BUSINESS (6-7)

Reports & Studies 129

6. TREASURER'S REPORT FOR THE MONTH OF DECEMBER 2017
Staff report by Sung Hyun, Director of Finance

Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of December 2017. There is no fiscal impact in receiving this report.

Recommended Action: Receive and file the reports.

Mr. Hyun presented information on the City's investment portfolio for December 2017. Council Member Swift commented that she noticed some treasury notes are due this month and asked if the monies are automatically reinvested. Mr. Hyun answered that sometimes monies are reinvested, or consider large obligations coming up, such as any outstanding bonds, or the quarterly payment to the Orange County Fire Authority (OFCA) contract. Council Member Swift asked if the City saw an increase in revenue due to homeowners who paid their property taxes early, and Mr. Hyun said there was a slight increase.

Received and filed report.

Item pulled – no action taken

7. CHANGE ORDER NO. 4 TO THE AGREEMENT WITH LOS ANGELES ENGINEERING, INC. FOR THE LARWIN PARK IMPROVEMENTS PHASE 1 PROJECT
Staff report by Iris Lee, Assistant City Engineer

Purpose: Authorize the Public Works Department to issue a change order for additional grading work for the Larwin Park Improvements Phase 1 Project. Associated costs in the amount of \$59,119.55 will be expensed from the approved project construction contingency. This project is funded by the Park-in-Lieu Fund (Account No. 32-9806-290122).

Recommended Action: 1) Approve Change Order No. 4 to the Agreement with Los Angeles Engineering, Inc. in the amount of \$59,119.55 for additional grading work for the Larwin Park Improvements Phase I Project; and 2) Authorize the Director of Public Works to execute the change order.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Berry reported on the following:

- January 25 Oversight Board Committee Meeting
- February 7 Buena Park State of the City Address and Luncheon

Council Member Berry extended his condolences to the family and friends of Don Griffin, former Mayor and Council Member, who passed away recently.

Council Member Smith reported on the following:

- January 27 Boys & Girls Club of Buena Park Youth of the Year Awards Ceremony
- Ribbon Cutting Ceremony for a new business at The Source
- Orange County Sanitation District Board Meeting
- February 7 Buena Park State of the City Address and Luncheon

Council Member Swift reported on the following:

- January 24 Boys & Girls Club Gym Grand Re-Opening
- January 25 Orange County Fire Authority Meetings
- January 26 Investiture of Dr. JoAnna Schilling, Cypress College President
- January 26 & 27 CERT Training
- January 30 Oath of Office Ceremony for New Police Officer Joshua Garcia
- January 31 Education Committee Meeting
- February 1 & 3 The Church of Reflections Preservation Foundation Community Open House
- February 5 Orange County Fire Authority Ad-Hoc Committee (to fill Fire Chief vacancy)
- February 6 Anaheim State of the City
- February 7 Buena Park State of the City Address and Luncheon
- February 8 Sherwin-Williams Paint Store Grand Opening

- February 10 Cypress College Americana Awards
- February 13 Silverado Days Grants Luncheon

Council Member Swift thanked the Silverado Days Grants Committee for the grant given to the Church of Reflections Preservation Foundation at Silverado Days Grants Luncheon.

Mayor Pro Tem Brown reported on the following:

- January 12 Metrolink Board Meeting
- January 17 Cypress State of the City Luncheon
- January 19 League of CA Cities Public Safety Policy Board Meeting in Sacramento
- January 25 Orange County Council of Governments Board Meeting
- January 27 Boys & Girls Club of Buena Park Youth of the Year Awards Ceremony
- January 29 Los Angeles/San Diego/San Luis Obispo Rail Corridor Agency Meeting
- January 30 Oath of Office Ceremony for New Police Officer Joshua Garcia
- February 1 SCAG Transportation Committee and Regional Council Meeting
- February 2 St. Catherine's Academy Public Servants Recognition Luncheon
- February 7 Buena Park State of the City Address and Luncheon
- February 8 Orange County Business Council Annual Dinner
- February 9 Metrolink Board Meeting
- February 10 Cypress College Americana Awards
- February 13 Silverado Days Grants Luncheon

