

MINUTES OF CITY COUNCIL MEETING
OF THE CITY OF BUENA PARK
HELD MARCH 9, 2021

Vol. 52 Pg. 5

CALL TO ORDER

The City Council met in a regular session on Tuesday, March 9, 2021, at 5:00 p.m. in the City Council Chamber of the Civic Center, 6650 Beach Boulevard, Buena Park, California, Mayor Traut presiding.

ROLL CALL

PRESENT: Brown, Sonne, Swift, Park, Traut
ABSENT: None

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

INVOCATION

The invocation was led by Pastor Don Harbert, The Way Fellowship.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Adrian Garcia, Finance Manager.

PRESENTATIONS

Council Member Swift presented a thirty-year service award to Douglas Brodowski, Public Works Department. Congresswoman Kim's Office, Assembly Member Quirk-Silva's Office and Supervisor Chaffee presented Certificates of Appreciation to Mr. Brodowski.

Council Member Brown presented a fifteen-year service award to Daniel Mason, Public Works Department. Congresswoman Kim's Office, Assembly Member Quirk-Silva's Office and Supervisor Chaffee presented Certificates of Appreciation to Mr. Mason.

Mayor Traut presented a Proclamation Recognizing Women's History Month to Soroptimist of Buena Park. Assembly Member Quirk-Silva's Office presented a Certificate of Recognition to Soroptimist of Buena Park.

Oath of Office to Newly-Appointed City Manager Aaron France, Administered by Adria M. Jimenez, MMC, City Clerk. Supervisor Chaffee, Assembly Member Quirk-Silva's Office and Congresswoman Kim's Office presented a Certificate of Congratulations to City Manager France.

CITY MANAGER REPORT

City Manager France reported on the following:

- Community Choice Aggregation Town Hall Meeting held March 2, 2021
- Images Park Community Meeting held March 6, 2021
- Street sweeping ticketing resuming April 1, 2021
- COVID-19 update: Orange County will reach the Red Tier on March 17, 2021
- Knott's Berry Farm is set to re-open on April 1, 2021
- Staff is tracking the newest Stimulus Bill which will provide funding to local governments

City Clerk Jimenez provided information on the March 9, 2021 Special Election advising residents in Orange County Supervisorial District 2 that registered voters can vote in-person or submit a mail ballot until 8:00 p.m. today. For more information residents can visit www.buenapark.com or www.ocvote.com.

ORAL COMMUNICATIONS

Mayor Traut announced the public may at this time address the members of the City Council on any matters within the jurisdiction of the City Council.

Val Sadowinski, Buena Park resident, commented on The Source and the hotel at the location.

Kathleen Anderson, Buena Park resident, commented on the City's membership in the Orange County Power Authority and lack of resident knowledge of Community Choice Energy and requested the City Council provide more communication on this program to the residents.

There being no additional requests to speak, Mayor Traut closed oral communications.

CONSENT CALENDAR (1 – 5)

Mayor Traut announced that Consent Calendar Items 1 through 5 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. Council Member Sonne requested separate consideration for Item No. 4. There being no further requests for separate consideration, the following action was taken:

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

MOTION CARRIED that all actions recommended on Consent Calendar Items Nos. 1, 2, 3 and 5 be approved.

Minutes

1. APPROVAL OF MINUTES
Recommended Action: Approve Minutes of the Special and Regular City Council Meetings of February 23, 2021.

APPROVED the recommended action.

Finance 75

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS
Recommended Action: Adopt Resolutions.

ADOPTED the following titled resolutions:

RESOLUTION NO. 14281

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$60.00 DEMAND NOS. 407266 THROUGH 407267

RESOLUTION NO. 14282

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$1,438,873.97 DEMAND NOS. 407268 THROUGH 407500 CANCELLED NOS. 403659, 403860 AND 407247 VOIDS

RESOLUTION NO. 14283

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$186.70 DEMAND NOS. 407501 THROUGH 407502

RESOLUTION NO. 14284

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$731,816.18 COVERING REGULAR PAYROLL ENDING FEBRUARY 19, 2021

Budgets 47

3. RESOLUTION APPROPRIATING FUNDS FOR PRIOR YEAR CAPITAL IMPROVEMENT PROJECTS AND OTHER CARRYOVERS

Purpose: Authorize the Finance Department to execute carryover budget adjustments to the City budget. Carryover amounts, as listed in Attachments A and B of the proposed resolution, will affect the City budget accordingly.

