



**BUENA PARK CITY COUNCIL  
REGULAR MEETING  
TUESDAY, MAY 25, 2021  
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, May 25, 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](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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**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**

**PASTOR GABE MONTEZ, THE WAY FELLOWSHIP**

**PLEDGE OF ALLEGIANCE**

**MINA MIKHAEL, ASSISTANT CITY ENGINEER**

**CITY MANAGER REPORT**

**PRESENTATIONS**

**PRESENTATION OF THE MYRNA HOLMQUIST  
COMMUNICATIONS SCHOLARSHIP AWARD TO  
RECIPIENTS ON BEHALF OF THE BUENA PARK CABLE  
FOUNDATION**

**PRESENTATION IN HONOR OF JAMES BASS  
COMMENDING HIS 22 YEARS OF SERVICE WITH THE  
BUENA PARK CABLE FOUNDATION**

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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 – 10)****1. APPROVAL OF MINUTES**

Recommended Action: Approve Minutes of the Special Joint Meeting of the City Council/Planning Commission of April 8, 2021; the Special and Regular City Council Meetings of April 27, 2021; and the Special City Council Meeting of April 30, 2021.

**2. RESOLUTIONS APPROVING CLAIMS AND DEMANDS**

Recommended Action: Adopt Resolutions

**3. TREASURER'S REPORT FOR THE MONTH OF APRIL 2021**

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

Recommended Action: 1) Receive and file the

**4. AGREEMENT WITH THE BUENA PARK HOTEL MARKETING ASSOCIATION FOR OPERATION AND ADMINISTRATION OF THE BUENA PARK TOURISM MARKETING DISTRICT (TMD)**

Purpose: Authorize the City Manager's Office to renew the agreement with the Buena Park Hotel Marketing Association to oversee the Buena Park Tourism Marketing District funds as outlined in the Management District Plan. There is no direct budget impact with the approval of this item.

Recommended Action: 1) Approve an agreement with the Buena Park Hotel Marketing Association for oversight of the Buena Park Tourism Marketing District; 2) Authorize the City Manager and City Clerk to make any necessary changes to the agreement; and 3) Authorize the City Manager and City Clerk to execute the agreement.

**5. AMENDMENT NO. 3 TO THE AGREEMENT WITH ALL CITY MANAGEMENT SERVICES (ACMS) FOR CROSSING GUARD SERVICES**

Purpose: Authorize the Police Department to execute an amendment to the agreement to allow for a new compensation rate based on minimum wage rates and to extend the agreement term to June 30, 2026. Associated costs in the amount of \$188,727.08 will be included in the FY2021-2022 budget (Account No. 11-6240-650308).

Recommended Action: 1) Approve Amendment No. 3 to the agreement with All City Management Services (ACMS) for crossing guard services ("Agreement"); 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Approve a budgetary action to appropriate an amount not-to-exceed \$188,727.08 for FY 2021-2022; and 4) Authorize the City Manager and City Clerk to execute the agreement.

**6. PURCHASE OF OUTDOOR WATER BOTTLE REFILL STATIONS**

Purpose: Authorize the Public Works Department to purchase four beverage bottle refill stations for use at City parks and facilities. Associated costs in the amount of \$23,600 will be paid for by the CalRecycle Beverage Bottle Recycling Grant (Account No. 11-6240- 160109).

Recommended Action: 1) Authorize the purchase of four outdoor water bottle refill stations from Most Dependable Fountains, Inc., Arlington, TX., utilizing beverage container recycling grant funds; and 2) Approve a budget amendment in the amount of \$24,000 for this purpose.

**7. PURCHASE OF REPLACEMENT BATTERIES FOR POLICE DEPARTMENT EMERGENCY EVACUATION LIGHTING SYSTEM**

Purpose: Authorize the Public Works Department to purchase replacement batteries for the emergency evacuation lighting system at the Police Department. Associated costs in the amount of \$34,180.41 are available in the Facilities Maintenance account for this purpose (Account No. 77-6248-170670).

Recommended Action: 1) Authorize the purchase of replacement batteries from Emergency Lighting Equipment Service Co., Inc., Costa Mesa, CA for the Police Department emergency evacuation lighting system in the amount of \$34,180.41.

