

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD APRIL 9, 2019

Vol. 50 Pg. 338

CALL TO ORDER

The City Council met in a regular session on Tuesday, April 9, 2019, at 5:05 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 Pastor Gabe Montez, The Way Fellowship.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Adria M. Jimenez, MMC, City Clerk.

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- Police Chief Sianez invited residents to join Love Buena Park on Saturday, May 4, 2019. Registration and rally begin at 7:30 a.m., at The Source, with community service projects scheduled from 9:00 a.m. to 12:30 p.m., followed by a celebration.
- Buena Park Citywide Track and Field Meet, Friday, April 12, 2019, 4:00 p.m. – 7:00 p.m., Buena Park High School.
- Jazz at The Plaza, featuring Dayren Santamaria & Made in Cuba Band, Friday, April 26, 2019, 7:00 p.m., at The Plaza at Ehlers Event Center. Tickets are \$21 per person.
- Jim Box, Director of Community Services, announced two new summer programs:
 - Movies Under the Stars, June 14, 2019 - August 2, 2019, held at a variety of different parks in the City. Activities begin at 6:30 p.m., with movies starting at dusk.
 - Kids Café, working in collaboration with Second Harvest Food Bank, will be offering free daily lunch for children up to 18 years of age, during the summer as part of the park programs at Peak Park and Bellis Park, May 26 - August, 2, 2019.

PRESENTATIONS

Mayor Brown presented a Proclamation to Buena Park Police Department Dispatchers in recognition of National Public Safety Telecommunicators Week, April 14-20, 2019.

Police Chief Sianez presented a Certificate of Recognition to Maria Esquetini in honor of California Public Safety Radio Association Telecommunicator of the Year, Southern California Chapter.

Mayor Pro Tem Smith presented a proclamation to Mona Castro in honor of Donate Life Month.

Council Member Swift presented a proclamation to Stephanie Luu, Fair Housing Foundation, in honor of Fair Housing Month.

Lauren Morales, Community Services Coordinator, Fine Arts, extended an invitation to the public for the free Children's Art Festival and Earth Day Youth Art Show, Saturday, April 13, 2019, 12:00 p.m. - 5:00 p.m., Buena Park Community Center.

Michelle Van Sickle, Community Services Coordinator extended an invitation to Spring Eggstravaganza, Saturday, April 20, 2019, at Boiserranc Park. The pancake breakfast begins at 8:00 a.m., with several free activities and free family bunny pictures during the event. At 12 noon, the family hunt and egg scramble begins.

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.

R. Joshua Collins, Buena Park resident, stated he was thankful for the opening of the homeless shelter in Buena Park, and offered to assist shelter residents with addiction services.

Chris Candelaria, Buena Park resident, commented on his recent experience with security guards and the security company at The Source.

CONSENT CALENDAR (1 - 6)

Mayor Brown announced that Consent Calendar Items 1 through 6 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, Park, Traut, Brown
NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 6 be approved.

Finance 75

1. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 13933

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$3,765,338.10 DEMAND NOS. 395955 THROUGH 396181 CANCELLED NO. 392342 VOIDS

RESOLUTION NO. 13934

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$54,506.86 DEMAND NOS. 396182 THROUGH 396189

RESOLUTION NO. 13935

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 25,889.47, COVERING RETIREE PAYROLL ENDING MARCH 31, 2019

RESOLUTION NO. 13936

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 733,706.83, COVERING REGULAR PAYROLL ENDING MARCH 22, 2019

Proclamation 119

2. PROCLAMATION FOR NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK - APRIL 14-20, 2019

Recommended Action: Adopt proclamation.

APPROVED.

Proclamation 119

3. PROCLAMATION FOR FAIR HOUSING MONTH

Recommended Action: Adopt proclamation.

APPROVED.

Proclamation 119

4. PROCLAMATION FOR DONATE LIFE MONTH

Recommended Action: Adopt proclamation.

APPROVED.

Contracts 70 C-2902 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)

5. FINAL PAYMENT TO AMG & ASSOCIATES, INC., FOR THE FIRE STATION 61 PROJECT

Purpose: Authorize the Public Works Department to issue final payment and direct Public Works to file a Notice of Completion for the Fire Station 61 Project. This project is funded by Lease Revenue Bond issuance proceeds.

Recommended Action: 1) Accept project as complete and approve the final payment to AMG & Associates, Inc., in the amount of \$268,949.44; and 2) Direct Public Works to file a Notice of Completion.

APPROVED the recommended action.

Police Dept. 117 Policies 186

6. APPROVAL OF UNMANNED AERIAL VEHICLE (UAV) POLICY

Purpose: Final approval of Department Policy in support of the Police Department Unmanned Aircraft Systems (UAS) program.

