

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD MAY 28, 2019

Vol. 50 Pg. 385

CALL TO ORDER

The City Council met in a regular session on Tuesday, May 28, 2019, at 5:04 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 Woods, Planning Manager.

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- Rick Gomez Park planning workshop, Saturday, June 8, 2019 at 10:00 a.m.
- Concerts in the Park begin June 5, 2019 at 7:00 p.m. Added new this year recreation swim during Concerts in the Park.
- Thursday, May 30, 2019 is Buena Park High School's Graduation.

City Clerk Jimenez briefed the City Council and the community about the California Voter's Choice Act. A new law passed in 2016 that will modernize elections in California by allowing counties to conduct elections under a new model which provides greater flexibility and convenience for voters. This new election model allows voters to choose how, when, and where to cast their ballot by mailing every voter a ballot, expanding in-person early voting and allowing voters to cast a ballot at any vote center within Orange County. For additional information please visit ocvote.com/votecenters or the City Clerk's Office.

Captain Worrall invited the community to the Starbucks at 7611 Beach Blvd., for Coffee with a Cop event, 7:30 a.m. to 9:30 a.m. it's a great opportunity for the community to interact with the Buena Park Police Department.

PRESENTATIONS

Nabil Henein, Public Works Director/City Engineer presented Certificates of Recognition to Public Works Week Poster Contest Winners:

- Jayson Iniguez, Mabel L. Pendleton Elementary School
- Maddox Rose Factoran, James A. Whitaker Elementary School

Council Member Swift presented a Proclamation for Orange County Fire Authority (OCFA) Drowning Prevention Awareness month to Shane Sherwood, Orange County Fire Authority Division Chief.

Alice Burnett, Relay for Life, invited the community to participate in the 2019 Relay for Life event, June 1-2, 2019, Buena Park Junior High School.

Ron Rodriguez, Friends of Buena Park Youth Theatre Board Member, extended an invitation to the Buena Park Youth Theatre performance of "All Shook Up" and members from the theatre sang, Can't Help Falling in Love.

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 is the founder of Homeless Advocates for Christ; spoke in support of homeless services from now until the Navigation Center opens.

Kathleen Anderson, Buena Park resident, spoke against the recall of Council Member Park.

Leslee Milch, Gilbert Elementary School Teacher, spoke about her summer reading program at Bellis Park, every Wednesday at 1:00 p.m., from June 5 through July 17. Ms. Milch thanked those who have supported this program, including: Buena Park Library, America on Track, Book Pal, Police Chief Sianez, KPop, Buena Park Women's Club, Biola University Professors, FBI, Girl Scout Troops, Giving Children Hope, Premier Chevrolet, Chrysler, Shelly BMW, Rotary Club, Assembly Member Sharon Quirk-Silva's Office, Successful Families for Buena Park, Think Together, 211-OC, The Bridge Church, and Buena Park School District and staff members.

Jeff Korenberg, Buena Park resident, spoke about residential privacy concerns with the new Keystone Homes built in his area.

Marge Rollins, Buena Park resident, spoke against the recall of Council Member Park.

Kim Ta Bong, Buena Park resident, spoke against the recall of Council Member Park.

Jenny Nam, Buena Park business resident, spoke against the recall of Council Member Park and commented on November election.

Young Ja Cho, Buena Park resident, spoke against the recall of Council Member Park and believes it is based on racial discrimination against the Korean community.

Esther Lee, Buena Park resident, spoke against the recall of Council Member Park, commented about the signs against Council Member Park during the Campaign.

Kyong Ok An, Buena Park business resident, opposes the recall of Council Member Park.

Sung Joo Kwon, Los Angeles resident, spoke in opposition to the recall of Council Member Park. He spoke about racial remarks and read quotes made on social media discussion boards.

Mi Kwung Kim, spoke in opposition of the recall election of Council Member Park, and commented about November election campaign activities.

Do Young Kim, Buena Park resident, spoke in opposition of the recall against Council Member Park.

Joyce Ahn, Buena Park resident, read a letter from Young Ran Cho, in opposition of the recall against Council Member Park.