**8. LICENSE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON (SCE) TO RENEW THE LAND USE LICENSE FOR THE STANTON AVENUE PUBLIC PARKING LOT LOCATED WITHIN THE SCE RIGHT-OF-WAY BETWEEN BEACH BOULEVARD AND STANTON AVENUE**

Purpose: Authorize the Public Works Department to execute an agreement for continued use of the SCE right-of-way located west of Stanton Avenue for a City parking lot and walking trail. Associated costs in the amount of \$187,559.46

Recommended Action: 1) Approve a five-year license agreement with Southern California Edison (SCE) for use of its right-of-way west of Stanton Avenue in the amount of \$187,559.46; 2) Authorize the City Manager and City Clerk to make any necessary, non-monetary changes to the agreement; and 3) Authorize the City Manager and City Clerk to execute the agreement.

**9. ADDENDUM NO. 11 TO THE AGREEMENT WITH TOWNSEND PUBLIC AFFAIRS FOR LEGISLATIVE ADVOCACY AND PUBLIC AFFAIRS CONSULTING SERVICES**

Purpose: Authorize the City Manager's Office to execute an addendum with Townsend Public Affairs for legislative advocacy and public affairs consulting services. Associated costs in the amount of \$96,900 are budgeted in the General Fund (\$72,675) and Water Enterprise Fund (\$24,225) for this purpose.

Recommended Action: 1) Approve Addendum No. 11 to the agreement with Townsend Public Affairs for legislative advocacy and public affairs consulting services; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the addendum; and 3) Authorize the City Manager and City Clerk to execute the addendum.

**10. RESOLUTION APPROVING THE APPOINTMENTS OF A COMMISSIONER TO THE SENIOR CITIZEN COMMISSION, A COMMISSIONER TO THE TRAFFIC & TRANSPORTATION COMMISSION, AND A COMMITTEE MEMBER TO THE HUMAN RELATIONS COMMITTEE**

Purpose: Accept the appointment of commissioners to the Senior Citizens Commission, Traffic & Transportation Commission, and the Human Relations Committee. There is no budget impact with the approval of this item.

Recommended Action: 1) Confirm the appointment of Maura Ferguson to the Senior Citizens Commission representing District at-large for a term that will expire on April 14, 2024; 2) Confirm the appointment of Erik Bombela to the Traffic & Transportation Commission representing District at-large for a term that will expire on May 25, 2024; and 3) Confirm the appointment of Monique Davis to the Human Relations Committee representing District 3 for a term that will expire on May 25, 2024.

**END OF CONSENT CALENDAR**

**NEW BUSINESS (11 – 20)**

**11. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF CONTRACT WITH KORMEX INDUSTRIES, INC. FOR THE MEDIAN IMPROVEMENTS ON ORANGETHORPE AVENUE PROJECT**

Presented by Norman Wray, Senior Engineering Technician

Purpose: Authorize the Public Works Department to hire a contractor to improve medians on Orangethorpe Avenue west of Knott Avenue. Associated costs in the amount of \$154,000 will require a budget transfer from the Gas Tax Fund balance.

Recommended Action: 1) Adopt a resolution approving plans and specifications for the Median Improvements on Orangethorpe Avenue Project; 2) Award a contract to Kormex Industries, Inc. in the amount of \$128,000; 3) Authorize contingency funds in the amount of \$13,000 in the same purchase order; 4) Authorize construction engineering funds in the amount of \$13,000; 5) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement, 6) Authorize the City Manager and the City Clerk to execute the contract; and, 7) Authorize a budget transfer in the amount of \$154,000 from undesignated Gas Tax Fund balance for this purpose.

**12. BUDGET ALLOCATION FOR THE DEPARTMENT OF STATE ARCHITECTS (DSA) CONSTRUCTION DOCUMENT REVIEW FEES RELATED TO THE WHITAKER ELEMENTARY SCHOOL PARK IMPROVEMENTS PROJECT**

Presented by Mina Mikhael, P.E., Assistant City Engineer

Purpose: Authorize the Public Works Department to submit the Whitaker Park Project plans to the Department of State Architects (DSA) and pay the associated plan check fees. Associated costs in the amount of \$35,147.50 will require a budget amendment from One-Time General Fund revenues to the project account (Account No: 32-9806-290150).

