

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD MARCH 10, 2020

Vol. 51 Pg. 129

CALL TO ORDER

The City Council met in a regular session on Tuesday, March 10, 2020, at 5:03 p.m. in the City Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Smith presiding.

ROLL CALL

PRESENT: Brown, Park, Swift, Traut, Smith
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 Michael Schneider, Good Shepherd Lutheran Church.

PLEDGE OF ALLEGIANCE

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

CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- Senator Bob Archuleta is recognizing Alice Burnett for 2020 Woman of Achievement, longtime resident, employee of the City, Champion for American Cancer Society and longtime Buena Park High School Booster Club Member.
- Los Coyotes Drive Update: the area identified as a capital improvement project; in the interim the street has been repaired, palm trees installed and street patching will continue as weather permits.

Jim Box, Director of Community Services Department reported:

- High School Art Show Awards Ceremony, Friday, March 13, at 6:00 p.m., Council Chamber
- Paws in the Park, Saturday, March 28 9:00 a.m. – 12:00 noon, Bellis Park
- Buena Park Today Magazine is now circulating

PRESENTATIONS

Mayor Pro Tem Traut presented a 25-Year Employee Service Award to Judith Williams, Police Department. Representatives from Senator Chang's Office, Assembly Member Quirk-Silva's Office and Gil Cisneros's Office, congratulated and presented Judith Williams with Certificates of Recognition.

Wayne Quint, Jr., CA Police Officers Memorial Executive Director, announced Council Member Art Brown has been selected to read the poem at this year's Memorial Event in May 3 - 4, Sacramento.

Council Member Park presented Beautification-Environmental Chair Ken McKinney with a Proclamation recognizing Arbor Day as March 14, 2020.

City Clerk Jimenez presented a 2020 Census Update.

Lance Charnes, Emergency Services Coordinator presented Corona Virus Update.

ORAL COMMUNICATIONS

Mayor Smith announced the public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council.

Susan Sonne, Buena Park resident, Executive Director of Buena Park Collaborative, thanked the City Council and Buena Park community members who came out and supported the Collaborative Open House event last week. Monthly meeting will be Thursday, March 12, 10:00 a.m., in the Community Center. Agenda item is about Corona Virus update from St. Jude Healthy Communities. Also the OCHCA is having a town hall meeting on Corona Virus via telephone, Thursday, March 12 at 6 p.m.

There being none, Mayor Smith closed oral communications.

CONSENT CALENDAR (1 – 7)

Mayor Smith announced that Consent Calendar Items 1 through 7 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, Brown Traut, Smith
 NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 7 be approved.

Minutes

1. APPROVAL OF MINUTES

Recommended Action: 1) Approve Minutes of the Regular City Council Meeting of January 28, 2020; and the Special City Council Meeting of February 11, 2020.

APPROVED.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 14098

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$1,318,626.04 DEMAND NOS. 401387 THROUGH 401633 CANCELLED NO. 400590

RESOLUTION NO. 14099

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$24,904.38 DEMAND NOS. 401634 THROUGH 401639 CANCELLED NO. 401540

RESOLUTION NO. 14100

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$23,299.00 COVERING RETIREE PAYROLL ENDING FEBRUARY 29, 2020

RESOLUTION NO. 14101

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$792,466.13 COVERING REGULAR PAYROLL ENDING FEBRUARY 21, 2020

Boards & Commissions 42

3. APPROVING APPOINTMENTS OF COMMITTEE MEMBERS TO THE NAVIGATION CENTER OVERSIGHT COMMITTEE

Purpose: Accept the appointments of committee members to the Navigation Center Oversight Committee. There is no budget impact with the approval of this item.

Recommended Action: 1) Confirming the appointments of Carol McCann (BP Collaborative), Irene Castaneda (BPSD), Pastor Ed Choi (Thanksgiving Church), Barry Ross (St. Jude Hospital), Lisa Jessup (local resident), Joseph Crumpler (local resident), Alice Chen (TAWA Business), and Sheena Innocente (OCHCA/Social Worker) to the Navigation Center Oversight Committee for a term that will expire March 10, 2023.

APPROVED the recommended action.

Proclamations 119

4. PROCLAMATION DESIGNATING MARCH 14, 2020, AS ARBOR DAY IN BUENA PARK

Recommended Action: Approve proclamation.

APPROVED the recommended action.