Recommended Action: 1) Adopt a resolution appropriating funds for prior year capital improvement projects and other carryovers.

ADOPTED the following titled resolution:

RESOLUTION NO. 14285

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROPRIATING FUNDS FOR PRIOR YEAR CAPITAL IMPROVEMENT PROJECT CARRYOVERS AND OTHER CARRYOVERS

Proclamation 119

4. PROCLAMATION RECOGNIZING WOMEN'S HISTORY MONTH

Recommended Action: Approve Proclamation.

Council Member Sonne spoke about Women's History Month and recent events such as the election of the first female Vice President of the United States.

MOTION to approve the recommended action.

- MOTION: Sonne
- SECOND: Traut
- AYES: Sonne, Traut, Brown, Park, Swift
- NOES: None

MOTION CARRIED to approve the recommended action.

Reports & Studies 129

5. TREASURER'S REPORT FOR THE MONTH OF JANUARY 2021

Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of January 2021. There is no fiscal impact in receiving this report.

Recommended Action: 1) Receive and file the reports.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (6 – 8)

Contracts 70 C-3270 Master Plan 14.2

6. PROFESSIONAL SERVICES AGREEMENT WITH RRM CONSULTANTS FOR THE PREPARATION OF THE 2021-2029 UPDATE TO THE GENERAL PLAN HOUSING ELEMENT AND RELATED STUDIES

Presented by Swati Meshram, Ph.D., AICP, LEED AP, Planning Manager

Purpose: Authorize the Community Development Department to execute an agreement to provide professional services related to the preparation of the state-mandated General Plan Housing Element update, together with the necessary support studies and documentation for a "Nodes and Corridors" site identification analysis as well as necessary environmental clearance consistent with the requirements of the California Environmental Quality Act (CEQA). Associated costs in the maximum amount of \$201,500 will be funded by the Local Early Action Planning (LEAP) grant in the amount of \$140,000 and Senate Bill 2 (SB-2) grant in the amount of \$61,500.

Recommended Action: 1) Approve a Professional Services Agreement (PSA) with RRM Design Group for preparation of the 2021-2029 Housing Element Update and associated studies in an amount of \$190,465, not-to-exceed \$201,500 including contingencies; 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.

Planning Manager Meshram summarized the staff report requesting the City Council approve the agreement with RRM Consultants for the preparation of the General Plan Housing Element Update. Associated costs in the maximum amount of \$201,500 will be funded by the Local Early Action Planning (LEAP) grant in the amount of \$140,000 and Senate Bill 2 (SB-2) grant in the amount of \$61,500.

Mayor Pro Tem Park commented on the City's effort in obtaining a consultant firm for the Housing Element.

Council Member Swift commented on the proposal, consultants' backgrounds and their knowledge of the City.

Val Sadowinski, Buena Park resident, expressed concerns and objectives to the agreement process and request for proposals and commented on the former Planning Manager Woods employment with RRM and the City's agreement.

MOTION to approve the recommended action.

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

MOTION CARRIED to approve the recommended action.

Boards & Commissions 42 City Council 55 Policies 186

7. RESOLUTION REAFFIRMING THE CITY'S COMMITMENT TO EQUITY AND ACCESS FOR ALL PERSONS IN THE PROGRAMS AND POLICIES OF THE CITY OF BUENA PARK
 Presented by Eddie Fenton, Assistant City Manager

Purpose: Adopt the proposed resolution formalizing the City's commitment to equity and access for all persons in the programs and policies of the City of Buena Park and adding 'Equity' to the City's Core Values. There is no budget impact with the approval of this item.

Recommended Action: 1) Adopt a resolution reaffirming the City's commitment to equity and access for all persons in the programs and policies of the City of Buena Park.

Council Member Swift thanked Assistant City Manager Fenton for his patience in drafting the Resolution and made a motion to adopt the Resolution.

MOTION to adopt the resolution reaffirming the City's commitment to equity and access for all persons in the programs and policies of the City of Buena Park.