Mayor Vaughn reported on the following:

- January 25 Ribbon Cutting Ceremony for a Boutique at The Source
- January 26 Investiture of Dr. JoAnna Schilling, Cypress College President
- January 27 Boys & Girls Club of Buena Park Youth of the Year Awards Ceremony
- Chief Sianez's Community Stakeholder Meeting
- January 30 Oath of Office Ceremony for New Police Officer Joshua Garcia
- January 30 The Cauldron Spirits and Brews Ribbon Cutting Ceremony
- February 1 KCS Resource Center Collaborative Meeting – Services offered include, mental/psychiatric, healthcare and now dental, and they accept Medi-Cal, Medicare and uninsured patients. They just added an office on Commonwealth Boulevard.
- February 3 OC Heritage Festival and Parade for Black History Month in Anaheim
- February 5 Wake Up with the Mayor and Police Chief
- February 5 Buena Park Collaborative Meeting
- February 7 Buena Park State of the City Address and Luncheon
- February 10 Cypress College Americana Awards
- February 13 Silverado Days Grants Luncheon

Mayor Vaughn thanked City staff for the centerpieces created for the State of the City Luncheon. She commented about the friendly competitiveness and creativity among the departments. Mayor Vaughn commented that after a lengthy and hard thought process, first place goes to the Planning Department's "Past, Present and Future" centerpiece. Second place goes to the City Yard Maintenance Garage. Mayor Vaughn will take both departments to lunch.

MAYOR/CITY COUNCIL CALENDAR

- Explore and provide information on cannabis distribution (Smith)
- Cypress College Americana Awards City Sponsorship (Brown)
- Orange County Heritage Black History Parade for next year – local schools involvement (Vaughn)

RECESS

Mayor Vaughn recessed the meeting at 6:19 p.m., and announced the meeting would be reconvened for study session. The meeting was reconvened at 6:34 p.m.

STUDY SESSION (8–14)

8. DISCUSS AND PROVIDE DIRECTION REGARDING THE TRAFFIC SIGNAL AT LA MIRADA BOULEVARD AND VILLAGE CIRCLE WAY, INCLUDING POTENTIAL SIGNAL REMOVAL

Report by Ted Huynh, Iteris

Mr. Huynh, Iteris, gave a detailed presentation on the history of the intersection and complaints received regarding the lack of coordination in terms of movements and the proximity to Beach Boulevard. Iteris staff researched several options to improve signal operations, and documented the potential effects each option would have on vehicle circulation and signal delays, and came up with the following three options:

- Option 1 – Maintain current conditions.
- Option 2 – Partial signalization and partial restriction of traffic movements.
- Option 3 – Eliminate the traffic signal and restrict most traffic movements

The City Council raised concerns about the traffic flow, back-up, and safety of this intersection. Following discussion, a majority of the City Council did not approve removal of the signal and to maintain current conditions.

9. **DISCUSS AND PROVIDE DIRECTION REGARDING A PROPOSED MODIFICATION TO DEVELOPMENT AGREEMENT NO. DA15-001 APPROVED DEVELOPMENT PLANS TO ALLOW CHANGEABLE COPY ELECTRONIC SIGNS FOR COMMUNITY EVENTS AND ON-SITE ADVERTISING ONLY AT THE ONBEACH PROJECT AT 5832 BEACH BOULEVARD**
Report by Joel W. Rosen, AICP, Director of Community Development

Mayor Vaughn took item 9 out of order.

During discussion, the City Council commented that this was not intended to be a rapidly changing billboard, and expressed concern about controlling the speed and sign brightness, messages, traffic back-up, accidents, etc., and the need for well defined restrictions. Mayor Pro Tem Brown mentioned that both City Hall and Ehlers Event Center have digital billboard signs.