Purchasing 127

5. PURCHASE OF A NEW STORAGE AREA NETWORK SYSTEM FOR THE CITY HALL DATA SYSTEMS

Purpose: Authorize Information Technologies to upgrade and replace the current storage area network system that is reaching the end of its life cycle. Associated costs in the amount of \$44,978.33 were previously allocated in the FY 19-20 budget from the Management Information Systems Fund (74-7840-126143).

Recommended Action: 1) Approve the purchase of a new storage area network system for the City Hall servers and applications from Dell Computers; 2) Determine that dispensing with competitive bidding pursuant to Municipal Code Section 3.25.080 (E) is in the best interests of the City because it will result in the lowest price for the storage unit; and 3) Authorize the City Manager to sign any necessary documents for the purchase of the hardware.

APPROVED the recommended action.

Budgets 47 County/State Grants 185 Emergency Services 188

6. RESOLUTION AUTHORIZING ACCEPTANCE OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FROM THE ORANGE COUNTY SHERIFF'S DEPARTMENT (OCSD) FOR THE 2019-2020 DESIGNATED PROGRAM YEAR AND APPROVAL OF AN ASSOCIATED AGREEMENT

Purpose: Authorize the Police Department to accept grant funds from the OCSD for emergency management program expenses. Associated costs in the amount of \$10,558 will be fully reimbursed by the OCSD.

Recommended Action: 1) Adopt a resolution authorizing acceptance of the Emergency Management Performance Grant (EMPG) from the Orange County Sheriff's Department (OCSD) in the amount of \$10,558 for the 2019-2020 designated program year; 2) Approve an agreement with the OCSD in the same amount; 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 grant agreement and any other necessary documents related to acceptance of the grant; and, 5) Approve a budgetary action in the amount of \$10,558 for this purpose.

ADOPTED the following titled resolution:

RESOLUTION NO. 14102

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, AUTHORIZING ACCEPTANCE OF THE EMERGENCY MANAGEMENT PERFORMANCE GRANT FOR 2019-20 DESIGNATED PROGRAM YEAR

Finance 76 Dept. 76

7. APPROVAL OF SUMMER PROGRAMS WATER BILL INSERT

Purpose: Authorize the City Manager's Office to inform residents of the various summer programs for this year and encourage participation. There is no budget impact with this action.

Recommended Action: 1) Approve a water bill insert informing residents of the various summer programs for 2020.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (8 – 13)

Contracts 70 C-31808. COOPERATIVE AGREEMENT WITH THE CITIES OF ANAHEIM, FULLERTON, LA PALMA, PLACENTIA, YORBA LINDA, CALTRANS, AND THE COUNTY OF ORANGE FOR THE ORANGETHORPE AVENUE/ESPERANZA ROAD REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM (RTSSP)
(PROJECT NO. 74-46000)

Staff report by Public Works Department

Purpose: Authorize the Mayor and City Clerk to execute an agreement to improve traffic signal coordination between multiple agencies on Orangethorpe Avenue/Esperanza Road. Associated costs in the amount of \$188,652 have been requested in the upcoming proposed FY 2020-2021 budget in the form of Measure M2 funds.

Recommended Action: 1) Approve a Cooperative Agreement for the Orangethorpe Avenue/Esperanza Road Regional Traffic Signal Synchronization Program (RTSSP); 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and 3) Authorize the Mayor and City Clerk to execute the Cooperative Agreement.

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

MOTION CARRIED to approve the recommended action.

Contracts 70 C-31009. AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT NO. 19-22 WITH DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC. FOR THE WHITAKER ELEMENTARY SCHOOL PARK IMPROVEMENTS PROJECT
Staff report by Public Works Department

Purpose: Authorize the Public Works Department to amend the PSA with David Volz Design Landscape Architects, Inc. to provide additional design services for the Whitaker Elementary School Park Improvements project. Associated costs in the amount of \$178,654 require a budget amendment from One-Time General Fund revenues.

Recommended Action: 1) Approve Amendment No. 1 to the Professional Services Agreement (PSA) No. 19-22 with David Volz Design Landscape Architects, Inc. for the additional design services needed to complete the project in the amount of \$178,654; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the amendment; 3) Authorize the City Manager and City Clerk to execute the amendment; and 4) Authorize a budget transfer in the amount of \$178,654 from One-Time General Fund Revenues for this purpose.

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

MOTION CARRIED to approve the recommended action.

