



**BUENA PARK CITY COUNCIL  
REGULAR MEETING  
TUESDAY, OCTOBER 13, 2020  
5:00 P.M.**

PUBLIC HEARINGS AT 6:00 P.M.

COUNCIL CHAMBER  
6650 BEACH BOULEVARD  
BUENA PARK, CALIFORNIA

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**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.

This meeting will allow public attendance in person with the following precautions in place to ensure the health and safety of the public:

- Attendees must submit to a verbal health screening and temperature check before entering the Council Chamber.
- Attendees will be required to wear a face covering at all times while in the Council Chamber or City Hall.
- Social distancing of 6 feet is required at all times. Designated seating has been identified for public use.

Members of the public may also submit their comments and questions in writing, for City Council consideration, by sending them to the City Clerk at [comments@buenapark.com](mailto:comments@buenapark.com). **Please submit all comments and questions by 4:00 p.m., on Tuesday, October 13, 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](http://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.

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<b>CALL TO ORDER</b>	<b>5:00 P.M.</b>
<b>ROLL CALL</b>	<b>COUNCIL MEMBER ARTHUR C. BROWN COUNCIL MEMBER SUNNY YOUNGSUN PARK COUNCIL MEMBER ELIZABETH A. SWIFT MAYOR PRO TEM CONNOR TRAUT MAYOR FRED R. SMITH</b>
<b>INVOCATION</b>	<b>PASTOR GABE MONTEZ – THE WAY FELLOWSHIP</b>
<b>PLEDGE OF ALLEGIANCE</b>	<b>JIM BOX, DIRECTOR OF COMMUNITY SERVICES</b>
<b>CITY MANAGER REPORT</b>	
<b>PRESENTATIONS</b>	<b>RESOLUTION HONORING AND COMMENDING EDWARD MARTINEZ ON HIS RETIREMENT</b>

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## **ORAL COMMUNICATIONS**

This is the portion of the meeting set aside to invite public comments regarding any matter within the jurisdiction of the City Council. Public comments are limited to no more than three minutes each. If comments relate to a specific agenda item, those comments will be taken following the staff report for that item and prior to the City Council vote. Those wishing to speak are asked to complete a speaker identification form located at the council chamber entrance and place it in the box near the speaker's lectern.

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## **CONSENT CALENDAR NOTICE**

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

## **CONSENT CALENDAR (1 – 11)**

### **1. APPROVAL OF MINUTES**

Recommended Action: Approve Minutes of the Special and Regular City Council Meetings of September 22, 2020.

### **2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS**

Recommended Action: Adopt Resolutions.

**3. PROCLAMATION DECLARING FIRE PREVENTION WEEK, OCTOBER 4 - 10, 2020**

Recommended Action: Adopt Proclamation.

**4. RESOLUTION HONORING AND COMMENDING MARTHA ARCHULETA ON HER RETIREMENT**

Recommended Action: Adopt Resolution.

**5. RESOLUTION HONORING AND COMMENDING DIANE BOLIN ON HER RETIREMENT**

Recommended Action: Adopt Resolution.

**6. FINAL PAYMENT FOR THE WHITAKER-JAYNES ESTATE & BACON HOUSE HISTORICAL RENOVATION PROJECT**

Purpose: Authorize the Public Works Department to issue final payment and file a Notice of Completion for the Whitaker-Jaynes Estate & Bacon House Historical Renovation Project. The City has been awarded specified grant funds for this project from the State Department of Parks and Recreation for eligible expenses up to \$485,000. Initially, this project was funded from the Park In-Lieu Fund (Account No. 32-9806-290139) and later fully reimbursed by the grant.

Recommended Action: 1) Accept the project as complete and approve final payment to AID Builders, Inc. in the amount of \$10,081.40; and 2) Direct the Public Works Department to file a Notice of Completion.

**7. FINAL PAYMENT FOR THE DEMOLITION OF EXISTING BUILDING AND IMPROVEMENTS AT 7511 8TH STREET PROJECT**

Purpose: Authorize the Public Works Department to issue final payment and file a Notice of Completion for the Demolition of Existing Building and Improvements at 7511 8<sup>th</sup> Street Project. This project was funded by the Rick Gomez Park Project budget (Account No. 32-9806-290152).

Recommended Action: 1) Accept the project as complete and approve final payment to Asbestos Instant Response (AIR), Inc. in the amount of \$18,217.20; and 2) Direct the Public Works Department to file a Notice of Completion.

**8. AMENDMENT NO. 1 TO THE AGREEMENT WITH WEST COAST ARBORISTS (WCA) FOR A ONE-YEAR CONTRACT EXTENSION TO PERFORM CITYWIDE TREE TRIMMING SERVICES**

Purpose: Authorize the Public Works Department to extend their current contract with WCA to provide citywide tree trimming services. Associated costs in the amount of \$225,000 are budgeted in Account Nos. 11-6240-560641 and 860810.