Recommended Action: 1) Authorize the Public Works Department to pay the Department of State Architects (DSA) plan review fees for the Whitaker Park Project and; 2) Approve a budget amendment in the amount of \$35,147.50 from One-Time General Fund revenues for this purpose.

**13. RESOLUTION TO ADOPT A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK CITY EMPLOYEES' ASSOCIATION (BPCEA)**

Presented by Eddie Fenton, Assistant City Manager/Director of Human Resources

Purpose: Approve a successor labor contract with the Buena Park City Employees' Association and associated pay tables. The budget impact for the one-year term is estimated at \$99,000.

Recommended Action: 1) Adopt a resolution approving a successor Memorandum of Understanding (MOU) between the City of Buena Park and the Buena Park City Employees' Association; and 2) Approve a budget amendment in amount of \$99,000 for this purpose.

**14. RESOLUTION TO ADOPT THE COMPENSATION PLAN FOR MANAGEMENT AND EXECUTIVE EMPLOYEES AND CITY COUNCIL**

Presented by Eddie Fenton, Assistant City Manager/Director of Human Resources

Purpose: Approve a successor Compensation Plan with the Buena Park Management Unit and Executive Employees and the City Council and approve addendums between the City and the City Manager, City Clerk, and Police Chief. The budget impact for the one-year term is estimated at \$160,000.

Recommended Action: 1) Adopt a resolution approving the Compensation Plan for Management and Executive Employees and City Council; 2) Approve Addendums between the City of Buena Park and the City Manager, City Clerk, and Police Chief; 3) Authorize the Mayor to execute the addendums; and, 4) Approve a budget amendment in amount of \$160,000 for this purpose.

**15. RESOLUTION TO ADOPT A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF BUENA PARK AND THE BUENA PARK POLICE MANAGEMENT ASSOCIATION (BPPMA)**

Presented by Eddie Fenton, Assistant City Manager/Director of Human Resources

Purpose: Approve a successor labor contract with the Buena Park Police Management Association and associated pay tables. The budget impact for the one-year term is estimated at \$84,000.

Recommended Action: 1) Adopt a resolution approving a successor Memorandum of Understanding (MOU) between the City of Buena Park and the Buena Park Police Management Association; and 2) Approve a budget amendment in amount of \$84,000 for this purpose.

**16. ORDINANCE AMENDING CHAPTER 16.08 OF THE BUENA PARK MUNICIPAL CODE RELATNG TO THE DAYS FIREWORKS MAY BE SOLD IN THE CITY OF BUENA PARK**

Presented by Eddie Fenton, Assistant City Manager/Director of Human Resources

Purpose: Consider adopting an ordinance to allow safe and sane fireworks to be sold on June 30th through July 4th each year. There is no direct budget impact associated with this item.

Recommended Action: The City Council may: 1) Adopt an ordinance amending Chapter 16.08 of the Buena Park Municipal Code relating to the days fireworks may be sold in the City; or 2) Provide alternative direction.

**17. PROFESSIONAL SERVICES AGREEMENT WITH NATIONAL DEMOGRAPHICS CORPORATION (NDC) FOR VOTER REDISTRICTING DEMORGRAPHER SERVICES**

Presented by Adria M. Jimenez, MMC, City Clerk

Purpose: Retain professional services necessary to meet the requirements of realigning voter districts in the City of Buena Park. The total costs of this agreement is in an amount not to-exceed \$75,000.

Recommended Action: 1) Approve a professional services agreement with National Demographics Corporation (NDC) in an amount not-to-exceed \$75,000; 2) Authorize the City Clerk and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager and City Clerk to execute the agreement; 4) Approve a budget transfer of \$49,000 in surplus funds from the 2020 General Municipal Election (Acct. No. 11- 6240-115-115) to the City Council Contract and Professional Services Account (Acct. No. 11-6240-101101); and 5) Approve a budget allocation from General Fund reserves to the City Council Contract and Professional Services Account (Acct. No. 11-6240- 101101), in the amount of \$26,000 for this purpose.