Contracts 70 C-3076 Public Works Proj. 125 PW-863

10. AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT NO. 19-06 WITH DAVID VOLZ DESIGN LANDSCAPE ARCHITECTS, INC. FOR THE CONCEPTUAL DESIGN OF THE RICK GOMEZ PARK PROJECT
Staff report by Public Works Department

Purpose: Authorize the Public Works Department to amend the PSA with David Volz Design Landscape Architects, Inc. (Consultant) to provide additional design services for the conceptual design of Gomez Park. Associated costs in the amount of \$5,000 are to be paid from the project account, which is funded by the Park-in-Lieu Fund.

Recommended Action: 1) Approve Amendment No. 1 to the Professional Services Agreement (PSA) No. 19-06 with David Volz Design Landscape Architects, Inc. for the additional design services needed to complete the conceptual design of Gomez Park in the amount of \$5,000; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the amendment; and 3) Authorize the City Manager and City Clerk to execute the amendment.

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

MOTION CARRIED to approve the recommended action.

Parking 109

11. RESOLUTION CREATING PREFERENTIAL PARKING DISTRICT (PPD) NO. 10 ON AZALEA DRIVE, ASTER CIRCLE, AND A PORTION OF LARKSPUR DRIVE
Staff report by Public Works Department

Purpose: Authorize the Public Works Department to issue parking permits to residents in the PPD No. 10 boundaries, which would include Azalea Drive, Aster Circle, and a portion of Larkspur Drive. Associated costs in the amount of \$3,750 would be funded by the existing signage and striping budget.

Recommended Action: 1) Approve the proposed Resolution to create a new Preferential Parking District (PPD) No. 10 for Azalea Drive, Aster Circle, and a portion of Larkspur Drive.

Senior Engineering Technician Wray summarized the staff report, he commented that on February 6, 2020, the Traffic and Transportation Commission (TTC) reviewed this request and recommended (5-0) that the City Council approve the request. In September 2019, staff began working with residents of Azalea Drive on a number of traffic concerns. These concerns included a request about preferential (or permit) parking. Part of the City's process in considering such a request, staff issued petition forms to a neighborhood representative, who then circulated the petitions. Residents submitted the completed petition to staff on December 7, 2019.

The City policy on PPD has two basic requirements. The request must be made by at least 2/3 (66.6%) of the residents on the street and the area must be reasonably self-contained. In this case, 72% of the residents of the area signed the petition, meeting the first part of the policy requirement. Residents specifically cited that a primary reason for the request is parking demand from the nearby Pirates Dinner Adventure (Pirates). Pirates is located on the southeast corner of the intersection of Beach Boulevard and Azalea Drive. Staff's research indicated that Pirates recently began to charge \$5.00 for on-site parking. Residents stated that ever since this parking charge was initiated, the demand for on-street parking significantly increased. Staff's field observations during peak and off-peak hours of the day indicated that Pirates is adding parking demand to the area. Based on the current location of entrances to Pirates, staff finds that this PPD is a reasonably self-contained area. If this PPD were implemented, the nearest on-street public parking to Pirates would be anywhere south of Cyclamen Way on Larkspur Drive (nearly 800 feet away). This distance is just under a four-minute walk.

In addition to the two requirements of the policy, there is also a recommendation related to parking demand. The recommendation is that at least 75% of the available parking is in use during peak times. Since this request involves several streets, staff reviewed parking demand separately for each street at various times. Staff recommends that the City Council approve this PPD. The request meets the two requirements of the PPD policy. A total of 72% of

the residents are in favor of the request (minimum is 2/3), and it is a reasonably self-contained area. Additionally, all of the streets in the request experience increased parking demand around Pirates show times. For three of the streets, the increase is nearly double. If a PPD were implemented on only Azalea Drive East, it is likely that the overflow parking would simply move to the other streets. A potential concern of this PPD request is whether or not overflow parking from Pirates could simply move farther into the neighborhood. In this case, the parking demand appears to be tied to a commercial venue (Pirates) and not nearby housing.

Staff believes the boundaries of the PPD are far enough away from the venue that guests are unlikely to walk far. In the worst case, the PPD could be expanded at a later date. The cost to install the necessary signs for the proposed PPD is approximately \$2,500. The cost of permits for the area is approximately \$1,250. The total estimated budget impact is \$3,750. These costs would be offset by the sale of permits over time, although it would be at least 6 to 10 years before the City would reach a "break-even" point.

Council Member Swift inquired about the Traffic and Transportation Commission recommendation.

