



**BUENA PARK CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 14, 2020
5:00 P.M.**

PUBLIC HEARINGS AT 6:00 P.M.

COUNCIL CHAMBER
6650 BEACH BOULEVARD
BUENA PARK, CALIFORNIA

SPECIAL NOTICE REGARDING COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of COVID-19. The Governor issued Executive Order N-25-20, which allows Council Members to attend City Council meetings telephonically. Please be advised that some, or all, of the City of Buena Park Council Members and staff may attend this meeting telephonically.

Given the health risks associated with COVID-19, members of the public may submit their comments and questions in writing, for City Council consideration, by sending them to the City Clerk at comments@buenapark.com. **Please submit all comments and questions by 4:30 p.m., on Tuesday, April 14, 2020.** All comments and questions will be read during the meeting.

All meetings of the City Council are available on the City's website at www.buenapark.com and the City's Cable Channel BPTV Channel 3/99. Please contact the City Clerk's Office at (714) 562-3750, for any questions.

CALL TO ORDER

5:00 P.M.

ROLL CALL

**COUNCIL MEMBER ARTHUR C. BROWN
COUNCIL MEMBER SUNNY YOUNGSUN PARK
COUNCIL MEMBER ELIZABETH A. SWIFT
MAYOR PRO TEM CONNOR TRAUT
MAYOR FRED R. SMITH**

INVOCATION

JIM VANDERPOOL, CITY MANAGER

PLEDGE OF ALLEGIANCE

CHRIS CARDINALE, CITY ATTORNEY

CITY MANAGER REPORT

Our core values are excellence, communication, teamwork, commitment, respect, and integrity.

Please turn off all cell phones when the meeting is in session.

ORAL COMMUNICATIONS

This is the portion of the meeting set aside to invite public comments regarding any matter within the jurisdiction of the City Council.

Members of the public may submit their comments and questions in writing, for City Council consideration, by sending them to the City Clerk at comments@buenapark.com. **Please submit all comments and questions by 4:30 p.m., on Tuesday, April 14, 2020.** All comments and questions will be read during the meeting.

CONSENT CALENDAR NOTICE

The items listed under the Council Consent Calendar are considered routine business and will be voted on together by one motion unless a Council Member requests separate action. At this time the City Council or public may ask to speak on any item on the Consent Calendar.

CONSENT CALENDAR (1 – 11)

1. APPROVAL OF MINUTES

Recommended Action: 1) Approve Minutes of the Regular City Council Meeting of February 11, 2020; the Special City Council Meeting of February 25, 2020; the Regular City Council Meeting of February 25, 2020; the Special City Council Meeting of March 10, 2020, 2:30 p.m.; the Special City Council Meeting of March 10, 2020, 3:30 p.m.; the Regular City Council Meeting of March 10, 2020; the Emergency City Council Meeting of March 17, 2020, the Special City Council Meeting of March 24, 2020; and the Regular City Council Meeting of March 24, 2020.

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

3. TREASURER'S REPORT FOR THE MONTH OF FEBRUARY 2020

Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of February 2020. There is no fiscal impact in receiving this report.

Recommended Action: Receive and file.

4. PROCLAMATION DECLARING NATIONAL LIBRARY WEEK, APRIL 19 - 25, 2020

Recommended Action: Adopt Proclamation.

5. PROCLAMATION DESIGNATING APRIL AS FAIR HOUSING MONTH

Recommended Action: Adopt Proclamation.

6. PROCLAMATION FOR WILDFIRE AWARENESS

Recommended Action: Adopt Proclamation.

7. PROCLAMATION DECLARING MAY 18, 2020, AS ASIAN AMERICAN AND PACIFIC ISLANDERS “AAPI DAY AGAINST BULLYING AND HATE”

Recommended Action: Adopt Proclamation.

8. LANDSCAPE MAINTENANCE AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE BEACH BOULEVARD MEDIAN IMPROVEMENTS PROJECT FROM 9TH STREET TO ROSECRANS AVENUE

Purpose: Authorize the Public Works Department to execute a maintenance agreement with Caltrans for maintenance of landscaping and related enhancement features for the Beach Boulevard Median Improvements Project from 9th Street to Rosecrans Avenue. Associated maintenance costs by the City will be generally the same as the City already maintains this area. Costs have been included in the proposed FY 20-21 Park Facility Maintenance budget (Account No. 11-6240-875810).