MOTION: Swift
 SECOND: None

MOTION FAILED for lack of a second.

Council Member Brown stated he preferred the original resolution proposed at the previous City Council Meeting.

MOTION to adopt the original Resolution proposed at the City Council Meeting of February 23, 2021, reaffirming the City's commitment to equity and access for all persons in the programs and policies of the City of Buena Park.

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

MOTION CARRIED to ADOPT the original Resolution proposed at the City Council Meeting of February 23, 2021, reaffirming the City's commitment to equity and access for all persons in the programs and policies of the City of Buena Park.

RESOLUTION NO. 14286

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA
REAFFIRMING THE CITY'S COMMITMENT TO EQUITY AND ACCESS FOR ALL PERSONS
IN THE PROGRAMS AND POLICIES OF THE CITY OF BUENA PARK

Codes 64

8. SECOND READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ESTABLISHING PREMIUM PAY FOR GROCERY WORKERS
Staff Report by Christopher Cardinale, City Attorney

Purpose: Present the Ordinance for consideration and second reading by the Buena Park City Council, as directed during its meeting on February 23, 2021. There is no budget impact with the approval of this item.

Recommended Action: 1) A majority vote of the Buena Park City Council is required to approve second reading and enactment of the Ordinance, in which case the Ordinance would become effective in 30 days.

City Attorney Cardinale reported that on February 23, 2021, the City Council approved first reading and introduced the Ordinance which proposes to require hazard or premium pay for grocery workers at certain grocery and drug-retail establishments. The City Council will now consider the second reading and formal enactment of the Ordinance.

City Clerk Jimenez stated the following correspondence was received regarding this item:

Emails of support from the following:

- Jack Miranda
- Adam Overton

Email of Opposition from the following:

- Christopher Arthur Schafer (2 emails)

Council Member Swift commented on the ordinance establishing premium pay for grocery workers and expressed concern about giving direction to businesses.

MOTION to adopt an ordinance establishing premium pay for grocery workers.

MOTION: Brown
SECOND: Traut
AYES: Brown, Traut, Park, Sonne
NOES: Swift

MOTION CARRIED to approve the recommended action and ADOPT the following ordinance:

ORDINANCE NO. 1693

ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF BUENA PARK, CALIFORNIA,
ESTABLISHING PREMIUM PAY FOR GROCERY WORKERS

RECESS/RECONVENE

Mayor Traut recessed the meeting at 6:45 p.m. The meeting was reconvened at 6:47 p.m.

CALL TO ORDER 6 P.M.

PUBLIC HEARING (9)

Contracts 70 C-2819

9. CONTINUATION OF PUBLIC HEARING CONCERNING DEVELOPMENT AGREEMENT NO. DA16-001 AND THE PROPERTY LOCATED AT 7860 BEACH BOULEVARD, BUENA PARK, CA
Staff Report by Christopher Cardinale, City Attorney

Purpose: Provide the City Council and the public with an update on this Project since the public hearing held on November 24, 2020, and to obtain additional direction/action from the City Council on next steps relative to the Project. There is no budget impact associated with this item.

Recommended Action: That the City Council review this report and receive staff presentations, allow Stanford Buena Park, LLC ("Developer") to make a presentation, and allow any interested members of the public to address the City Council on this item. After concluding the proceedings, the City Council has a number of options available to it, including but not limited to: 1) directing an amendment to the development schedule and development agreement; 2) creating an ad hoc committee (comprised of two members of the City Council) to participate in project meetings and return with a report to the City Council; or 3) declare Developer in default of the Development Agreement.

Mayor Traut stated that this was the time and place for a public hearing to consider Development Agreement No. DA 16-001 and the property located at 7860 Beach Blvd., Buena Park, CA.

City Attorney Cardinale reported this item returns to the City Council for continuation of the public hearing that was initiated on October 27, 2020, the purpose is to: 1) provide Developer an opportunity to demonstrate "good faith" compliance with the terms of the Development Agreement; 2) provide Developer an opportunity to request an extension of the construction schedule and/or provide evidence of excusable delays; and 3) provide the City Council an opportunity to determine whether it is appropriate for the City Council to initiate proceedings to modify, amend, or take other action on the Development Agreement.