Billie Whitsett, Buena Park resident, spoke in opposition of the recall against Council Member Park.

Catherine Whitsett, Buena Park resident, spoke in opposition of the recall against Council Member Park.

Ryoung Sgo, Los Angeles resident, spoke in support of Council Member Park and against the recall election.

Rebecca Kovacs, Buena Park resident, spoke regarding shelter life abuse awareness and suggested that the proposed Navigation Center provide certified training and non-violence intervention to shelter residents.

Mark Richard Daniels, Anaheim resident, spoke about ethnic differences in the local communities and spoke in opposition of the recall attempt of Council Member Park.

Sunny Park, Buena Park resident, thanked those who spoke in support of her. She commented about the FPPC complaints filed by former Mayor Vaughn, about her business location being monitored, residential issues, and parking sign issues at City Hall. She reminded the citizens of Buena Park that her position is a community service position. Lastly, she stated that her and her family's safety is a serious matter.

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. There being no requests for separate consideration, the following action was taken:

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

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 8 be approved.

Minutes

1. APPROVAL OF MINUTES

Recommended Action: Approve Minutes of Regular Meeting of March 26, 2019, 5:00 PM; Special Meeting of April 9, 2019, 3:00 PM; Special Meeting of April 12, 2019, 8:00 AM; and, Special Meeting of April 23, 2019, 3:30 PM.

APPROVED.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 13956

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$43,628.86 DEMAND NOS. 396875 THROUGH 396882

RESOLUTION NO. 13957

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$1,274,227.40 DEMAND NOS. 396883 THROUGH 397145 CANCELLED NOS. 396599 AND 396690 VOIDS

RESOLUTION NO. 13958

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 743,522.19 COVERING REGULAR PAYROLL ENDING MAY 3, 2019

Reports & Studies 129

3. TREASURER'S REPORT FOR THE MONTH OF APRIL 2019
Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of April 2019. There is no fiscal impact in receiving this report.

Recommended Action: 1) Receive and file the reports.

APPROVED.

Proclamations 119

4. PROCLAMATION FOR ORANGE COUNTY FIRE AUTHORITY (OCFA) DROWNING PREVENTION AWARENESS

Recommended Action: Approve Proclamation.

APPROVED.

Boards & Commissions 42

5. COMMISSIONER RESIGNATION
Purpose: To accept the resignation of a Beautification-Environmental Commissioner.

Recommended Action: 1) Accept with regrets the resignation of Jay Ann Riess from the Beautification-Environmental Commission effective May 13, 2019.

APPROVED the recommended action.

Contracts 70 C-2211

6. APPROVAL OF ADDENDUM NO. 9 TO AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS FOR LEGISLATIVE ADVOCACY AND PUBLIC AFFAIRS CONSULTING SERVICES

Purpose: Authorize and approve an extension to the agreement with Townsend Public Affairs for legislative advocacy and public affairs consulting services. Funds are budgeted in the General Fund budget and Water Enterprise Fund for this purpose.

Recommended Action: 1) Approve Addendum No. 9 to the agreement with Townsend Public Affairs for legislative advocacy and public affairs consulting services; and, 2) Authorize the City Manager and City Clerk to execute the agreement.

APPROVED the recommended action.

City Council 55 Policies 186

7. APPROVE UPDATES TO CITY COUNCIL POLICY NO. 22, THE COMMISSION & COMMITTEE GUIDE, AND THE CITY COUNCIL PROTOCOL GUIDE AS IT RELATES TO APPOINTMENT OF COMMISSIONERS

Purpose: Update the City Council's guide as it relates to the recently revised by-district appointment process for commissioners. There is no budget impact associated with this item.

Recommended Action: Adopt the revisions to City Council's Policy No. 22, Commission & Committee Guide, and City Council Protocol Guide, reflecting the recent transition from at-large commissioner appointments to by-district commissioner appointments.

APPROVED the recommended action.

Finance Dept. 76

8. APPROVAL OF FALL FESTIVAL WATER BILL INSERT

Purpose: Authorize the City Manager's Office to inform residents of the Olde Tyme Fall Festival in the form of a water bill insert to encourage awareness and attendance. There is no impact to the budget with this action.