Recommended Action: 1) Approve Buena Park Police Department General Order 460: Unmanned Aerial Vehicle (UAV) Operations

APPROVED the recommended action.

NEW BUSINESS (7 -11)**Contracts 70 C-3094 Public Works Proj. 125 PW-864**

7. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF A CONTRACT WITH PAVEMENT COATINGS CO. FOR THE 2018-2019 ANNUAL SLURRY SEAL PROJECT

Presented by Mina Mikhael, Assistant City Engineer

Purpose: Authorize the Public Works Department to execute an agreement in the amount of \$345,040 to slurry seal, cold mill, and overlay asphalt pavement on the designated streets for the 2018-2019 Annual Slurry Seal Project. Associated costs in the amount of \$345,040 will be allocated from the Project Account No. 24-9806-590010.

Recommended Action: 1) Adopt a resolution approving plans and specifications for the 2018-2019 Annual Slurry Seal Project; 2) Approve an agreement with Pavement Coatings Co. in the amount of \$345,040; 3) Authorize the City Manager and City Attorney to make any necessary, nonmonetary changes to the agreement; 4) Authorize contingency funds in the amount of \$35,000 in the same purchase order; and 4) Authorize the City Manager and the City Clerk to execute the agreement.

MOTION CARRIED to approve staff's recommendation and adopt the following title Resolution:

RESOLUTION NO.: 13937

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR 2018-2019 ANNUAL SLURRY SEAL PROJECT IN SAID CITY.

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

Contracts 70 C-3074 Public Works Proj. 125 PW-865

8. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF A CONTRACT WITH IBUILD SPECTRUM, INC. FOR THE EHLERS EVENT CENTER RESTROOM REMODELING PROJECT
Presented by Mina Mikhael, Assistant City Engineer

Purpose: Authorize the Public Works Department to execute an agreement in the amount of \$192,500 for the Ehlers Event Center Restroom Remodel Project. Associated costs in the amount of \$192,500 is included in the approved budget and will be allocated from Account No. 11-9806-190051.

Recommended Action: 1) Adopt a resolution approving plans and specifications for the Ehlers Event Center restroom remodeling project; 2) Award a contract to iBuild Spectrum, Inc., in the amount of \$192,500; 3) Authorize contingency funds in the amount of \$30,000; 4) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the contract; and 5) Authorize the City Manager and City Clerk to execute the contract.

Mina Mikhael, Assistant City Engineer, provided a staff report and amended Recommended Action Item No. 3, to authorize contingency funds in the amount of \$20,000, not \$30,000 as stated in the staff report.

MOTION CARRIED to approve staff's amended recommendation and adopt the following title Resolution:

RESOLUTION NO.: 13938

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR EHLERS EVENT CENTER RESTROOM REMODELING PROJECT IN SAID CITY

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

Contracts 70 C-3075 Public Works Proj. 125 PW-866

9. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF CONTRACT WITH STL LANDSCAPE, INC. FOR BEACH BOULEVARD STREETScape IMPROVEMENTS PHASE 2 PROJECT
Presented by Mina Mikhael, Assistant City Engineer

Purpose: Authorize the Public Works Department to execute an agreement in the amount of \$269,000 approving plans and specifications and approve the contract with STL Landscape, Inc., for the Beach Boulevard Streetscape Improvements Phase 2 Project. The project limits are Beach Boulevard from SR-91 Freeway to Orangethorpe Avenue and Beach Boulevard from 10th Street to 9th Street. Associated construction costs in the amount of \$269,000 will be funded from former Redevelopment Agency Bond Proceeds (Account No. 97-9806-997400).

Recommended Action: 1) Adopt a resolution approving plans and specifications for the Beach Boulevard Streetscape Improvements Phase 2 Project; 2) Award a contract to STL Landscape, Inc., in the amount of \$269,000; 3) Authorize contingency funds in the amount of \$27,000 in the same purchase order; 4) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the contract; and, 5) Authorize the City Manager and the City Clerk to execute the contract.

MOTION CARRIED to approve staff's recommendation and adopt the following title Resolution:

RESOLUTION NO.: 13939

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR BEACH BOULEVARD STREETScape IMPROVEMENTS PHASE 2 BEACH BOULEVARD FROM SR-91 FREEWAY TO ORANGETHORPE AVENUE BEACH BOULEVARD FROM TENTH STREET TO NINTH STREET PROJECT

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

Contracts 70 C-3085 Homelessness 88 Orange County 103

10. RESOLUTION ADOPTING A JOINT POWERS AGREEMENT (JPA) WITH THE ORANGE COUNTY HOUSING FINANCE TRUST
Presented by Aaron France, Assistant City Manager

Purpose: This item asks for the City Council's consideration of having the City of Buena Park execute the Joint Powers Agreement (JPA) associated with the Orange County Housing Finance Trust (OCHFT), and therefore join the Trust. The OCHFT is a Joint Powers Authority that shares – among city members and the County of Orange – the power to secure and allocate funding for affordable housing projects and programs, more specifically as it relates to housing that addresses persons formerly homeless.

