

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD SEPTEMBER 10, 2019

Vol. 50 Pg. 485

CALL TO ORDER

The City Council met in a regular session on Tuesday, September 10, 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 Dr. Christopher Balas, Church of Christ Torches of Power.

PLEDGE OF ALLEGIANCE

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

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- Whitaker Park Public Meeting, Saturday, September 14, at 10:00 a.m.
- Boisseranc Park, Memorial Grove Celebration in honor of long time Commissioner and friend, Rick Gomez, Saturday, September 21, at 10:00 a.m.
- Captain Worrall invited the community to Coffee with a Cop at 85 Degrees Bakery, Tuesday, September 17, 4:00 – 6:00 p.m.
- Captain Nunez invited the community to a Town Hall Meeting for an Active Shooter discussion and presentation, Wednesday, September 18, 1:00 – 3:00 p.m.

PRESENTATIONS

Janelle Welker, Supervisor Chaffee's Office presented on the Kindness Awards and upcoming Pet Fair.

Imani Tolliver, Community Services Supervisor and Mark Saucedo, Community Services Supervisor, extended an invitation to the Opening Reception for Museum of Teaching and Learning (MOTAL) Exhibition, Saturday, September 14, 2019, 6:00 p.m., Ehlers Event Center. Exhibit will be open through October 5, 2019.

Lauren Morales, Community Services Coordinator, extended an invitation to Autumn Nights under the Stars featuring The Kings of 88, Saturday, September 14, 2019, 7:00 p.m., The Plaza at Ehlers Event Center.

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. There being none, Mayor Brown closed oral communications.

CONSENT CALENDAR (1 - 10)

Mayor Brown announced that Consent Calendar Item Nos. 1 through 7 and 9 and 10 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. Council Member Traut requested separate consideration for Item No. 8. There being no requests for separate consideration, the following action was taken:

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

MOTION CARRIED that all actions recommended on Consent Calendar Item Nos. 1 through 7 and 9 and 10 be approved.

Minutes

1. APPROVAL OF MINUTES

Recommended Action: 1) Approve Minutes of the Regular City Council Meetings of July 23, 2019, and August 13, 2019; and the Special City Council Meetings of August 13, 2019, and August 27, 2019.

APPROVED.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 14016

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$2,352,763.61 DEMAND NOS. 398600 THROUGH 398865 CANCELLED NOS 397045 AND 397703 VOIDS

RESOLUTION NO. 14017

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$8,735.22 DEMAND NOS. 398866 THROUGH 398869 CANCELLED NO. 398743

RESOLUTION NO. 14018

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 802,188.70 COVERING REGULAR PAYROLL ENDING AUGUST 23, 2019

Commendations 65

3. RESOLUTION HONORING AND COMMENDING RICK GOMEZ AT THE 2019 MEMORIAL GROVE CEREMONY

Recommended Action: 1) Adopt a resolution honoring and commending Rick Gomez at the 2019 Memorial Grove Ceremony.

ADOPTED the following title resolution:

RESOLUTION NO. 14019

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING RICK GOMEZ AT THE 2019 MEMORIAL GROVE CEREMONY

Boards & Commissions 42

4. RESOLUTION APPROVING APPOINTMENTS OF COMMISSION MEMBERS TO THE PARK AND RECREATION COMMISSION

Purpose: Accept the appointments of commissioners to the Park and Recreation Commission. There is no budget impact with the approval of this item.

Recommended Action: Adopt a Resolution: 1) Confirming the appointment of Brian Beger to the Park and Recreation Commission, District 2 seat for a term that will expire September 10, 2022; and 2) Confirming the appointment of Daniel Gomez to the Park and Recreation Commission, District 3 seat for a term that will expire September 10, 2022.

ADOPTED the following title resolution:

RESOLUTION NO. 14020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING THE APPOINTMENT OF BRIAN BEGER, DISTRICT 2; AND, DANIEL GOMEZ, DISTRICT 3 TO THE PARK AND RECREATION COMMISSION

Contracts 70 C-3077 Public Works 125 PW Proj. 867

5. FINAL PAYMENT FOR THE LA PALMA AVENUE IMPROVEMENTS FROM BEACH BOULEVARD TO KNOTT AVENUE PROJECT

Purpose: Authorize the Public Works Department to issue final payment and file a Notice of Completion for the La Palma Avenue Improvements from Beach Boulevard to Knott Avenue Project. This project was funded from a combination of RMRA (Road Maintenance and Rehabilitation Account) and Measure M2 funds (Account No. 24-9806-590154).