Council Member Berry asked Mr. Rosen, if supported, what are the next steps. Mr. Rosen, explained that the next step is to apply for a conditional use permit (CUP) with modifications to Development Agreement plans. The CUP would be presented to the Planning Commission, followed by a Public Hearing at a future Planning Commission meeting, and the City Council would receive the Planning Commission packet for review prior to the public hearing. It could be called up for review, and if not satisfied, be heard before the City Council, if appealed. Mr. Rosen clarified that staff would revise the CUP to include specific conditions and limitations, such as off-site advertising, illumination, message time limit, etc.

Council Member Berry asked that this information be updated and included in the City Manager's Weekly report to the City Council. In addition, Mr. Rosen said he can prepare a memo to the City Council with the initial set of conditions, get feedback and address any concerns before the public hearing, and if necessary, bring back to the study session.

Council Member Smith expressed concern about changes being made without coming back to the City Council for approval. Mr. Rosen commented that any modification to a CUP can be considered by the Planning Commission or the City Council. Modifications made by the Planning Commission are open to review by the City Council, and if desired, he can automatically bring the revisions back to the City Council for review.

City Attorney Shah commented that there is no active CUP at this time, and that once there is an active CUP, it would have to be through a review, and called up to the City Council. Mr. Rosen added there are ways to condition the CUP so that it automatically goes to the Planning Commission and/or the City Council.

Following discussion, the City Council unanimously agreed to the proposed modification.

10. **DISCUSS AND PROVIDE DIRECTION REGARDING A FINANCIAL CONTRIBUTION TO THE LOVE BUENA PARK DAY EVENT**
Report by Aaron France, Deputy City Manager

The City Council unanimously approved a \$5,000 contribution to the Love Buena Park Day event, and Mayor Vaughn asked that moving forward, this be included in the City's annual budget for consideration.

11. DISCUSS AND PROVIDE DIRECTION REGARDING REINCORPORATION OF THE SILVERADO DAYS PARADE
Report by Aaron France, Deputy City Manager

City Attorney Shah asked Mayor Pro Tem Brown to abstain from voting on this item, due to his association with the Buena Park Noon Lions Club.

Mayor Vaughn announced that Item 11 would be taken out of order.

Mr. France mentioned that the last parade was in 2003, and since then, an engineer stamped traffic control plan is now required. Preliminary staff costs is estimated to be \$10,000 - \$12,000, and the entire cost of the parade could range from \$50,000 - \$100,000. He also commented that in 2017, Knott's Halloween Haunt, Arirang Festival, Rock & Brews "Brew Fest" and Silverado Days were held the same weekend, and all the events were within very close proximity and the Police Department was spread very thin.

Council Member Swift commented that she has been approached by residents asking to bring back the parade. She wants to look for alternative resources, professional organizers, other service club organizations participation, and get information and total costs from Cities, such as La Palma and Anaheim, who have annual parades.

Council Member Smith commented on the difficulty of booking school bands, amount of work, and costs associated with this event.

Council Member Berry mentioned that at the time, there was a lack of involvement, the cost of the parade escalated rapidly, and the City was facing financial difficulties, so they chose to keep Silverado Days and eventually added the 5k, and concurs that the cost of a parade is about \$50,000. Council Member Berry mentioned having discussed alternate routes like Western Avenue instead of La Palma Avenue.

Pat Donnelly, Silverado Days Chairman, presented some cost information from the last parade in 2003: Police/City Staff – \$36,000; Southern California School Band and Orchestra Association – \$1,750. Other items include trophies, signage, administrative costs, flowers, float permits, etc. Mr. Donnelly said that Noon Lions Club is not opposed to the parade, and wants the City to understand that no revenue is generated and will cost the City about \$50,000.

After discussion, the City Council directed staff to research information from other Cities that have parades, place the information in the City Manager's Weekly Report, and if the City Council wishes to bring this item back for discussion in the future, it can be calendared.

