

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD JULY 14, 2020

Vol. 51 Pg. 226

CALL TO ORDER

The City Council met in a regular session on Tuesday, July 14, 2020, at 5:05 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 (teleconference), Traut (teleconference), 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 Larry Wieck, Church of Jesus Christ of Latter Day Saints.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mina Mikhael, Assistant City Engineer.

CITY MANAGER REPORT

Jim Box, Community Services Director reported the following:

- Summer programs now offered include aquatics at Peak Park Pool and Summer Day Camps at the Community Center and Buena Park Junior High School Gymnasium. Social distancing and masks are required.
- Summer Concerts begin July 29 at Boisseranc Park. Due to limited seating and required social distancing standards, event participation is by reservation only. A free livestream on the City of Buena Park's YouTube and Facebook pages will be available.

Mark Saucedo, Community Services Supervisor, reported on the Buena Park Senior Center activities and drive through programs, including: Meals on Wheels of Buena Park, the Senior Café Daily Nutrition Program, and Second Harvest Food Box program. Senior transportation for essential services such as pharmacy and doctor visits are still being provided. Lastly, staff is reaching out to Seniors in the form of monthly well check phone calls, a Senior newsletter, AARP Tax Program, reinstating the Pickle Ball program at Brenner Park, the Sunshine Bus Program, and Zoom Bingo.

Supervisor Saucedo announced Super Senior Saturday will be held, Saturday, August 15, from 9:00 a.m. to 2:00 p.m. In-person attendance is limited and by reservation only, and staff is offering a drive through option. For more information, contact the Senior Center.

City Manager Vanderpool announced the Grand Re-opening and Ribbon Cutting of the Whitaker-Jaynes Estate, Friday, August 14, at 10:00 a.m.

PRESENTATIONS

Council Member Park presented a Proclamation for National Boysenberry Day to Eric Odom, Knott's Berry Farm.

Chief Sianez presented Distinguished Service Awards to Lieutenant Tamra Banks, Buena Park Police Department, and Patrick Welch, CALEA Accreditation Manager.

Mayor Smith presented a twenty five-year employee service award to Jim Vanderpool, City Manager. A certificate of congratulations was also presented by Assembly Member Quirk-Silva's Office.

Council Member Brown presented a resolution honoring and commending Captain Gary Worrall on his retirement. A certificate of congratulations was also presented by Assembly Member Quirk-Silva's Office.

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. There being none, Mayor Smith closed oral communications.

CONSENT CALENDAR (1 – 11)

Mayor Smith announced that Consent Calendar Items 1 through 11 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: Brown
 AYES: Park, Brown, Swift, Traut, Smith
 NOES: None

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 11 be approved.

Minutes

1. APPROVAL OF MINUTES

Recommended Action: Approve Minutes of the Special and Regular City Council Meetings of June 23, 2020, and the Minutes of the Special City Council Meeting of June 25, 2020.

APPROVED the recommended action.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt Resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 14158

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$450.14 DEMAND NOS. 403376 THROUGH 403377

RESOLUTION NO. 14159

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$926,121.99 DEMAND NOS. 403378 THROUGH 403575 CANCELLED NOS. 401538, 402107, 402824 AND 403160 VOIDS

RESOLUTION NO. 14160

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$474,807.14 DEMAND NOS. 403576 THROUGH 403601

RESOLUTION NO. 14161

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$25,624.33 COVERING RETIREE PAYROLL ENDING JUNE 30, 2020

RESOLUTION NO. 14162

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 790,281.07 COVERING REGULAR PAYROLL ENDING JUNE 12, 2020

RESOLUTION NO. 14163

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$ 736,188.62 COVERING REGULAR PAYROLL ENDING JUNE 26, 2020

Commendations 65

3. RESOLUTION HONORING AND COMMENDING LIEUTENANT TAMRA BANKS ON HER RETIREMENT

Recommended Action: Adopt Resolution.

ADOPTED the following title resolution:

RESOLUTION NO. 14164

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING LIEUTENANT TAMRA BANKS ON HER RETIREMENT

Commendations 65

4. RESOLUTION HONORING AND COMMENDING EDWARD 'EDDIE' MARTINEZ ON HIS RETIREMENT

Recommended Action: Adopt Resolution.

