

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD OCTOBER 8, 2019

Vol. 51 Pg. 22

CALL TO ORDER

The City Council met in a regular session on Tuesday, October 8, 2019, at 5:00 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, Brown
EXCUSED: Traut
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 Don Harbert, The Way Fellowship.

PLEDGE OF ALLEGIANCE

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

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- OCFA Open House, Fire Station No. 61, Saturday, October 12, 10:00 a.m. – 1:00 p.m.
- Buena Park Goes to College Workshop, Buena Park Community Center, Saturday, October 12, 1:00 – 4:00 p.m.
- District 1 Community Meeting, Thursday, October 10, 6:30 p.m., at Beatty School to discuss Traffic, Coyotes & Median Maintenance.
- Chief Sianez gave a memorial of Reserve Police Officer Brice and extended an invitation to Memorial Services.

PRESENTATIONS

Assemblywoman Sharon Quirk-Silva presented a State Grant Check for the Rehabilitation of the Whitaker-Jaynes and Bacon House to the City Council and Chris Brown, President of the Historical Society.

Mayor Brown presented a Proclamation to the Noon Lions Club for the 2019 Silverado Days. Claudia Pena representative from Assemblywoman Quirk-Silva's Office presented a certificate in recognition of Silverado Days.

Mayor Pro Tem Smith presented a certificate of recognition to Poquito Mas on their 35th Anniversary.

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.

William Lusch, Buena Park resident, spoke regarding a code enforcement case.

There being no further requests to speak, Mayor Brown closed oral communications.

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

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

Minutes

1. APPROVAL OF MINUTES

Recommended Action: 1) Approve Minutes of the Regular City Council Meeting of September 10, 2019.

APPROVED.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 14029

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$1,032,625.16 DEMAND NOS. 399065 THROUGH 399289 CANCELLED NOS 398545, 398637 398985 AND 399157 VOIDS

RESOLUTION NO. 14030

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$9,508.62 DEMAND NOS. 399290 THROUGH 399294

RESOLUTION NO. 14031

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$25,422.47 COVERING RETIREE PAYROLL ENDING SEPTEMBER 30, 2019

RESOLUTION NO. 14032

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 775,230.04 COVERING REGULAR PAYROLL ENDING SEPTEMBER 20, 2019

Proclamations 119

3. PROCLAMATION FOR THE 2019 SILVERADO DAYS

Recommended Action: Approve proclamation.

APPROVED the recommended action.

Contracts 70 C-3103 Public Works 125 PW-872

- 4. FINAL PAYMENT FOR THE DEMOLITION AND ROUGH GRADING AT THE BUENA PARK NAVIGATION CENTER

Purpose: Authorize the Public Works Department to issue final payment and file a Notice of Completion for the Demolition and Rough Grading for the Buena Park Navigation Center Project. This project is funded by the Homeless Emergency Aid Program (HEAP) grant.

Recommended Action: 1) Accept project as complete and approve the final payment to Abbott Construction, Inc. in the amount of \$161,767.34; and 2) Direct the Public Works Department to file a Notice of Completion.

APPROVED the recommended action.

Finance 76 Water 153

- 5. WATER BILL INSERT FOR NOTICE OF 2020 WATER SERVICE CHARGE INCREASE

Purpose: Authorize the Public Works Department to provide notice to all water customers of the 2020 water service charge increase via the water bill insert. Associated costs in the amount of \$1,000 will be funded by the Water Enterprise Fund (Account No. 52-6240-352363).

Recommended Action: 1) Approve a water bill insert noticing the 2020 water service charge increase effective January 1, 2020.

APPROVED the recommended action.

Finance 76 Wildlife 157

- 6. APPROVAL OF WATER BILL INSERT - 2020 STATE OF THE CITY AND COYOTE MANAGEMENT YARD AUDIT CHECKLIST

Purpose: Authorize the City Manager's Office to inform residents of the 2020 State of the City and promote the coyote management yard audit checklist in the form of a water bill insert to encourage awareness. There is no impact to the budget with this action.

