



**BUENA PARK CITY COUNCIL
REGULAR MEETING
TUESDAY, JUNE 12, 2018
5:00 PM
PUBLIC HEARING AT 6:00 PM**

COUNCIL CHAMBER
6650 BEACH BOULEVARD
BUENA PARK, CALIFORNIA

CALL TO ORDER

5:00 PM

ROLL CALL

**COUNCIL MEMBER STEVE BERRY
COUNCIL MEMBER FRED R. SMITH
COUNCIL MEMBER ELIZABETH A. SWIFT
MAYOR PRO TEM ARTHUR C. BROWN
MAYOR VIRGINIA VAUGHN**

INVOCATION

**PASTOR/POLICE CHAPLAIN DON HARBERT,
THE WAY FELLOWSHIP**

PLEDGE OF ALLEGIANCE

MEG RILEY, DIRECTOR OF COMMUNITY SERVICES

CITY MANAGER REPORT

PRESENTATIONS

**EMPLOYEE SERVICE AWARDS
Twenty Year Service**

- **Patrick Carney, Police Department**
- **Chris Pimentel, Police Department**

CALIFORNIA DISTINGUISHED SCHOOL 2018

- **Glen H. Dysinger Elementary**
- **Los Coyotes Elementary**

**PROCLAMATION - DROWNING PREVENTION
AWARENESS MONTH**

**INVITATION TO BUENA PARK COMMUNITY CHORUS
CONCERT, 'BROADWAY BOUND'**

- **Marge Rollins, Buena Park Community Chorus**

**BUENA PARK LIBRARY SUMMER READING
PROGRAM**

- **Mary Ivelia, Librarian**
- **Brenda Gomez, Outreach Coordinator**

SOCALGAS UPDATE

- **Lanae O'Shields, SOCALGas Public Affairs
Manager**

ORAL COMMUNICATIONS

This is the portion of the meeting set aside to invite public comments regarding any matter within the jurisdiction of the City Council. If comments relate to a specific item, those comments will be taken following the staff report for that item and prior to City Council vote. Those wishing to speak are asked to complete a speaker identification form located at the Council Chamber entrance and place it in the box near the speaker's lectern.

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 (1-8)

1. APPROVAL OF MINUTES

Purpose:

Approve minutes for the Special Meeting of May 22, 2018, 1 p.m.; Special Meeting of May 22, 2018, 3:30 p.m.; and Regular Meeting of May 22, 2018, 5 p.m.

Recommended Action:

Approve.

2. TREASURER'S REPORT FOR THE MONTH OF APRIL 2018

Purpose:

Review the Treasurer's Investment Report prepared by the Finance Department for the month of April 2018. There is no fiscal impact in receiving this report.

Recommended Action:

Receive and file the reports.

3. ADOPT PROCLAMATION - DROWNING PREVENTION AWARENESS

Recommended Action:

Approve proclamation.

4. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action:
Adopt resolutions.

5. ADDENDUM NO. 8 TO CONTRACT WITH TOWNSEND PUBLIC AFFAIRS, INC. (TPA) FOR PUBLIC AFFAIRS ADVOCACY FOR THE CITY OF BUENA PARK

Purpose:
Authorize the City Manager's Office to extend the contract with Townsend Public Affairs, Inc. for consultant services related to public affairs advocacy for the City. Associated costs in the amount of \$96,900 will be funded by the General Fund (Account No. 11-6240-105105) and the Water Enterprise Fund (52-6240-352267).

Recommended Action:
1) Approve Addendum No. 8 to the contract with Townsend Public Affairs, Inc. for public affairs advocacy consultant services; and 2) Authorize the City Manager to execute the addendum.

6. FINAL PAYMENT TO MIRAMONTES CONSTRUCTION COMPANY, INC. FOR THE WESTERN AVENUE SEWER SPOT REPAIR PROJECT

Purpose:
Authorize the Public Works Department to issue final payment and file a Notice of Completion for the Western Avenue Sewer Spot Repair Project. This project was funded by the Water Enterprise Fund (Account No. 52-9806-497824).

Recommended Action:
1) Accept project as complete and ratify final payment to Miramontes Construction Company, Inc. in the amount of \$28,975; and 2) Direct the City Clerk to file a Notice of Completion.

7. FINAL PAYMENT TO BEST CONTRACTING SERVICES, INC. FOR THE POOL BUILDINGS ROOFING IMPROVEMENTS AT PEAK AND BOISSERANC PARKS PROJECT

Purpose:

Authorize the Public Works Department to finalize the project, and direct the City Clerk's Office to file a Notice of Completion for the Pool Buildings Roofing improvements at Peak and Boisseranc Parks Project. Associated costs in the amount of \$155,942.18 were funded by the Park-in-Lieu Fund (Account No. 32-9806-290128), and the Facility Maintenance Fund (Account No. 77-6240-170670).

