



**BUENA PARK CITY COUNCIL
REGULAR MEETING
TUESDAY, APRIL 13, 2021
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, April 13, 2021.** 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 SUSAN SONNE
COUNCIL MEMBER ELIZABETH A. SWIFT
MAYOR PRO TEM SUNNY YOUNGSUN PARK
MAYOR CONNOR TRAUT**

INVOCATION

**ELDER JARON BENWARE
CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS**

PLEDGE OF ALLEGIANCE

**ALICE BURNETT
SENIOR HUMAN RESOURCES ANALYST**

CITY MANAGER REPORT

PRESENTATIONS

PROCLAMATION RECOGNIZING FAIR HOUSING MONTH

- **Presented to Fair Housing Foundation**

**PROCLAMATION RECOGNIZING APRIL AS SEXUAL
ASSAULT AWARENESS MONTH**

- **Presented to Casa de la Familia**

**PROCLAMATION RECOGNIZING APRIL 11 - APRIL 17,
2021, AS NATIONAL PUBLIC SAFETY
TELECOMMUNICATORS WEEK 2021**

- **Presented to Lisa Barr, Buena Park PD Dispatch
Supervisor**

PRESENTATIONS (continued)**PROCLAMATION DESIGNATING APRIL 24, 2021,
AS ARBOR DAY IN BUENA PARK**

- Presented to Ken McKinney, Chair of Beautification-Environmental Commission

**PROCLAMATION FOR DROWNING PREVENTION
AWARENESS**

- Presented to Orange County Fire Authority

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 March 23, 2021.

2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

Recommended Action: Adopt Resolutions.

3. PROCLAMATION RECOGNIZING FAIR HOUSING MONTH

Recommended Action: Approve Proclamation.

4. PROCLAMATION RECOGNIZING APRIL AS SEXUAL ASSAULT AWARENESS MONTH

Recommended Action: Approve Proclamation.

5. PROCLAMATION RECOGNIZING APRIL 11 - APRIL 17, 2021, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK 2021

Recommended Action: Approve proclamation.

6. PROCLAMATION DESIGNATING APRIL 24, 2021, AS ARBOR DAY IN BUENA PARK

Recommended Action: Approve Proclamation.

7. PROCLAMATION FOR DROWNING PREVENTION AWARENESS

Recommended Action: Approve Proclamation.

8. APPROVAL OF COVID-19 VACCINATION WATER BILL INSERT

Purpose: Authorize the City Manager's Office to inform residents of the registration process for the COVID-19 vaccine in the form of a water bill insert to raise awareness. There is no impact to the budget with this action.

Recommended Action: 1) Approve a water bill insert informing residents on how to register for the COVID-19 vaccination.

END OF CONSENT CALENDAR

NEW BUSINESS (9 – 12)**9. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF A CONTRACT WITH SELECT ELECTRIC, INC. FOR THE MALVERN AVENUE AT COUNTRY CLUB DRIVE TRAFFIC SIGNAL UPGRADE PROJECT**

Presented by Nader M. Alqam, E.I.T., Assistant Engineer

Purpose: Approve plans and specifications and authorize the Public Works Department to execute a contract to upgrade traffic signals, signal equipment, and build a block wall for the Malvern Avenue at Country Club Drive Traffic Signal Upgrade Project. Associated costs in the amount of \$455,462.09 will be funded by the Gas Tax Fund. The project account has a balance of \$400,000 (Account No. 24-9806-590170). Staff recommends a budget transfer in the amount of \$55,462.09 from the Traffic Signal Improvements Account (24-9806-590025) to fund the balance of the project.

Recommended Action: 1) Adopt a resolution approving plans and specifications; 2) Award a contract to Select Electric, Inc. in the amount of \$415,462.09; 3) Authorize contingency funds in the amount of \$40,000 in the same purchase order; 4) Authorize a budget transfer in the amount of \$55,462.09 from the Traffic Signal Improvement account (24-9806-590025) for this purpose; and 5) Authorize the City Manager and the City Clerk to execute the contract.

10. BUENA PARK TOURISM MARKETING DISTRICT (TMD) 2021 ANNUAL REPORT

Presented by Sara Copping, Director of Visit Buena Park

Purpose: Submit the Buena Park Tourism Marketing District 2021 Annual Report. There is no budget impact.

