

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

Vol. 52 Pg. 51

CALL TO ORDER

The City Council met in a regular session on Tuesday, April 27, 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 Lucie Cazares, CMC, Assistant City Clerk.

INVOCATION

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Eddie Fenton, Assistant City Manager.

CITY MANAGER REPORT

City Manager France reported on the following:

- Community Gardens Meeting, Saturday, May 8, 10:00 a.m. located on Thelma Ave., west of Knott Ave., on the Edison right-of-way.
- Planning Manager Meshram provided a Housing Element update and requested the public's help in completing a survey which will provide feedback and help inform and plan for what the next eight years of housing should look like in Buena Park.
www.buenapark.com/2021housingelementupdate

PRESENTATIONS

Mayor Traut, Police Chief Sianez; Division Chief Petro, Orange County Fire Authority; Assembly Member Quirk-Silva's Office; and State Senator Newman's Office presented Certificates of Commendation to Travis Navarro for his act of bravery and maintaining his composure when contacting 911 for a family member in distress. His maturity, calming presence, and quick action saved a life.

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.

Baron Night, Buena Park, resident spoke about using equality and equity interchangeably. He suggested the City Council keep in mind that the words are different.

DeAnna Sullivan, Los Angeles resident, spoke about her son's death. She asked the City Council to reopen the case.

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

CONSENT CALENDAR (1 - 9)

Mayor Traut announced that Consent Calendar Items 1 through 9 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. There being no requests for separate consideration, the following action was taken:

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

MOTION CARRIED that all actions recommended on Consent Calendar Items 1 through 9 be approved.

Minutes

1. APPROVAL OF MINUTES
Recommended Action: Approve Minutes of the Special and Regular City Council Meetings of April 13, 2021.

APPROVED the recommended action.

Finance 75

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

ADOPTED the following titled resolutions:

RESOLUTION NO. 14301

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$10,680.70 DEMAND NOS. 408078 THROUGH 408082

RESOLUTION NO. 14302

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$949,348.79 DEMAND NOS. 408083 THROUGH 408261 CANCELLED NOS 404623, 404638, 404756, 404912, 405027, 405087, 405119, 405182, 405220, 405267, 405269, 405270, 407884 VOIDS

RESOLUTION NO. 14303

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS IN THE SUM OF \$712,241.40 COVERING REGULAR PAYROLL ENDING APRIL 02, 2021

Reports & Studies 129

3. TREASURER'S REPORT FOR THE MONTH OF MARCH 2021
Purpose: Review the Treasurer's Investment Report prepared by the Finance Department for the month of March 2021. There is no fiscal impact in receiving this report.

Recommended Action: Receive and file the reports.

APPROVED the recommended action.

Commendations 65

4. RESOLUTION HONORING AND COMMENDING LORENA NASMAN ON HER RETIREMENT
Recommended Action: Adopt Resolution.

ADOPTED the following titled resolution:

RESOLUTION NO. 14304

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, HONORING AND COMMENDING LORENA "LORIE" NASMAN ON HER RETIREMENT

Boards & Commissions 42

5. RESOLUTION APPROVING APPOINTMENT OF A COMMISSIONER TO THE CULTURAL & FINE ARTS COMMISSION

Purpose: Accept the appointment of a commissioner to the Cultural & Fine Arts Commission. There is no budget impact with the approval of this item.

Recommended Action: 1) Confirm the appointment of Devin Berman to the Cultural & Fine Arts Commission representing District 3 for a term that will expire on April 27, 2024.

ADOPTED the following titled resolution:

RESOLUTION NO. 14305

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING THE APPOINTMENT OF DEVIN BERMAN, DISTRICT 3, TO THE CULTURAL & FINE ARTS COMMISSION

Admin. Serv. 112

6. RESOLUTION TO ADOPT AN AMENDED BUENA PARK JOB CLASSIFICATION PLAN AND PAY SCHEDULE FOR TEMPORARY, SEASONAL, AND LIMITED SERVICE PERSONNEL TO INCLUDE THE HOMELESS OUTREACH CASE MANAGER POSITION IN THE COMMUNITY SERVICES DEPARTMENT

Purpose: Direct the Human Resources Department to amend the pay schedule for temporary, seasonal, and limited service employees to include the Homeless Outreach Case Manager pay range and job classification specification.

Recommended Action: 1) Approve the new job classification specification; and 2) Adopt a resolution amending the pay schedule for temporary, seasonal, and limited service personnel.