Recommended Action: 1) Adopt resolution related to the City's participation in the Orange County Housing Finance Trust; and 2) Authorize the City Manager and City Clerk to execute the Joint Powers Agreement (JPA) which implements Trust's shared powers and activities.

Assistant City Manager France provided the staff report and discussed: what the OC Housing Finance Trust is; AB 448, which authorizes the creation of the Orange County Housing Finance Trust Joint Powers Authority for the purposes of funding housing specifically assisting the homeless population and persons and families of extremely low, very low, and low income within the County of Orange; proposed Bylaws; the Joint Powers Agreement; and, the Governing Board structure and formation.

Supervisor Chaffee, complimented the City Council for its efforts on coordinating a homeless shelter and encouraged the City Council to adopt the JPA with the Orange County Housing Finance Trust.

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

MOTION CARRIED to approve staff's recommendation and ADOPT the following title Resolution:

RESOLUTION NO.: 13940

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, RELATING TO THE JOINT EXERCISE OF POWERS FOR AND MEMBERSHIP IN THE ORANGE COUNTY HOUSING FINANCE TRUST

Boards & Commissions 42 Codes 64

- 11. ADOPT ORDINANCES APPOINTING COMMISSIONERS BY DISTRICT
 Presented by Adria M. Jimenez, MMC, City Clerk

Purpose: Adopt ordinances to amend the City's Municipal Code to appointment commissioners by district. There is no associated cost with this request.

Recommended Action: Adopt Ordinances amending Title 2 Administration and Personnel of the City's Municipal Code for all City Commissions.

City Clerk Jimenez presented this item as outlined in the agenda report.

Gail Kato, Parks and Recreation Commissioner, Buena Park resident, spoke in opposition of transitioning the City's commissions from at-large appointments to by-district appointments.

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

MOTION CARRIED to approve staff's recommendation and ADOPT the following title Ordinances:

ORDINANCE NO. 1654

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.32 BEAUTIFICATION-ENVIRONMENTAL COMMISSION, SECTION 2.32.020 MEMBERS-NUMBER AND QUALIFICATIONS OF THE BUENA PARK MUNICIPAL CODE

ORDINANCE NO. 1655

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.36 CULTURAL AND FINE ARTS COMMISSION, SECTION 2.36.020 MEMBERS-NUMBER AND QUALIFICATIONS OF THE BUENA PARK MUNICIPAL CODE

ORDINANCE NO. 1656

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.40 PARKS AND RECREATION COMMISSION, SECTION 2.40.020 MEMBERS-NUMBER AND QUALIFICATIONS OF THE BUENA PARK MUNICIPAL CODE

ORDINANCE NO. 1657

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.44 PLANNING COMMISSION, SECTION 2.44.020 MEMBERS-NUMBER AND APPOINTMENT OF THE BUENA PARK MUNICIPAL CODE

ORDINANCE NO. 1658

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.48 SENIOR CITIZENS COMMISSION, SECTION 2.48.020 MEMBERS-NUMBER AND QUALIFICATIONS OF THE BUENA PARK MUNICIPAL CODE

ORDINANCE NO. 1659

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING TITLE 2 ADMINISTRATION AND PERSONNEL, CHAPTER 2.52 TRAFFIC AND TRANSPORTATION COMMISSION, SECTION 2.52.020 MEMBERS-NUMBER AND QUALIFICATIONS OF THE BUENA PARK MUNICIPAL CODE

PUBLIC HEARING (12)

Block Grants 1913

12. APPROVAL OF PROPOSED ACTIVITIES FOR FY 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
Staff report by Ruben M. Lopez, Economic Development Administrator

Purpose: Authorize the Economic Development Division to submit the proposed FY 2019-2020 CDBG budget to the U.S. Department of Housing and Urban Development (HUD). CDBG grant funds will be incorporated into the City's Action Plan.

Recommended Action: 1) Review and approve the proposed Fiscal Year (FY) 2019-2020 Community Development Block Grant (CDBG) Program Budget as recommended by the Citizens Advisory Committee (CAC).

Mayor Brown stated that this was the time and place for a public hearing to consider a resolution adopting the Community Development Block Grant (CDBG) Draft FY 2019-2020 Annual Action Plan.