Recommended Action:

1) Accept the Pool Buildings Roofing and Improvements at Peak and Boisseranc Parks Project as complete; and 2) Direct the City Clerk to file a Notice of Completion.

8. COMMISSION APPOINTMENTS

Purpose:

Accept the reappointments of commissioners as recommended by Mayor Vaughn.

Recommended Action:

1) Confirm the reappointment of Tom Woodward to the Traffic & Transportation Commission for a term that will expire April 10, 2021; 2) Confirm the reappointment of Robert Mote to the Traffic and Transportation Commission for a term that will expire February 28, 2021; 3) Confirm the reappointment of James Kester to the Traffic and Transportation Commission for a term that will expire April 14, 2021; and 4) Confirm the reappointment of Brian Beger to the Traffic and Transportation Commission for a term that will expire April 14, 2021.

END OF CONSENT CALENDAR

PUBLIC HEARING (9-10)

9. PUBLIC HEARING - PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1245.235 REGARDING ADOPTION OF RESOLUTION OF NECESSITY DECLARING CERTAIN REAL PROPERTY INTERESTS NECESSARY FOR A PUBLIC PURPOSE AND AUTHORIZING THE ACQUISITION OF THE FEE SIMPLE INTEREST IN THE REAL PROPERTY IDENTIFIED AS 6263-6265 AUTO CENTER DRIVE IN THE CITY OF BUENA PARK, AND FURTHER IDENTIFIED AS ORANGE COUNTY TAX ASSESSOR PARCEL NOS.: 277-021-06 AND 277-021-07 FOR PUBLIC HEALTH, SAFETY AND WELFARE PURPOSES

Presented by: Regina Danner, Assistant City Attorney

Purpose:

Adopt a Resolution of Necessity for the acquisition by eminent domain of the fee simple interest in the real property located at 6263-6265 Auto Center Drive, and identified as Orange County Tax Assessor's Parcel Nos. 277-021-06 and 277-021-07 for public purposes. There is no budget impact with the adoption of this resolution.

Recommended Action:

1) Consider and adopt the proposed Resolution of Necessity of the City of Buena Park ("City") Declaring Certain Real Property Necessary for Public Purposes and Authorizing Acquisition thereof for public health, safety, and welfare purposes consistent with the principles, goals and policies of the City's General Plan ("Proposed Project.")

2) Open and conduct a hearing on the adoption of the proposed Resolution of Necessity, receive from City staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity, which requires the City Council's separate consideration and determination.

3) If the City Council finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at the hearing, and all written testimony submitted to the City Council, that the evidence supports the necessary findings with respect to the proposed Resolution of Necessity, then City staff recommends that the City Council, in the exercise of its discretion, adopt the proposed Resolution, (which requires a 4/5 vote of the City Council) and authorize the City's legal counsel to commence eminent domain proceedings to acquire the real property interest described as follows:

- The fee simple interest in the real property located at 6263-6265 Auto Center Drive in the City of Buena Park, and identified as Orange County Tax Assessor Parcel Numbers 277-021-06 and 277-021-07 (collectively "Subject Property").

4) The Subject Property that the City seeks to acquire in fee is described more particularly in Exhibit "A" to the attached Resolution of Necessity. The Resolution also contains a drawing depicting the location of the Subject Property. The drawing is

attached as Exhibit “B” to the Resolution of Necessity. The Resolution and its exhibits is attached as Attachment “1” hereto, and is incorporated into this Report by this reference.

5) If the Resolution of Necessity is approved, authorize the City’s legal counsel and City staff to take all necessary steps to deposit with the Court the amount of probable compensation required by law for issuance of an Order for Possession for the Subject Property identified above.

6) Authorize the City Manager, or his designee, to execute all necessary documents.

10. PUBLIC HEARING – ADOPT ORDINANCES FOR ZONE CHANGE NO. Z17-25820 TO REZONE PROPERTY FROM CG (COMMERCIAL GENERAL) AND ML (LIGHT INDUSTRIAL) TO GMU (GENERAL MIXED USE), AND DEVELOPMENT AGREEMENT NO. DA17-25819 TO ALLOW A NEW FIVE-LEVEL, MIXED-USE DEVELOPMENT WITH 34 MULTI-FAMILY APARTMENT UNITS ABOVE 1,418 SQUARE FEET OF NEIGHBORHOOD-SERVING COMMERCIAL WITH RELATED ON-SITE PARKING AND ASSOCIATED SITE IMPROVEMENTS LOCATED AT 6555 BEACH BOULEVARD, BUENA PARK, CALIFORNIA; AND AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE THE DEVELOPMENT AGREEMENT; AND WAIVE THE REQUIREMENT FOR TEMPORARY FENCING AND LANDSCAPING

Presented by: Brady M. Woods, Planning Manager

Purpose:

Authorize the Planning Division to approve a new five-level, mixed-use development with 34 multi-family apartment units above 1,418 square feet of neighborhood-serving commercial with related on-site parking and associated site improvements located at 6555 Beach Boulevard. There is no budget impact associated with the approval of this project.