Senior Engineering Technician Wray reported that commission recommended unanimously in favor of the PPD but had not specific comments about any reservations expressed by the public.

Mayor Pro Tem Traut inquired about Larkspur Drive and Aster Circle residents being on board with the recommendation based on 14 property residents in favor, and 12 property residents that didn't sign the petition.

Senior Engineering Technician Wray Norm indicated that those residents in Larkspur Drive and Aster Circle didn't sign the petition, because they were either not home or reachable. It does not indicate that they were opposed.

Del Lampkin, Buena Park resident, thanked Council Member Swift for addressing some of these concerns brought forward, also for speaking with him and his neighbors. Mr. Lampkin also thanked the City Manager's office for the assistance.

Karen Escano, Buena Park resident, requested clarification about the boundaries of the PPD because the boundary line is at the edge of the driveway. She requested assistance with this because of concerns when pulling in and out of her driveway.

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

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

RESOLUTION NO.14103

A RESOLUTION OF THE CITY OF BUENA PARK, CALIFORNIA, ESTABLISHING A PREFERENTIAL PARKING DISTRICT ON AZALEA DRIVE, ASTER CIRCLE, AND A PORTION OF LARKSPUR DRIVE, ALL AS MORE PARTICULARLY DESCRIBED HEREIN

Parking 109

12. RESOLUTION ADDING ROOSEVELT CIRCLE INTO PREFERENTIAL PARKING DISTRICT (PPD) NO. 5
 Staff report by Public Works Department

Purpose: Authorize the Public Works Department to expand PPD No. 5 to include Roosevelt Circle, and thereafter issue parking permits to area residents. Associated costs in the amount of \$1,500 will be funded by the existing signage and striping budget.

Recommended Action: 1) Adopt a Resolution to expand Preferential Parking District (PPD) No. 5 to include Roosevelt Circle.

Senior Engineering Technician Wray summarized the staff report, he commented that on February 6, 2020, the Traffic and Transportation Commission (TTC) reviewed this request, and recommended (4-1) that the City Council approve the request. In April 2019, the residents of

Roosevelt Circle petitioned to add the street into PPD No. 5. The petition was complete, and staff conducted a study in the area to determine if the request met the City's PPD requirements.

The City's policy on PPDs has two (2) basic requirements. First, the request must be made by at least 2/3 (66.6%) of the residents on the street; and second, the area must be reasonably self-contained. In this case, 75% of the residents of the area signed the petition, satisfying the first policy requirement. With regards to the roadway being reasonably self-contained, Roosevelt Circle by itself would not be a reasonably self-contained area. However, adding it to the existing PPD No. 5, which includes all the neighboring streets, would satisfy that requirement.

In addition to the two (2) requirements of the policy, there is also a recommendation related to parking demand. Staff's general recommendation is that, to support a PPD, at least 75% of the available parking be in use during peak times. In connection with this request, staff made twelve (12) different parking observations in the subject area, and determined that the average peak parking demand was 40%. However, due to the significant difference between the highest and lowest parking demands observed, eliminating the lowest of these observations results in an average peak parking demand of 45%. The highest parking demand observed was 49%. Adding Roosevelt Circle into PPD No. 5 will increase existing available parking by 39 parking spaces.

When this item was presented to the TTC, staff recommended that the request be denied because the request met the minimum policy requirements, but did not meet recommendations related to peak parking demand. However, many residents from the area spoke at the meeting and all were in favor of the PPD request. Residents raised a number of concerns with most stating that the majority of the parking overflow is generated by nearby apartment complexes on and around Western Avenue. Other concerns expressed related to vehicles parking near the intersection of Roosevelt Circle and Fillmore Drive, causing sight distance concerns. Upon reviewing the staff report and receiving resident concerns at the meeting, the TTC recommended (4-1) that the City Council approve the request to add Roosevelt Circle into PPD No. 5. If the proposed addition to PPD No. 5 is approved, the cost to install the necessary signs would be approximately \$1,200 to \$1,500. Permits for PPD No. 5 are already on hand, so no additional cost for permit production will be required.

Juan Tellez, Buena Park resident spoke about concerns with people parking at night, staying overnight and overflow from people in PPD's. He is supportive of PPD No. 5 and asked the City Council to support petition.

Ray Hanna, Buena Park resident, spoke about concerns with overflow parking issues since the implementation of PPD's. He thanked the City Council for addressing PPD No. 5 as he supports and urged City Council to support.