Recommended Action: 1) Accept project as complete and approve final payment to RJ Noble Company in the amount of \$131,069.60; and 2) Direct the Public Works Department to file a Notice of Completion.

APPROVED the recommended action.

Contracts 70 C-2745 Grants 185 Budgets 47

6. AGREEMENT WITH THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT

Purpose: Authorize the Police Department to accept grant funding for STEP enforcement operations. The proposed agreement is in the amount of \$150,000 and will fully reimburse STEP program-related activities.

Recommended Action: 1) Approve an agreement with the State of California Office of Traffic Safety (OTS) for the Selective Traffic Enforcement Program (STEP) Grant (#PT20014); 2) Authorize the Finance Director, the Traffic Sergeant, and the Police Department Grant Director to execute the agreement and all other necessary grant documents; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and, 4) Approve a budgetary action to appropriate grant funds in the amount of \$150,000.

APPROVED the recommended action.

Contracts 70 C-3003

7. AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT (PSA 18-12) WITH FORTEL TRAFFIC, INC. FOR THE CITY-WIDE SPEED RADAR SIGN UPGRADE AND MAINTENANCE PROJECT

Purpose: Authorize an extension to an existing PSA to allow the Public Works Department to replace and maintain the City's speed radar signs. There are no costs associated with the amendment to the agreement.

Recommended Action: 1) Approve an amendment to an existing Professional Services Agreement (PSA) with Fortel Traffic, Inc.; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and, 3) Authorize the City Manager and City Clerk to execute the amendment.

APPROVED the recommended action.

Legislation 94

8. RESOLUTION IN SUPPORT OF BALANCED ENERGY SOLUTIONS AND LOCAL CHOICE

Purpose: Adopt a resolution supporting the protection of customer choice, protecting customers from higher energy costs, and making a positive decision for a better environment in the future. There is no budget impact associated with this item.

Recommended Action: 1) Adopt a resolution in support of balanced energy solutions and local choice.

Assistant City Manager France presented City Council a resolution for adoption of SoCal Gas to encourage consumer choice for energy needs. Supporting the proposed resolution is a positive step towards communicating our City's desire to protect the interests of citizens to have a continued choice in their preferred energy solutions for their homes and businesses. The proposed resolution does not take a position against electrification. It does emphasize the desire of the City Council to allow for customer choice. At the August 27, 2019, study session, the City Council directed staff to move forward with finalizing the resolution for formal adoption.

Jessica Fernandez, Southern California Edison, stated there is no legislation or regulation that requires the adoption of a resolution by local cities.

Lanae O'Shields, SoCal Gas, stated that the adoption of this resolution by cities is a proactive way of sending a message to Sacramento that the City of Buena Park would like to maintain local control of energy options.

City Council discussed: the lack of energy options legislation, requesting the Beautification and Environmental Commission review and provide a recommendation, and local control over the interests of citizens to have a continued choice in preferred energy solutions for their homes and businesses.

Council Member Swift commented that it's important for Buena Park to voice position over choices for citizens; however the resolution doesn't state anything about gas versus electric but does state local control. She recommends removing the added verbiage and go right to the issue of local control.

Council Member Swift motioned to move the resolution, minus the first and last "whereas" of the resolution.

MOTION: adopt the resolution, minus first and second "whereas".

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

MOTION FAILED to adopt the resolution, minus first and second "whereas".

Mayor Brown made a motion to table the adoption of the resolution and refer this subject to the Beautification and Environmental Commission and return to City Council in 60-days for a recommendation.

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

Gifts & Donations 167 Homelessness 88

9. ACCEPTANCE OF DONATIONS FOR THE YEAR-ROUND EMERGENCY SHELTER/NAVIGATION CENTER LOCATED AT 6494 CABALLERO BOULEVARD
Purpose: Authorize the City Manager to accept ongoing donations for the Buena Park Navigation Center. Donations will augment the monies required from the overall project budget.

Recommended Action: 1) Authorize the City Manager to accept ongoing donations on behalf of the City and in support of startup and ongoing operations of the year-round emergency shelter/navigation center.

APPROVED the recommended action.

