



**BUENA PARK CITY COUNCIL
REGULAR MEETING
TUESDAY, OCTOBER 27, 2020
5:00 P.M.**

PUBLIC HEARINGS AT 6:00 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.

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. **Please submit all comments and questions by 4:00 p.m., on Tuesday, October 27, 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**5:00 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****INVOCATION****RABBI LAWRENCE GOLDMARK****PLEDGE OF ALLEGIANCE****ALICE BURNETT, SENIOR HUMAN RESOURCES
ANALYST****CITY MANAGER REPORT****PRESENTATIONS****CERTIFICATE OF RECOGNITION TO KRISTEN DAVIDSON
AS THE 29TH DISTRICT WOMAN OF DISTINCTION**

- Presented by Carolina Garcia, District Representative for Senator Ling-Ling Chang

**CERTIFICATE OF APPRECIATION HONORING CITIZENS
ASSISTING POLICE (CAP) VOLUNTEERS DON AND
EDYTHE PIANTONI**

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.

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 – 8)**1. APPROVAL OF MINUTES**

Recommended Action: Approve Minutes of the Special and Regular City Council Meetings of October 13, 2020.

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt Resolutions.

3. TREASURER'S REPORT FOR THE MONTH OF SEPTEMBER 2020

Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of September 2020. There is no fiscal impact in receiving this report.

Recommended Action: Receive and file the reports.

4. RESOLUTION TO APPROVE THE STATE OF CALIFORNIA APPLICATION FOR STATEWIDE PARK DEVELOPMENT AND COMMUNITY REVITALIZATION PROGRAM GRANT FUNDS (PROPOSITION 68) FOR WHITAKER SCHOOL PARK

Purpose: Authorize the Community Services Department to apply for competitive grant funds for the Whitaker School Park project.

Recommended Action: 1) Adopt a resolution approving an application for Statewide Park Development and Community Revitalization Program Grant Funds (Proposition 68) for Whitaker School Park.

5. RESOLUTION AMENDING THE BUENA PARK JOB CLASSIFICATION PLAN UPDATING THE STOREKEEPER JOB CLASSIFICATION AND REORGANIZING THE PURCHASING DIVISION

Purpose: Adopt a Resolution to amend the Classification Plan to provide for updated essential functions, qualifications guidelines, and physical and mental demands of the Storekeeper position and reorganize the Purchasing Division to incorporate the reprographics and mailroom functions. These actions will save the General Fund approximately \$17,000 annually (Account No. 11-126150).

Recommended Action: 1) Adopt a Resolution to amend the City's Job Classification Plan and approve the revised job classification specification; and 2) Approve the reorganization of the Purchasing Division.

6. RESOLUTION ACCEPTING PROPOSITION 68 PER CAPITA GRANT FUNDS FOR GOMEZ PARK AND APPROVE A BUDGET AMENDMENT RELATED TO THOSE FUNDS

Purpose: Authorize the Community Services Department to accept Proposition 68 Per Capita grant funding for Gomez Park. The adoption of this resolution will accept a total of \$228,680 in grant funds.

Recommended Action: 1) Adopt a resolution related to the acceptance and administration of a Proposition 68 Per Capita Grant Program related to the Gomez Park Project; 2) Authorize the City Manager to execute a grant agreement or other related documents; and 3) Approve a budget amendment to Activity Number 290152 (Gomez Park Project) by increasing Proposition 68 Per Capita Program funding by \$50,730 and reducing Park-in-Lieu funding by \$50,730.

7. RESOLUTION APPROVING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF BUENA PARK

Purpose: Adopt a resolution approving the annual Measure M2 Expenditure Report as required by the County of Orange ordinance to maintain funding eligibility. There is no budget impact by adopting this resolution.

Recommended Action: 1) Adopt a resolution approving the annual Measure M2 Expenditure Report.

8. AMENDMENT NO. 1 TO BUS SHELTER LICENSING AGREEMENT WITH CLEAR CHANNEL OUTDOOR

Purpose: Authorize the Public Works Department to approve an amendment to the agreement with Clear Channel Outdoor to modify license payments for advertising shelters due to the economic impact of COVID-19. Revenues will be reduced to \$18,000 for the current fiscal year.

Recommended Action: 1) Approve Amendment No. 1 to the Bus Shelter Licensing Agreement with Clear Channel Outdoor; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and 3) Authorize City Manager and City Clerk to execute the amendment.

END OF CONSENT CALENDAR

CALL TO ORDER 6 P.M.

PUBLIC HEARING (9 – 10)

9. PUBLIC HEARING - RESOLUTION DECLARING RESULTS OF MAJORITY PROTEST PROCEEDINGS AND MODIFYING THE CITY OF BUENA PARK TOURISM MARKETING DISTRICT (BPTMD) MANAGEMENT DISTRICT PLAN (MDP)

Presented by City Manager's Office

Purpose: State the results of a majority protest, and in the absence of a majority protest, adopt a resolution modifying the BPTMD. There is no budget impact with the approval of this item.

Recommended Action: Hold a final hearing; and 2) Adopt the proposed resolution declaring results of majority protest proceedings and modifying the Buena Park Tourism Marketing District (BPTMD) Management District Plan.