Recommended Action: 1) Approve a water bill insert informing residents of the 2020 State of the City and the coyote management yard audit checklist.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (7 – 12)

Budgets 47

- 7. APPROVAL OF BUDGET APPROPRIATION FOR THE SENATE BILL (SB) 743 IMPLEMENTATION STUDY AND COMPLIANCE SERVICES
Presented by Deepthi Arbolu, Principal Engineer

Purpose: Authorize the Public Works Department to appropriate \$21,131.99 from the undesignated Gas Tax Fund balance for the SB 743 Implementation Study and Compliance Services Project.

Recommended Action: 1) Approve a budget appropriation in the amount of \$ 21,131.99 from the unappropriated Gas Tax Fund balance for the SB 743 Implementation Study and Compliance Services Project.

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

MOTION CARRIED to approve the recommended action.

Admin. Svcs. 112 Budgets 47

8. AGREEMENT AND ELECTION TO PREFUND EMPLOYER CONTRIBUTIONS TO A DEFINED BENEFIT PENSION PLAN WITH THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) INTERNAL REVENUE CODE SECTION 115 CALIFORNIA EMPLOYERS' PENSION PREFUNDING TRUST (CEPPT) FUND
Presented by Sung Hyun, Director of Finance

Purpose: Approve an agreement with CalPERS to participate in the California Employers' Pension Prefunding Trust (CEPPT) Fund to prefund pension liabilities. A total of \$1 million of one-time General Fund revenues will be the initial deposit into the CEPPT.

Recommended Action: 1) Approve an Agreement and Election to Prefund Employer Contributions to a Defined Benefit Pension Plan; 2) Approve the Delegation of Authority to Request Disbursements to the City Manager, the Director of Finance, and the Finance Manager; 3) Authorize the Mayor to sign the agreement and all associated documents; and 4) Approve a budget amendment for \$1 million for deposit into the trust.

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

MOTION CARRIED to approve the recommended action.

Contracts 70 C-1363 Budgets 47

9. AGREEMENT WITH PHOENIX GROUP INFORMATION SYSTEMS (PGIS) FOR CITATION PROCESSING SERVICES
Presented by Frank Nunes, Police Captain

Purpose: Authorize the City Manager to execute a three-year agreement for parking and administrative citation processing services with two possible one-year extensions, and enter into a three-year lease agreement for parking citation devices with accessories. Associated costs in the amount of \$65,040 annually will be budgeted in the Police Department budget (Account No. 11-6240-550502) and the amount of \$15,000 in the Community Development budget (Account No. 11-6240-631140).

Recommended Action: 1) Approve an agreement with Phoenix Group Information Systems for citation processing services ("Agreement") and a lease option for parking citation devices; 2) Dispense with competitive bidding pursuant to Buena Park Municipal Code Section 3.28.080 (F.) which allows the City to 'piggyback' on a contract resulting from a formal competitive process by another agency; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreements; 4) Authorize the City Manager to execute the agreements; and 5) Approve a budget amendment in the amount of \$31,000 from the undesignated General Fund balance for this purpose.

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

MOTION CARRIED to approve the recommended action.

Contracts 70 C-3152 Water 153

10. AGREEMENT WITH THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY (MWDOC) AND 24 OTHER AGENCIES FOR SHARING CONSULTANT COSTS FOR 2019 AMERICA'S WATER INFRASTRUCTURE ACT (AWIA) COMPLIANCE RISK AND RESILIENCY ASSESSMENTS (RRA) AND EMERGENCY RESPONSE PLANS (ERP) FOR PARTICIPATING AGENCIES (PHASES II AND III)

Presented by Doug Brodowski, Operations Manager

Purpose: Authorize the Public Works Department to join the Municipal Water District of Orange County (MWDOC), other cities, and water agencies to jointly hire a consultant to complete mandated activities. Associated costs in the amount of \$116,747 for Phase 2 and Phase 3 will be funded with the existing Capital Improvements Project (CIP) Budget (Account No. 52-396829).