Purchasing 127

10. REPLACEMENT PURCHASE OF TWO 2020 BMW R1250 TR-P POLICE MOTORCYCLES AND PURCHASE OF A USED 2011 NISSAN 5,000 LB. CF50LP FORKLIFT FOR PURCHASING DIVISION WAREHOUSE OPERATION
Purpose: Authorize the Public Works Department to purchase various budgeted vehicles for the Police Department and Purchasing Division. Associated costs in the amount of \$75,225.11 will be funded by the Vehicle Replacement budget (Account No. 71-7840-171710).

Recommended Action: 1) Authorize the purchase of two 2020 BMW R1250 TR-P Police Motorcycles from National Auto Fleet Group in the amount of \$28,507.68 each (total of \$57,015.36); 2) Authorize the purchase of one used 2011 Nissan CF50LP Forklift from Select Equipment in the amount of \$18,209.75; and, 3) Determine that dispensing with competitive bidding pursuant to Municipal Code Section 3.28.080(E) is in the best interests of the City because it will result in the lowest purchase price for the BMW motorcycles.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (11 – 14)

Contracts 70 C-3145 Public Works Proj. 125 PW-879

11. RESOLUTION APPROVING SPECIFICATIONS AND EXHIBITS, AND CONTRACT WITH AYALA ENGINEERING, INC. FOR SEWER MANHOLE IMPROVEMENTS AT VARIOUS LOCATIONS FOR FISCAL YEAR 2019-2020 PROJECT
 Presented by Mina Mikhael, P.E., Assistant City Engineer

Purpose: Authorize the Public Works Department to construct sewer manhole improvements at various locations per the resolution, approve project specifications and exhibits, and award the contract to Ayala Engineering, Inc. Associated costs in the amount of \$234,796 will be funded by the Water Enterprise Fund (Account No. 52-9806-499920).

Recommended Action: 1) Adopt a resolution approving specifications and exhibits for the Sewer Manhole Improvements at Various Locations for 2019-2020 Project; 2) Award a contract to Ayala Engineering, Inc., in the amount of \$212,796; 3) Authorize contingency funds in the amount of \$22,000 in the same purchase order; and 4) Authorize the City Manager and City Clerk to execute the contract.

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

MOTION CARRIED to approve the recommended action and ADOPT the following titled resolution:

RESOLUTION NO. 14021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING SPECIFICATIONS AND EXHIBITS FOR THE SEWER MANHOLE IMPROVEMENTS AT VARIOUS LOCATIONS FOR FISCAL YEAR 2019-2020 PROJECT IN SAID CITY

Contracts 70 C-3142

12. GRANT OF EASEMENT TO SOUTHERN CALIFORNIA EDISON COMPANY AT THE FREEWAY WELL SITE LOCATED AT KNOTT AVENUE, NORTH OF THE 91 FREEWAY FOR A FUTURE PRIVATE STORAGE FACILITY DEVELOPMENT PROJECT

Presented by Mina Mikhael, P.E., Assistant City Engineer

Purpose: Approve an easement to Southern California Edison Company at the freeway well site located at Knott Avenue north of the 91 Freeway. There is no cost associated with this item.

Recommended Action: 1) Grant an easement to the Southern California Edison Company (SCE) for the freeway well site; and 2) Authorize the Mayor to sign the Grant of Easement.

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

MOTION CARRIED to approve the recommended action.

Contracts 70 C-3143

13. LANDSCAPE MAINTENANCE AGREEMENT WITH CALTRANS FOR THE LANDSCAPE PARKWAY AT 5900 BEACH BOULEVARD

Presented by Mina Mikhael, P.E., Assistant City Engineer

Purpose: Approve an agreement with Caltrans to allow the City to maintain the parkway landscaping and existing street improvements along the 5900 Beach Boulevard frontage. There is no budget impact associated with this item as the property owner will be responsible for all improvements and associated maintenance of the parkway.

Recommended Action: 1) Approve a landscape maintenance agreement with the California Department of Transportation (Caltrans) to maintain the parkway at 5900 Beach Boulevard; 2) Authorize the City Manager and City Attorney to make any necessary non-monetary changes to the agreement; and 3) Authorize the City Manager and the City Clerk to execute the agreement.

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

MOTION CARRIED to approve the recommended action.