ADOPTED the following title resolution:

RESOLUTION NO. 14165

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING EDWARD "EDDIE" MARTINEZ ON HIS RETIREMENT

Boards & Commissions 42

5. RESOLUTION APPROVING APPOINTMENTS OF COMMISSION MEMBERS TO THE PARK AND RECREATION COMMISSION

Purpose: Accept the appointments of commissioners to the Park and Recreation Commission. There is no budget impact with the approval of this item.

Recommended Action: Adopt a Resolution: 1) Confirming the appointment of Michael Weinstock to the Park and Recreation Commission, District 4 seat for a term that will expire July 14, 2023; 2) Confirming the appointment of Gail Kato to the Park and Recreation Commission, at large seat for a term that will expire April 22, 2023; 3) Confirming the appointment of Greg Deterding to the Park and Recreation Commission, at large seat for a term that will expire July 14, 2023; and 4) Confirming the appointment of Yikwon Kim to the Park and Recreation Commission, District 3 seat for a term that will expire July 14, 2023.

ADOPTED the following titled resolution:

RESOLUTION NO. 14166

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING THE APPOINTMENT OF JOHN SIEBERT, DISTRICT 1, TO THE PARK AND RECREATION COMMISSION; AND MICHAEL WEINSTOCK, DISTRICT 4, TO THE PARK AND RECREATION COMMISSION; AND GAIL KATO, AT LARGE DISTRICT TO THE PARK AND RECREATION COMMISSION; AND GREG DETERDING, AT LARGE DISTRICT TO THE PARK AND RECREATION COMMISSION AND YIKWON KIM, DISTRICT 3, TO THE PARK AND RECREATION COMMISSION

Codes 64 Elections 74

6. ORDINANCE ESTABLISHING LOCAL CAMPAIGN CONTRIBUTION LIMITS FOR BUENA PARK
Purpose: Adopt limitations on contributions to candidates for election of the Buena Park City Council. There are no costs associated with the adoption of this ordinance.

Recommended Action: 1) Adopt an ordinance establishing local campaign contribution limits for Buena Park.

ADOPTED the following titled ordinance:

ORDINANCE NO. 1683

AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, ADDING CHAPTER 1.24 OF TITLE 1 GENERAL PROVISIONS OF THE BUENA PARK MUNICIPAL CODE ESTABLISHING CANDIDATE CAMPAIGN CONTRIBUTION LIMITS

Reports & Studies 129

7. TREASURER'S REPORT FOR THE MONTH OF MAY 2020
Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of May 2020. There is no fiscal impact in receiving this report.

Recommended Action: 1) Receive and file the reports.

APPROVED the recommended action.

Contracts 70 C-3137 Public Works Proj. 125 PW-878

8. FINAL PAYMENT FOR THE INSTALLATION OF TWO BANNER POLES ON ORANGETHORPE AVENUE
Purpose: Authorize the Public Works Department to issue final payment and file a Notice of Completion for the Installation of Two Banner Poles on Orangethorpe Avenue Project. The project was included in the adopted FY 2019-20 Capital Improvement Project budget and funded by the Gas Tax Fund (Account No. 24-9806-590145).

Recommended Action: 1) Accept the project as complete and approve a final payment to California Professional Engineering in the amount of \$1,730; and 2) Direct the Director of Public Works to file a Notice of Completion.

APPROVED the recommended action.

Contracts 70 C-3204

9. LANDSCAPE MAINTENANCE AGREEMENT WITH CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR THE PARKWAY MAINTENANCE AT 5832 BEACH BOULEVARD
Purpose: Approve an agreement with Caltrans to allow the City to maintain the parkway landscaping and existing street improvements along the 5832 Beach Boulevard frontage. There is no budget impact associated with this item as the property owner will be responsible for all improvements and associated maintenance of the parkway.

Recommended Action: 1) Approve a landscape maintenance agreement with California Department of Transportation (Caltrans) to maintain the parkway at 5832 Beach Boulevard; and 2) Authorize the City Manager and City Attorney to make any necessary non-monetary changes to the agreement; and 3) Authorize the Director of Public Works/City Engineer and the City Clerk to execute the agreement.

APPROVED the recommended action.

Contracts 70 C-3204 Grants 185 Emergency Services 188

10. ACCEPTANCE OF CORONAVIRUS RELIEF FUNDS ALLOCATED BY THE STATE OF CALIFORNIA AND COUNTY OF ORANGE, AND RATIFICATION OF THE CITY'S AGREEMENT TO COMPLY WITH GRANT CONDITIONS

Purpose: Secure Federal Coronavirus relief funds from the State of California and County of Orange to reimburse the City for expenses related to the pandemic. Associated funds in the amount of \$1,728,599 will be allocated for this purpose.