Recommended Action: 1) Approve an agreement with the California Department of Transportation (“Caltrans”) for landscape maintenance and related enhancement features for the Beach Boulevard Median Improvements Project from 9th Street to Rosecrans Avenue; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and 3) Authorize the Mayor, City Manager, and City Clerk to execute the agreement.

9. PROFESSIONAL SERVICES AGREEMENT WITH LIEBERT CASSIDY WHITMORE (LCW) TO PROVIDE LABOR AND EMPLOYMENT LEGAL SERVICES

Purpose: Authorize the City Manager to execute an agreement for special services with Liebert Cassidy Whitmore (LCW) to provide highly-specialized labor and employment-related legal services. Associated costs will be billed on an hourly basis and absorbed by the existing special legal services budget.

Recommended Action: 1) Approve a Professional Services Agreement with Liebert Cassidy Whitmore (LCW) to provide labor and employment-related legal services; 2) Authorize the City Manager and City Attorney to make any and all necessary, non-monetary changes to the agreement; and, 3) Authorize the City Manager and City Clerk to execute the agreement.

10. RESOLUTION EXTENDING THE PRICE GOUGING PROHIBITIONS OF PENAL CODE SECTION 396 TO CORRESPOND WITH THE DURATION OF THE LOCAL EMERGENCY DECLARED BY THE CITY COUNCIL IN RESPONSE TO THE COVID-19 PANDEMIC

Purpose: Extend the “price gouging” prohibitions of Penal Code section 396 in connection with the continuing “state of emergency” declared by California Governor Gavin Newsom, and the “local emergency” declared by the Buena Park City Council. There is no direct impact to the budget.

Recommended Action: 1) Adopt a Resolution extending certain “price gouging” prohibitions of California Penal Code Section 396 for the duration of the local emergency in connection with the COVID-19 pandemic.

11. A REPORT TO THE CITY COUNCIL REGARDING THE EXISTENCE OF A LOCAL EMERGENCY IN THE CITY OF BUENA PARK REGARDING THE COVID-19 VIRUS

Purpose: Receive a report regarding the City's actions regarding COVID-19. There is no budget impact with the receipt of this item.

Recommended Action: 1) Receive report from staff.

END OF CONSENT CALENDAR

NEW BUSINESS (12 - 14)**12. RESOLUTION DESIGNATING PROJECTS TO SUBMIT TO THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) FOR FUNDING UNDER THE ROAD MAINTENANCE AND REHABILITATION ACCOUNT (RMRA) AND INCORPORATING THE DESIGNATED PROJECTS INTO THE FISCAL YEAR 2020-2021 CAPITAL IMPROVEMENT PROGRAM BUDGET**

Presented by Public Works Department

Purpose: Authorize the Public Works Department to submit projects to the CTC for funding under the RMRA. A budget amendment in the amount of \$1,700,000 is required to fund the designated projects, of which \$1,574,860 will be funded by the anticipated RMRA allocation, and \$125,140 from the Gas Tax Fund.

Recommended Action: 1) Adopt a resolution designating projects to submit to the California Transportation Commission (CTC) for funding under the Road Maintenance and Rehabilitation Account and incorporating the designated projects into the FY 2020-2021 Fiscal Year Capital Improvement Program budget; and 2) Approve a budget amendment in the amount of \$1,700,000 appropriating funds for the designated projects.

13. REPORT REGARDING POTENTIAL COVID-19 RELIEF PROGRAMS FOR RESIDENTS AND BUSINESSES

Presented by City Manager's Office

Purpose: Report by the City Manager's Office will discuss potential financial resources and program options to assist residents and businesses during and after the COVID-19 pandemic. There is no direct budget impact with the receipt of this report.

Recommended Action: Receive report and provide direction to staff.

14. URGENCY ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF BUENA PARK, CALIFORNIA, AMENDING AND CLARIFYING A LOCAL MORATORIUM ON RESIDENTIAL AND COMMERCIAL EVICTIONS FOR TENANTS SUFFERING FINANCIAL IMPACTS FROM COVID-19, CONSISTENT WITH EXECUTIVE ORDER N-37-20 OF THE CALIFORNIA GOVERNOR

Presented by City Attorney's Office

Purpose: The City Council will consider adopting an Urgency Ordinance amending the Moratorium on residential and commercial evictions in the City to incorporate supplemental language set forth in Executive Order N-37-20, issued by California Gavin Newsom on March 27, 2020. There is no direct fiscal impact with the adoption of this resolution.