Recommended Action: 1) Approve a water bill insert informing residents of the City's Olde Tyme Fall Festival.

APPROVED.

NEW BUSINESS (9 - 15)

Contracts 70 C-3094 Homelessness 88

9. APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH MERCY HOUSE FOR OPERATING A YEAR ROUND EMERGENCY SHELTER / MULTI- SERVICE CENTER LOCATED AT 6490 CABALLERO BOULEVARD

Presented by Mark L. Averell, CPPO, Purchasing Manager

Purpose: Authorize staff to execute an agreement in the amount of \$2,600,000, for operating a year round Emergency Shelter / Multi-Service Center located at 6490 Caballero Boulevard. Associated costs in the amount of \$2,600,000 will come from County funds, SB 2 funds and other local funds contributed by all other North SPA cities.

Recommended Action: 1) Approve Professional Services Agreement with Mercy House for operating a year round Emergency Shelter / Multi-Service Center located at 6490 Caballero Boulevard in the approximate annual amount of \$2,600,000; 2) Authorize contingency funds in the amount of \$260,000; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 4) Authorize the City Manager and City Clerk to execute the agreement; and, 5) Approve a budget amendment in the amount of \$2,860,000, for this purpose.

A Request for Proposal was issued to four prospective shelter operators. Three proposal responses were received from Illumination Foundation, Mercy House Living Centers and Salvation Army. Proposals were evaluated by a committee comprised of Orange County homelessness subject matter experts, along with City staff. Evaluation Criteria included:

- Responsiveness to Request for Proposal
- Approach to Scope of Services
- Demonstrated Competence
- Experience in Comparable Engagements
- Reasonableness of Cost

All three proposers were invited to oral interviews and based on highest ranking in total evaluation scoring, the committee unanimously recommended Mercy House Living Centers to operate the year round shelter. Tonight, Staff is recommending the approval of a Professional Services Agreement with Mercy House Living Centers for operating a year round Emergency Shelter / Multi-Service Center located at 6490 Caballero Boulevard in the approximate annual amount of \$2,600,000.

Council Member Swift inquired about the scoring system.

Purchasing Manager Averell explained there were two components to the scoring system. First all scores were averaged then there was an equation times possible points. Additionally, only four out of the five scores were evaluated as the 5th committee member belongs to one of the organizations that submitted a proposal.

Purchasing Manager Averell stated the committee members were; Juanita Presidio, Orange County; Police Chief Corey Sianez, Buena Park; Sandra Sagert, City of Anaheim; Matt Bates, CityNet; and Ellen Ahn, KCS Health Center. The scores for Ellen Ahn were excluded.

Council Member Traut inquired about the importance of public oversight and asked for a status update on an Oversight Committee.

City Manager Vanderpool responded that staff will expedite returning to City Council for direction of an Oversight Board. The urgency to get an operator on board is important to the design of the facility.

City Attorney Cardinale added that there is a settlement agreement in place that requires the Navigation Center open by a certain time.

Council Member Swift commented that input from the community is important, particularly those in the community who volunteer, those with expertise in this area and have a sincere desire to help.

Council Member Park inquired about a City Council Homeless Ad Hoc Sub Committee and requested this return to study session for discussion.

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

MOTION CARRIED to approve the recommended action.

Contracts 70 C-3002

10. APPROVE AGREEMENT WITH SOUTHERN COUNTIES OIL COMPANY (SC FUELS) FOR UNLEADED AND DIESEL FUEL FOR CITY VEHICLES
 Presented by Doug Brodowski, Acting Field Operations Manager

Purpose: Execute an agreement with SC Fuels to provide unleaded and diesel fuel to the City for fleet use.

Recommended Action: 1) Approve an agreement with SC Fuels for an initial two-year term; 2) Dispense with competitive bidding pursuant to Municipal Code Section 3.28.080.E, as it is in the best interest of the City to piggyback off an existing government contract for lower overall fuel costs without the expense of the competitive bid process; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and, 4) Authorize the City Manager and City Clerk to execute the agreement.

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

MOTION CARRIED to approve the recommended action.