Recommended Action:

1) Adopt Ordinances approving Zone Change Z17-25820 and Development Agreement DA17-25819 allowing a new five-level, mixed-use development with 34 multi-family apartment units above 1,418 square feet of neighborhood-serving commercial with related on-site parking and associated site improvements located at 6555 Beach Boulevard; 2) Authorize the Mayor and City Clerk to execute the Development Agreement; and 3) Waive the requirement for temporary fencing and landscaping, consistent with DA16-004 given that building permits for this mixed-use development have been issued within 180 days of this approval.

NEW BUSINESS (11-16)

11. AMENDMENT NO. 5 TO AGREEMENT WITH THE SOUTHEAST AREA ANIMAL CONTROL AUTHORITY (SEAACA) FOR FY 18-19 ANIMAL CONTROL SERVICES

Presented by Aaron France, Assistant City Manager

Purpose:

Authorize the City Manager's Office to contract animal control field and shelter services for the City. Associated costs in the amount of \$457,700 will be funded by the General Fund (Account No. 11-6240-160108).

Recommended Action:

1) Approve Amendment No. 5 to the Agreement with SEAACA for FY 18-19 animal control services; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and 3) Authorize the Mayor, City Clerk, and City Attorney to execute the Amendment to the Agreement.

12. ADOPT RESOLUTION CONCERNING THE STATUS AND UPDATE OF THE PAVEMENT MANAGEMENT PLAN AND APPROVAL OF 2018-2019 MEASURE M2 SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM

Presented by Iris Lee, Assistant City Engineer

Purpose:

Authorize the Public Works Department to submit a City Council-adopted resolution concerning the Pavement Management Plan (PMP) and approve an updated capital improvement program to maintain Measure M2 Program eligibility to comply with OCTA requirements for future funding opportunities. There is no budget impact with the approval of these programs, plans, and resolution.

Recommended Action:

1) Adopt a resolution concerning the status and update of the Pavement Management Plan (PMP); 2) Approve the Measure M2 Seven-Year Capital Improvement Program; and 3) Authorize staff to submit the necessary documentation to Orange County Transportation Authority (OCTA).

13. RESOLUTION TO ADOPT A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK CITY EMPLOYEES' ASSOCIATION (BPCEA)

Presented by Eddie Fenton, Dir. Human Resources/Risk Management

Purpose:

Authorize the Human Resources and Risk Management Department to execute a labor contract with BPCEA. Associated costs in the amount of \$201,100 will be funded by the General Fund. A total of \$143,100 will be funded this fiscal year for the ratification bonus, and the remaining \$58,000 will be included in the proposed FY 18-19 and FY 19-20 budgets.

Recommended Action:

1) Adopt a resolution approving a Memorandum of Understanding (MOU) between the City of Buena Park and the Buena Park City Employees' Association; and 2) Approve a budget amendment in the amount of \$143,100 for the ratification bonus.

14. RESOLUTION TO ADOPT THE COMPENSATION PLAN FOR MANAGEMENT AND EXECUTIVE EMPLOYEES AND CITY COUNCIL

Presented by Eddie Fenton, Dir. Human Resources/Risk Management

Purpose:

Authorize the Human Resources and Risk Management Department to execute a successor Compensation Plan with the Buena Park Management Unit and Executive Employees, the City Manager, City Clerk, and Police Chief, and the City Council. Associated costs in the amount of \$135,500 will be funded by the General Fund. A total of \$100,500 will be used toward the ratification bonus and the remaining \$35,000 will be incorporated into the proposed FY18-19 and FY19-20 budgets.

Recommended Action:

1) Adopt a resolution approving a Compensation Plan for Management and Executive Employees, the City Manager, City Clerk, and Police Chief, and the City Council; and 2) Approve a budget amendment in the amount of \$100,500 for the ratification bonus.

15. PROFESSIONAL SERVICES AGREEMENT WITH RJM DESIGN GROUP TO PROVIDE DESIGN SERVICES FOR A PRELIMINARY OPEN SPACE CONCEPT AT WHITAKER SCHOOL

Presented by Iris Lee, Assistant City Engineer

Purpose:

Authorize the Public Works Department to contract with RJM Design Group to provide a preliminary design for Whitaker School open space project. Associated design costs in the amount of \$10,000 will be funded by previously unspent funds from the SCE Corridor Project (Account No. 32-9806-290092).