Transportation 148

14. UPDATE ON MEET ON BEACH: A COORDINATED SEVEN-CITY EVENT TO PROMOTE BEACH BOULEVARD AND ACTIVE TRANSPORTATION

Presented by Swati Meshram, PhD, AICP, Senior Planner

Purpose: Update the City Council on the 2019 Meet on Beach event. There is no budget impact associated with this update.

Recommended Action: 1) Receive and file the report.

Dr. Meshram reported that on January 9, 2018, the City Council adopted Resolution No. 13730 authorizing Buena Park's participation in the Renew Beach Boulevard Coalition (RBBC). The purpose of the RBBC is to promote economic development and revitalization of Beach Boulevard through various activities, including creating a brand identity. On behalf of the RBBC, the City of Buena Park was awarded grants totaling \$340,000 to execute the "Go Human Go Beach" event across the six cities.

Dr. Meshram reported that the event, "Meet on Beach", will occur on Sunday, November 17, 2019, at seven different locations/hubs within the RBBC member cities, adjacent to or near Beach Boulevard, and will comprise of activities that will allow participants to experience Beach Boulevard at various locations from La Habra to Huntington Beach. Each city's individual hubs will be highlighted and locally promoted, for example, "Meet on Beach – Stanton." Buena Park and Anaheim are planning an "open street" event wherein a portion of northbound Beach Boulevard from La Palma Avenue to the West Anaheim Youth Center will be temporarily open only to non-vehicular/active transportation modes of travel, and engaging programming including health, wellness, bike and pedestrian safety. The event has garnered notice in the media including an article in the LA Times, and will continue to be promoted as the event date nears.

The City Council received and filed this report.

PUBLIC HEARING (15)

Codes 64

15. PUBLIC HEARING - ADOPT ORDINANCE AMENDING DIVISION 9, CHAPTER 19.904 OF THE BUENA PARK ZONING CODE PERTAINING TO TEMPORARY SIGNAGE (TEXT AMENDMENT C19-1)

Presented by: Christopher Cardinale, City Attorney

Purpose: Amend the City's current regulation of temporary signage within public rights-of-way to ensure consistency with court decisions interpreting the First Amendment to the United States Constitution. There is no budget impact associated with this item.

Recommended Action: 1) Conduct a public hearing; and 2) Adopt an Ordinance amending Division 9, Chapter 19.904 of the Buena Park Zoning Code, making content-neutral amendments to the City's regulation of temporary signage located in the public rights-of-way.

Mayor Brown stated that this was the time and place for a public hearing to consider adopting an ordinance amending Division 9, Chapter 19.904 of the Buena Park Zoning Code pertaining to temporary signage (Text Amendment C19-1), 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.

City Attorney Cardinale reported that this item would amend the City's current regulation of temporary signage within public rights-of-way to ensure consistency with court decisions interpreting the First Amendment to the United States Constitution. This subject has been discussed several times over the past several years. Most recently, the City Council considered the issue and provided staff direction during study sessions held on July 23, 2019, and August 13, 2019.

The Buena Park Municipal Code includes comprehensive sign regulations in Division 9 (Sign Regulations) of Title 19 (Zoning). Over the years, these provisions have been amended from time to time in response to legal developments. Because local sign regulations inherently implicate First Amendment rights, laws governing the regulation of signs have evolved and continue to do so whenever new court decisions clarify or interpret the scope of the First Amendment.

These court decisions are clear that municipalities may regulate the location, time, and manner of signage within their jurisdictional boundaries. However, courts have invalidated local regulations that make distinctions in speech categories and subject them to different standards.

Proposed Text Amendment C19-1, like the existing Chapter 19.904 – prohibit all temporary commercial signs on public property and in the public rights-of-way, but with limited exceptions for certain types of signs based on form factor, size, and location; as opposed to content.

Specifically, Zoning Text Amendment No. C19-1 proposes to prohibit all temporary signs on public property and public rights-of-way, with the following exceptions:

- 1) Official Signs – Temporary signs associated with the City or other governmental agency, such as: traffic control/directional signs; public notices or signs required by law; signs related to governmental functions; signs about public projects, developments, and events; and banners for special community events.
- 2) Temporary Special Event Signs – Any temporary sign identifying, displaying, directing, or conveying information, idea, or a message related to an event or occasion occurring in the City, which does not invite members of the public to attend for the primary purpose of completing a commercial transaction at the location or site. Examples of permitted special events signs include, but are not limited to, signs related to social gatherings, open houses, model home showings, support groups, religious services, and educational meetings.
- 3) Noncommercial signs – Temporary signs that are not commercial in nature are permitted

Additionally, all temporary signs (including special event and noncommercial signs, such as open house, political signage, etc.) located on public property or public rights-of-way are subject to standards and restrictions.