Admin. Svcs. 112

11. RESOLUTION TO ADOPT A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK TECHNICAL, OFFICE AND PROFESSIONALS ASSOCIATION (BPTOP)
 Presented by Eddie Fenton, Director of Human Resources / Risk Management

Purpose: To approve a successor labor contract with the Buena Park Technical, Office, and Professionals Association and associated pay tables.

Recommended Action: 1) Adopt a resolution approving a successor Memorandum of Understanding (MOU) between the City of Buena Park and the Buena Park Technical, Office, and Professionals Association.

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

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

RESOLUTION NO. 13959

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING A NEW MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE BUENA PARK TECHNICAL, OFFICE, AND PROFESSIONALS ASSOCIATION EFFECTIVE JUNE 29, 2019, AND SUPERCEDING RESOLUTION NO. 13829

Admin. Svcs. 112

12. 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, Director of Human Resources/Risk Management

Purpose: To approve a successor labor contract with the Buena Park City Employees' Association and associated pay tables.

Recommended Action: 1) Adopt a resolution approving a successor Memorandum of Understanding (MOU) between the City of Buena Park and the Buena Park City Employees' Association.

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

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

RESOLUTION NO. 13960

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING A NEW MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY AND THE BUENA PARK CITY EMPLOYEES' ASSOCIATION EFFECTIVE JUNE 29, 2019, AND SUPERCEDING RESOLUTION NO. 13828

Admin. Svcs. 112

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

Presented by Eddie Fenton, Director of Human Resources/Risk Management

Purpose: To approve a successor Compensation Plan with the Buena Park Management Unit and Executive Employees and the City Council.

Recommended Action: 1) Adopt a resolution approving the Compensation Plan for Management and Executive Employees and City Council.

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

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

RESOLUTION NO. 13961

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING A NEW COMPENSATION PLAN FOR THE BUENA PARK MANAGEMENT EMPLOYEES AND CITY COUNCIL EFFECTIVE JUNE 29, 2019 AND SUPERCEDING RESOLUTION NO. 13830

Contracts 70 C-2112

- 14. APPROVE AMENDMENT NO. 6 TO THE AGREEMENT WITH THE SOUTHEAST AREA ANIMAL CONTROL AUTHORITY (SEAACA) FOR ANIMAL CONTROL FIELD AND SHELTER SERVICES
Presented by Aaron France, Assistant City Manager

Purpose: To contract animal control field and shelter services for the City. This service is funded by the General Fund.

Recommended Action: 1) Approve Amendment No. 6 to the Agreement with the Southeast Area Animal Control Authority (SEAACA) for animal control and shelter services; and 2) Authorize the Mayor and City Clerk to execute the agreement.

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

MOTION CARRIED to approve the recommended action.

Codes 64

- 15. ADOPT AN ORDINANCE PROTECTING THE CITY OF BUENA PARK'S LOGO, AND POLICE DEPARTMENT PATCHES
Presented by Adria M. Jimenez, MMC, City Clerk

Purpose: Adopt an Ordinance protecting the City of Buena Park's logo and Police Department patches. There is no budget impact associated with this item.

Recommended Action: Adopt an Ordinance protecting the City of Buena Park's logo and Police Department patches.

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

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

ORDINANCE NO. 1663

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK ADDING CHAPTER 1.12.050 TO TITLE 1, OF THE BUENA PARK MUNICIPAL CODE PERTAINING TO USE OF THE CITY'S LOGO, LOGOTYPE, AND PATCHES

MAYOR/CITY COUNCIL REPORTS AND CALENDAR

Council Member Park reported the following:

- May 18 Buena Park Police Department Open House
- May 18 Olde Time Picnic & Fundraising Brick Unveiling
- May 22 Meeting with Buena Park Junior High & Student Parents re: Traffic Concerns
- May 23 Buena Park Police Department Appreciation Brunch
- May 27 Memorial Day Event

Council Member Park calendared a presentation about the 2020 Census.

Council Member Traut reported on the following:

- May 15 Cultural and Fine Arts Commission Meeting
- May 16 California Pipe Trades Conference
- May 18 Buena Park Police Department Open House
- May 18 Olde Time Picnic & Fundraising Brick Unveiling

Council Member Traut calendared a status update on AB 1356. Council Member Traut announced his recent graduation from Chapman University with a Juris Doctor Degree.

