

MINUTES OF CITY COUNCIL MEETING  
OF THE CITY OF BUENA PARK  
HELD MARCH 12, 2019

Vol. 50 Pg. 319

CALL TO ORDER

The City Council met in a regular session on Tuesday, March 12, 2019, at 5:06 p.m. in the City Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Brown presiding.

ROLL CALL

PRESENT: Park, Smith, Swift, Traut, Brown  
ABSENT: None

Also present were: Jim Vanderpool, City Manager; Chris Cardinale, City Attorney; and Adria M. Jimenez, MMC, City Clerk.

INVOCATION

The invocation was led by Rabbi Lawrence Goldmark

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Brady M. Woods, Planning Manager

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- The next Homeless Navigation Center meeting, April 9, 2019, 7:00 p.m., City Hall Council Chamber. Staff is exploring two possible sites for the Homeless Navigation Center, 7101 Lincoln Avenue and 6490 Caballero Street
- Announced the appointment of Jim Box as the Director of Community Services

PRESENTATIONS

Lauren Morales, Community Services Coordinator, Fine Arts, extended an invitation to the High School Art Show Awards Ceremony, Friday, March 15, 2019, 6:00 p.m.

Council Member Swift presented Certificates of Recognition to Buena Park High School Girls Water Polo Team in recognition of their CIF Division 6 Championships.

ORAL COMMUNICATIONS

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

Jayoon Koo, Buena Park resident, thanked Mr. Woods, Planning Manager, Mr. Vanderpool, City Manager and Council Member Park for taking steps towards installing gates at the complex behind H-Mart as this matter has been pending for several years. He also commented that the City of Buena Park should provide language assistance to the diverse residents of the City. He suggested starting with Spanish and Korean.

Chung Mi Kyuaj, Buena Park resident, attended a public hearing in February regarding the homeless navigation center and wanted to speak, but because there weren't Korean language interpreters she was unable to provide input. She urged the City Council to provide a Korean interpreter for the Korean community.

Dave DeRosa, Buena Park resident, spoke about his concerns regarding property values related to the proposed Homeless Navigation Center on Lincoln Avenue. He thanked Council Member Traut and Assistant City Manager France for the information they provided to him.

There being no further speakers, Mayor Brown closed oral communications.

#### CONSENT CALENDAR (1 - 8)

Mayor Brown announced that Consent Calendar Items 1 through 8 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. Mayor Brown pulled Item No. 1 from the agenda, and pulled Item No. 4 and Item No. 8 for discussion. Council Member Swift pulled Item No. 5 for discussion. There being no further requests for separate consideration, the following action was taken:

MOTION: Smith  
 SECOND: Traut  
 AYES: Smith, Traut, Park, Swift, Brown  
 NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 2, 3, 6 and 7 be approved.

#### Minutes

##### 1. APPROVAL OF MINUTES

Purpose: Regular City Council Meeting of January 8, 2019, 5 PM; Special City Council Meeting of January 22, 2019, 3:30 PM

Recommended Action: Approve Minutes.

This item was pulled from the Agenda.

#### Finance 75

##### 2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

##### RESOLUTION NO. 13924

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$565,422.45 DEMAND NOS. 395532 THROUGH 395741 CANCELLED NOS. 394615, 395140 AND 395429 VOIDS SEE ATTACHED LIST

##### RESOLUTION NO. 13925

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$12,642.44 DEMAND NOS. 395742 THROUGH 395748

##### RESOLUTION NO. 13926

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$26,378.56, COVERING RETIREE PAYROLL ENDING FEBRUARY 28, 2019

##### RESOLUTION NO. 13927

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 801,253.36, COVERING REGULAR PAYROLL ENDING FEBRUARY 22, 2019

#### Contracts 70 C-3032 Public Works Proj. 125 PW 858

##### 3. FINAL PAYMENT TO GMC ENGINEERING FOR THE ORANGETHORPE AVENUE STREET WIDENING PROJECT FROM INDIANA AVENUE TO KASS DRIVE

Purpose: Issue a final payment and file a Notice of Completion for the Orangethorpe Avenue Widening Project from Indiana Avenue to Kass Drive.

Recommended Action: 1) Accept the project as complete and approve a final payment to GMC Engineering in the amount of \$32,776.26; and 2) Direct Public Works to file a Notice of Completion.

