

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD MAY 12, 2020

Vol. 51 Pg. 183

CALL TO ORDER

The City Council met in a regular session on Tuesday, May 12, 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 (telephonically), 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 Aaron France, Assistant City Manager.

PLEDGE OF ALLEGIANCE

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

CITY MANAGER REPORT

- City Manager Vanderpool provided a status report on Buena Park's Census responses. Currently, Buena Park has reached a 70% response rate for the entire City, which is above Orange County's response rate. City Manager Vanderpool encouraged residents who have not yet responded to do so.
- Jim Box, Community Services Director, reported staff is currently developing a four-phase plan to return parks and facilities to pre-COVID-19 operational status. The plan's approach is intended to be a gradual opening of parks and amenities with safety as a forefront. Director Box also reported on Senior services and the weekly drive-through food distribution program. Staff is conducting telephone reassurance and wellness checks for all senior center participants.
- Police Chief Sianez reported that May 10 – May 16 is National Police Officers Memorial Week which commemorates law enforcement officers across the nation whom have lost their lives in the line of duty. Police Chief Sianez recognized Buena Park Police Officers who lost their lives in the line of duty: Detective Darrel "Bud" Cate; Corporal Tyler Matthew Pinchot; and Police Officer Daniel Ryan Ackerman.

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.

Joe Pak, Assembly Member Quirk-Silva's Office, submitted a certificate recognizing Captain Gary Worrall on his retirement.

There being no additional requests for comments, Mayor Smith closed oral communications.

CONSENT CALENDAR (1 – 6)

Mayor Smith 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: Park
- SECOND: Traut
- AYES: Park, Traut, Brown, Swift, Smith
- NOES: None

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 Special and Regular City Council Meetings of April 28, 2020.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: 1) Adopt resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 11425

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$848.14 DEMAND NOS. 402396 THROUGH 402399, CANCELLED NO. 402321

RESOLUTION NO. 11426

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$917,419.07 DEMAND NOS. 402400 THROUGH 402600

RESOLUTION NO. 11427

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$737,433.43 COVERING REGULAR PAYROLL ENDING APRIL 17, 2020

Commendations 65

3. RESOLUTION HONORING AND COMMENDING CAPTAIN GARY WORRALL ON HIS RETIREMENT

Recommended Action: Adopt resolution.

ADOPTED the following titled resolution:

RESOLUTION NO.11428

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, RECOGNIZING GARY WORRALL ON HIS RETIREMENT

Contracts 70 C-2898

4. MEMORANDUM OF UNDERSTANDING (MOU) WITH THE ORANGE COUNTY CLERK-RECORDER OFFICE FOR THE USE OF THE STATEWIDE ELECTRONIC COURIER UNIVERSAL RECORDING SYSTEM OR SECURE GOVERNMENT TO GOVERNMENT PORTAL (SECURE G2G PORTAL) FOR ELECTRONIC DOCUMENT RECORDING

Purpose: Authorize the City Clerk to execute an agreement with the Orange County Clerk-Recorder for access to the SECURE G2G Portal electronically submit and record documents. There is no budget impact with the approval of this item.

Recommended Action: 1) Approve a Memorandum of Understanding Agreement (MOU) with the Orange County Clerk-Recorder for use of the Statewide Electronic Courier Universal Recording System, Government to Government Portal (SECURE G2G Portal); 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and, 3) Authorize the City Clerk to execute the agreement.

APPROVED the recommended action.

Contracts 70 C-3030 Budgets 47

5. AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT NO. 18-17 WITH STANTEC CONSULTING SERVICES, INC. FOR THE DALE STREET COMPLETE STREETS DESIGN PROJECT

Purpose: Authorize the Public Works Department to amend the PSA with Stantec Consulting Services, Inc. to provide additional design services for the Dale Street Complete Streets Design project. Associated costs in the amount of \$13,719 are proposed to be allocated from the undesignated Measure M2 Fund balance. This project's design will be funded by a St. Jude Hospital grant and Measure M2 funds (Account No. 32-9806-599793).