Recommended Action: 1) Approve agreement for sharing consultant costs for America's Water Infrastructure Act (AWIA) Compliance Risk and Resiliency Assessments (RRA) and Emergency Response Plans (ERP) for Participating Agencies (Phases 2 and 3); 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and 3) Authorize the City Manager to execute the agreement.

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

AMENDED MOTION CARRIED to approve the recommended action and to add a contingency in the amount of \$10,000.

Budget 47 Contracts 70 C-3154 Public Works Proj. 125 PW-881 Homelessness 88

11. BUENA PARK NAVIGATION CENTER PROJECT: RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND A CONTRACT WITH HOWARD CDM FOR THE BUENA PARK NAVIGATION CENTER PROJECT PHASE II; RESOLUTION APPROVING AN APPROPRIATION FROM GENERAL FUND REVENUES AS A LOAN TO THE PROJECT TO COVER FUNDING SHORTFALLS; AND MAKING CERTAIN FINDINGS RELATING THERETO

Presented by Nabil S. Henein, P.E., Director of Public Works/City Engineer

Purpose: Authorize the Public Works Department to enter into a contract with Howard CDM for Phase II of the Buena Park Navigation Center Project. Associated costs will be allocated from the Homeless Emergency Aid Program (HEAP) grant, State SB 2 funds, N-SPA agency cities, and an appropriation of One-Time General Fund revenues in the form of a loan to the Navigation Center Project Account to cover temporary funding shortfalls.

Recommended Action: 1) Adopt a resolution approving plans and specifications, and declaring an emergency by 4/5 vote to waive competitive bidding requirements for Phase II work; 2) Award a Guaranteed Maximum Price (GMAX) contract to Howard CDM for project construction work; 3) Authorize five percent (5%) contingency funds for Phase II of the Project; 4) Adopt a resolution approving the use of One-Time General Fund revenues and approve a budget transfer in the amount of \$1 million as a loan; 5) Authorize the City Manager and City Clerk to execute the contract in a final form approved by the City Attorney; and, 6) Authorize the City Manager to execute the Promissory Note.

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

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

RESOLUTION NO. 14033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING PLANS AND SPECIFICATIONS, MAKING AN EMERGENCY DELCARATION RELATIVE TO WAIVER OF COMPETITIVE BIDDING REQUIREMENTS, AND AWARDDING A

CONTRACT TO HOWARD CDM FOR THE PHASE II SCOPE OF WORK FOR THE BUENA PARK NAVIGATION CENTER PROJECT

RESOLUTION NO. 14034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING AN INTERFUND LOAN FROM ONE-TIME GENERAL FUND REVENUES TO THE NAVIGATION CENTER PROJECT ACCOUNT TO BE REPAYED BY FUNDS PLEDGED BY THE STATE OF CALIFORNIA

Budgets 47 Contracts 70 C-3155 Policies 186

12. ADOPT THE CITY OF BUENA PARK'S LANGUAGE ACCESS POLICY AND APPROVE A PROFESSIONAL SERVICES AGREEMENT WITH ORANGE COUNTY TRANSLATION & INTERPRETATION SERVICES

Presented by Adria M. Jimenez, MMC, City Clerk

Purpose: Adopt a City Language Access Policy and approve an agreement with Orange County Translation & Interpretation Services. Associated costs in the amount of \$3,000 are recommended to be allocated from the undesignated General Fund balance.

Recommended Action: 1) Adopt the City of Buena Park's Language Access Policy; 2) Approve a Professional Services Agreement with Orange County Translation & Interpretation Services; 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 for \$3,000 from the undesignated General Fund balance for these services.