#### **Contracts 70 C-3071 C-3072**

4. PROFESSIONAL SERVICES AGREEMENTS WITH CREATIVE VISION GROUP FOR DESIGN, PRINTING AND DISTRIBUTION SERVICES FOR THE BUENA PARK TODAY QUARTERLY PUBLICATION

Purpose: Authorize the City Manager and City Clerk to execute agreements for design, printing and distribution services for the Buena Park Today quarterly publication with Creative Vision Group and Novak and Normal Inc. Associated costs have been allocated in the FY 18-19 City Manager's Office budget (Account No. 11-6240-105105) for this purpose.

Recommended Action: 1) Approve an agreement with Creative Vision Group for design, layout, and production services for the Buena Park Today quarterly publication in an annual amount of not to exceed \$25,000; 2) Approve an agreement with Novak & Normal, Inc. dba The PM Group, for printing and distribution services for the Buena Park Today quarterly publication in an annual amount of not to exceed \$58,000; and, 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreements; and, 3) Authorize the City Manager and City Clerk to execute the agreements.

MOTION CARRIED to approve staff's recommendation.

MOTION: Smith  
 SECOND: Park  
 AYES: Smith, Park, Swift, Traut, Brown  
 NOES: None

#### **Contracts 70 C-2330**

5. SECOND AMENDMENT TO AGREEMENT WITH ALL CITY MANAGEMENT SERVICES FOR CROSSING GUARD SERVICES

Purpose: Approve a second amendment modifying the agreement with All City Management Services to allow for new minimum wage compensation rates, extend the term of the agreement to March 2021, and approve a budgetary action to appropriate an amount not-to-exceed \$14,261.80.

Recommended Action: 1) Approve a second amendment modifying the agreement with All City Management Services (ACMS) for crossing guard services; 2) Authorize the City Manager and City Attorney to make any necessary, non-budgetary changes to the agreement; 3) Approve a budgetary action to appropriate an amount not-to-exceed \$14,261.80; and 4) Authorize the City Manager and City Clerk to execute the agreement.

MOTION CARRIED to approve staff's recommendation.

MOTION: Traut  
 SECOND: Swift  
 AYES: Traut, Swift, Park, Smith, Brown  
 NOES: None

#### **Budget 47**

6. RESOLUTION APPROPRIATING FUNDS FOR PRIOR YEAR CAPITAL IMPROVEMENT PROJECTS AND OTHER CARRYOVERS

Purpose: Authorize the Finance Department to execute carryover budget adjustments to the City budget. Carryover amounts, as listed in Attachments A and B of the proposed resolution, will affect the City budget accordingly.

Recommended Action: Adopt a resolution appropriating funds for prior year capital improvement projects and other carryovers.

ADOPTED the following titled resolutions:

RESOLUTION NO. 13928:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROPRIATING FUNDS FOR PRIOR YEAR CAPITAL IMPROVEMENT PROJECT CARRYOVERS AND OTHER CARRYOVERS

**Property/Lot Line Adj 120**

- 7. INITIATION OF THE CALTRANS DECERTIFICATION PROCESS FOR PROPERTY LOCATED SOUTH OF AUTO CENTER DRIVE AND NORTH OF THE INTERSTATE 5 (I-5) FREEWAY NORTHBOUND ON-RAMP

Purpose: Request Caltrans to start the decertification process in order to move forward in the process of potentially acquiring property located on the south side of Auto Center Drive, just north of the I-5 Freeway northbound on-ramp. Associated costs in the amount of \$35,000 from the Economic Development Fund (Account No. 12-6240-632110) will be used for this purpose.

Recommended Action: 1) Approve a request to Caltrans to initiate the decertification process for Caltrans-owned property located on the south side of Auto Center Drive, just north of the I-5 Freeway northbound on-ramp; and 2) Approve a budget allocation in the amount of \$35,000 for this purpose.

**Gifts & Donations 167**

- 8. DONATION OF RESIDUAL SPONSORSHIP FUNDING TO ONE OC-BUENA PARK COLLABORATIVE RESOURCE CENTER

Purpose: Donate \$2,000 to the Buena Park Resource Center for opening expenses.

Recommended Action: Approve the donation to the One OC-Buena Park Collaborative Resource Center in the amount of \$2,000, and 2) Authorize the City Manager and Finance Director to submit payment.

MOTION CARRIED to approve staff's recommendation.

- MOTION: Brown
- SECOND: Smith
- AYES: Brown, Smith, Park, Swift, Traut
- NOES: None

**NEW BUSINESS (9)**

**Budgets 47 Contracts 70 C-3073 Public Works Proj 125 PW-863**

- 9. RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR DEMOLITION OF THE EXISTING BUILDING FOR THE 8TH STREET PARKLET PROJECT, AND APPROVE AN AGREEMENT WITH DAVID VOLZ DESIGN FOR LANDSCAPE AND ARCHITECTURAL SERVICES

Presented by Jim Box, Interim Director of Community Services

Purpose: Approve plans and specifications and hire a contractor for demolition of the existing building for the 8th Street Parklet Project, and approve an agreement with David Volz Design (DVD) for landscape and architectural design services. Total associated costs in the amount of \$99,551 will be funded from the Park In-Lieu account for this project.