Recommended Action: 1) Approve the submission of the Buena Park Tourism Marketing District 2021 Annual Report.

11. PROFESSIONAL SERVICES AGREEMENT WITH VIATRON SYSTEMS, INC. FOR THE DIGITIZATION OF PLANNING DIVISION RECORDS

Presented by Swati Meshram, PhD, AICP, LEED AP, Planning Manager

Purpose: Authorize the Community Development Department to execute an agreement to digitize, index and upload those Planning Division records into LaserFiche. Associated costs in an amount not-to-exceed \$60,000 will be paid for by the SB-2 Planning Grant.

Recommended Action: 1) Award a Professional Services Agreement (PSA) for the digitization of Planning Division public records to ViaTRON Systems, Inc. in the amount of \$60,000; 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.

- 12. A REPORT TO THE CITY COUNCIL REGARDING THE EXISTENCE OF A LOCAL EMERGENCY IN THE CITY OF BUENA PARK REGARDING THE COVID-19 VIRUS**
Presented by Aaron France, City Manager

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.

CALL TO ORDER 6 P.M.

PUBLIC HEARING (13)

- 13. PUBLIC HEARING PURSUANT TO CODE OF CIVIL PROCEDURE SECTION 1245.235 REGARDING ADOPTION OF A RESOLUTION OF NECESSITY DECLARING CERTAIN REAL PROPERTY NECESSARY FOR A PUBLIC PURPOSE AND AUTHORIZING THE ACQUISITION IN FEE OF THE REAL PROPERTY LOCATED AT 7711-7733 BEACH BOULEVARD IN THE CITY OF BUENA PARK, AND IDENTIFIED AS ORANGE COUNTY TAX ASSESSOR PARCEL NOS. 136-203 40, 136-211-57 & 64 FOR PUBLIC HEALTH, SAFETY, AND WELFARE PURPOSES IN A MANNER CONSISTENT WITH THE LAND USE AND COMMUNITY DESIGN ELEMENT AND THE ECONOMIC DEVELOPMENT ELEMENT OF THE CITY'S GENERAL PLAN, AS WELL AS THE REDEVELOPMENT PLAN FOR THE CONSOLIDATED PROJECT AREA**

Presented by: Regina N. Danner, Legal Counsel for City

Purpose: To consider the adoption of a Resolution of Necessity for the acquisition by eminent domain of the fee simple interest in the real property located at 7711-7733 Beach Boulevard, and identified as Orange County Tax Assessor's Parcel Nos. 136-203-40, 136-211-57 and 64 for public purposes.

EXECUTIVE SUMMARY: The City Council has before it a proposed Resolution of Necessity for the acquisition in fee of the Subject Property located at 7711-7733 Beach Boulevard, in the City of Buena Park for public health, safety, and welfare purposes in a manner consistent with the Land Use and Community Design Element, the Economic Development Element of the General Plan, the Entertainment Corridor Specific Plan (at times herein simply the "Specific Plan"), and the Redevelopment Plan for the Consolidated Project Area (at times the "Redevelopment Plan," and cumulatively "Proposed Project."). The City is authorized to acquire the Subject Property for a public use, namely to protect and enhance the public health, safety and welfare by eliminating existing obstacles to the productive growth and development of underutilized areas of the City in a manner that is consistent with, and further the goals set forth in the Land Use and Community Design Elements, the Economic Development Element of the General Plan, the Specific Plan, the Redevelopment Plan, and all purposes necessary and convenient thereto pursuant to California Constitution, Article I, Section 19, California Government Code Sections 37350, 37350.5, 37351, and 40404, and California Code of Civil Procedure Sections 1230.010, *et seq.* ("Eminent Domain Law"), including, but not limited to Sections 1240.010, 1240.020, 1240.110, 1240.120, and 1245.250, City of Buena Park Municipal Code, Title 19, Chapter 19.204, Section

19.504.020(C), Chapter 19.104, Section 19.104.030, *Bauer v. County of Ventura* (1955) 45 Cal.2d 276, 284, *Fallbrook Irrigation District v. Bradley* (1896) 164 US 112, 161-162, *Barnes v. New Haven* (1953) 140 Conn. 8, 15, *Roe v. Kervick* (1964) 42 N.J. 191, 207, *Berman v. Parker* (1954) 348 U.S. 26, and other provisions of law.

