



**BUENA PARK CITY COUNCIL
SPECIAL MEETING
TUESDAY, MAY 12, 2020
3:30 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 2:30 p.m., on Tuesday, May 12, 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

3:30 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**

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 ON SPECIAL MEETING ITEMS

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 2:30 p.m., on Tuesday, May 12, 2020.** All comments and questions will be read during the meeting.

CLOSED SESSION (1 – 5)**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Gov. Code Section 54956.9 (d)(1)

Name of Case: Buena Park Successor Agency and City of Buena Park vs. BA Hotel & Resort, LLC

2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Gov. Code Section 54956.9 (d)(1)

Name of Case: City of Buena Park vs. Butterfly Pavilion, LLC

Case Number: 30-2019-01059680-CU-BC-CJC

3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Gov. Code Section 54956.9(d)(2)

A point has been reached where, in the opinion of the City Council on the advice of its City Attorney based on existing facts and circumstances, there is a significant exposure to litigation against the City.

Number of potential cases: One

4. THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Gov. Code Section 54957

Consultation with: Jim Vanderpool, City Manager; Eddie Fenton, Director of Human Resources, Corey Sianez, Police Chief; and, Adria Jimenez, City Clerk

5. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Gov. Code Section 54957.6

Employee Organization: Buena Park City Employees' Association; Buena Park Technical, Office, and Professionals Association; Buena Park Management Unit; Buena Park Police Management Association; Buena Park Police Association; Buena Park Unrepresented Employees

6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Gov. Code Section 54956.8

Property: APN's 277-021-02, 277-021-03, 277-021-04, 277-021-05, 277-021-06, 277-021-07, 277-021-08, 277-021-15, 277-021-16, 277-021-18, 277-021-19, 277-021-20 and portion of 277-021-13

Negotiating Parties: Jim Vanderpool, City Manager

Under Negotiation: Price and Terms

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, 스페인어, 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 Clerk for the 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: May 7, 2020

Adria M. Jimenez, MMC, City Clerk



STUDY AND EXECUTIVE SESSION

BUENA PARK CITY COUNCIL
STUDY SESSION EXECUTIVE SESSION
SUMMARY SHEET

MEETING DATE: May 12, 2020

TOPIC: CONF W/LEGAL COUNSEL-EXISTING LIT.

FROM: Christopher G. Cardinale, City Attorney

EXECUTIVE SESSION INFORMATION REQUIRED BY THE BROWN ACT:

- License Permit Determination 54956.7
- Conf w/Legal Counsel-Existing Lit. 54956.9(d)(1)
- Liability Claims 54956.95
- Worker's Compensation Claims 54956.95
- Public Employee Appointment 54957
- Public Employee Performance Evaluation 54957
- Conference with Labor Negotiator 54957.6
- Case Review/Planning 54957.8
- Conference with Real Property Negotiator 54956.8
- Conf w/Legal-Anticipated Lit. (exposure to) 54956.9(d)(2)
- Conf w/ Legal-Anticipation Lit. (city initiated) 54956.9(d)(4)
- Threat to Public Services or Facilities 54957
- Public Employment 54957
- Public Employee Discipline/Dismissal/Release 54957
- Report Involving Trade Secret
- Hearings

Pursuant to Government Code Section 54956.9(d)(1) (example: 54956.8, 54957.6)

Applicant: _____

Property: _____

Negotiating Parties: _____

Under Negotiation: _____

Name of Case: Buena Park Successor Agency and City of Buena Park vs. BA Hotel & Resort, LLC

Title (public employee items): _____

Employee Organization (labor items): _____

Subject Matter: _____

Other: Case No.: 30-2019-01114045-CU-OR-CJC

BACKUP MATERIAL? YES NO IN C.C. CONF. ROOM

REQUESTED OF COUNCIL/AGENCY BOARD:

Receive report and provide direction.



STUDY AND EXECUTIVE SESSION

BUENA PARK CITY COUNCIL
STUDY SESSION EXECUTIVE SESSION
SUMMARY SHEET

MEETING DATE: May 12, 2020

TOPIC: CONF W/LEGAL COUNSEL-EXISTING LIT.