Recommended Action: 1) Adopt a resolution approving plans and specifications for demolition of the existing building for the 8th Street Parklet Project at 7501 8th Street; 2) Approve an agreement with David Volz Design (DVD) in the amount of \$24,551 to prepare landscape and architectural services for the project; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 4) Authorize the City Manager and the City Clerk to execute the agreement; and, 5) Authorize a budget amendment allocating \$99,551 from the Park In-Lieu account for this project.

- MOTION: Smith
- SECOND: Swift
- AYES: Smith, Swift, Park, Traut, Brown

NOES: None

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

RESOLUTION NO. 13929:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR THE 8TH STREET PARKLET IN SAID CITY.

MAYOR/CITY COUNCIL REPORTS AND CALENDAR

Council Member Park reported the following:

- February 28 Kyunggi Bar Association Meeting
- March 7 Lunch with Dr. Schilling of Cypress College
- March 9 Buena Park Arbor Day Event, Smith Murphy Park

Mayor Pro Tem Smith reported the following:

- February 27 Sanitation Board Meeting
- March 1 New Assistant City Clerk Welcome Breakfast
- March 4 OC Sanitation District Meeting, Headquarters Complex AdHoc Committee
- March 5 Santa Ana River Flood Protection Meeting
- March 7 Collaborative Resource Center Open House and Ribbon Cutting
- March 9 Buena Park Arbor Day Event, Smith Murphy Park
- March 12 Rosecrans Booster Pump Station Tour

Council Member Swift reported the following:

- March 3 Crescent Little League Opening Day
- March 7 Collaborative Resource Center Open House and Ribbon Cutting
- March 8 Acacia Quilt Guild Meeting
- March 8 Whitaker Elementary School and Gilbert School for read across America
- March 12 Rosecrans Booster Pump Station Tour

Council Member Swift congratulated Battalion Chief Mark Stone on his retirement in February.

Council Member Traut reported the following:

- February 27 Met with Olson Company Representative
- February 27 Visited La Mesa Emergency Shelter
- February 27 Planning Meeting for Creating the Children of Addicts Recovery Program
- March 3 Butterfly Wonderland
- March 5 Corey Elementary Annual Reader's Day
- March 5 Anaheim State of the City
- March 7 Lunch with Dr. Schilling of Cypress College
- March 8 Whitaker Elementary School and Gilbert School Read Across America
- March 9 Buena Park Arbor Day Event, Smith Murphy Park
- March 9 Volunteered at Eli Home Shelters for Abused Children
- March 12 Rosecrans Booster Pump Station Tour

Mayor Brown reported the following:

- February 27 Visited The Bridges at Kramer Shelter
- February 28 Braille Institute Ribbon Cutting
- March 1 New Assistant City Clerk Welcome Breakfast
- March 1 Beacon Day School Field Trip
- March 3 Crescent Little League Opening Day
- March 4 Mayor's Prayer Breakfast
- March 5 Filming of the Mayor's Show
- March 7 Southern California Association of Government Meeting
- March 7 Collaborative Resource Center Open House and Ribbon Cutting
- March 8 Metrolink Board Meeting
- March 9 Buena Park Arbor Day Event, Smith Murphy Park
- March 9 Coffee & Conversation with Assemblywoman Sharon Quirk-Silva
- March 12 Korean American Federation of Orange County Ribbon Cutting
- March 12 Rosecrans Booster Pump Station Tour

**MAYOR/CITY COUNCIL CALENDAR**

Council Member Swift calendared contracting with Planet Bids for contract and insurance tracking

Council Member Traut calendared the following:

- Options for providing crossing guards at San Marino and Buena Terra Elementary Schools funded by the City
- Costs for crossing guards for remaining Buena Park Elementary School campuses
- Options for banning Polystyrene (Styrofoam) in Buena Park
- Options for participating in the Orange County LGBTQ Pride Parade
- Exploring funding and location options with the North Orange County Community College District to develop affordable housing for Buena Park full-time Cypress College students

Mayor Brown calendared a paramedic fees waiver request received by staff.

**RECESS**

Mayor Brown recessed the meeting at 6:04 p.m. and announced the meeting would be reconvened in the Main Conference Room for Study Session. The meeting was reconvened at 6:25 p.m.