Jeanette Bateman, Buena Park resident, spoke about concerns with parking issues. Since the implementation of other PPD's her neighborhood has been negatively impacted. She also spoke about apartment residents walking to her neighborhood to park because apartment owners aren't providing enough spaces for their residents.

James Mailey, Buena park resident, thanked the City Council for taking time to listen to complaints. He spoke about concerns with parking issues created by original PPD's. Urged the City Council to find a solution for problems created by PPD's and also about issue with the lack of parking for apartment complexes.

Council Member Brown commented that on December 11, 2018, he asked for a comprehensive parking study of the City to address these type of issues and concerns. The City is working at addressing the issues throughout the City.

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

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

RESOLUTION NO.14104

A RESOLUTION OF THE CITY OF BUENA PARK, CALIFORNIA, ESTABLISHING A PREFERENTIAL PARKING DISTRICT ON MADISON AVENUE, MADISON CIRCLE, MCKINLEY CIRCLE, ROOSEVELT CIRCLE, AND A PORTION OF FILLMORE DRIVE, AS MORE PARTICULARLY DEFINED HEREIN

Admin. Serv 112 Codes 64

13. RE-ADOPT ORDINANCE NO. 1676 AMENDING THE CONTRACT BETWEEN THE CITY OF BUENA PARK AND THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CALPERS) TO PROVIDE FOR THE EXCLUSIONS OF CERTAIN TEMPORARY, SEASONAL, AND LIMITED SERVICE JOB CLASSIFICATIONS FROM MEMBERSHIP
Staff report by Human Resources Department

Purpose: Re-adopt Ordinance No. 1676 amending the contract between the Board of Administration of CalPERS and the City of Buena Park to provide for the exclusion of approved Temporary, Seasonal, and Limited Service job classifications from CalPERS membership, in addition to the current School Crossing Guard job classification. The proposed contract amendment included in this Ordinance will potentially assist in lowering future staffing costs associated with pension benefits for new Temporary, Seasonal, and Limited Service personnel.

Recommended Action: 1) Waive reading of ordinance in full and approve by reading title only; and 2) Approve and re-adopt Ordinance No. 1676.

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

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

ORDINANCE NO. 1676

RE-ADOPT AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF BUENA PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Swift reported the following:

- February 27 Corey Elementary School production of Jungle Book
- February 27 OCFA Executive Meeting
- February 27 OCFA Board of Directors Meeting
- February 29 Girls Softball Opening Day
- February 29 Americana Awards Event
- March 5 Corey Elementary Annual Reader's Day
- March 6 Gilbert Elementary Annual Reader's Day
- March 10 Silverado Days Grants Luncheon

Council Member Swift calendared parking discussion for a cooperative agreement between Pirates, Porto's and Medieval Times.

Council Member Brown reported the following:

- February 27 OC COG Board of Directors Meeting
- February 27 Corey Elementary School production of Jungle Book
- February 28 Metrolink Board Meeting
- February 29 Americana Awards Event
- March 4 Los Alamitos State of the City
- March 5 So Cal Association of Governments Regional Board Meeting

Council Member Park reported the following:

- February 26 Planning Commission
- February 27 CAC Meeting
- February 29 National Little League Opening Day, Bellis Park
- February 29 Cypress College Americana Awards Dinner
- March 4 Love Buena Park Planning Meeting
- March 5 Collaborative Resource Center Open House
- March 10 Silverado Days Grants Luncheon

Mayor Pro Tem Traut reported the following:

- February 12 State of the City
- February 19 Interview for Parks and Recreation Commissioners
- February 26 CA Bar Exam
- February 27 Police Department Oath of Office Ceremony
- February 28 Represented Council, Moose Association 2020 Mid-year Conference
- February 29 Crescent Little League Opening Day, Holder Field
- February 29 Americana Awards Ceremony
- March 5 Collaborative Resource Center Open House
- March 10 Silverado Days Grant Luncheon

Mayor Smith reported the following:

- February 26 New Homeless Shelters Installation
- February 29 Americana Awards Ceremony
- March 2 Homeless Oversight Committee
- March 3 Election Day
- March 6 Mayor's Prayer Breakfast Meeting

RECESS

Mayor Smith recessed the meeting at 7:03 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 7:28 p.m.

