

MINUTES OF A SPECIAL MEETING
OF THE BUENA PARK CITY COUNCIL
HELD APRIL 27, 2021

Vol. 52 Pg. 49

CALL TO ORDER

The City Council met in a special meeting on Tuesday, April 27, 2021, at 3:30 p.m., in the 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 Lucie Cazares, CMC, Assistant City Clerk.

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.

Bob Maxwell, RMM Consulting, LLC., stated his company was retained by the new Butterfly Pavilion, LLC., for construction management services.

James Wirick, LPA Design Studio, spoke about his team of architects looking at existing conditions for the Butterfly Pavilion site and doing due diligence before submitting permit application to the City.

Kendra Carney Mehr, representing the new Butterfly Pavilion, LLC., spoke about her clients' team being ready to take immediate steps to complete the project as soon as September, and respectfully requested the opportunity to work with the City to develop this unique site.

Mark Vargas, advisor to the new Butterfly Pavilion, LLC., spoke about his client's commitment to take immediate action to continue working with the City and Korean Asset Funding.

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

CLOSED SESSION (1 - 6)

Mayor Traut 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

City Attorney Cardinale announced that Item No. 1 and Item No. 2 were simultaneously discussed.

2. 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

Item No. 1 and Item No. 2, City Council unanimously approved the proposed extension agreement submitted by the new Butterfly Pavilion, LLC., subject to various conditions including that the City Council approve the final form and content of the preliminary real estate terms

referenced in the extension agreement. There will be a Special Meeting on Friday, April 30, 2021 at 10:00 a.m. to present and consider the preliminary agreement. Additionally, the City Council's approval is subject to a change in ownership of Butterfly Pavilion, LLC as has been represented, as well as no prejudice to the City's rights to pursue the pending litigation, as well as the eminent domain action that was reflected on a resolution adopted by the City Council on April 13, 2021, that seeks to acquire the property pursuant to California's eminent domain laws for public purposes as stated in the resolution of necessity, Resolution No. 14300. City Council did confirm direction to file the complaint and eminent domain as stated on the resolution.

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

The City Council unanimously directed the City Attorney to exercise its purchase option on the site for an amount of \$940,000 and pursue the City's rights and remedies for the Stanford Hotel site.

4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Gov. Code Section 54956.8

Property: Hilton Hotel, 6986 Beach Blvd

Negotiating Parties: Aaron France, City Manager and Source Hotel, LLC.

Under Negotiation: Price, Terms, and Conditions

5. THREAT TO PUBLIC SERVICES OR FACILITIES

Pursuant to Gov. Code Section 54957

Consultation with: Aaron France, City Manager and Eddie Fenton, Assistant City Manager

No reportable action.

6. CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Gov. Code Section 54957.6

Agency Negotiator: Eddie Fenton, Assistant City Manager/Director of Human Resources

Employee Organization: Buena Park City Employees' Association; Buena Park

Technical, Office, and Professionals Association; Buena Park Management Unit; Buena

Park Police Management Association; Buena Park Police Association; Buena Park

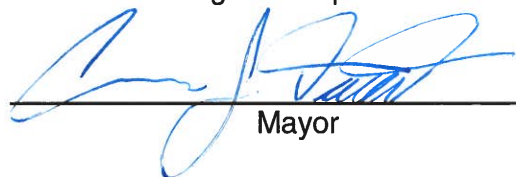
Unrepresented Employees

RECESS/RECONVENE

Mayor Traut recessed the meeting at 4:50 p.m. and announced the meeting would reconvene after the regular meeting to discuss Item Nos 4 and 6. Mayor Traut reconvened the meeting at 8:50 p.m. It was announced that no reportable action was taken for Item Nos. 4 and 6.


ADJOURNMENT

There being no further business, Mayor Traut adjourned the meeting at 9:20 p.m.



Mayor

ATTEST:



City Clerk