Based on the information provided during the two (2) previous hearings on this Project, the Project experienced significant delays during its early stages between June 2016 and May 2019. The parties may disagree/debate the cause and fault for several of these delays, but a significant portion was caused by liquefaction issues identified by Developer at the site. Between August 2019 and March 2020, the Developer and its newly-retained professionals made progress towards construction activities.

As of March 2020, the parties anticipated Developer being prepared to "break ground" on vertical construction activities by late 2020. The parties' expectations were derailed in July, when Developer provided notice that the COVID-19 pandemic had made it impractical to proceed with finalizing plans and construction of the Project in the immediate future. During the two (2) previous public hearings, the Developer claimed financial impact explaining and providing market data showing that COVID-19 has made it impractical to obtain construction financing of new hotels; particularly given the pandemic's impact on the hospitality/tourist industry.

Developer continues to express a commitment to the Project, and a desire to proceed with completing plans and commencing construction as soon as the financial market allows it. Over the past months, staff has worked with independent consultants/experts to verify Developer's claimed difficulty with obtaining construction financing for the Project. The result of these investigations was presented to the City Council during a public meeting separate from these proceedings and confirmed that the pandemic has rendered construction financing for hotels a "high-risk investment" and virtually unavailable from institutional sources. With this background the City Council has several options moving forward with this Project, including the following:

- Amend the Development Schedule
- Form Ad Hoc Committee to Engage in Project Discussions
- Declare Default and Initiate Default Procedures

City Clerk Jimenez stated the City received ninety-nine emails in opposition of extending the Continuation of Public Hearing concerning Development Agreement No. DA 16-001 and the property located at 7860 Beach Boulevard, Buena Park, CA.

Mr. Seth Merewitz, Best, Best & Krieger, Mr. Jim Suhr, Suhr & Associates, LLC, Mr. Kingston Shih, Project Executive, Developer Representatives, attended the meeting to provide the City Council with a report on the status of this project. Mr. Shih, via Zoom, commented that due to the pandemic he's unable to attend the hearing in person. He stated they are working to rebuild trust, work together with the City and produce a high quality project. He expressed appreciation for everyone's time and the open communication with City representatives.

The City Council discussed the project and the risk to the City, permit issuance, project timeline, progress updates to the City, concern over financing for the project and zoning of the property.

Mayor Traut opened the public hearing and inquired if anyone present desired to speak.

Austin Lynch, Organizing Director for Unite Here Local 11, Hotel Workers' Union, commented on the Developers Project Executive's comments regarding the lack of hotel project development during COVID-19, the ninety-nine people who submitted form letters, and his opposition to continuation of this project.

Dr. Christensen II, Buena Park resident, commented that he is a concerned citizen who's observed the development of the Stanford Hotel project. He asked the City Council to do what is best for Buena Park.

Jaime Gomez, Costa Mesa resident, spoke about the project, and believes public land should be utilized to provide parks, housing, and community centers, and expressed opposition of the project.

Saturnino Beltran, Local Union 11 member, expressed opposition to the development that does not bring benefits to the working class. Mr. Beltran urged the City Council to choose option 3.

Jesus Beltran, Buena Park resident, Local Union 11 member, asked the City Council to bring back public land to residents of Buena Park and build affordable housing so residents can pay their rents.

Jonah Breslau, Research Analyst Los Angeles Alliance for a New Economy, spoke in opposition to the project and urged the City Council to pursue option 3.

Val Sadowinski, Buena Park resident, spoke in opposition of the project and urged the City Council to declare the developer in default of the agreement.

Johnny Cangey, Buena Park resident, spoke about working in construction and listening to the developer speak about investing in the community, and suggested paying prevailing wage is the best way to invest in the community. Mr. Cangey urged the City Council to do what is best for the growth of the community.

There being no one further desiring to speak, Mayor Traut closed the public hearing.

The City Council discussed development projects in active litigation, financial implications on calling Stanford Hotel in default, hotel site zoning, affordable housing project, project site owned by the Redevelopment Agency then the Successor Agency, disappointment with the status of the project, considering a bond as a form of commitment, project timeline, development issues that predate the pandemic, possible extension of June 1, 2021, to allow the developer an opportunity to provide tangible proof of project milestones, notice to proceed, and right to buy back property in default.