Recommended Action:

1) Approve a Professional Services Agreement with RJM Design Group, Inc. to provide design services for a preliminary open space concept at Whitaker School; 2) Authorize a budget transfer in the amount of \$10,000 for this purpose; and 3) Authorize the City Manager and City Clerk to execute the agreement.

16. PROFESSIONAL SERVICES AGREEMENT WITH CLARK & GREEN ASSOCIATES TO PROVIDE PROFESSIONAL DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR TWO CITY ENTRY MONUMENT SIGNS AT LA PALMA AVENUE AND VALLEY VIEW STREET AND AT LA PALMA AVENUE AND DALE STREET

Presented by Iris Lee, Assistant City Engineer

Purpose:

Authorize the Public Works Department to enter into a professional services agreement with Clark & Green Associates to provide professional design and construction support services for the two City entry monument signs. Associated costs in the amount of \$52,500 will be funded by the General Fund (Account No. 11-9806-190049). Construction costs in the amount of \$400,000 will require a budget amendment to the General Fund.

Recommended Action:

1) Approve a Professional Services Agreement with Clark & Green Associates ('Clark & Green') in the amount of \$52,500 for the City Entry Monument Sign projects at La Palma Avenue and Valley View Street, and at La Palma Avenue and Dale Street; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager and the City Clerk to execute the agreement; 4) Approve a budget amendment in the amount of \$400,000 for the construction of the two entry signs; and 5) Dispense with the competitive bid process pursuant to Buena Park Municipal Code BPMC 3.28.140 as the use of Clark & Green will provide design uniformity with the existing entry monument signs.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

- a. Scheduling dates for future City Council meetings.
- b. Identifying items for future discussion.

RECESS

STUDY SESSION (17-24)

- 17. DISCUSS AND PROVIDE DIRECTION REGARDING A KABOOM PLAYGROUND AT BELLIS PARK**
Presented by: Aaron France, Assistant City Manager
- 18. DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY'S AMBULANCE TRANSPORT FEES**
Presented by: Aaron France, Assistant City Manager
- 19. DISCUSS AND PROVIDE DIRECTION ON THE BEAUTIFICATION-ENVIRONMENTAL COMMISSION'S RECOMMENDATION ON BANNING POLYSTYRENE (STYROFOAM) WITHIN THE CITY OF BUENA PARK**
Presented by: Gerry Lopez, Field Operations Manager
- 20. DISCUSSION AND DIRECTION REGARDING THE DEVELOPMENT OF A CITY-WIDE COMMUNICATIONS STRATEGIC PLAN TO ADDRESS SMALL-CELL & FIBER ENHANCEMENTS WITHIN THE CITY**
Presented by: Iris Lee, Assistant City Engineer
- 21. DISCUSS AND PROVIDE DIRECTION REGARDING PARKING LIFTS AT MULTI-FAMILY AND COMMERCIAL DEVELOPMENTS**
Presented by: Joel W. Rosen, AICP, Community Development Director
- 22. DISCUSS AND PROVIDE DIRECTION REGARDING SUPPORT OF ASSEMBLY BILL (AB) 448 ENTITLED JOINT POWERS AUTHORITIES: ORANGE COUNTY HOUSING TRUST**
Presented by: Aaron France, Assistant City Manager
- 23. CITY MANAGER REPORT**
- 24. COMMISSIONER REPORTS & FUTURE AGENDA REQUESTS**

ADJOURNMENT

This agenda contains a brief general description of each item to be considered. Supporting documents are available for review and copying at City Hall or at www.buenapark.com. Video streaming of the meeting is available on the City's website. This governing body is prohibited from discussing or taking action on any item which is not included in this agenda; however, may ask clarifying questions, ask staff to follow-up, or provide other direction. The order of business as it appears on this agenda may be modified by the governing body.



In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, contact the California Relay Service at 711. Notification at least 48 hours prior to the meeting will enable the City to make arrangements to assure accessibility.

I, Adria M. Jimenez, MMC, City Clerk, City of Buena Park, do hereby certify, under penalty of perjury under the laws of the State of California that a full and correct copy of this agenda was posted pursuant to Government Code Section 54950 et. seq., at the following locations: Buena Park City Hall, 6650 Beach Blvd., the Buena Park Library, 7510 La Palma Avenue, and uploaded to the City of Buena Park website www.buenapark.com.

Date Posted: June 8, 2018

Adria M. Jimenez, MMC, City Clerk