- Placement – Signs may not obstruct pedestrian movement, may not be placed on sidewalks measuring less than 60 inches in width, maintain a minimum of 48 inches of clearance from any obstruction; may not obstruct pedestrian or handicap accessibility, curb ramps.
- Permitted Hours of Display / Time Limitations – Signs are only permitted during the hours of 7:00 a.m. through 7:00 p.m., and at all other times shall be removed from public property or public rights-of-way and stored out of the view of the public. Additionally, special event signs are not permitted more than 30-days prior to the date of the event or occasion and must be removed 10 days after.
- Violations, Removal, and Penalties – The City is authorized to immediately remove any sign in violation of the Ordinance. Signs may be retrieved upon payment of a fee established by resolution of the City Council to cover the City's costs associated with sign removal and storage. If the signs are not retrieved after 21-days, the City may dispose of the signs. In addition to immediate removal, signs violating the Ordinance may also be subject to criminal, civil, and administrative remedies set forth under the Municipal Code.

There being no requests to speak, Mayor Brown closed the public hearing.

Council Member Swift asked about regulations for political signs.

City Attorney Cardinale responded that political signs are non-commercial, subject to the 7 a.m. - 7 p.m. restriction and not permitted in right-of-ways or public property.

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

MOTION CARRIED to approve the recommended action and ADOPT the following titled ordinance:

ORDINANCE NO. 1671

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA CONCERNING SIGN REGULATIONS AND AMENDING CHAPTER 19.904, DIVISION 9, TITLE 19 OF THE BUENA PARK MUNICIPAL CODE

MAYOR/CITY COUNCIL REPORTS AND CALENDAR

Council Member Park reported the following:

- August 28 Park and Recreation Commission Interviews
- August 30 Citizens Advisory Committee Interviews
- September 4 Traffic & Transportation Commission Interviews
- September 5 Los Coyotes Traffic Condition Meeting

- September 5 Public Information Meeting on Proposed Jain Center
- September 9 Buena Park Police Association Golf Tournament

Council Member Swift reported the following:

- August 28 Park and Recreation Commission Interviews
- August 29 Citizens Advisory Committee Interviews
- August 30 Citizens Advisory Committee Interviews

Council Member Traut reported the following:

- September 5 Centralia School meeting concerning parks and programming
- September 10 Buena Park Police Association Golf Tournament

Council Member Traut calendared a potential partnership program with local elementary schools to provide swimming lessons at Peak Park Pool. Council Member Traut mentioned he will be out of the country the week of October 7th for his honeymoon.

Mayor Pro Tem Smith reported the following:

- August 28 Park and Recreation Commission Interviews
- August 28 Sanitation District Board Meeting
- August 29 Citizens Advisory Committee & Park and Recreation Commission Interviews
- August 30 29 Citizens Advisory Committee Interviews
- August 30 Rock On Broadway
- September 4 Traffic & Transportation Commission Interviews
- September 4 Orange County Sanitation Board Committee Meeting
- September 7 Mexican Independence Day Celebration at The Source
- September 7 Buena Park Cable Foundation Board of Directors Meeting

Mayor Brown reported the following:

- August 29 North Orange County Chamber of Commerce Reception Honoring Elected Officials
- August 30 Rock On Broadway
- September 5 SCAG Transportation Commission and Regional Council Meeting
- September 7 Fiestas Patrias, General Mexican Cónsul, Santa Ana
- September 9 Buena Park Police Association Golf Tournament

Mayor Brown calendared food truck regulation in the City and updating City's computer operating system.

RECESS

Mayor Brown recessed the meeting at 6:28 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 6:47 p.m.