12. DISCUSS AND PROVIDE DIRECTION REGARDING THE STUDY SESSION MEETING FORMAT AND RETURNING THE STUDY SESSION TO THE MAIN CONFERENCE ROOM
Report by Aaron France, Deputy City Manager

Mr. France reported that in the past the Study Session occurred in the Main Conference Room and was not filmed or posted on the City's website. At the City Council's direction and in the spirit of transparency, in October 2017, the Study Session was moved to the Council Chamber and filmed and posted on the City's website just like the regular meeting.

Mayor Pro Tem Brown supported the idea and is convenient, as there is no need to change rooms, however, it has lost its informality and feels like a continuation of the council meeting. He has not had any comments from residents, and is in favor of returning to the Main Conference Room for the Study Session.

Council Member Berry commented that the informality in the Main Conference Room made it more comfortable for audience members to talk, and more conducive to discussing and working out details. He also commented that the Study Session is a public meeting and open to everyone, however, the Main Conference Room is not equipped to film the meeting. When looking at the expense of equipping the room for filming, and whether it would benefit few or many, and the cost to the City, Council Member Berry is in favor of moving the Study Session back to the Main Conference Room, however, is opposed if it proves to be costly to the City. Council Member Smith commented that the Council Chamber is too formal and that more is accomplished in the informal setting, and supports moving back to the Main Conference Room.

Council Member Swift commented that the focus is to make decisions on behalf of the residents, and they should know what decisions are being made. Residents now have options

to view the entire meeting, in person, and for those who are not able to come to City Hall, can watch on TV, or from their computer. Council Member Swift recalled a past issue, and a concerned citizen approached her later and asked when the issue was discussed. This issue was discussed during Study Session that the citizen did not attend. Council Member Swift commented that if the Study Session is moved back to the Main Conference Room, it should be filmed.

Mayor Vaughn commented that moving to the Council Chamber has hindered the ability to work one-on-one with the residents. She mentioned the possibility of recording, although not in real time, but it would be available on the website the next day. Mr. France mentioned there are several options, such as a static camera, dome type surveillance camera, and microphones on the conference room table to pick up the audio. Mr. France said that it would be a small capital expense to set up the room for filming. Staff would have to explore whether or not it could be spliced together live, but there should be no problem with the rebroadcast on TV or the City's website. Mr. France clarified that the digital filming is stopped during the recess, and recording resumes when the meeting is convened, so the meeting is not edited.

Mr. France estimated the cost at approximately \$10,000, but would need to get a professional estimate. Mayor Vaughn asked about putting a camera on a tri-pod, and Mr. France said it could be done for replay purposes.

Council Member Swift commented that the City has spent money on the Council Chamber and should use it to the fullest and its maximum capabilities.

Following discussion, the City Council unanimously agreed to delay this item until staff has researched the costs for filming the Study Session in the Main Conference Room.

13. CITY MANAGER REPORT

City Manager Vanderpool announced that the ACC-OC is having a roundtable meeting on Homelessness, on Thursday, February 15. Council Member Swift will attend on behalf of Mayor Vaughn and Mayor Pro Tem Brown.

14. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

The ad hoc committee recommended the appointment of Jenny Park to the Cultural and Fine Arts Commission, be placed on the next agenda.

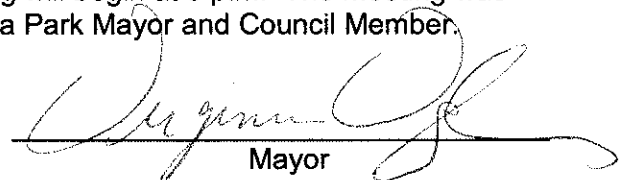
The City Council appointed the following ad hoc committee for commission interviews:

Traffic and Transportation Commission

Council Member Berry
Mayor Pro Tem Brown

ADJOURNMENT

There being no further business, Mayor Vaughn adjourned the meeting at 8:18 p.m. to Tuesday, February 27, 2018, at 3:30 p.m. The regular meeting will begin at 5 p.m. The meeting was adjourned in memory of Don R. Griffin, former Buena Park Mayor and Council Member.


Mayor

ATTEST:


City Clerk