Recommended Action: 1) Accept federal Coronavirus Relief Funds allocated from the State of California in the amount of \$1,012,440 ("State CRF Funds"), and ratify the City Manager's execution of the Certification for Receipt of Funds required by the State ("State Certification"); 2) Accept federal Coronavirus Relief Funds allocated from the County of Orange in the amount of \$716,158.55 ("County CRF Funds"), and ratify the City Manager's execution of the Subrecipient Agreement with the County of Orange ("Subrecipient Agreement"); and 3) Allocate a total of \$1,728,599 State/Federal funds for Coronavirus relief.

Emergency Services 188

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 and file a report regarding the City's actions regarding COVID-19. There is no direct budget impact with the receipt of this item.

Recommended Action: 1) Receive and file report from staff.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (12 – 17)

Admin. Svcs. 112

12. RESOLUTION TO ADOPT A SIDELETTER AGREEMENT BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK CITY EMPLOYEES' ASSOCIATION (BPCEA)
Presented by Human Resources/Risk Management Department

Purpose: Approve a Sideletter Agreement with the BPCEA to defer across the board Cost of Living Adjustments (COLA).

Recommended Action: 1) Adopt a resolution approving a Sideletter Agreement between the City of Buena Park and the Buena Park City Employees' Association (BPCEA).

Director Fenton reported staff is requesting the City Council adopt a Sideletter Agreement to the MOU between the City and the BPCEA. A year ago the City entered into a two-year labor agreement with its employees. The original agreement includes automatic cost of living adjustment (COLA) and salary increases. Due to COVID-19, recent revenue calculations and projections show a decline in sales tax, and transient occupancy tax (TOT) for the current year and upcoming year creating a budget shortfall for the City. The City Council directed staff to meet with the City's Employee Associations to help and support the City during this financial crisis. City and Association representatives reached an agreement which were ratified by the membership. The City and Associations agreed to postpone COLA and salary adjustments until the end of next FY 2021. Without concessions the City would be required to evaluate layoffs and deeper cuts or freezes to city services and programs. The City will save \$800,00 across all funds for one-year.

Significant changes include:

- One-year term Sideletter agreement & MOU expires on June 25, 2021.
- City agreed to not exercise its right to lay-off employees represented by the Association.
- Postponed previously agreed-on COLA and salary adjustments until next Fiscal Year, June 26, 2021.
- May request to meet and discuss further concessions to Sideletter and MOU; however, any changes must be made by the Associations and the City.
- City to remove vacation and compensation time accrual limits.
- Employees can borrow up to 80 sick leave time accruals.

The City Council thanked the City's Associations and staff for their agreement to the concessions.

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

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

RESOLUTION NO. 14167

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE SIDELETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK CITY EMPLOYEES' ASSOCIATION AS A RESULT OF COVID-19 PER GOVERNMENT CODE SECTION 3504.05(b)

Admin. Svcs. 112

13. RESOLUTION TO ADOPT A SIDELETTER AGREEMENT BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK TECHNICAL, OFFICE, AND PROFESSIONALS ASSOCIATION (BPTOP) Presented by Human Resources/Risk Management Department
Purpose: Approve a Sideletter Agreement with the Buena Park Technical, Office, and Professionals Association (BPTOP) to defer across the board Cost of Living Adjustments (COLA).

Recommended Action: 1) Adopt a resolution approving a Sideletter Agreement between the City of Buena Park and the Buena Park Technical, Office, and Professionals Association (BPTOP).

Director Fenton reported staff is requesting the City Council adopt a Sideletter Agreement to the MOU between the City and the BPTOP. A year ago the City entered into a two-year labor agreement with its employees. The original agreement includes automatic cost of living adjustment (COLA) and salary increases. Due to COVID-19, recent revenue calculations and projections show a decline in sales tax, and transient occupancy tax (TOT) for the current year and upcoming year creating a budget shortfall for the City. The City Council directed staff to meet with the City's Employee Associations to help and support the City during this financial crisis. City and Association representatives reached an agreement which were ratified by the membership. The City and Associations agreed to postpone COLA and salary adjustments until the end of next FY 2021. Without concessions the City would be required to evaluate layoffs and deeper cuts or freezes to city services and programs. The City will save \$800,00 across all funds for one-year.