FROM: Christopher G. Cardinale, City Attorney

EXECUTIVE SESSION INFORMATION REQUIRED BY THE BROWN ACT:

<input type="checkbox"/> License Permit Determination 54956.7	<input type="checkbox"/> Conference with Real Property Negotiator 54956.8
<input checked="" type="checkbox"/> Conf w/Legal Counsel-Existing Lit. 54956.9(d)(1)	<input type="checkbox"/> Conf w/Legal-Anticipated Lit. (exposure to) 54956.9(d)(2)
<input type="checkbox"/> Liability Claims 54956.95	<input type="checkbox"/> Conf w/ Legal-Anticipation Lit. (city initiated) 54956.9(d)(4)
<input type="checkbox"/> Worker's Compensation Claims 54956.95	<input type="checkbox"/> Threat to Public Services or Facilities 54957
<input type="checkbox"/> Public Employee Appointment 54957	<input type="checkbox"/> Public Employment 54957
<input type="checkbox"/> Public Employee Performance Evaluation 54957	<input type="checkbox"/> Public Employee Discipline/Dismissal/Release 54957
<input type="checkbox"/> Conference with Labor Negotiator 54957.6	<input type="checkbox"/> Report Involving Trade Secret
<input type="checkbox"/> Case Review/Planning 54957.8	<input type="checkbox"/> Hearings

Pursuant to Government Code Section 54956.9(d)(1) (example: 54956.8, 54957.6)

Applicant: _____

Property: _____

Negotiating Parties: _____

Under Negotiation: _____

Name of Case: City of Buena Park vs. Butterfly Pavilion, LLC

Title (public employee items): _____ Case No.: 30-2019-01059680-CU-BC-CJC

Employee Organization (labor items): _____

Subject Matter: _____

Other: _____

BACKUP MATERIAL? YES NO IN C.C. CONF. ROOM

REQUESTED OF COUNCIL/AGENCY BOARD:

Receive report and provide direction.



STUDY AND EXECUTIVE SESSION

BUENA PARK CITY COUNCIL
STUDY SESSION EXECUTIVE SESSION
SUMMARY SHEET

MEETING DATE: May 12, 2020

TOPIC: CONF W/LEGAL-ANTICIPATED LIT. (EXPOSURE TO)

FROM: Christopher G. Cardinale, City Attorney / Adria M. Jimenez, MMC, City Clerk

EXECUTIVE SESSION INFORMATION REQUIRED BY THE BROWN ACT:

- License Permit Determination 54956.7
- Conf w/Legal Counsel-Existing Lit. 54956.9(d)(1)
- Liability Claims 54956.95
- Worker's Compensation Claims 54956.95
- Public Employee Appointment 54957
- Public Employee Performance Evaluation 54957
- Conference with Labor Negotiator 54957.6
- Case Review/Planning 54957.8
- Conference with Real Property Negotiator 54956.8
- Conf w/Legal-Anticipated Lit. (exposure to) 54956.9(d)(2)
- Conf w/ Legal-Anticipation Lit. (city initiated) 54956.9(d)(4)
- Threat to Public Services or Facilities 54957
- Public Employment 54957
- Public Employee Discipline/Dismissal/Release 54957
- Report Involving Trade Secret
- Hearings

Pursuant to Government Code Section 54956.9(d)(2) (example: 54956.8, 54957.6)

Applicant: _____

Property: _____

Negotiating Parties: _____

Under Negotiation: _____

Name of Case: _____

Title (public employee items): _____

Employee Organization (labor items): _____

Subject Matter: _____

Other: Number of Cases: One

BACKUP MATERIAL? YES NO IN C.C. CONF. ROOM

REQUESTED OF COUNCIL/AGENCY BOARD:



STUDY AND EXECUTIVE SESSION

BUENA PARK CITY COUNCIL
STUDY SESSION EXECUTIVE SESSION
SUMMARY SHEET

MEETING DATE: May 12, 2020

TOPIC: THREAT TO PUBLIC SERVICES OR FACILITIES

FROM: Jim Vanderpool, City Manager

EXECUTIVE SESSION INFORMATION REQUIRED BY THE BROWN ACT:

<input type="checkbox"/> License Permit Determination 54956.7	<input type="checkbox"/> Conference with Real Property Negotiator 54956.8
<input type="checkbox"/> Conf w/Legal Counsel-Existing Lit. 54956.9(d)(1)	<input type="checkbox"/> Conf w/Legal-Anticipated Lit. (exposure to) 54956.9(d)(2)
<input type="checkbox"/> Liability Claims 54956.95	<input type="checkbox"/> Conf w/ Legal-Anticipation Lit. (city initiated) 54956.9(d)(4)
<input type="checkbox"/> Worker's Compensation Claims 54956.95	<input checked="" type="checkbox"/> Threat to Public Services or Facilities 54957
<input type="checkbox"/> Public Employee Appointment 54957	<input type="checkbox"/> Public Employment 54957
<input type="checkbox"/> Public Employee Performance Evaluation 54957	<input type="checkbox"/> Public Employee Discipline/Dismissal/Release 54957
<input type="checkbox"/> Conference with Labor Negotiator 54957.6	<input type="checkbox"/> Report Involving Trade Secret
<input type="checkbox"/> Case Review/Planning 54957.8	<input type="checkbox"/> Hearings

Pursuant to Government Code Section 54957 (example: 54956.8, 54957.6)

Applicant: _____

Property: _____

Negotiating Parties: _____

Under Negotiation: _____

Name of Case: _____

Title (public employee items): _____

Employee Organization (labor items): _____

Subject Matter: _____

Other: Consultation with: Jim Vanderpool, City Manager; Eddie Fenton, Director of Human Resources, Corey Sianez, Police Chief; and, Adria Jimenez, City Clerk

BACKUP MATERIAL? YES NO IN C.C. CONF. ROOM

REQUESTED OF COUNCIL/AGENCY BOARD:

Receive report and provide direction.