Recommended Action: 1) Approve Amendment No. 1 to Professional Services Agreement (PSA) No. 19-22 with Stantec Consulting Services, Inc. for the additional design services needed to complete the Active Transportation Program (ATP) grant application in the amount of \$13,719; 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 \$13,719 from the undesignated Measure M2 Fund balance for this purpose.

APPROVED the recommended action.

Emergency Services 188

6. 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.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (7)

Historical Landmarks 195

7. A REQUEST TO WAIVE RULES OF ORDER RELATIVE TO A MOTION TO RECONSIDER THE WHITAKER-JAYNES AND BACON HOUSE RESTROOM PROJECT, AND THE STAGE STOP HOTEL FACILITY LEASE WITH THE BUENA PARK COLLABORATIVE/ONE OC, AND DISCUSS A PERMANENT LOCATION 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.

City Attorney Cardinale reviewed the procedures pursuant to Rosenberg's Rules of Order: once final action is taken, no additional review or action of that same matter can be taken unless the City Council waives the rules of order and that waiver is approved by a two-thirds vote of voting Council Members. If the waiver is successful, the City Council must vote on a motion to reconsider the action which requires a two-thirds vote of voting Council Members. If successful, the City Council can move forward with discussion and take action. Both votes may be taken at the same time.

City Manager Vanderpool stated this item was requested by Mayor Smith for reconsideration back in March. That meeting was cancelled due to the Covid-19 emergency. At a previous meeting, City Council directed staff to proceed with a bathroom inside the facility as part of construction and provide a space at the Stage Stop Hotel. The project is nearing completion and staff is at the point in construction where if there is going to be a change in direction, staff will need that direction tonight.

MOTION: waive the rules of order and vote to reconsider the Whitaker-Jaynes and Bacon House Restroom Project.

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

MOTION CARRIED 3-1-1 to waive the rules of order and reconsider the Whitaker-Jaynes Bacon House Restroom Project.

Mayor Smith stated he requested this item return because he now believes putting a bathroom inside is going to make the house smaller and will take away the current office space for the Historical Society. His preference would be to return the home to its original floor plan, and place a portable bathroom or fixed bathroom outside to match the design of the house for approximately \$160,000, from one-time funds.

Mayor Pro Tem Traut stated due to the current uncertainties of the City's budget he is changing his decision and now would like to eliminate the bathroom from the project's scope of work, have a permanent location for the Historical Society to maintain their office where it was previously located, and allow the Historical Society to have access to the bathroom at the Stage Stop Hotel.

Council Member Swift revisited the reasons why the City Council voted to place the restroom in the house: 1) people visiting the house need to have access to a restroom to accommodate personal needs; and, 2) renovations are being done for people to see the house to visit and enjoy and learn about the historical roots of Buena Park. Council Member Swift stated the best option is to place the restroom in the addition of the home, with the grant funds covering the majority of costs. Council Member Swift suggested allowing the Historical Society to use the storage building in the parking lot area or place a period piece of furniture inside the old house for use and lock up when they are closed.

Council Member Park inquired if both a bathroom and an office can be located inside the Whitaker-Jaynes home. City Manager Vanderpool stated that is unknown, and staff can hire an architect to determine if that is possible, if that is City Council's direction.

Mina Mikhael, Assistant City Engineer, explained the office in question is approximately 13' x 9' sq. ft. which is too small to construct an ADA restroom and place a desk in the space. The grant received for \$500,000 will more than likely have less than \$18,000 remaining for the restroom portion of the project. For any additional improvements, staff will need to request additional funds.

City Manager Vanderpool reviewed the options and costs for an outside restroom.

Mayor Smith asked if there was any correspondence received on this item.

City Clerk Jimenez read a letter received from Marge Rollins in favor of maintaining the office space for the Historical Society, and requesting the curator participate in this item. There were no additional public comments.