Significant changes include:

- One-year term Sideletter agreement. MOU and Sideletter expire on June 25, 2021.
- City agreed to not exercise its right to lay-off employees represented by the Associations.
- Postponed previously agreed upon COLA and salary adjustments until next Fiscal Year, June 26, 2021.
- May request to meet and discuss further concessions to Sideletter and MOU; however, any changes must be made by the Associations and the City.
- City to remove vacation and compensation time accrual limits.
- Employees can borrow up to 80-hours sick leave time.

The City Council thanked the City's Associations and staff for their agreement to the concessions.

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

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

RESOLUTION NO. 14168

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE SIDELETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK TECHNICAL, OFFICE, AND PROFESSIONALS ASSOCIATION AS A RESULT OF COVID-19 PER GOVERNMENT CODE SECTION 3504.05(b)

Admin. Svcs. 112

14. RESOLUTION TO ADOPT A SIDELETTER AGREEMENT BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK MANAGEMENT AND EXECUTIVE EMPLOYEES Presented by Human Resources/Risk Management Department

Purpose: To approve a Sideletter Agreement with the Buena Park Management and Executive Employees to defer across the board Cost of Living Adjustments (COLA).

Recommended Action: 1) Adopt a resolution approving a Sideletter Agreement between the City of Buena Park and the Buena Park Management and Executive Employees.

Director Fenton reported staff is requesting the City Council adopt a Sideletter Agreement to the MOU between the City and the Buena Park Management and Executive Employees. A year ago the City entered into a two-year labor agreement with its employees. The original agreement includes automatic cost of living adjustment (COLA) and salary increases. Due to COVID-19, recent revenue calculations and projections show a decline in sales tax, and transient occupancy tax (TOT) for the current year and upcoming year creating a budget shortfall for the City. The City Council directed staff to meet with the City’s Employee Associations to help and support the City during this financial crisis. City and Association representatives reached an agreement which were ratified by the membership. The City and Associations agreed to postpone COLA and salary adjustments until the end of next FY 2021. Without concessions the City would be required to evaluate layoffs and deeper cuts or freezes to city services and programs. The City will save \$800,00 across all funds for one-year.

Significant changes include:

- One-year term Sideletter agreement & MOU expires on June 25, 2021.
- City agreed to not exercise its right to lay-off employees represented by the Association.
- Postponed previously agreed-on COLA and salary adjustments until next Fiscal Year, June 26, 2021.
- May request to meet and discuss further concessions to Sideletter and MOU; however, any changes must be made by the Associations and the City.
- City to remove vacation and compensation time accrual limits.
- Employees can borrow up to 80 sick leave time accruals.

The City Council thanked the City’s Associations and staff for their agreement to the concessions.

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

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

RESOLUTION NO. 14169

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE SIDELETTER AGREEMENT TO THE COMPENSATION PLAN FOR THE BUENA PARK MANAGEMENT UNIT AND EXECUTIVE EMPLOYEES AS A RESULT OF COVID-19 PER GOVERNMENT CODE SECTION 3504.05(b)

Admin. Svcs. 112

15. RESOLUTION TO ADOPT A SIDELETTER AGREEMENT BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK POLICE ASSOCIATION (BPPA)

Presented by Human Resources/Risk Management Department

Purpose: Approve a Sideletter Agreement with the Buena Park Police Association to defer across the board Cost of Living Adjustments (COLA) and Salary Adjustments for Police Dispatchers and Police Sworn personnel.

Recommended Action: 1) Adopt a resolution approving a Sideletter Agreement between the City of Buena Park and the Buena Park Police Association (BPPA).

Director Fenton reported staff is requesting the City Council adopt a Sideletter Agreement to the MOU between the City and the BPPA. A year ago the City entered into a two-year labor agreement with its employees. The original agreement includes automatic cost of living adjustment (COLA) and salary increases. Due to COVID-19, recent revenue calculations and projections show a decline in sales tax, and transient occupancy tax (TOT) for the current year and upcoming year creating a budget shortfall for the City. The City Council directed staff to meet with the City's Employee Associations to help and support the City during this financial crisis. City and Association representatives reached an agreement which were ratified by the membership. The City and Associations agreed to postpone COLA and salary adjustments until the end of next FY 2021. Without concessions the City would be required to evaluate layoffs and deeper cuts or freezes to city services and programs. The City will save \$800,00 across all funds for one-year.