STUDY AND EXECUTIVE SESSION

BUENA PARK CITY COUNCIL
STUDY SESSION EXECUTIVE SESSION
SUMMARY SHEET

MEETING DATE: May 12, 2020

TOPIC: CONFERENCE WITH LABOR NEGOTIATOR

FROM: Eddie Fenton, Director of Human Resources/Risk Management

EXECUTIVE SESSION INFORMATION REQUIRED BY THE BROWN ACT:

<input type="checkbox"/> License Permit Determination 54956.7	<input type="checkbox"/> Conference with Real Property Negotiator 54956.8
<input type="checkbox"/> Conf w/Legal Counsel-Existing Lit. 54956.9(d)(1)	<input type="checkbox"/> Conf w/Legal-Anticipated Lit. (exposure to) 54956.9(d)(2)
<input type="checkbox"/> Liability Claims 54956.95	<input type="checkbox"/> Conf w/ Legal-Anticipation Lit. (city initiated) 54956.9(d)(4)
<input type="checkbox"/> Worker's Compensation Claims 54956.95	<input type="checkbox"/> Threat to Public Services or Facilities 54957
<input type="checkbox"/> Public Employee Appointment 54957	<input type="checkbox"/> Public Employment 54957
<input type="checkbox"/> Public Employee Performance Evaluation 54957	<input type="checkbox"/> Public Employee Discipline/Dismissal/Release 54957
<input checked="" type="checkbox"/> Conference with Labor Negotiator 54957.6	<input type="checkbox"/> Report Involving Trade Secret
<input type="checkbox"/> Case Review/Planning 54957.8	<input type="checkbox"/> Hearings

Pursuant to Government Code Section 54957.6 (example: 54956.8, 54957.6)

Applicant: _____

Property: _____

Negotiating Parties: _____

Under Negotiation: _____

Name of Case: _____

Title (public employee items): _____

Employee Organization (labor items): Buena Park City Employees' Association; Buena Park Technical, Office, and Professionals Association; Buena Park Management Unit; Buena Park Police Management Association; Buena Park Police Association; Buena Park Unrepresented Employees

Subject Matter: _____

Other: _____

BACKUP MATERIAL? YES NO IN C.C. CONF. ROOM

REQUESTED OF COUNCIL/AGENCY BOARD:

Receive report and provide direction.



STUDY AND EXECUTIVE SESSION

BUENA PARK CITY COUNCIL
STUDY SESSION EXECUTIVE SESSION
SUMMARY SHEET

MEETING DATE: May 12, 2020

TOPIC: CONFERENCE WITH REAL PROPERTY NEGOTIATOR

FROM: Jim Vanderpool, City Manager

EXECUTIVE SESSION INFORMATION REQUIRED BY THE BROWN ACT:

<input type="checkbox"/> License Permit Determination 54956.7	<input checked="" type="checkbox"/> Conference with Real Property Negotiator 54956.8
<input type="checkbox"/> Conf w/Legal Counsel-Existing Lit. 54956.9(d)(1)	<input type="checkbox"/> Conf w/Legal-Anticipated Lit. (exposure to) 54956.9(d)(2)
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<input type="checkbox"/> Conference with Labor Negotiator 54957.6	<input type="checkbox"/> Report Involving Trade Secret
<input type="checkbox"/> Case Review/Planning 54957.8	<input type="checkbox"/> Hearings

Pursuant to Government Code Section 54956.8 (example: 54956.8, 54957.6)

Applicant: _____

Property: APNs 277-021-02, 277-021-03, 277-021-04, 277-021-05, 277-021-06, 277-021-07, 277-021-08, 277-021-15, 277-021-16, 277-021-18, 277-021-19, 277-021-20 and portion of 277-021-13

Negotiating Parties: Jim Vanderpool, City Manager, and David Simpson, Manager, Simpson & Simpson Holdings, LLC

Under Negotiation: Price and Terms

Name of Case: _____

Title (public employee items): _____

Employee Organization (labor items): _____

Subject Matter: _____

Other: _____

BACKUP MATERIAL? YES NO IN C.C. CONF. ROOM

REQUESTED OF COUNCIL/AGENCY BOARD:

Receive report and provide direction.