MOTION to declare the developer in default of the development agreement.

AMENDMED MOTION to direct staff to draft the declaration of default of the development agreement.

MOTION: Swift
SECOND: Brown
AYES: Swift, Brown, Sonne, Traut
NOES: Park

MOTION CARRIED to direct staff to draft the declaration of default of the development agreement.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Brown reported on the following:

- February 24 Successful Companies Give Back Webinar
- February 24 OC Sanitation District Board Meeting
- February 25 Senior Citizens Commission Meeting
- February 25 OCCOG Meeting
- February 26 Metrolink Board Meeting
- February 27 Cypress College Americana Virtual Awards Banquet
- March 2 Virtual Town Hall Meeting, Community Choice Aggregation
- March 3 SCAG Executive and Administrative Committee Meeting
- March 4 SCAG Joint Policy Committee Meeting
- March 9 SCAG Bylaws and Resolutions Committee for Annual Conference

Mayor Pro Tem Park reported the following:

- February 12 FIT Committee Meeting
- February 25 Anti-Harassment Training
- February 25 Orange County Fire Authority Meeting via Zoom
- February 26 Boys and Girls Club Vans Off the Wall Giveaway Event
- March 2 Virtual Town Hall Meeting, Community Choice Aggregation
- March 3 Human Relations Committee Meeting
- March 6 Images Park Community Meeting

Council Member Sonne reported the following:

- February 25 Anti-Harassment Training
- March 2 Virtual Town Hall Meeting, Community Choice Aggregation
- March 9 Orange County Power Authority Board Meeting

Council Member Sonne acknowledged Deaf History Month which is celebrated from March 13 through April 15 to commemorate the achievements of deaf people.

Council Member Sonne calendared for discussion options for City Council meeting virtual public participation.

Council Member Swift reported the following:

- February 24 Planning Commission Meeting
- February 25 Anti-Harassment Training
- February 27 Cypress College Americana Virtual Awards Banquet
- March 2 Virtual Town Hall Meeting, Community Choice Aggregation
- March 3 Human Relations Committee Meeting
- March 6 Images Park Community Meeting

Council Member Swift calendared scheduling an Education Committee Meeting.

Mayor Traut reported on the following:

- February 25 Orange County Mayors Weekly Zoom Meeting
- February 25 Orange County Council of Governments Meeting
- February 26 Boys and Girls Club Board Meeting
- February 26 Weekly Conference Call with County CEO and Health Officer
- February 27 Cypress College Americana Virtual Awards Banquet
- March 1 Mayor's Prayer Breakfast Committee Meeting
- March 2 Cypress College Americana Virtual Awards Banquet
- March 3 Girl Scouts of Orange County Local Government Presentation
- March 4 SCAG Joint Policy Committee Meeting
- March 5 Weekly Conference Call with County CEO and Health Officer

Mayor Traut calendared a discussion on updating the vision for the Entertainment Corridor.

RECESS/RECONVENE

Mayor Traut recessed the meeting at 8:42 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 8:52 p.m.

STUDY SESSION (10 – 16)

10. DISCUSS AND PROVIDE DIRECTION ON THE CITY'S MEMBERSHIP IN THE ORANGE COUNTY POWER AUTHORITY (OCPA)
Presented by Eddie Fenton, Assistant City Manager

Assistant City Manager Fenton summarized the report noting that on February 9, 2021, the City Council discussed the City's membership in OCPA. Following that discussion, the City Council directed staff to host a virtual Town Hall meeting on March 2, 2021, to inform the public and obtain their input. On March 2, 2021, the City hosted a virtual Community Choice Energy Town Hall meeting. Over 200 members of the public registered for the event and over 100 attended the live Town Hall meeting via Zoom and the City's Facebook page. The public was also able to ask questions and interact with the expert panelists. In addition, the City posted a Community Choice Energy survey in multiple languages to obtain the public's feedback on the City's website. Staff is requesting the City Council discuss the consultant's report and analysis, review feedback from the public, and provide direction to staff regarding continuing membership in the OCPA.