Recommended Action: 1) Approve Amendment No. 1 to the Agreement with West Coast Arborists (WCA) for a one-year contract extension to perform citywide tree trimming services in the approximate amount of \$225,000; 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 agreement.

**9. RESOLUTION AUTHORIZING THE DESTRUCTION OF CERTAIN RECORDS IN THE PUBLIC WORKS DEPARTMENT**

Purpose: Authorize the Public Works Director/City Engineer to destroy records no longer required or needed for any purpose that are occupying needed storage space in the Public Works Department. There is no impact to the budget as a result of this item.

Recommended Action: 1) Adopt a resolution authorizing the Public Works Director/City Engineer to destroy certain records that are more than two years old and are no longer required.

**10. AN ORDINANCE OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING THE MEMBERSHIP OF THE CITY OF BUENA PARK DISASTER COUNCIL IN TITLE 8 OF THE BUENA PARK MUNICIPAL CODE**

Purpose: Modify the membership of the Buena Park Disaster Council to reflect current procedural and operational practices, and to ensure the Disaster Council is able to carry out its duties as required by the BPMC. There is no budget impact with the approval of this item.

Recommended Action: 1) Adopt an ordinance amending Section 8.00.030 of Chapter 8.00 of Title 8 of the Buena Park Municipal Code (BPMC).

**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.

**END OF CONSENT CALENDAR**

**NEW BUSINESS (12 – 15)****12. RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR THE SEWER MANHOLE LINING IMPROVEMENTS AT VARIOUS LOCATIONS FOR FY 2020-2021**

Presented by Public Works Department

Purpose: Authorize the Public Works Department to construct the Sewer Manhole Improvements at Various Locations for 2020-2021 Project per the proposed resolution, approve project specifications and exhibits, and award the contract to Ayala Engineering, Inc. This project is included in the fiscal year 2020-2021 Capital Improvement Program budget, and will be funded by the Water Enterprise Fund (Account No. 52-9806-499920).

Recommended Action: 1) Adopt a resolution approving specifications and exhibits for the Sewer Manhole Improvements at Various Locations for 2020-2021 Project; 2) Award a contract to Ayala Engineering, Inc. in the amount of \$245,748; 3) Authorize contingency funds in the amount of \$25,000 in the same purchase order; and, 4) Authorize the City Manager and City Clerk to execute the contract.

**13. REPLACEMENT PURCHASE AND UP-FITTING OF ONE DODGE CHARGER POLICE PURSUIT SEDAN, ONE FORD POLICE UTILITY SUV, ONE DODGE DURANGO POLICE PURSUIT VEHICLE, AND TWO CHEVROLET TAHOE POLICE PURSUIT VEHICLES WITH ONE UP-FITTED FOR K-9 SERVICE**

Presented by Public Works Department

Purpose: Authorize the purchase of budgeted replacement vehicles for the Police Department. Associated costs in the amount of \$260,411.92 are included in the approved FY 2020-21 budget (Account No. 71-7840-171710).

Recommended Action: 1) Authorize the purchase of one 2020 Dodge Charger police pursuit vehicle with black and white paint from National Auto Fleet Group (National) at \$30,676.56 and up-fitting from Innovative Emergency Equipment (Innovative) at \$13,493.68 (total \$44,170.24); one 2020 Ford Interceptor utility police patrol vehicle with black and white paint from National in the amount of \$37,249.31 and up-fitting from Innovative at \$17,653.93 (total \$54,903.24); one Dodge Durango police pursuit vehicle from National at \$38,072.52; two Chevrolet Tahoe police pursuit vehicle with black and white paint at \$42,387.90 each and up-fitting from Innovative at \$38,490.11 (total \$123,265.92); and 2) Determine that dispensing with competitive bidding pursuant to Municipal Code Section 3.28.080(E) is in the best interests of the City because it will result in the lowest purchase price for these vehicles.

**14. PURCHASE OF DATA NETWORK EQUIPMENT FROM LANAIR GROUP FOR THE BUENA PARK POLICE DEPARTMENT USING THE U.S. DEPARTMENT OF JUSTICE FY2020 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM GRANT**

Presented by Police Department

Purpose: Authorize the Police Department to use CESF grant funds for improved network security infrastructure and enhanced data support of the Police Department building and the City Emergency Operations Center (EOC). Associated costs in the amount of \$33,443 will be reimbursed by the grant.

Recommended Action: 1) Authorize the purchase of Fortinet network hardware and software for the Police Department from Lanair Group in Glendale, California, in the amount of \$33,443, using funds received through the Coronavirus Emergency Supplemental Funding (CESF) Program Grant from the U.S. Department of Justice (USDOJ) Office of Justice Programs (OJP).