Recommended Action: It is recommended that the City Council:

1. Consider Resolution No. _____, which is a Resolution of Necessity of the City of Buena Park ("City") Declaring Certain Real Property Necessary for Public Purposes and Authorizing Acquisition thereof for public health, safety, and welfare purposes in a manner consistent with the Land Use and Community Design Element and the Economic Development Element of the City's General Plan, as well as the Redevelopment Plan for the Consolidated Project Area ("Proposed Project.")
2. Open and conduct a hearing on the adoption of the proposed Resolution of Necessity, receive from City staff the evidence stated and referred to in this Agenda Report ("Report"), take testimony from any person wishing to be heard on issues A, B, C, and D below, and consider all evidence to determine whether to adopt the proposed Resolution of Necessity, which requires the City Council's separate consideration and determination.
3. If the City Council finds, based upon the evidence contained and referred to in this Report, the testimony and comments received at the hearing, and all written testimony submitted to the City Council, that the evidence supports the necessary findings with respect to the proposed Resolution of Necessity, then City staff recommends that the City Council, in the exercise of its discretion, adopt proposed Resolution No. _____, (which requires a 4/5 vote of the City Council) and authorize the City's legal counsel to commence eminent domain proceedings to acquire the real property interest described as follows:
 - The fee simple interest in the real property located at 7711-7733 Beach Boulevard in the City of Buena Park, and identified as Orange County Tax Assessor Parcel Numbers 136-203-40, 136-211-57 and 64 (collectively "Subject Property").
4. The Subject Property that the City seeks to acquire in fee is described more particularly in Exhibit "A" to the attached Resolution of Necessity. The Resolution also contains a drawing depicting the location of the Subject Property. The drawing is attached as Exhibit "B" to the Resolution of Necessity. The Resolution and its exhibits is attached as Exhibit "1" hereto, and is incorporated into this Report by this reference.
5. If the Resolution of Necessity is approved, authorize the City's legal counsel and City staff to take all necessary steps to deposit with the Court the amount of probable compensation required by law for issuance of an Order for Possession for the Subject Property identified above.
6. Authorize the City Manager, or his designee, to execute all necessary documents.

MAYOR/CITY COUNCIL REPORTS & CALENDAR

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

RECESS**STUDY SESSION (14 – 21) (Reconvene in the Council Chamber)**

- 14. DISCUSS AND PROVIDE DIRECTION REGARDING SENDING A LETTER TO ANAHEIM UNION HIGH SCHOOL DISTRICT (AUHSD) REQUESTING IN-PERSON INSTRUCTION FOR THE 2021-2022 SCHOOL YEAR**
Presented by: Eddie Fenton, Assistant City Manager

- 15. DISCUSS AND PROVIDE DIRECTION REGARDING THE CREATION OF AN IN-HOUSE HOMELESS OUTREACH PROGRAM**
Presented by: Eddie Fenton, Assistant City Manager; Corey Sianez, Police Chief; Jim Box, Director of Community Services

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

- 17. DISCUSS AND PROVIDE DIRECTION REGARDING CITY-WIDE INTERNET ACCESS**
Presented by: Joe Hunt, Senior Management Analyst

- 18. DISCUSS AND PROVIDE DIRECTION ON A COMPREHENSIVE UPDATE TO CITY COUNCIL POLICY STATEMENT NO. 21 REGARDING CERTIFICATES OF COMMENDATION, CONGRATULATIONS, AND RECOGNITION**
Presented by: Eddie Fenton, Assistant City Manager

- 19. DISCUSS AND PROVIDE DIRECTION REGARDING A RESOLUTION CONDEMNING AND COMBATING RACISM, XENOPHOBIA, AND INTOLERANCE AGAINST ASIAN AMERICANS AND PACIFIC ISLANDERS**
Presented by: Adria M. Jimenez, MMC, City Clerk

20. CITY MANAGER REPORT

21. COMMISSION/COMMITTEE REPORT

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, 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 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., the Buena Park Library, 7510 La Palma Avenue, and uploaded to the City of Buena Park website www.buenapark.com.

Date Posted: April 8, 2021

Adria M. Jimenez, MMC, City Clerk