ADOPTED the following titled resolution:

RESOLUTION NO. 14306

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, APPROVING THE HOMELESS OUTREACH CASE MANAGER JOB CLASSIFICATION SPECIFICATION AND AMENDING THE PAY SCHEDULE FOR PART-TIME, SEASONAL, AND LIMITED SERVICE EMPLOYEES EFFECTIVE APRIL 27, 2021, AND SUPERCEDING RESOLUTION NO. 14248

City Council 55 Policies 186

7. RESOLUTION CONDEMNING AND COMBATING RACISM, XENOPHOBIA, AND INTOLERANCE AGAINST ASIAN AMERICANS AND PACIFIC ISLANDERS

Purpose: Adopt a Resolution supporting the Asian American and Pacific Islander residents of Buena Park. There is no budget action related to this item.

Recommended Action: 1) Adopt a Resolution condemning and combating racism, xenophobia, and intolerance against Asian Americans and Pacific Islanders.

ADOPTED the following titled resolution:

RESOLUTION NO. 14307

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA CONDEMNING AND COMBATING RACISM, XENOPHOBIA, AND INTOLERANCE AGAINST ASIAN AMERICANS AND PACIFIC ISLANDERS

Proclamation 119

8. PROCLAMATION DESIGNATING APRIL 2021 AS DMV/DONATE LIFE CALIFORNIA MONTH

Recommended Action: Approve Proclamation.

APPROVED the recommended action.

Block Grants Prog. - Misc. 1914 Budgets 47 Contracts 70 C-1998

9. AGREEMENT WITH ORANGE COUNTY SHERIFF'S DEPARTMENT (OCSD) TO TRANSFER FUNDS RELATED TO THE 2020 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FOR THE INSTALLATION AND OPERATION OF AN AUTOMATED LICENSE PLATE READER (ALPR)

Purpose: Authorize the Police Department to accept grant funds to lease Automated License Plate Readers (ALPR) to enhance safety/security throughout the city. Associated costs in the amount of \$14,951 will be paid for with grant funds.

Recommended Action: 1) Approve an agreement with the Orange County Sheriff's Department (OCSD) to transfer funds for the 2020 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for supplemental funding to lease automated license plate readers; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager to execute the agreement; and 4) Approve a budgetary action to appropriate funds in the amount of \$14,951.

APPROVED the recommended action.

END OF CONSENT CALENDAR

NEW BUSINESS (10 – 14)

Contracts 70 C-3282 Public Works 125 PW-896

10. RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND APPROVAL OF A CONTRACT WITH ALL AMERICAN ASPHALT FOR THE 2020-2021 ANNUAL SLURRY SEAL PROJECT

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

Purpose: Authorize the Public Works Department to execute an agreement in the amount of \$296,353.70 to apply slurry seal coating on the designated streets for the 2020-2021 Annual Slurry Seal Project. Associated costs in the amount of \$326,353.70 are allocated in the adopted FY 20-21 Budget and will be funded by the Gas Tax Fund (Account No. 24-9806-590010).

Recommended Action: 1) Adopt a resolution approving plans and specifications; 2) Award a contract to All American Asphalt in the amount of \$296,353.70; 3) Authorize contingency funds in the amount of \$30,000 in the same purchase order; and 4) Authorize the City Manager and the City Clerk to execute the contract.

Assistant Engineer Alqam summarized the staff report noting the 2020-2021 Annual Slurry Seal Project will include slurry sealing of existing streets and replacing striping along residential streets in two areas: 1) north of Orangethorpe Avenue to the 5 Freeway between Western Avenue and Beach Boulevard; and 2) north of the Fullerton Creek to 9th Street between Gramercy Street and Western Avenue. On April 5, 2021, two bids were received and publicly opened. All American Asphalt is the lowest, responsible bidder at \$296,353.70. This bid is 15% lower than the engineer's estimate. The Contractor possesses the required license and has performed similar projects for the City. Staff recommends awarding a contract to All American Asphalt of Corona, California, in the amount of \$296,353.70, and approving contingency funds in the amount of \$30,000. Construction is scheduled to begin May 2021 and be completed by July 2021. The estimated total project cost is \$341,353.70, which includes Construction Engineering in the amount of \$15,000.00.