Significant changes include:

- One-year term Sideletter agreement & MOU expires on June 25, 2021.
- City agreed to not exercise its right to lay-off employees represented by the Association.
- Postponed previously agreed-on COLA and salary adjustments until next Fiscal Year, June 26, 2021.
- May request to meet and discuss further concessions to Sideletter and MOU; however, any changes must be made by the Associations and the City.
- City to remove vacation and compensation time accrual limits.
- Employees can borrow up to 80 sick leave time accruals.

The City Council thanked the City's Associations and staff for their agreement to the concessions.

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

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

RESOLUTION NO. 14170

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE SIDELETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK POLICE ASSOCIATION AS A RESULT OF COVID-19 PER GOVERNMENT CODE SECTION 3504.05(b)

Admin. Svcs. 112

16. RESOLUTION TO ADOPT A SIDELETTER AGREEMENT BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK POLICE MANAGEMENT ASSOCIATION (BPPMA)

Presented by Human Resources/Risk Management Department

Purpose: Approve a Sideletter Agreement with the Buena Park Police Management Association to defer across the board Cost of Living Adjustments (COLA) and Salary Adjustments for Police Sworn personnel.

Recommended Action: 1) Adopt a resolution approving a Sideletter Agreement between the City of Buena Park and the Buena Park Police Management Association (BPPMA).

Director Fenton reported staff is requesting the City Council adopt a Sideletter Agreement to the MOU between the City and the BPPMA. A year ago the City entered into a two-year labor agreement with its employees. The original agreement includes automatic cost of living adjustment (COLA) and salary increases. Due to COVID-19, recent revenue calculations and projections show a decline in sales tax, and transient occupancy tax (TOT) for the current year and upcoming year creating a budget shortfall for the City. The City Council directed staff to meet with the City's Employee Associations to help and support the City during this financial crisis. City and Association representatives reached an agreement which were ratified by the membership. The City and Associations agreed to postpone COLA and salary adjustments until the end of next FY 2021. Without concessions the City would be required to evaluate layoffs and deeper cuts or freezes to city services and programs. The City will save \$800,00 across all funds for one-year.

Significant changes include:

- One-year term Sideletter agreement & MOU expires on June 25, 2021.
- City agreed to not exercise its right to lay-off employees represented by the Association.
- Postponed previously agreed-on COLA and salary adjustments until next Fiscal Year, June 26, 2021.
- May request to meet and discuss further concessions to Sideletter and MOU; however, any changes must be made by the Associations and the City.
- City to remove vacation and compensation time accrual limits.
- Employees can borrow up to 80 sick leave time accruals.

The City Council thanked the City's Associations and staff for their agreement to the concessions.

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

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

RESOLUTION NO. 14171

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE SIDELETTER AGREEMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK POLICE MANAGEMENT ASSOCIATION AS A RESULT OF COVID-19 PER GOVERNMENT CODE SECTION 3504.05(b)

Contracts 70 C-3206 Emergency Services 188

17. RESOLUTION APPROVING AN AGREEMENT WITH THE CITY OF LA HABRA TO DISTRIBUTE PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDS ON BEHALF OF THE CITY OF BUENA PARK
 Presented by City Manager's Office

Purpose: Adopt a resolution authorizing the City of La Habra to distribute Buena Park's PLHA funds and approving an agreement to this effect. The City of Buena Park will receive \$369,242 in PLHA funding for FY 19-20 that will be utilized for operations at both the Buena Park and Placentia Homeless Navigation Centers. This item is consistent with and furthers implementation of the N-SPA Memorandum of Understanding.

Recommended Action: 1) Adopt a Resolution authorizing the City of La Habra to distribute the Permanent Local Housing Allocation (PLHA) funds on behalf of the City of Buena Park, and approving an agreement governing the administration of the funds; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager and City Clerk to execute the agreement; and 4) Allocate \$369,242 in PLHA funds for this purpose.