STUDY SESSION (16 – 23) (Reconvene in the Council Chamber)

16. DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY'S WATER BILLING CYCLE AND SENATE BILL (SB) 998
Presented by: Sung Hyun, Director of Finance

Director of Finance Hyun reported the near completion of the Automated Metering Infrastructure (AMI) project for the City's Water utility customers. Water meter data is now collected through a network of radios and transmitters, allowing for more frequent meter readings and eliminating the need to perform most manual meter readings. The City is currently on a bi-monthly billing cycle, customers receive six bills in a year. The City Council has requested a discussion on the feasibility of implementing a monthly billing cycle, where customers would receive twelve bills in a year. With the completion of the AMI project, the City has the ability to remotely collect water meter data. This allows for frequent meter reads and, if desired, the ability to transition to a monthly billing cycle.

SB 998 requires a written policy on discontinuation of residential service in multiple languages; prohibits the discontinuation of service of delinquent customers for at least 60-days and prohibits the discontinuation of residential service for certain customers. If the City desires to have a single-billing cycle that corresponds directly to a shutoff schedule that complies with SB

998, staff would have to move to a longer billing period, such as a quarterly billing cycle, where there would be four bills in a year, as opposed to the current six bills in a year.

City Council discussed: monthly billing cycle, options for bi-monthly billing cycle, quarterly billing cycle and creating a separate shut-off schedule to comply with new legislation. City Council directed staff to survey Orange County water providers to inquire about their billing cycles and compliance with SB998 and return to City Council. Concurrently, the bi-monthly cycle will remain in place and move forward with drafting a policy and procedures to comply with SB998 to provide a new shut-off cycle and report back to the City Council before the April 2020 deadline.

17. DISCUSS AND PROVIDE DIRECTION REGARDING FUNDING A SCHOOL CROSSING GUARD AT HOLDER STREET AND LINCOLN AVENUE FOR THE CENTRALIA ELEMENTARY SCHOOL DISTRICT
Presented by: Gary Worrall, Police Captain

Police Captain Worrall reported that at the July 9, 2019, City Council meeting, the City Council gave direction to staff to perform a study to determine if the intersection of Holder Street and Lincoln Avenue met the warrant requirement for a school crossing guard per the California Manual on Uniform Traffic Control Devices (CA MUTCD). In addition to City Council's direction, Police and Traffic Engineering staff reviewed all crossing guard locations to determine compliance with CA MUTCD. The CA MUTCD provides standards for identifying marked pedestrian crosswalks as "school crosswalks" or "school crossings" that shall be yellow.

As per CA MUTCD, a marked pedestrian crosswalk may be yellow if the nearest point of the crosswalk is not more than 600 feet from a school building or school grounds, or when the intersection is not more than 2,800 feet from a school building or school grounds and there are no intervening crosswalks other than those contiguous to the school grounds. Furthermore, the CA MUTCD states that Adult Crossing Guards may be assigned at designated school crossings to assist pedestrians at specified hours when going to or from school based on specific criteria.

After review, the Traffic Engineer has discovered the location for the additional crossing guard being requested at Lincoln Avenue and Holder Street exceeds the maximum distance required for the placement of a crossing guard; hence, does not qualify as a school crossing that is eligible for consideration of an Adult School Crossing Guard. Additionally, four other locations currently being staffed with a crossing guard for the Buena Park School District were found to exceed the distance per the CA MUTCD.

City Council discussed: locations currently staffed with a crossing guard; implementing an element outside the state manual; and, liability and standards for school crosswalks.

After discussion, a majority of Council (Traut dissented) directed staff to leave the program as-is.

18. DISCUSS AND PROVIDE DIRECTION REGARDING THE CHARLES A. LINDBERGH PARK PLAYGROUND EQUIPMENT PROJECT
Presented by: Mina Mikhael, P.E., Assistant City Engineer

Assistant City Engineer Mikhael reported that on July 23, 2019, the City Council adopted a resolution approving plans and specifications for the Charles A. Lindbergh Park Playground Equipment Project. The City Council awarded a contract to R.E. Schultz Construction Inc. in the amount of \$109,900 and authorized contingency funds in the amount of \$11,000 in the same purchase order. During that meeting, the City Council directed staff to provide a monument sign that read "Charles A. Lindbergh Park", and change the park sign mounted onto the playground equipment to read as "Charles A. Lindbergh Park" instead of "Lindbergh Park". The additional cost will be approximately \$27,000 for the recommended changes.

City Council expressed satisfaction and support of the updated conceptual design and directed staff to move forward with the project.