10. PUBLIC HEARING: CONCERNING DEVELOPMENT AGREEMENT NO. DA16-001 ('DEVELOPMENT AGREEMENT') AND THE PROPERTY LOCATED AT 7860 BEACH BOULEVARD, BUENA PARK, CA ('PROPERTY')

Presented by City Attorney

Purpose: 1) Provide the Developer an opportunity to demonstrate good faith efforts to develop the property in compliance with the Development Agreement; 2) Provide the Developer an opportunity to explain performance delays/request an extension; and 3) 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 information provided at the hearing.

Recommended Action: That the City Council review this report and conduct a public hearing to: 1) Provide Stanford Buena Park, LLC's ("Developer") an opportunity to demonstrate continued "good faith compliance" with the terms of the Development Agreement; 2) Provide Developer an opportunity, at its option, to request an extension of the construction schedule and/or provide evidence of excusable delays; and 3) At the conclusion of the hearing, provide the City Council an opportunity to determine whether it is appropriate to initiate proceedings to modify, amend, or take other action on the Development Agreement.

NEW BUSINESS (11 – 13)

11. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF CONTRACT WITH T.E. ROBERTS, INC. FOR THE WATER MAIN REPLACEMENT AT MT. WHITNEY DRIVE AND MT. LOWE DRIVE PROJECT

Presented by Public Works Department

Purpose: Adopt a resolution approving plans and specifications, and approve a contract to construct a Water Main Replacement at Mt. Whitney Drive and Mt. Lowe Drive. Funds in the amount of \$543,460 are included in the approved 2020-2021 Fiscal Year Capital Improvements Program (CIP) budget and will be funded by the Water Enterprise Fund (Account No. 52-9806-396862).

Recommended Action: 1) Adopt a resolution approving plans and specifications for the Water Main Replacement at Mt. Whitney Drive and Mt. Lowe Drive Project; 2) Award a contract to T.E. Roberts, Inc. in the amount of \$543,460; 3) Authorize contingency funds in the amount of \$60,000 in the same purchase order; 4) Authorize construction engineering service in the amount of \$20,000; and 5) Authorize the City Manager and the City Clerk to execute the contract.

12. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF CONTRACT WITH RJ NOBLE COMPANY FOR THE CRESCENT AVENUE PAVEMENT REHABILITATION PROJECT

Presented by Public Works Department

Purpose: Approve plans and specifications and authorize the Public Works Department to hire a contractor for the Crescent Avenue Pavement Rehabilitation Project as well as approve a cooperative agreement with the City of Anaheim. Total associated construction costs will be \$1,263,196 and funded from a combination of monies from the RMRA (Road Maintenance and Rehabilitation Account), TCRF (Traffic Congestion Relief Fund), and Gas Tax Fund (Account No. 24-9806-590162). A budget transfer is also included as a part of this action.

Recommended Action: 1) Adopt a resolution approving plans and specifications for the Crescent Avenue Pavement Rehabilitation Project; 2) Award a contract to RJ Noble Company in the amount of \$1,103,196; 3) Authorize contingency funds in the amount of \$110,000 in the same purchase order; 4) Authorize construction engineering in the amount of \$50,000; 5) Authorize the City Manager and the City Clerk to execute the contract; 6) Approve a cooperative agreement with the City of Anaheim for the Crescent Avenue Rehabilitation Project; 7) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the contract or agreement; 8) Authorize the Mayor and City Clerk to execute the agreement; and 9) Authorize a budget transfer in the amount of \$250,000 from the Beach Boulevard Pavement Rehabilitation Project account (Account 24-9806-590149) and \$100,000 from the Orangethorpe Avenue Pavement Rehabilitation Project account (Account 24-9806-590166) for this purpose.

13. AMENDMENT NO. 1 TO PROFESSIONAL SERVICES AGREEMENT WITH SIEMENS FOR CITY TRAFFIC SIGNAL MAINTENANCE

Presented by Public Works Department

Purpose: Authorize the Public Works Department to execute an amendment to extend an agreement for maintenance and repair of traffic signals throughout the City. Associated costs in the amount of \$271,933.80 annually (routine and extraordinary maintenance) will be funded by the Traffic Signal Maintenance account (Account No. 11-560230-6240).

Recommended Action: 1) Approve Amendment #1 to a Professional Services Agreement with Siemens in the amount of \$271,933.80 for traffic signal maintenance; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and 3) Authorize the City Manager and City Clerk to execute the agreement.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

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

RECESS

STUDY SESSION (14 – 18) (Reconvene in the Council Chamber)

- 14. DISCUSS AND PROVIDE DIRECTION REGARDING THE PUBLIC WORKS DEPARTMENT GREENWASTE RECYCLING PROGRAM**
Presented by: Public Works Department

- 15. DISCUSS AND PROVIDE DIRECTION REGARDING A PARKING INVENTORY AND DEMAND ANALYSIS FOR THE EAST SIDE OF BEACH BOULEVARD FROM THE 91 FREEWAY TO THE SOUTHERN CALIFORNIA EDISON (SCE) RIGHT-OF-WAY (ROW)**
Presented by: City Manager's Office

- 16. DISCUSS AND PROVIDE DIRECTION REGARDING THE USE OF CARES ACT COMMUNITY DEVELOPMENT BLOCK GRANT CORONA VIRUS ROUND 3 (CDBG-CV3) FUNDS**
Presented by: City Manager's Office

- 17. CITY MANAGER REPORT**

- 18. COMMISSION/COMMITTEE APPOINTMENTS/REMOVALS**

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, Buena Park, CA.

Date Posted: October 22, 2020

Adria M. Jimenez, MMC, City Clerk