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

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

RESOLUTION NO. 14172

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, AUTHORIZING THE CITY OF LA HABRA TO DISTRIBUTE PERMANENT LOCAL HOUSING ALLOCATION FUNDS ON BEHALF OF THE CITY OF BUENA PARK

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Swift reported the following:

- July 9 St. Jude Hospital Community Benefit Committee Meeting

Council Member Swift thanked staff for coordinating the Navigation Center Ribbon Cutting, and the Sunshine Bus Program which came by her home and sang to her and her husband for their 50th wedding anniversary.

Mayor Pro Tem Traut reported the following:

- June 29 Navigation Center Ribbon Cutting and Grand Opening Event
- July 3 Drive-by 50th Anniversary Parade for Council Member Swift and Greg Swift
- July 4 Fourth of July Flyover Event

Council Member Park reported the following:

- June 29 Navigation Center Ribbon Cutting and Grand Opening Event
- June 30 Orange County Human Relations Committee Meeting

Council Member Park reported that the Census deadline has been extended to October 31, and reminded residents to complete the Census survey. Council Member Park also reminded residents to be vigilant about safety protocols.

Council Member Park calendared the creation of a Buena Park Human Relations Committee.

Council Member Brown reported the following:

- June 24 Redistricting Rules Webinar by ACC-OC
- June 25 Special City Council Meeting
- June 25 OC COG Board of Directors Meeting
- June 25 Santa Ana River Flood Protection Board Meeting
- June 29 Navigation Center Ribbon Cutting and Grand Opening Event
- June 30 Park & Recreation Commission Interviews
- July 2 SCAG Meeting
- July 6-7 Park & Recreation Commission Interviews

Mayor Smith reported the following:

- June 24 Bridges at Kramer Quarterly Meeting
- June 25 Special City Council Meeting
- June 25 OC Mayors Meeting
- June 26 OC Mayors Meeting with OC CEO Kim
- June 27 Maria Mesa 92nd Birthday Celebration Certificate Presentation
- June 30 Park and Recreation Commission Interviews
- July 1 OCSD Meeting
- July 2 OC Mayors Meeting
- July 6-7 Park & Recreation Commission Interviews
- July 10 OC Mayors Meeting with OC CEO Kim
- July 13 Mayor's Prayer Breakfast Meeting

Mayor Smith calendared identification pictures for each Commissioner for Council information.

RECESS

Mayor Smith recessed the meeting at 6:30 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 6:47 p.m.

STUDY SESSION (18 - 22) (Reconvene in the Council Chamber)

18. DISCUSS AND PROVIDE DIRECTION REGARDING ALLOWING BUENA PARK YOUTH THEATRE TO PERMIT 2020 GRADUATED SENIORS TO PARTICIPATE IN THE SPRING 2021 SHOW
Report by Community Services Department

Jim Box, Community Services Director, reported the Friends of Buena Park Youth Theatre is a non-profit group comprised of volunteer parents who work with the City to organize two youth theater productions every year in the spring and fall. The planned production for Spring 2020 was Les Misérables, which was to serve as a talent showcase for 13 high school seniors and a good-bye to the program as they age out. In March 2020, the production was canceled out of concern for the safety of participants in light of the COVID-19 emergency.

Currently, the Buena Park Youth Theatre program is only open to students currently enrolled in high school and under the age of 18 upon registration. On June 17, 2020 members of the Friends of Buena Park Youth Theatre attended the Cultural and Fine Arts Commission Meeting and requested a one-time exception for the Spring 2021 production allowing those 13 graduated seniors, who were unable to participate in Spring 2020, to participate in the 2021 show. Staff is seeking City Council direction regarding this request.

Louise Sequeira, La Palma resident, thanked the Cultural & Fine Arts Commission, Lauren Morales, and Jim Box for their support and guidance for the Buena Park Youth Theatre and continued support from the Council. Ms. Sequeira, requested the City Council allow high school seniors to return in the Spring of 2021.

Cam Gavis, Cerritos resident, spoke regarding the Buena Park Youth Theatre and requested seniors be allowed to participate in next year's production due to this year's program being cancelled.

Kevin Sequeira, La Palma resident, spoke on behalf of Monica Ulteras, and requested 2020 high school graduates be allowed to participate in the Buena Park Youth Theatre 2021 spring production.

Krista Marvin, La Palma resident, submitted a petition from parents and youth theatre members requesting the City Council allow 2020 graduates to perform in the BP Youth Theatre 2021 spring production.

Benjamin Mayhew, Cerritos resident, 2020 graduate, requested the City Council allow 2020 graduates to participate in the 2021 Buena Park Youth Theatre spring production.