Recommended Action: 1) Adopt an Urgency Ordinance clarifying the scope and application of the City of Buena Park's moratorium on the eviction of residential and commercial tenants suffering financial impacts related to COVID-19 ("Moratorium").

MAYOR/CITY COUNCIL REPORTS & CALENDAR

- a. Scheduling dates for future City Council meetings.
- b. Identifying items for future discussion.

ADJOURNMENT

This agenda contains a brief general description of each item to be considered. Supporting documents are available for review and copying at City Hall or at www.buenapark.com. Video streaming of the meeting is available on the City's website. This governing body is prohibited from discussing or taking action on any item which is not included in this agenda; however, may ask clarifying questions, ask staff to follow-up, or provide other direction. The order of business as it appears on this agenda may be modified by the governing body.



In compliance with the Americans with Disabilities Act, if you need accommodations to participate in this meeting, contact the City Clerk's Office at (714) 562-3750 or the California Relay Service at 711. Notification at least 48 hours prior to the meeting will enable the City to make arrangements to assure accessibility.



If you would like to participate in any matter of business on the agenda and would like translation in Chinese, Korean, Spanish, Tagalog, or Vietnamese, please contact the **City Clerk's Office at (714) 562-3750 48-hours prior to the meeting**. Residents requiring translation during Oral Communications are encouraged to bring interpreters.

시의제 목록에 있는 정식 안건에 대해 의견을 발표하고 싶으신 경우, 중국어, 한국어, 스페니쉬, 타갈로에 대한 통역사가 필요하시면 시미팅 48시간전 시서기 오피스로 (714-562-3750) 연락하시면 됩니다. 정식안건이 아닌 주민 발언시간에 발표하실 경우, 본인의 통역사를 직접 모시고 오시면 감사하겠습니다.

Si le gustaría participar en audiencia pública o cualquier asunto de negocios programado en la agenda y necesita traducción en chino, coreano, español, tagalo o vietnamita, comuníquese con la Oficina del Secretario de la Ciudad, 48 horas antes de la reunión al (714) 562-3750. Para participar en los comentarios públicos sobre cualquier otro asunto dentro de la jurisdicción del ayuntamiento, se les recomienda que traiga un intérprete.

如果您想参与议程上的任何事务，并希望翻译成中文，韩文，西班牙文，他加禄文或越南文，请联系市政文员办公室，网址为（714）562-3750在会议开始前48小时。鼓励在口头交流中需要翻译的居民带同传译员。

Kung nais ninyong lumahok sa anumang usapin ng negosyo sa agenda at kailangan ang pagsasalin sa wikang Tsino, Koreano, Espanyol, Tagalog, o Vietnamese, mangyaring makipag-ugnay sa Opisina ng Clerk ng Lungsod sa (714) 562-3750 48-oras bago ang pulong. Ang mga residente na nangangailangan ng pagsasalin sa Oral Communications ay hinikayat na magdala ng mga tagasalin.

Nếu bạn muốn tham gia vào bất kỳ vấn đề kinh doanh nào trong chương trình nghị sự và muốn dịch sang tiếng Trung, tiếng Hàn, tiếng Tây Ban Nha, tiếng Tagalog hoặc tiếng Việt, vui lòng liên hệ với Văn phòng Thư ký Thành phố tại (714) 562-3750 48 giờ trước cuộc họp. Cư dân yêu cầu dịch thuật trong Giao tiếp bằng miệng được khuyến khích mang theo thông dịch viên.

I, Adria M. Jimenez, MMC, City of Buena Park, do hereby certify, under penalty of perjury under the laws of the State of California that a full and correct copy of this agenda was posted pursuant to Government Code Section 54950 et. seq., at the following locations: Buena Park City Hall, 6650 Beach Blvd., and uploaded to the City of Buena Park website www.buenapark.com. Under the declaration of a local emergency, the City of Buena Park attempted to post at the following location, but due to their closure was unable to: Buena Park Library, 7510 La Palma Avenue,

Date Posted: April 9, 2020

Adria M. Jimenez, MMC, City Clerk