Mark Fulmer, MRW Consultant, and Brian Probolsky, Chief Executive Officer, OCPA, were also present via Zoom. Mr. Fulmer provided information on Community Choice Energy (CCE), established CCEs in California, reasons to create a CCE in Buena Park: greener power, lower rates, resident and business programs, local economic development and local control. He also addressed the issues recently experienced in Texas and stated what happened in Texas was a combination of factors: lack of preparation for prolonged sub-freezing temperatures, isolated grid that could not import power from other states, and light utility regulations.

Mayor Traut opened public comment and inquired if anyone present desired to speak.

City Clerk Jimenez stated the City received twelve emails in support of Community Choice Energy from the following:

Andrea Alexander	Rob Howard
Chul	M&D Properties (The Source)
Climate Action Campaign	Tristan Miller
Denise Fachko	North Orange County Chamber of Commerce
Margo Finlayson	OC Clean Power
Danny Gray	Debbie Salahi

Eighteen emails in opposition of Community Choice Energy were received from:

Youngran Cho	Julio Lopez
Keith Fagen	Andrew Miller
Dee Fox	Ann Miller
Brandon Garfield	Jacqueline Murillo
Antonio Gonzales	Ellen Reed
Jose Hernandez	Steve Stone
Elizabeth Johnson	Sandra Taylor
Nancy Keller	Susan Williams
Sam Kim	Ben Woods

Shanin Ziemer, Buena Park resident, spoke in support of Community Choice Energy.

Jacqueline Murillo, Buena Park resident, opposed to the Community Choice Energy due to the lack of information provided in Spanish. She requested the City Council provide information in Spanish and Korean.

Jose Trinidad Castaneda, Orange County Policy Manager with Crime and Action Campaign, spoke in of support of Community Choice Energy.

Val Sadowinski, Buena Park resident, spoke in opposition to CCE, and stated he is pleased with his current energy provider and opposed to having to opt out of the program. Opposed to local control of utility services.

There being no one further desiring to speak, Mayor Traut closed the public participation on this item.

The City Council discussed virtual town hall meeting participation, success of current CCE's, community having options for purchasing energy, essential service provided by a public entity, whether purchased from OCPA or SCE, service will be delivered via SCE equipment, City of Irvine up fronting startup money for OCPA creation, opt out deadline, benefits of being a founding member vs general member.

City Council Member Brown motioned to opt out of the Orange County Power Authority.

MOTION to opt out of the Orange County Power Authority.

MOTION: Brown
SECOND: Park
AYES: Brown, Park
NOES: Sonne, Swift, Traut

Motion failed.

11. DISCUSSION AND DIRECTION REGARDING COMMUNITY WORKFORCE AGREEMENTS
Presented by Eddie Fenton, Assistant City Manager

Assistant City Manager Fenton summarized the report noting that on July 2020, Mayor Traut requested City Council discussion regarding the concept of Community Workforce Agreements (CWAs) and the potential for the use of CWAs in Buena Park. A CWA (also known as a Project Labor Agreement) is a legally-binding, pre-hire agreement between a public agency and the local labor organizations (i.e. LA/OC Building and Construction Trades Council) or unions within the jurisdiction of the public agency for a specific construction project. This agreement would typically govern the role of the organized construction trade unions in the execution of the public agency's projects. This type of agreement is a means for providing standards for pay and benefits, institutes quotas for local hiring, and incorporates local community interests. The agreement also can include provisions for minority and at-risk hiring as well as obtain minority business support for the project.

The precise cost of initiating and implementing a Community Workforce Agreement is not known at this time. However, CWAs typically require additional administrative cost for City Public Works staff, in addition to hiring a CWA Administrator or third-party consultant responsible for providing oversight of the bidding process, the preparation of reporting documents, gathering data and tracking metrics, maintaining a relationship with the LA/OC Building and Construction Trades Council, and ensuring general compliance of the agreement.

Should the City Council wish to pursue a Buena Park Community Workforce Agreement, staff recommends a City staff subcommittee be formed to work with the LA/OC Building and Construction Trades Council to explore options and terms of such an agreement.

Ernesto Medrano, Los Angeles/Orange Counties Building & Construction Trades Council, provided a brief update on CWAs and their agreements in the cities of Anaheim, Santa Ana, and Garden Grove.

Mayor Traut opened public comment and inquired if anyone present desired to speak.