Felipe Zamorano, La Palma resident, read a message from his son who is unable to attend tonight's meeting, requested the City Council allow 2020 graduates to participate in the 2021 Buena Park Youth Theatre spring production.

The City Council supported allowing 2020 graduates to participate in the 2021 Buena Park Youth Theatre spring production and require participants 18 years of age or older to take a livescan fingerprint check.

19. DISCUSS AND PROVIDE DIRECTION FOR THE RICK GOMEZ PARK REDESIGN
Report by Community Services Department

Jim Box, Community Services Director, reported that in February 2019, the City Council entered into a professional services agreement with David Volz Design (DVD) to create a master plan for the design of Rick Gomez Park located at 7501 8th Street. Following a series of community meetings, including the Park and Recreation Commission, and working in cooperation with the Public Works Department, DVD created a cohesive design and quality park for residents of all ages and abilities.

At the September 24, 2019, City Council study session, the City Council approved the original park master plan concept. At the same meeting, the City Council requested staff pursue the possibility of procuring the additional parcel of land to the east of the park for additional park space. With the successful acquisition of the property, a redesign with minor modifications has been created to incorporate the additional space.

Gary Vasquez, David Volz Design, provided an overview of the proposed new plan which includes: age-appropriate playground equipment, outdoor fitness/exercise equipment, small walking trail, baseball-themed climbers, tunnels and jumpers' swings, picnic shelters with shade canopies, new block wall fencing, large/oversized trees, public art, open space turf area, and in-ground hill slide. Next steps will be the draft of a preliminary construction budget, design development, and construction documents. Construction plans and approvals may require six months, and bid and award requiring three months. The construction time frame is estimated to be six to eight months.

The City Council supported adding an area for young adults and teens and moving forward with the redesign concepts for Rick Gomez Park.

20. DISCUSS AND PROVIDE DIRECTION REGARDING THE REGULATION OF FOOD TRUCKS OPERATING IN CLOSE PROXIMITY TO CERTAIN STREET INTERSECTIONS IN THE CITY
Report by City Attorney's Office

City Attorney Cardinale reported the mobile food vending industry has evolved significantly over the years and has become popular in recent times as the quality and types of food offered from mobile vendors increases. More recently a different business model has developed with mobile food trucks offering a range of higher-quality or specialty dining options, and their popularity has spread across the United States. While these businesses are popular and greatly contribute to the amenities offered to City residents/guests, their increased popularity has the potential to create negative secondary impacts if left unregulated. These impacts include (many of which have been reported by residents and businesses):

- Blocking or hindering pedestrian travel along sidewalks by virtue of long queuing or service lines.
- Monopolizing available on-street public parking, or spilling into parking needed for use by neighboring businesses and their customers, leading to increased incidents of "jaywalking" and illegal parking/traffic maneuvers
- Blocking or hindering the visibility of motorists and pedestrians traveling along public rights-of-way.

The City has received the largest number of citizen complaints in these areas, and staff seeks the City Council's direction for addressing these concerns. The California Vehicle Code and Buena Park Municipal Code contain broad-based vehicle regulations, such as no parking zones, vehicle size and parking time limits, and parking meter, parking space, and preferential parking restrictions which apply to all vehicles, including food trucks. All mobile vendors operating on City streets must comply with these generally applicable regulations. Local governments may not prohibit the operation of mobile food vendors on public streets, but may enact "additional requirements for the public safety regulating the type of vending and the time, place, and manner of vending from vehicles upon any street."

The draft ordinance prepared by staff would prohibit food trucks from operating within 400 feet of: (1) the intersection of any "arterial highway" in the City, and (2) the intersection of any "arterial" highway or "local street" in the City. These terms are defined in the "Mobility Element" of the City's General Plan.

The City Council supported adopting an ordinance to regulate food trucks in the City.

21. CITY MANAGER REPORT

The Annual Employee BBQ will be held on Wednesday, July 22, from 11:30 a.m. – 1:30 p.m. Police Department back parking lot.

22. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS

City Clerk Jimenez had nothing to report.

ADJOURNMENT

There being no further business, Mayor Smith adjourned the meeting at 7:47 p.m. The meeting was adjourned in memory of former Mayor, Council Member, and long-time Buena Park resident James "Jim" Dow.



Mayor

ATTEST:



City Clerk