City Attorney Cardinale addressed the comments about the curator participating in this agenda item, and the legal recommendation is for the curator to not participate in any way.

MOTION: eliminate the bathroom from the project's scope of work, include an office at the location where the Historical Society's office was previously located, allow the Buena Park Collaborative to have use of the full floor consistent with their original lease at Stage Stop Hotel, give bathroom use rights for the Historical Society and visitors to the historical homes, conditioned upon staff going back and making that change within the agreement.

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

MOTION CARRIED (3-1-1) to eliminate the bathroom from the project's scope of work, include an office at the location where the Historical Society's office was previously located, allow the Buena Park Collaborative to have use of the full floor consistent with their original lease at Stage Stop Hotel, give bathroom use rights for the Historical Society and visitors to the historical homes, conditioned upon staff going back and making that change within the agreement.

CALL TO ORDER 6 P.M.

PUBLIC HEARING (8)

Block Grants 1913

8. RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DRAFT CONSOLIDATED PLAN 2020-2024 AND FISCAL YEAR 2020-2021 DRAFT ANNUAL ACTION PLAN
Presented by Economic Development

Purpose: Open and continue the public hearing for public comment related to the CDBG Draft Consolidated Plan 2020-2024 and Draft FY 2019-2021 Action Plan, which create goals for housing and community development, and allocate the City's federal grant funds. There is no General Fund budget impact with the approval of this item.

Recommended Action: 1) Open the public hearing to review and receive comments from the public for the CDBG Draft 2020-2024 Consolidated Plan and CDBG Draft FY 2020-2021 Action Plan; and 2) Continue the public hearing to the May 26, 2020, City Council meeting.

Mayor Smith stated that this was the time and place for a public hearing to consider adopting the Community Development Block Grant (CDBG) Draft Consolidated Plan 2020-2024 and Fiscal Year 2020-2021 Draft Annual Action Plan.

Mayor Smith opened the public hearing and inquired if anyone present desired to speak. There being no one desiring to speak, Mayor Smith continued the public hearing to May 26, 2020, at 6:00 PM.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Park reported the following:

- May 7 National Day of Prayer
- May 8 FIT Committee Meeting
- May 11 Census Homeless Count Meeting

Council Member Park thanked community members and City Clerk Jimenez for their work on the Census.

Council Member Park calendered holding the CERT Program in Korean and in Spanish and obtaining information from OC Vector Control for mosquito spraying in Buena Park.

Council Member Swift reported the following:

- April 30 Cable Foundation Scholarship Committee Interviews
- May 3 Jain Temple Food Distribution

Council Member Brown reported the following:

- May 7 SCAG Meeting

Mayor Pro Tem Traut reported the following:

- April 30 Cable Foundation Scholarship Committee Interviews

Mayor Pro Tem Traut reported he reached out to over 1500 residents in District 5 to assist or address any concerns and provide program information. Mayor Pro Tem Traut thanked staff and the Community Resource Center for assistance with information.

Mayor Smith reported the following:

- April 30 OC Mayor's Conference Call
- May 1 OC Mayor's Conference Call with City Managers and OC Supervisor Steele
- May 6 OCSD Meeting
- May 7 Meeting with Senator Archuleta
- May 7 OC Mayor's Conference Call
- May 8 Meeting with OC Supervisor Steele

Assistant City Manager France announced that St. Pius' Church Service is now playing on Channel 3/99, Saturdays at 5PM and Sundays at 10 AM. Other churches in Buena Park unable to hold service can send a video file of their service and staff will add it to the cable channel.

City Manager Vanderpool announced all services at City Hall are open to the public with safety protocols such as health screenings, temperature checks, and floor markings in place to protect the health and safety of the public and employees. Employees are working limited schedules but essential services will continue.


ADJOURNMENT

There being no further business, Mayor Smith adjourned the meeting at 6:10 p.m.



Mayor

ATTEST:



City Clerk