**STUDY SESSION**

10. **DISCUSS AND PROVIDE DIRECTION REGARDING SILVERADO DAYS SIGNS**  
Presented by: Jim Box, Interim Director of Community Services

On February 12, 2019, staff discussed the Silverado Days billboard signage posted at three locations within the City. Following discussion, staff was directed to secure quotes for vinyl banner material and aluminum signage in dimensions that would restore the billboard size to 24 feet wide by 8 feet tall. Staff has received quotes and below are the estimates for City Council consideration:

- One billboard made of vinyl banner material would cost \$432.
- One billboard made of aluminum material would cost \$3,960.

City Council discussed the options presented and all were satisfied with the proposed signs. A concern was raised regarding sign costs. Staff was directed to apply for Silverado Days grants to recover costs. City Council unanimously approved moving forward with four, 24' x 8' full color vinyl banners at \$432 dollars each for the following locations, City Hall, Ehler's Event Center, Boys & Girls Club and Beach Blvd and Rosecrans Avenue.

11. **DISCUSS AND PROVIDE DIRECTION FOR IMPROVED PARKING SOLUTIONS IN THE VICINITY OF 9TH STREET**  
Presented by: Norm Wray, Senior Engineering Technician

Staff has been reviewing parking concerns in the vicinity of 9th Street since late 2016. Many residents have contacted staff with concerns ranging from red curb, to fire hydrants, to ADA curb ramps, to permit parking. All of the concerns are ultimately related to on-street parking in the area. This area is a mixture of single family and multi-family developments. Generally, properties south of 9th Street are single-family units, while properties north of 9th Street are multi-family units. Staff has made many parking observations in the area and has determined that on-street parking is in very high demand for the majority of the day.

In response to resident concerns, the City Council has reviewed parking in this area at several City Council meetings. Due to the nature of the properties in the area, the City Council addressed resident concerns by allowing staff to establish a preferential (permit) parking district (PPD). Initially, the intent was to have all streets south of 9th Street and between Western Avenue and Knott Avenue as one large PPD. It was noted that creating a smaller PPD consisting of only a few streets would "shift" parking problems over to other adjacent streets. However, when this was originally proposed, a number of residents did not want the permit

parking system. City Council ultimately decided to allow the PPD to be started with four streets and gave staff direction that other streets in the area would be able to become part of the existing PPD.

Given the number of requests for permit parking, City Council created a policy for PPDs in August of 2017. The policy contains a number of features that guide residents and staff in the establishment of a PPD. In particular, it requires two items. First, residents must show (by petition) that no less than two-thirds (2/3) of the residents in the affected area are in favor of a PPD. No further action will be taken unless this requirement is met. Second, the area requested must be "reasonably self-contained," as determined by staff.

In addition to these two requirements, there are two recommendations to help determine if an area might warrant a PPD. The first is high parking demand. Specifically, whether or not parking during the peak demand time takes up seventy-five percent (75%) or more of the available parking spaces. The second is an "unusual condition." This can be some nearby location that generates unusual parking demand, such as a school, park, or amusement park. Based on the policy, staff reviews all PPD requests that are received. Every request that meets the two-thirds requirement is reviewed by the TTC for compliance with the policy. Requests that are found to be compliant with the policy are taken to the City Council for final review.

Additionally, the City Council has given staff specific direction to find ways to help improve parking in the area around 9th Street. The City Council last met on August 14, 2018, to revisit this discussion. At that meeting, staff discussed options that the Council had reviewed previously, as well as presenting two additional options to improve overall parking in the area. Overall, the options discussed included:

1. Allow overnight parking at Bellis Park
2. Create angled parking
3. Create a public parking lot
4. Making sure apartments are using on-site parking for its intended use and not storage
5. Encourage parking on 8th Street
6. Allow public overnight parking at private businesses on Knott Avenue
7. Increase the supply of on-site parking, such as installing parking lifts

After discussion City Council directed staff to continue as directed above and provide updates in the City Manager's weekly report. Also, City Council requested to explore parking lifts and explore options for a city financing program.

## 12. DISCUSS AND PROVIDE DIRECTION REGARDING A CITY LANGUAGE ASSISTANCE PROGRAM

Presented by: Chris Cardinale, City Attorney / Adria M. Jimenez, MMC, City Clerk

At a previous City Council Meeting it was requested that staff explore options regarding language translation for members of the public during public meetings. Various Federal and State laws, such as Title VI of the Civil Rights Act of 1964, and the California Bilingual Services Act (BSA), require cities to provide language access services for persons with no-or-limited English proficiency (LEP). The City of Buena Park is in compliance with all Federal and State regulations regarding equal access to public programs and services for LEP persons. The City Council, if it chooses, can adopt an ordinance, approve a policy, or implement a program to supplement Federal and State regulations.