He also announced his fiancée's graduation from Chapman University with a Masters Degree in Education.

Council Member Swift reported on the following:

- May 21 Memorial for Orange County Fire Authority Board Member Schwartz
- May 22 Meeting with Buena Park Junior High & Student Parents re: Traffic Concerns
- May 23 Buena Park Police Department Appreciation Brunch
- May 23 Orange County Fire Authority Board Meeting
- May 27 Memorial Day Event

Council Member Swift calendared an educational presentation to inform the community on recall information and the process.

Mayor Pro Tem Smith reported on the following:

- May 18 Olde Time Picnic & Fundraising Brick Unveiling
- May 22 OC Sanitation District Board Meeting
- May 23 Roundtable Meeting for Mayors and Mayors Pro Tem

Mayor Pro Tem Smith calendared the location of the Arirang Festival 2019.

Mayor Brown reported on the following:

- May 16 Reach Out Talks about careers in the Military
- May 18 Olde Time Picnic & Fundraising Brick Unveiling
- May 19 Youth Theater Fundraiser
- May 21 Cypress Police Department Appreciation Luncheon
- May 23 Roundtable Meeting for Mayors and Mayors Pro Tem
- May 23 Orange County Council of Government Meeting
- May 27 Memorial Day Event

RECESS

Mayor Brown recessed the meeting at 7:25 p.m. and announced the meeting would be reconvened in the Council Chamber for study session. The meeting was reconvened at 7:45 p.m.

STUDY SESSION (16 - 25)

Mayor Brown announced Study Session Items No.'s 16, 18, 19, 22 and 23 are being tabled to a future City Council Meeting.

16. **DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY OF BUENA PARK'S HOME IMPROVEMENT PROGRAM**
Presented by: Ruben M. Lopez, Economic Development Administrator

This item was tabled to a future City Council Meeting.

17. **DISCUSS AND PROVIDE DIRECTION REGARDING THE BEACH BOULEVARD MEDIAN IMPROVEMENTS CONCEPTUAL DESIGN PLAN**
Presented by: Jeff Townsend, Associate Engineer

On October 23, 2018, the City Council approved a Professional Services Agreement with RJM Design Group, Inc. to provide design services for median improvements along Beach Boulevard from 9th Street to Rosecrans Avenue.

The purpose of Beach Boulevard Median Improvement project is to replace the existing Caltrans owned landscaping and propose new landscaping needed to beautify the medians. Professional services are recommended to provide plans, specifications, and an estimate for competitive bidding purposes. With City Council direction, staff will incorporate input into the final plans for the construction documents for bidding purposes. Construction is anticipated in January 2020 after plans are reviewed by Caltrans and a maintenance agreement is in place. This project was coordinated with Caltrans and the Community Development Department. The estimated cost of the project is approximately \$2 million. Staff recommends utilizing one-time General Fund revenues for this project.

Mr. Craig Sensenbach, Principal Landscape Architect, RJM Design Group, presented a brief overview of the recommended improvements. Mr. Sensenbach stated that Beach Blvd. commercial and north segment improvements should include intersperse flowering trees and canopy trees to increase landscape median impact, infill groundcover and shrub massing, including some taller material, remove paving within medians to provide for larger planting extents. These improvements will minimize water use, reduce maintenance and overall increase the character and scale of Beach Blvd.

City Council discussed the proposed design and directed staff to return to City Council with plans, specifications, and a contract to move forward with the project.

18. DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY'S FAT, OIL, AND GREASE (FOG) CONTROL FEES
Presented by: Joe Hunt, Acting Management Analyst

This item was tabled to a future City Council Meeting.

19. DISCUSS AND PROVIDE DIRECTION REGARDING AUTHORIZATION TO ESTABLISH RATES FOR ELECTRIC VEHICLE CHARGING STATIONS
Presented by: Doug Brodowski, Acting Field Operations Manager

This item was tabled to a future City Council Meeting.