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

MOTION CARRIED to approve the recommended action.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Park reported the following:

- September 25 Principal for the Day at Beatty Elementary School
- September 28 Boo-uena Park Old Tyme Fall Festival
- October 5 Council Member Traut's Wedding

Thanked Congressman Cisneros for facilitating the discussion between the City and the Post Office for installing a mailbox in front of City Hall.

Council Member Park calendared parking issues near the Metrolink Station and converting the vacant property across the street into a parking facility for the Station.

Council Member Swift reported the following:

- September 26 OCFA Board Meeting
- September 28 Boo-uena Park Old Tyme Fall Festival
- October 3 Acacia Quilt Guild of Buena Park, donated a patriotic colored quilt to the family of Reserve Police Officer Brice.

Council Member Swift invited the public to the Buena Park Goes to College Workshop, Saturday, October 12, 2019. There will be a financial aid presentation, a presentation about navigating the college application process, and a special guest speaker, Knott's Berry Farm's General Manager, Jon Storbeck.

Mayor Pro Tem Smith reported the following:

- September 25 OCSD Board Meeting
- September 28 Boo-uena Park Old Tyme Fall Festival
- October 2 OCSD Committee Meeting
- October 5 Soroptimist International of Buena Park Charity Ball

Mayor Brown reported the following:

- September 25 Bridges at Kramer Board Meeting
- September 25 Orange County Tax Payers Association Awards Event
- September 26 OCCOG Meeting
- September 26 Renew Beach Blvd Coalition Meeting
- September 27 Mobility 21 Beyond the Limits Workshop
- September 28 Boo-uena Park Old Tyme Fall Festival
- October 5 Soroptimist International of Buena Park Charity Ball

STUDY SESSION (13 – 16) (Reconvene in the Council Chamber)

13. DISCUSS AND PROVIDE DIRECTION REGARDING THE STATUS UPDATE OF CITY OPERATING SYSTEMS

Report by Simon Mikiewicz, Information Systems Administrator

Information Systems Administrator Mikiewicz reported that Mayor Brown calendared a discussion related to the City's current computer operating system. Recently, specific machines received messages indicating that their current operating system may not be supported by Microsoft in the near future. All City computers are on a routine, replacement cycle. IT is currently working to identify computers which may be impacted in order to replace these machines prior to any lapse in support.

The City Council received and filed this report.

14. DISCUSS AND PROVIDE DIRECTION REGARDING FLOOD CONTROL FENCING BEAUTIFICATION

Report by Aaron France, Assistant City Manager

On July 23, 2019, staff presented this item in study session at the request of Council Member Swift. Staff informed the City Council the flood control fencing was the property of the Orange County Flood Control District and any costs to beautify sections of this fencing would be the responsibility of the City. Following the discussion, the consensus of the City Council was to bring the item back with costs options for fencing locations that were highly visible along major thoroughfares. Specifically, lower-cost options were preferred, including new chainlink, painting of fencing, or adding a rubberized coating to the fencing.

Staff has been in contact with a contractor that specializes in these types of fencing upgrades and treatments. Installing new galvanized chainlink fencing is approximately \$32.50 per linear foot installed. The rubber/nylon coated chainlink fencing in dark green is approximately \$40 per linear foot installed. According to the contractor, the cost to paint or treat portions of the existing fencing that appear salvageable is not recommended as it would cost roughly the same as installing new fencing.

Given this project is not included in the FY 19-20 General Fund budget, staff recommends considering One-Time General Fund Revenues for this project. Staff estimates cost ranging from \$2,000 to \$10,000, depending on linear footage per location. City Council could also consider adopting a "master plan", and phase-in the improvements over a period of time.

Following discussion, the City Council directed staff to return during the next budget cycle to adopt a master plan and phase-in improvements over time.

15. CITY MANAGER REPORT

City Manager Vanderpool had no report.

16. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had no report.


ADJOURNMENT

There being no further business, Mayor Brown adjourned the meeting at 6:39 p.m. The meeting was adjourned in memory of Arthur F. Brice, Buena Park Reserve Police Officer.



Mayor

ATTEST:



City Clerk