**18. CONSIDERATION OF EXTENDING THE AGREEMENT BETWEEN THE CITY, THE NEW BUTTERFLY PAVILLION LLC, AND PROFORMA77 CORPORATION, RELATING TO THE PROPERTY AT 7711 BEACH BOULEVARD AND THE BUTTERFLY PAVILLION PROJECT**

Presented by Christopher G. Cardinale, City Attorney

Purpose: Provide the City Council with: 1) an update on the parties' progress since the special meeting on April 30, 2021, at which the City Council approved the Negotiating Agreement, and the corresponding Extension Agreement between the City of Buena Park and Butterfly Pavillion, LLC ("Extension Agreement"); and 2) An opportunity to extend the term of the Negotiating Agreement for another thirty (30) days.

Recommended Action: That the City Council consider extending the term of that certain agreement between the City of Buena Park, The New Butterfly Pavillion, and Proforma77 relating to and allowing for execution of Extension Agreement, dated April 30, 2021 ("Negotiating Agreement"), for a period of 30 days. The extension would allow the parties time to continue exploring and negotiating the terms and conditions by which the Property might be sold to and developed by The New Butterfly Pavillion under new ownership

**19. PROFESSIONAL SERVICES AGREEMENT WITH URBAN FUTURES, INC. FOR MUNICIPAL ADVISOR SERVICES FOR PENSION OBLIGATION BONDS**

Presented by Sung Hyun, Director of Finance

Purpose: Authorize Finance Department to execute an agreement for municipal advisor services for pension obligation bonds (POBs) to refinance the unfunded accrued liability (UAL) for the City's pension plans. Associated costs in the amount not to exceed \$60,000 will be paid from the financing proceeds contingent on successful financing.

Recommended Action: 1) Approve a professional services agreement with Urban Futures, Inc. for Municipal Advisor Services for Pension Obligation Bonds in an amount not-to-exceed \$60,000; 2) Authorize the City Manager and the City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager and City Clerk to execute the agreement; and 4) Approve a budget amendment in the amount of \$5,000 for this purpose.

**20. 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 (21)****21. PUBLIC HEARING - APPEAL OF CITY MANAGER DECISION RELATED TO PAST DUE TRANSIENT OCCUPANCY TAXES (TOT) AND TOURISM MARKETING DISTRICT (TMD) ASSESSMENTS AND ASSOCIATED INTEREST AND PENALTIES FOR THE BEST HOST INN LOCATED AT 8530 BEACH BOULEVARD**

Purpose: Hear an appeal to consider affirming or waiving the interest and penalties associated with the late payment of TOT taxes and TMD assessments. Current outstanding penalties and interest are in the amount of \$81,123.93.

Recommended Action: The City Council may: 1) Deny the applicant's appeal and demand payment of all outstanding interest and penalties be paid in full immediately; or 2) Deny the applicant's appeal and demand payment of all outstanding interest and penalties be repaid within 90 days; or 3) Waive all interest and penalties associated with the delinquency; or 4) Provide alternative direction.

**MAYOR/CITY COUNCIL REPORTS & CALENDAR**

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

**RECESS****STUDY SESSION (22 – 25) (Reconvene in the Council Chamber)****22. DISCUSS AND PROVIDE DIRECTION REGARDING EXTENSION OF THE MULTIMODAL SILVERADO TRAIL FROM KNOTT AVENUE TO EAST OF DALE STREET (PHASE 2) AS PER THE SOUTHERN CALIFORNIA EDISON (SCE) PATHWAY PROJECT MASTER PLAN**

Presented by Deepthi Arabolu, P.E., Principal Engineer

**23. DISCUSS AND PROVIDE DIRECTION ON AN UPDATE TO CITY COUNCIL POLICY STATEMENT NO. 21 REGARDING CERTIFICATES OF COMMENDATION, CONGRATULATIONS, AND RECOGNITION**

Presented by Eddie Fenton, Assistant City Manager

**24. CITY MANAGER REPORT**

## 25. 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](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, 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 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](http://www.buenapark.com).

Date Posted: May 20, 2021

*Adria M. Jimenez, MMC, City Clerk*