20. DISCUSS AND PROVIDE DIRECTION REGARDING PROPOSED REFUSE RATE INCREASE AND 3-BIN RECYCLING PROGRAM
Presented by: Doug Brodowski, Acting Field Operations Manager

Park Waste and Recycling (Park aka EDCO) submitted a request for a refuse rate increase. The rates have not increased since July 1, 2017. Since that time, the County of Orange increased the landfill fee twice, from \$33.50 to \$34.18 on July 1, 2018, and the latest increase to \$35.05 (effective July 1, 2019).

Park absorbed the additional disposal costs without a rate increase since July 1, 2018, which resulted in a savings to the rate payers during the past year. Park is now requesting an increase to the three components of the refuse rate: the service component (cost to pick up refuse), the recycling component (cost to remove recyclables at the material recovery facility in Stanton), and the disposal component (cost to dispose of remaining waste at landfill).

As shown in the proposed Rate Schedule, the landfill tip fee component will increase \$.13 per month for residential services and \$.87 for a commercial 3-cubic yard bin. The recycling component will increase \$.37 per month for residential services and \$2.49 for a commercial 3-cubic yard bin. The service fee component will increase \$.50 per month for residential services and \$5.83 for a commercial 3-cubic yard bin. The impact of these increases will result in a new residential monthly refuse rate of \$18.37 (an increase of \$1.00) and a new rate of \$155.45 for a commercial 3-cubic yard bin (an increase of \$9.92).

With direction from City Council, staff will mail the notice of refuse rate increase notifications to all residential and commercial customers in order to comply with Proposition 218 and will return to City Council for a Public Hearing on July 23, 2019. If approved, the proposed rates would take effect on August 1, 2019.

Lastly, unrelated to this rate increase request, Park is also proposing to implement a 3-bin recycling program beginning in February 2021, or earlier if possible. The 3-bin system will feature a new blue container which residents will use to sort any recyclables. The 3-bin proposal has not been implemented previously due to the added cost of automated cans and collection vehicles. This is now feasible due to the automation of our collection and green waste components, and the modernization of Park's fleet. Staff and Park officials will present this item during a future Study Session.

City Council discussed community clean-ups, mulch program and shredding programs. Following discussion, the City Council agreed to move forward with Proposed Refuse Rate Increase and 3-Bin Recycling Program and directed staff to return to City Council for formal approval.

21. **DISCUSS AND PROVIDE DIRECTION REGARDING A REORGANIZATION PLAN FOR THE OPERATIONS AND MAINTENANCE DIVISION WITHIN THE PUBLIC WORKS DEPARTMENT**

Presented by: Eddie Fenton, Director of Human Resources/Risk Management

The Public Works Department has suffered the loss of several key personnel in the past year. These vacancies have impacted operations at both the City Yard and Engineering Divisions. Under the direction of a new Director of Public Works/City Engineer, several vacancies have now been filled in a temporary capacity and staff has completed a thorough evaluation of staff workloads, department goals, and priorities. Staff believes this reorganization provides the most efficient and effective oversight and management of the Engineering Services, City Yard Maintenance, and Operations Divisions.

CITY YARD ADMINISTRATION

It is proposed to expand the Operations Manager position to include administrative oversight of the City Yard Operations, including the water utilities operations and maintenance activities, water quality inspection services, storm drains, and sewer system. The administrative management responsibilities of the NPDES Division would be taken over by the Assistant City Engineer, while the maintenance aspects of the NPDES program would be managed by the reclassified Operations Manager.

The Operations and Maintenance Division of the Public Works Department would be managed by this reclassified Operations Manager position, providing highly responsible and complex professional assistance and report to the Director of Public Works/City Engineer.

Further, it is proposed to add one new Management Analyst position for City Yard Administration. This position will assist and support the proposed Operations Manager with administrative oversight, grant administration, (Cal Recycle Refuse Diversion and Recycling Programs), Program Implementation, and City's Mandated Rideshare Program. This position will also assist with oversight responsibilities of various components of the NPDES Program, Annual Public Works Operations Budget, and processing and investigation liability claims against the City.