STUDY SESSION (14 – 20) (Reconvene in the Council Chamber)

14. DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY'S MID-YEAR BUDGET Report by Finance Department

Sung Hyun, Director of Finance, summarized the staff report and reviewed the following:

- Mid-Year Budget Review, Results from FY 2018-19
 - General Fund Revenues
 - General Fund Expenditures
 - Fund Balance of General Fund
 - Self-Insurance Funds Reserves
 - Reserves - All Other Funds
- Projected Results for FY 2019-20
 - General Fund Projected Revenues
 - General Fund Projected Expenditures
- Carryover Requests from FY 2018-19 to FY 2019-20
- Mid-Year Budget Adjustment Requests for FY 2019-20

- Comparison of General Fund Revenues FY17-18 to FY18-19
- Comparison of General Fund Expenditures FY17-18 to FY18-19
- General Fund – Fund Balance FY18-19:
- Workers' Compensation Self-Insurance Fund
- Public Liability Self-Insurance Fund
- Accrued Leave Fund
- Other Funds – Reserves FY18-19
 - Gas Tax Fund
 - Measure M2 Fund
 - HOME Deferred Loan Fund
 - Park-In-Lieu Fund
 - Traffic Congestion Relief Fund
 - AB2766/AQMD Fund
 - Local Law Enforcement Block Grant Fund
 - OC Anti-Drug Abuse Fund
 - Asset Forfeiture Fund
 - Proposition 172 Fund
 - COPS/Supplemental Law Enforcement Special Fund
 - State OCATT Fund
 - Capital Projects Fund
 - Economic Development Fund

- General Fund Revenues FY 2019-20
- General Fund Expenditures FY 2019-20
- General Fund Projected Fund Balance FY 2019-20

Carryover Requests:

- General Fund FY18-19 to FY19-20
 - Used Oil Recycling Grant - \$69,970
 - Beverage Container Recycling Grant - \$19,160

Other Funds FY18-19 to FY19-20

- Economic Development Fund, Commercial Rehabilitation Program - \$445,792

General Fund Mid-Year Budget Adjustment Requests FY19-20

- Recall petition costs - County of Orange - \$7,280

Other Funds Mid-Year Budget Adjustment Requests FY19-20

- 2 Flashcam anti-graffiti cameras - \$15,350

The City Council approved the General Funds and Other Funds budget adjustments requests as submitted.

15. DISCUSS AND PROVIDE DIRECTION REGARDING THE HOME IMPROVEMENT PROGRAM (HIP) GUIDELINES
Report by City Manager's Office

Assistant City Manager France commented that at the request of Mayor Pro Tem Traut, the City Council discussed the current guidelines for the City's Home Improvement Program (HIP). The City Council discussed this topic on March 26, 2019 and again on June 11, 2019. The City's HIP is a federally-funded program through the Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Programs. The program allows for Housing Rehabilitation to assist Buena Park homeowners whose income is below 80% of the current Orange County Median Income, per HUD income guidelines. Homeowners are able to refurbish and renovate their homes with a 30-year deferred payment loan with three percent (3%) interest for households under the age of 55 years, and zero percent (0%) interest for those households 55 years and older.

The HIP provides Buena Park residents who are unable to afford a conventional loan to upgrade and/or provide deferred maintenance to their home. The maximum loan amount is \$100,000, with most families typically receiving up to \$60,000. An emergency grant in the amount of \$15,000 may be available for seniors 55 years and older. Repayment of the loan (including principal and accrued interest) is required upon sale or transfer of title on the property, or if the owner no longer occupies the residence. All paid off loans become Program Income, as defined by HUD, and are recycled back to augment the loan program.

During the discussion on March 26, 2019, the City Council discussed a 'near-zero' percent loan program for all applicants. Staff was given direction to return at a later date with options and costs for a near-zero percent loan program for low- and moderate-income homeowners to assist with improvement projects for their residences. The HIP was again discussed on June 11, 2019. At that meeting, the City Council primarily discussed three options. Following discussion, the City Council directed staff to research changing the program guidelines to allow for 1% for all applicants: both senior and non-senior residents.

At the meeting of June 11, 2019, Mayor Pro Tem Traut proposed three different options for consideration. The current outstanding loans were used to provide a program income comparison of the three options (see attached June 11, 2019 staff report). Staff has confirmed that as long as the interest rate remains between 0% and 3%, the City Council may change the interest rate for all income-qualifying programs related to the HIP. However, all income qualification requirements would remain intact and any change to the interest rate would only affect future HIP loans and would have no impact on past, higher-interest loans. The 1% interest rate suggested at the June 11, 2019, meeting would be permitted and staff can change the guidelines to reflect the change in interest rate.

