

MINUTES OF A SPECIAL MEETING
OF THE BUENA PARK CITY COUNCIL
HELD OCTOBER 13, 2020

Vol. 51 Pg. 303

CALL TO ORDER

The City Council met in a special meeting on Tuesday, October 13, 2020, at 3:30 p.m., in the Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Smith presiding.

ROLL CALL

PRESENT: Brown, Park, Swift, Traut, Smith

ABSENT: None

Also present were: Aaron France, City Manager; Chris Cardinale, City Attorney; and Adria M. Jimenez, MMC, City Clerk.

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.

SUBSEQUENT NEED ITEMS
ADDED ITEMS

City Attorney Cardinale advised the City Council that Subsequent Need Items: Conference with Legal Counsel – Anticipated Litigation, Pursuant to Gov. Code Section 54956.9 (d)(2); and Conference with Legal Counsel – Anticipated Litigation, Pursuant to Gov. Code Section 54956.9 (d)(2) must be added to the agenda. There is a need to take immediate action before the next Regular City Council Meeting and the need came to the attention of the City Council after the agenda was posted.

MOTION: Brown

SECOND: Swift

AYES: Brown, Swift, Park, Traut, Smith

NOES: None

MOTION CARRIED to add Item Nos. 8 and 9 to the agenda.

CLOSED SESSION (1 - 9)

Mayor Smith stated the need for a closed session as scheduled and ordered the meeting into closed session in the City Council Conference Room.

1. 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 No.: 30-2019-01059680-CU-BC-CJC

Contracts 70 C-3227

2. 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
Case No.: 30-2019-01114045-CU-OR-CJC

- 3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Gov. Code Section 54956.9(d)(4)
Based on existing facts and circumstances, the City is seeking legal advice on whether to protect the City’s rights and interests by initiating litigation.

Number of potential cases: One

- 4. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Gov. Code Section 54956.9(d)(2)
Based on existing facts and circumstances, the City is seeking legal advice on whether to protect the City’s rights and interests by initiating litigation.

Number of potential cases: One

- 5. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Gov. Code Section 54956.9(d)(2)
Based on existing facts and circumstances, the City is seeking legal advice on whether to protect the City’s rights and interests by initiating litigation.

Number of potential cases: One

- 6. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Gov. Code Section 54956.9(d)(4)
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

- 7. THREAT TO PUBLIC SERVICES OR FACILITIES
Pursuant to Gov. Code Section 54957
Consultation with: Aaron France, City Manager; Adria Jimenez, City Clerk; and, Eddie Fenton, Assistant City Manager

- 8. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Gov. Code Section 54956.9 (d)(2)
Based on existing facts and circumstances, the City is seeking legal advice on whether to protect the City’s rights and interests by initiating litigation.

Number of potential cases: One

- 9. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Pursuant to Gov. Code Section 54956.9 (d)(2)
Based on existing facts and circumstances, the City is seeking legal advice on whether to protect the City’s rights and interests by initiating litigation.

Number of potential cases: One

RECESS

Mayor Smith recessed the meeting at 4:53 p.m. and announced the meeting would reconvene after the regular meeting. The meeting was reconvened at 9:14 p.m.

Mayor Smith reconvened the meeting in open session and it was announced that no reportable action was taken in closed session for Item Nos. 1, 3 - 9. Item No. 2: City Council approved the retention of Blank Rome, LLC to represent the City in this matter.

ADJOURNMENT

There being no further business, Mayor Smith adjourned the meeting at 9:25 p.m.



Mayor

ATTEST:



City Clerk