ENGINEERING SERVICES DIVISION

It is proposed to expand the Assistant City Engineer position to include administrative oversight and technical direction of the water and sewer operations and maintenance services and overall management responsibility over the NPDES program. In addition, the Assistant City Engineer will provide highly responsible and complex professional engineering services in the planning, design and operation of the water and sewer systems. The Assistant City Engineer will also see increased management and administrative responsibilities in Traffic Services. The Assistant City Engineer will now oversee and direct the Principal Engineer and Assistant Engineer to perform duties in-house within the newly established traffic engineering operation.

This reorganization plan proposes moving the current Senior Management Analyst position from the City Yard Operations Division to the Engineering Services Division. This position would report to the Director of Public Works/City Engineer, but would provide other engineering staff with support related to budget, project management, City Council agenda preparation and review.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) DIVISION

There are two positions performing NPDES inspections: 1) Senior Environmental Inspector; and, 2) Environmental Inspector. This reorganization plan proposes that the Environmental Inspector position be eliminated from the budget. To maintain this critical inspection functions, the Public Works Department will contract out a portion of the basic and highly routine duties and responsibilities. The Senior Environmental Inspector position will administer the NPDES contract and ensure proper commercial, industrial business, restaurant, and environmental inspections and enforce related standards and regulations; evaluate monitoring reports, prepare annual Program Evaluation Assessment (PEA) report, and administer environmental projects. This action will eliminate one Environmental Inspector position and move the NPDES program under the supervision of the Assistant City Engineer.

PARKS MAINTENANCE DIVISION

The Parks Maintenance Division transferred to Public Works on a trial basis on February 10, 2018. During this trial period, it became apparent for the need for supervision on the weekends. Currently, eight full-time staff covers all of the Parks Maintenance duties on a seven day operation. This includes one Lead Maintenance Worker, one Senior Maintenance Worker, three Maintenance Workers, three Maintenance Helpers, and roughly 14 part-time employees. However, on the weekends, when the City's parks are most busy with recreational activities and programs, one Maintenance Worker and several part-time employees serve and maintain the parks. The lack of senior level supervision on the weekends creates a potential liability for the City.

It is proposed to add two full-time positions to provide senior level supervision of staff and technical knowledge during the weekends. Properly trained, reliable, and responsible maintenance personnel will be on-hand weekday or weekend to provide support for special events, improve the clean-up and maintenance of Beach Boulevard and the Entertainment Corridor, quickly repair or replace broken and inoperable playground equipment, park tables and benches, shelters, restrooms, and support the City's increasing efforts to expand public parking lots, walking trails, parks, special programs, and open spaces. The proposed plan saves the General Fund \$60,118 in salary and benefits, and it costs the Measure M2 Fund \$10,470 and the Water Enterprise Fund \$52,370.

The City Council discussed the reorganization; Mayor Brown requested redacted copies of exit interviews for the last year of public works employees. Mayor Pro Tem Smith commented that he was happy to hear that the Parks Maintenance Department will be better staffed because the City has many events and there is a need for personnel. After discussion, the City Council unanimously approved the reorganization plan and directed staff to return to City Council for formal approval.

22. DISCUSS AND PROVIDE DIRECTION REGARDING RESERVE POLICE OFFICER PAY INCREASE
Presented by: Gary Worrall, Police Captain

This item was tabled to a future City Council Meeting.

23. DISCUSS AND PROVIDE DIRECTION REGARDING: COMMISSIONER CODE OF CONDUCT; BACKGROUND CHECKS FOR CITY COMMISSIONERS; COMMISSION LIAISON APPOINTMENT PROCESS; AND, THE CREATION OF A YOUTH COMMISSION
Presented by: Adria M. Jimenez, MMC, City Clerk

This item was tabled to a future City Council Meeting.

24. CITY MANAGER REPORT

City Manager Vanderpool reported on the following:


- Public Works Week Lunch, Thursday, May 30, 2019, 11:30 a.m., Municipal Services Yard
- Hampton Inn & Suites Ribbon Cutting Ceremony, Monday June 10, 2019, 4:30 p.m.

25. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had no report.

ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 8:43 p.m., in memory of Ruth Walp.



Mayor

ATTEST:



City Clerk