**15. RATIFY AN AGREEMENT WITH THE ORANGE COUNTY SHERIFF'S DEPARTMENT (OCSD) TO ACCEPT FUNDS RELATED TO THE 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR THE INSTALLATION AND OPERATION OF AUTOMATED LICENSE PLATE READERS (ALPR)**

Presented by Police Department

Purpose: Authorize the Police Department to accept grant funds to purchase an Automated License Plate Readers (ALPR) to enhance safety/security in the entertainment corridor. Associated costs in the amount of \$18,081 will be reimbursed by the JAG grant.

Recommended Action: 1) Ratify an agreement with the Orange County Sheriff's Department (OCSD) to accept funds from the 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for supplemental funding to purchase automated license plate readers; and 2) Approve a budgetary action to accept and appropriate grant funds in the amount of \$18,081.

**CALL TO ORDER 6 P.M.****PUBLIC HEARING (16 – 17)****16. PUBLIC HEARING - COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DRAFT CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) FOR THE FISCAL YEAR 2019-2020**

Presented by City Manager's Office

Purpose: Authorize the Economic Development Division to submit the approved, draft CAPER, which evaluates the City's Community Development Block Grant (CDBG) performance for the past fiscal year. The approval and submittal of this report has no fiscal impact.

Recommended Action: 1) Hold a public hearing to review the draft Consolidated Annual Performance and Evaluation Report (CAPER) for the FY 2019-2020; and 2) Approve the submittal of the draft CAPER for the FY 2019-2020 to the Department of Housing and Urban Development (HUD).

**17. PUBLIC HEARING - DEVELOPMENT AGREEMENT NO. DA 16-005 AND THE PROPERTIES LOCATED AT 7711-7733 BEACH BOULEVARD, BUENA PARK, CALIFORNIA (BUTTERFLY PAVILLION PROPERTY)**

Presented by City Attorney

Purpose: 1) Provide Developer an opportunity to demonstrate good faith efforts to develop the Properties over the past twelve (12) months, as required by the Development Agreement and applicable land use plans; and 2) provide the City Council an opportunity to make a determination as to Developer's good faith compliance with its development obligations, and to take appropriate action based on the City Council's determination.

Recommended Action: That the City Council review this report and conduct a public hearing to: 1) Provide Proforma77 Corporation ("Developer/Proforma77") an opportunity to demonstrate good faith compliance with the terms of the Development Agreement since acquiring title to the "Properties" on September 3, 2019; and 2) Provide Developer an opportunity to demonstrate "good faith" efforts to develop and maintain the Properties since acquiring the Properties. At the conclusion of the public hearing, including comments from Developer and the public, the City Council may: 1) take no action; 2) continue the hearing to a future date; 3) refer the matter to the Buena Park Planning Commission for proceedings to amend, modify, or cancel the Development Agreement; 4) declare default of the Development Agreement based on evidence presented at the hearing and direct staff to initiate default procedures; or 5) provide alternative direction that is appropriate based on the information/other evidence presented to the City Council at the hearing.

**MAYOR/CITY COUNCIL REPORTS & CALENDAR**

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

**RECESS****STUDY SESSION (18 – 23) (Reconvene in the Council Chamber)**

18. **DISCUSS AND PROVIDE DIRECTION ON PROPOSED PROPOSITION 68  
COMPETITIVE GRANT APPLICATION FOR WHITAKER SCHOOL PARK**  
Presented by: Community Services Department
  
19. **DISCUSS AND PROVIDE DIRECTION ON PROPOSED PROPOSITION 68 PER  
CAPITA GRANT FUNDING APPLICATION FOR RICK GOMEZ PARK**  
Presented by: Community Services Department
  
20. **UPDATE ON THE CITY'S MUNICIPAL WATER WELLS**  
Presented by: Public Works Department
  
21. **UPDATE REGARDING LOS COYOTES DRIVE PAVEMENT CONDITIONS AND THE  
LOS COYOTES COUNTRY CLUB CONDOMINIUM PROJECT**  
Presented by: Community Development and Public Works Departments
  
22. **CITY MANAGER REPORT**
  
23. **COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS**

**ADJOURNMENT**

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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](http://www.buenapark.com). Video streaming of the meeting is available on the City's website. This governing body is prohibited from discussing or taking action on any item which is not included in this agenda; however, may ask clarifying questions, ask staff to follow-up, or provide other direction. The order of business as it appears on this agenda may be modified by the governing body.





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



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

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

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

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

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

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

I, Adria M. Jimenez, MMC, City 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](http://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, Buena Park, CA.

Date Posted: October 8, 2020

*Adria M. Jimenez, MMC, City Clerk*