City Clerk Jimenez stated the City received five emails in support of Community Workforce Agreements from:

- Engineering Contractors Association
- NECA Orange County Chapter
- Orange County Labor Federation
- Painters and Allied Trades Union
- Sprinkler Fitters UA Local 709

John Cangey, Buena Park resident, spoke in support of the Community Workforce Agreements.

Ray Baca, Executive Director for Engineering Contractors Association, spoke in support of the Community Workforce Agreement and the benefits to union employees.

Rich Gomez, Southwest Regional Council of Carpenters, spoke in support of Community Workforce Agreements.

Kenny Williams, Orange County Labor Federation President, spoke in support of Community Workforce Agreements.

Brandon Sheibe, Buena Park resident, requested the City Council support the Community Workforce Agreement.

Douglas Mangione, International Brotherhood of Electrical Workers and Signatory Contractors in Orange County, spoke in support of Community Workforce Agreements.

There being no one further desiring to speak, Mayor Traut closed the public participation on this item.

The City Council discussed local union training centers, programs for veterans, projects, and agreement does not eliminate public works positions or any project or any work away from any city employees.

Following discussion, the majority of the City Council (Swift dissented) directed staff to pursue a Community Workforce Agreement draft working with OC Trade Council and Ad Hoc Committee of Mayor Traut and Mayor Pro Tem Park, and return to City Council for review and/or approval.

12. DISCUSS AND PROVIDE DIRECTION REGARDING POTENTIAL RELOCATION OF HOMES ON 9TH STREET
Presented by Joe Hunt, Sr. Management Analyst

Senior Management Analyst Hunt summarized the report noting on February 9, 2021, Council Member Swift requested staff research the costs associated with relocating two single-family homes located at 7682 and 7692 9th Street. These houses are scheduled to be demolished this spring to make way for a new multi-family residential development, which was entitled by the Planning Commission in December 2020. The property's history was researched and summarized in a report. Staff reached out to three professional 'house movers' to estimate the costs of moving the homes to an indeterminate location. One of the house movers responded with an estimated cost of approximately \$250,000 per home based on the size and type of construction. This can only be characterized as a rough estimate because basic project facts such as the destination of the homes remains unknown.

Potential relocations sites could include the Rose Garden in the Historic Area, Boisseranc Park or Bellis Park, or, possibly another open space. Public Works has studied the relocation of the home and based on its size and footprint, it appears both the Rose Garden and First Congregational Church parking area may be large enough to accommodate the building.

The City Council discussed the history of the homes, funding for this project, significant historical value to keep homes, and creating an Ad Hoc Committee to research further the historical significance to Buena Park.

Following discussion, the City Council created an Ad Hoc Committee with Council Member Swift and Council Member Brown to research and provide a report to the City Council on the historical significance of purchasing the homes, new location for homes and the cost of relocating homes.

This item was continued to the next meeting.

13. DISCUSS AND PROVIDE DIRECTION REGARDING THE CITY'S SIGN ORDINANCE
Presented by Adria M. Jimenez, MMC, City Clerk

This item was continued to the next meeting.

14. DISCUSS AND PROVIDE DIRECTION REGARDING CITY COUNCIL'S CALENDARING PROTOCOL
Presented by Adria M. Jimenez, MMC, City Clerk

15. CITY MANAGER REPORT

City Manager France reported the following:

- Gomez Park Groundbreaking Event, May 22, 2021, 10:00 a.m.
- Mulch, E-waste Disposal, and Shredding Event, hosted by EDCO, May 22 & 29, 2021
- Wished Council Member Brown a Happy Birthday

16. COMMISSION/COMMITTEE REPORT

City Clerk Jimenez had no report.

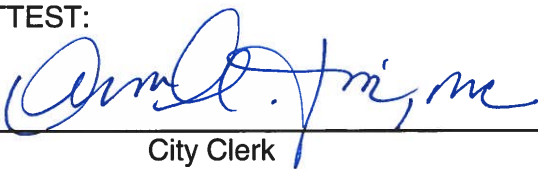
ADJOURNMENT

There being no further business, Mayor Traut adjourned the meeting at 11:10 p.m.



Mayor

ATTEST:



City Clerk