Staff has also researched the change in interest rate and how that may impact program income that recycles back into the HIP. Below is an analysis of potential program income, for comparison purposes, based on 100 future HIP loans.

CURRENT HOME IMPROVEMENT LOAN PROGRAM					
0%-3% Interest Rate for 30 Years					
INTEREST RATE	NUMBER OF LOANS	LOAN AMOUNT	PRINCIPAL	INTEREST	PRINCIPAL & INTEREST AT MATURITY
0%*	75	\$60,000	\$4,500,000	\$0	\$4,500,000
3%**	25	\$60,000	\$1,500,000	\$1,350,000	\$2,850,000
					\$7,350,000

Total Interest Due at Loan Maturity - \$1,350,000

* 0% Interest rate for seniors 55 years and above

** 3% Interest rate for persons under 55 years of age

PROPOSED HOME IMPROVEMENT LOAN PROGRAM					
1% Interest Rate for 30 Years					
INTEREST RATE	NUMBER OF LOANS	LOAN AMOUNT	PRINCIPAL	INTEREST	PRINCIPAL & INTEREST AT MATURITY
1%*	100	\$60,000	\$6,000,000	\$1,800,000	\$7,800,000

Total Interest Due at Loan Maturity - \$1,800,000

* 1% Interest rate for all age levels

Unfortunately, with so many variables in play it is difficult to determine or quantify the real impact the change in the interest rate will have on future HIP applications or program income.

The City Council discussed, current amount of loans, restrictions and program eligibility. Following discussion, the City Council directed staff to move forward with the proposed home improvement loan program at 1% across the board without age limitation and return to City Council in 2-3 years for review.

16. DISCUSS AND PROVIDE DIRECTION REGARDING AB 571 MANDATORY LOCAL CAMPAIGN CONTRIBUTION LIMITS
Report by City Clerk's Office

City Clerk Jimenez reported newly adopted legislation regarding the Political Reform Act (PRA). PRA was originally adopted by the California voters in 1974 in an effort to combat political corruption and enhance transparency for political campaign contributions. The Fair Political Practices Commission (FPPC) was created by the PRA and is responsible for the oversight of campaign finance, financial conflicts of interest by public officials, lobbyist registration and reporting, post-governmental employment, gifts and honoraria given to public officials and candidates, and political mass mailings at the public's expense.

Last year, the Governor signed into law Assembly Bill 571 (AB 571), amending portions of the PRA. Primarily, AB 571 establishes campaign contribution limits for candidates for county and city offices at the same level as contributions for candidates for Senate and Assembly, only for those counties and cities that have not established its own campaign contribution limits. These 'default' contribution limits are established by FPPC and include adjustments to reflect increases or decreases in the Consumer Price Index (CPI). The current 'default' contribution limit for Senate and Assembly is \$4,700 per contributor, per election.

Effective January 1, 2021, AB 571 permits counties and cities to establish its own campaign contribution limits that would prevail over the 'default' campaign contribution limits set by FPPC. If a county or city chooses not to adopt its own campaign contributions, under AB 571, FPPC will have expanded administration and enforcement authority regarding the default contribution limits and makes violations of the 'default' limits within the FPPC's purview punishable as a misdemeanor. The City of Buena Park does not have campaign contribution limits.

Under AB 571, the city cannot remain silent; the city must either declare it will accept the default limits set by FPPC, or it must set and adopt campaign contribution limits before January 1, 2021. Campaign ordinances adopted by local agencies vary in scope. For example, some ordinances include reporting and disclosure requirements that supplement the PRA, and some

campaign ordinances regulate expenditure limits and the limit a candidate can accept in the form of a loan from a contributor.

The City Council directed staff to draft an ordinance and return for formal adoption of Campaign Contribution Limits to become effective January 1, 2021. Contribution Limits will be as follows: Campaign Contribution Amount \$4,000 per contributor, \$100 increase every two-years beginning January 1st after an election, Contributions in the aggregate, yes; and 30-days for return of excess contributions.