19. DISCUSS AND PROVIDE DIRECTION REGARDING WHITAKER PARK PROJECT

Presented by: Jim Box, Director of Community Services

Director of Community Services Box reported that on August 20, 2019, staff met with Buena Park School District (BPSD) representatives to discuss the Whitaker School Park Project and the upcoming Community Workshop scheduled for Saturday, September 14, 2019, at Whitaker School. Originally, the City was planning a park site that was approximately 0.47 acres on the eastern edge of the school field, directly west of Dale Avenue.

During the walkthrough, BPSD suggested the possibility of expanding the park site to include the majority of the school field, approximately 2.79 acres. David Volz Design, the City's selected engineering and landscape design firm, estimates the Whitaker School Park expansion to cost about \$1.1 million per acre. The new potential opportunity of 2.79 acres would be estimated to cost just under \$3.1 million.

Council Member Traut commented that the amount per acre cost seems to be out of budget and suggested fencing the grass fields for kids to play to minimize cost. He expressed interest in exploring options for phasing in improvements to the park.

Council Member Park agreed that phasing in projects would be beneficial if the design can be completed now and working incrementally by phases.

The City Council discussed the idea of a larger park and seeking out grants and maintenance.

City Council directed staff to continue with the plan for the smaller park option to keep as a grassy area and fenced in for afterschool access and obtain input from the community for potential phasing of the park over time.

20. DISCUSS AND PROVIDE DIRECTION REGARDING THE PLANNING COMMISSION DISTRICT 2 REPRESENTATIVE

Presented by: Adria M. Jimenez, MMC, City Clerk

City Clerk Jimenez reported that at the August 13, 2019, City Council meeting, Council Member Swift requested a report regarding the Planning Commissioner representative for District 2. Earlier this year, the City Council transitioned from at-large appointments of City Commissioners to by-district appointments. The Planning Commission consists of seven members of which five positions were designated by district and two were designated at-large.

Districts were assigned to Commissioners based on their current residential address on file with the City Clerk's Office. In instances where there was an over-representation of Commissioners by-district, the Commissioner with the furthest expiration date was designated as the by-district designations on the Commission, if available, or the overrepresentation remained until the Commissioner's term expires. Currently, the Planning Commission District 2 representative is Jae Chung. Planning Commissioner Chung has served on the Commission since 2011 and was re-appointed in 2014 and again in 2017.

Council Member Swift commented that she requested this item because she would like to appoint Jim Schoales to the Planning Commission to represent District 2.

Mayor Pro Tem Smith commented that he would like to recommend Jae Chung to stay on the Planning Commission.

Council Member Traut recommended appointing Jae Chung to the Planning Commission as the District 5 representative. After discussion the majority of City Council (Brown dissented), agreed to appoint Mr. Chung as District 5 representative until a future appointment is made.

21. DISCUSS AND PROVIDE DIRECTION REGARDING THE ADOPTION OF A RESOLUTION SUPPORTING THE 2020 CENSUS COMMUNITY COUNT AND CREATION OF A COMPLETE COUNT COMMITTEE

Presented by: Adria M. Jimenez, MMC, City Clerk

At the City Council Meeting of August 27, 2019, Council Member Park requested a report regarding consideration of a resolution supporting the upcoming 2020 Community Census Count and the creation of a Buena Park 2020 Census Complete Count Committee. The Census Bureau conducts a count of the United States population every 10 years. For City Council's

consideration is a draft resolution encouraging resident participation and acknowledging City Council's support for the 2020 Census Count. If supported, this item will return to the City Council Meeting of September 24, 2019, for formal adoption.

Council Member Park is also requesting the City Council's consideration in the creation of a 2020 Census Complete Count Committee ('Committee'). Modeled after similar committees created in neighboring cities, the Committee would consist of approximately 15 members representing different groups in Buena Park, and would meet every month in 2019 and more frequently in 2020. The purpose of the Committee would be to engage and educate the Buena Park Community about the Census Count and to strategically reach out to those residents who have historically been hard to count to ensure everyone in Buena Park is counted.

The City Council supports the 2020 Census Community Count and the creation of a Complete Count Committee and Council Member Park was appointed to lead the efforts of the Committee.

22. CITY MANAGER REPORT

City Manager Vanderpool reported that the Employee Benefits Fair will be held Monday, September 16, 11:00 a.m. – 1:00 p.m.

Confirmed EOC Training for City Council on October 22, at 2:30 p.m.

23. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had no report.

ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 8:20 p.m.



Mayor

ATTEST:



City Clerk