Mr. Lopez reported that the City's allocation for FY 2019-2020 is \$781,836, of which 20% can be used for program administration and 15% for public service grants. Requests for Proposals were issued in December. The Citizens Advisory Committee held a public meeting on February 25, 2019 and reviewed all funding requests and have made the following recommendations to City Council:

- Bright Paths - \$11,445
- Graffiti Removal - \$22,000
- Medical Transportation Program - \$28,000
- Boys and Girls Club - \$15,830
- Buena Park Coordinating Council - \$10,000
- Mercy House - \$20,000
- Community Health Access - \$10,000

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

MAIN MOTION

MOTION: Smith
SECOND: Brown

MAIN MOTION to approve the recommended action.

Council Member Traut inquired about the \$10,000 funding allocation to Coordinating Council considering their current non-operational status and no future plans to reopen. He confirmed with staff that if the city allocates those funds through the CDBG Grant Program and those funds are not used, the city would be unable to re-designate those funds to a different organization.

Council Member Traut amended the motion:

AMENDED MOTION to allocate the Coordinating Council's \$10,000 allocation, evenly amongst the other non-profit organizations.

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

AMENDED MOTION carried.

MAYOR/CITY COUNCIL REPORTS AND CALENDAR

Council Member Traut reported the following:

- March 27 Boys and Girls Club of Anaheim event
- March 28 Santa Ana River Flood Protection Agency Meeting
- April 1 Bridges at Kramer Place Homeless Shelter Visit
- April 2 Ehlers Event Center Tour
- April 3 Education Committee
- April 5 Buena Park Community Garden Club Event
- April 5 Protein Lab Ribbon Cutting Event
- April 6 JFK Scholarship Awards Dinner
- April 8 Pringle & Associates Spring Forward and Give Back Event

Council Member Traut advised he met with Fiona Ma, State Treasurer; representatives of EDCO Disposal; and, various City Commissioners, and residents.

Council Member Traut calendared residential recycling bins and a discussion on the City's waste hauling and recycling program, and, identifying park deficient neighborhoods that may benefit from city/school district partnership, highlighting Buena Terra Elementary in the San tract.

Council Member Swift reported the following:

- March 28 OCFA Board of Directors Meeting
- April 3 Education Committee Meeting
- April 8 Fullerton Joint Union High School District Citizens' Fund Oversight Committee Mtg.

Council Member Swift announced the birth of her great-granddaughter on April 5, Olivia Gregory Page.

Council Member Park calendared a survey of pothole locations in the City and budget estimates for repair.

Mayor Pro Tem Smith reported the following:

- March 27 Sanitation District Board Meeting
- April 2 Sanitation District Committee Meeting
- April 9 Buena Park Cable Foundation Board Meeting

Mayor Brown reported the following:

- March 13 Memorial Day Committee Planning Meeting
- March 14 Revive Beach Blvd Planning Meeting
- March 15 Veterans Resource Center Groundbreaking, Cypress College
- March 15 JJang Restaurant Ribbon Cutting
- March 15 Buena Park High School Art Show Award Ceremony
- March 20 Caballero Street Site Tour
- March 23-31 Sister City Program Korea Exchange
- April 4 SCAG Meeting
- April 5 Protein Lab Ribbon Cutting Event
- April 6 JFK Scholarship Awards Dinner
- April 8 Historical Society Board Meeting

STUDY SESSION (13-18)

Mayor Brown announced all Study Session items are being tabled to a future City Council Meeting in order to accommodate the Towne Hall Meeting scheduled for 7:00 p.m.

- 13. DISCUSS AND PROVIDE DIRECTION REGARDING THE REDESIGN OF THE FALLEN OFFICER MEMORIAL
Report by: Mark L. Averell, CPPO, Purchasing Manager

This item was tabled to a future City Council Meeting.

- 14. DISCUSS AND PROVIDE DIRECTION REGARDING PEDESTRIAN SAFETY ON DALE STREET NEAR BOISSERANC PARK
Report by: Norm Wray, Senior Engineering Technician

This item was tabled to a future City Council Meeting.

- 15. DISCUSS AND PROVIDE DIRECTION REGARDING PROPOSAL FOR MAIN CONFERENCE ROOM EQUIPMENT UPGRADES TO HOST STUDY SESSION AS PART OF REGULAR MEETING LIVE BROADCAST
Report by: Aaron France, Assistant City Manager

This item was tabled to a future City Council Meeting.

- 16. DISCUSS AND PROVIDE DIRECTION REGARDING RESIDENTIAL OPTIONS FOR BLOCK WALLS ALONG SILVERADO TRAIL
Report by: Jim Vanderpool, City Manager

This item was tabled to a future City Council Meeting.

17. CITY MANAGER REPORT

City Manager Vanderpool had no report.

18. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had no report.

ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 7:00 p.m., in memory of Jack Miller, long-time Buena Park resident and the original Silverado Sam; and, Kent Moorlach, father of former Orange County Supervisor John Moorlach.



Mayor

ATTEST:



City Clerk