17. DISCUSS AND PROVIDE DIRECTION REGARDING CONTRACT AND INSURANCE TRACKING SOFTWARE
Report by City Clerk's Office

At the City Council Meeting of March 12, 2019, Council Member Swift requested staff research options for contract expiration tracking with Planet Bids, a web-based e-procurement vendor the City currently uses for hosting an online vendor database along with publishing/posting bids/RFP's to an industry-related website. Contract processing in Buena Park is a multi-departmental process. All contracts/agreements approved by the City must include insurance, applicable endorsements, and indemnification of the City from damages incurred during the course of the scope of work for the contract/agreement. In 2019, the City Clerk's Office started using an in-house tracking system (excel spreadsheet) to track contract information, including insurance requirements, for formal contracts, or contracts approved by the City Council. Coincidentally, the Human Resources/Risk Management also created and started using their own in-house tracking system.

After a few discussions between the City Clerk's Office and the Human Resources/Risk Management Department, it was determined that there was a more efficient way of tracking insurance for contracts/agreements without duplicating staff time and efforts and possibly resulting in a savings for the City. The Departments reviewed the entire contract/agreement process. During this review, staff observed the following: first, there was an opportunity to create efficiencies for contract/agreement processing in its entirety; second, there wasn't a tracking mechanism for insurance certificates, leaving the City vulnerable for liability due to expired insurance; and, third, reviewing insurance certificates created a significant amount of work for staff, more than the other steps in the contract/agreement process.

In an attempt to create a more efficient process, the City Clerk's Office, the City Attorney, and the Human Resources/Risk Management Department met to review the process. First, contract templates were amended by the City Attorney to address redundancies, include up-to-date insurance requirements and indemnity clauses, and address other project related language not previously included. Once the contract templates were finalized, staff started researching contract/agreement tracking software vendors with the assistance of the Purchasing Manager. As requested by Council Member Swift, staff contacted Planet Bids for information on its Contracts and Insurance Certificate Management modules. Planet Bids' annual cost for its Contract tracking module is \$3,800 and requires an extensive amount of data input and staff time. The Human Resources/Risk Management Department reached out to Ebix, a 25-year company in the insurance software vendor business.

Ebix offers a user-friendly cloud-based software system with data security. Ebix's Insurance Management module would track the insurance certificate approval process, while the Contract Tracking module would track the contract approval and expiration process; two separate processes, seamlessly combined into one structure. Both modules would work with the other proposed digital components of the process.

The City Council supported moving forward with staff's recommendation.

18. DISCUSS AND PROVIDE DIRECTION REGARDING OFFICE SPACE FOR THE HISTORICAL SOCIETY

Council Member Brown recused himself from this discussion and left the dais, as he is a Curator of the Buena Park Historical Society.

Mayor Smith commented that office space has been reduced at the Whitaker-Jaynes Estate House due to the renovation. The Curator office has been moved next door in the Stage Stop Hotel. Mayor Smith would like to discuss permanent location for the Curator.

Marge Rollins, Buena Park resident, commented that she was disheartened to hear a bathroom will be installed in the historical home. She doesn't believe it makes sense to spend money to put in the house and do all these other things.

Pat Donnelly, Director for Buena Park Historical Society, commented that the Historical Society is a 501(C)(3) organization tasked with maintaining and operating the museum located at Whitaker Jaynes Estate. The Foundations provides artifacts and displays with the purpose of educating the youth as to the living conditions in Buena Park when the City was established and oppose updates to the historical home.

Priscilla Perez, BP Historical Society Board Member, commented that no other historical houses in Orange County have ADA restrooms. Mother Colony House is a museum and has an outhouse which is not ADA compliant; she suggests that if a restroom must be added, it be placed outside and staged as an outhouse.

Carol McCann, Buena Park Community Resource Center, commented that collaborative leased the Stage Stop Hotel and has embarked on a three-year plan, fully funded a FACT facility with money coming from Social Services Agency of Orange County. As collaborative grows and have met all the required criteria to be a fully funded resource center for all the families in the community, they need to have designated office space for six staff members and room for volunteers and interns.

The City Council discussed other historical homes with ADA compliant restrooms, keeping the Curator on site at the location, and Historical Society storage space. Following discussion, the City Council voted to leave as-is, keep the Curator office at the Stage Stop, review the lease term's end (six months), and grant first right of refusal to the Collaborative for additional space upstairs.

19. CITY MANAGER REPORT

City Manager Vanderpool reported on the following:

- Employee St. Patrick's Day Potluck to be held on March 17, at 11:30 a.m.
- Navigation Center Update; 48 repurposed containers have been delivered and installed, soft grand opening scheduled for mid-June 2020.

20. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had no report.

ADJOURNMENT

There being no further business, Mayor Smith adjourned the meeting at 9:16 p.m.

Mayor

ATTEST:

City Clerk