Currently, the only publications posted in multiple languages were Election Notices for the November 2018 City Council Election, as required by the Federal Voting Rights Act. It should be noted that at a recent City Council Meeting, members of the public requested translation services in both Spanish and Korean. Services were on-hand and provided for Spanish translation; however, there was no Korean translator available at the meeting to assist.

Options for City Council consideration include:

1. Retain translation services for public meetings with advance request from the public, translating the most frequently requested/used City forms into other languages.
2. Update the City's website to include translation friendly formats.

A majority of the City Council (Smith dissented) directed staff to draft a policy and return to City Council with costs associated with translation service retainer.

13. DISCUSS AND PROVIDE DIRECTION REGARDING COMMISSION APPOINTMENTS BY CITY COUNCIL DISTRICTS  
Presented by: Adria M. Jimenez, MMC, City Clerk

At the City Council Meeting of February 26, 2019, a majority of the City Council requested the City Clerk present options for moving from at-large Commissioner appointments to by-district Commissioner appointments. All of the City's Commissions, except the Traffic & Transportation Commission, have Commissioner Terms expiring in 2019.

For those Commissioners whose terms do not expire in 2019, it is recommended that those commissioners be grandfathered in as the by- district Commissioner.

- Option 1 - Maintain the current appointment process.
- Option 2 - The City Council can choose to transition all Commissions from 7 members to 5 members, with one by-district appointee for each district. The Traffic & Transportation Commission currently has five members. As current commissioner terms expire, the vacant position would not be advertised or filled. Future by-district appointments could be at the recommendation of the District Council Member, with the concurrence of the City Council via Resolution. If a Council Member cannot find a suitable candidate to nominate from their respective district, the Council Member may nominate someone from a different district, at their discretion, with concurrence of the City Council, via Resolution.
- Option 3 - The City Council can choose to maintain the 7 member Commissions. As current terms expire, the City Council can choose to nominate from the 'Suggested by District Appointments,' noted above until all commissions have equal representation. Vacancy advertising could note district preference and applicants would be advised that by-district commissioner applicants would receive priority. If a Council Member cannot find a suitable candidate to nominate from their respective district, the Council Member may nominate someone from a different district, at the Council Member's discretion, with concurrence of the City Council, via Resolution. In this option, there may be double representation from districts.
- Option 4 - The City Council can choose to maintain the 7 member Commissions; 5 members appointed by district, 2 appointed at-large. As current terms expire, the City Council can choose to nominate from the 'Suggested by District Appointments,' noted above if it is a by-district appointment, or from all districts if it is an at-large appointment. If a Council Member cannot find a suitable candidate to nominate from their respective district, the Council Member may nominate someone from a different district, at the Council Member's discretion, with concurrence of the City Council, via Resolution.

Regardless of option the City Council chooses, it is recommended the City Council amend the City's Municipal Code via ordinance adoption, in order to continue by district Commissioner appointments in the future.

Also, the City Council will need to discuss if they would like to continue the appointment of nonresidents, who are employed or engaged in business within the City for the Beautification-Environmental and Cultural and Fine Arts Commissions, and whether or not the location of the business would be considered for by-district appointments.

Currently, potential commissioners are scheduled for an interview with a panel consisting of the City Council Liaison, Commission Staff Liaison, and another Council Member who volunteers to participate on the interview panel. If the City Council chooses to move forward with by-district appointments, the interview panel would consist of the City Council Commission Liaison, the District Council Member, and the Commission Staff Liaison. It is possible that another Council Member may need to volunteer to participate on the interview panel, if the City Council Commission Liaison is the same as the District Council Member.

After discussion, a majority of the City Council (Smith, Brown dissented) directed staff to move forward with Option 4; transition the Traffic and Transportation Commission from 5 to 7 members; all commissions will be 5 commissioners by-district and 2 commissioners at-large, continue with business residence and add a paragraph in the agenda report stating candidates' qualifications.

14. CITY MANAGER REPORT

- March 14 St. Patrick's Day Employee Potluck Celebration



- March 18-22 on vacation, Aaron France will be Acting City Manager during his absence

15. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

- Harriet Moses, Citizen Advisory Committee Member submitted a letter of resignation. Ms. Moses had served on the Citizen Advisory Committee for 21 years.

ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 7:56 p.m.

  
\_\_\_\_\_  
Mayor

ATTEST:

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