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

MOTION CARRIED to approve the recommended action and include the Construction Engineering cost in the amount of \$15,000.00, and ADOPT the following titled resolution:

RESOLUTION NO.14308

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR 2020-2021 ANNUAL SLURRY SEAL PROJECT IN SAID CITY

Budgets 47 Contracts 70 C-3283 Public Works 125 PW-897

11. RESOLUTION APPROVING PLANS, SPECIFICATIONS, AND APPROVAL OF CONTRACT WITH RJ NOBLE COMPANY FOR THE 2020-2021 ANNUAL PAVEMENT REHABILITATION PROJECT

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

Purpose: Approve plans and specifications and authorize the Public Works Department to hire a contractor for the 2020-2021 Annual Pavement Rehabilitation Project. Associated construction costs in the amount of \$1,256,751.65 will be funded from a combination of Gas Tax and Measure M2 funds (Account No. 24-9806-590004).

Recommended Action: 1) Adopt a resolution approving plans and specifications for the 2020-2021 Annual Pavement Rehabilitation Project; 2) Award a contract to RJ Noble Company in the amount of \$1,114,751.65; 3) Authorize contingency funds in the amount of \$112,000 in the same purchase order; 4) Authorize construction engineering in the amount of \$30,000; 5) Authorize the City Manager and the City Clerk to execute the contract; and 6) Authorize a budget transfer in the amount of \$260,000 from the Altura Avenue Pavement Rehabilitation Project for this purpose.

Assistant City Engineer Mikhael summarized the report noting the 2020-2021 Annual Pavement Rehabilitation Project will include the removal and replacement of damaged and outdated asphalt pavement, curb and gutter, sidewalk, wheelchair ramp truncated domes, and driveway approaches to comply with the Americans with Disabilities Act (ADA) standards. Work limits include Santa Rita Circle, Santa Paula Circle, Santa Marta Circle, Santa Ana Circle, Santa Anita Circle, Knott Avenue frontage (from Santa Isabel Circle to Crescent Avenue frontage), Harrison Way, Pierce Circle, Wilson Circle, Roosevelt Circle, Madison Avenue, Van Buren Way, and Knott Avenue frontage (from Van Buren Way to Hoover Way). These specific streets were selected within the project area due to their pavement condition index rating (PCI). Other streets within the tract were not selected for rehabilitation because they are already in good condition.

On March 18, 2021, six bids were received and publicly opened. The lowest responsible bid was submitted by RJ Noble Company of Orange, CA in the amount of \$1,114,751.65. This contractor possesses the required license and has completed similar projects for the City. Staff recommends awarding a contract to RJ Noble Company and approving contingency funds in the amount of \$112,000. Construction is scheduled to begin in May, 2021 and be completed by July, 2021.

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

MOTION CARRIED to approve the recommended action and ADOPT the following titled resolution:

RESOLUTION NO. 14309

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK APPROVING PLANS AND SPECIFICATIONS FOR 2020-2021 ANNUAL PAVEMENT REHABILITATION PROJECT IN SAID CITY

Contracts 70 C-3284

12. PROFESSIONAL SERVICES AGREEMENT WITH AKAL CONSULTANTS FOR THE INDIANA AVENUE AND RAND STREET WATER MAIN PROJECT

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

Purpose: Authorize the Public Works Department to enter into an agreement with AKAL Consultants to provide professional design and construction support services for the replacement of deteriorated water mains at Indiana Avenue and at Rand Street. Associated costs in the amount of \$48,940 will be funded by the Water Enterprise Fund (Account No. 52-9806-396860).

Recommended Action: 1) Approve a Professional Services Agreement with AKAL Consultants in the amount of \$48,940 for the Indiana Avenue and Rand Street Water Main Project; 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 the City Clerk to execute the agreement.

Assistant City Engineer Mikhael summarized the report noting staff is requesting approval of a Professional Services Agreement with AKAL Consultants to replace two water mains at Indiana Avenue and at Rand Street. The existing 5-inch, cast iron water mains developed several leaks in recent years due to deterioration since being installed in the 1940s. The existing mains will be replaced with 6-inch ductile iron pipe capable of maintaining fire flows required by the Orange County Fire Authority. The scope of service will include surveying, plans, specifications, and cost estimates.

A request for proposal was sent to six consultants. AKAL Consultants was the sole consultant who responded with a proposal. Because this is a relatively small project, other consultants declined to provide proposals. AKAL Consultants has successfully completed other projects for the City. Staff has evaluated the proposed fees and found them to be reasonable according to industry standards. Subsequently, staff recommends awarding a contract to AKAL Consultants in the amount of \$48,940.

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

MOTION CARRIED to approve the recommended action.

Admin. Svcs. 112

13. RESOLUTION TO ADOPT AN AMENDED BUENA PARK JOB CLASSIFICATION PLAN AND COMPENSATION PLAN TO RECLASSIFY VARIOUS CLASSIFICATIONS AND SALARY RANGES IN THE CITY MANAGER'S OFFICE, HUMAN RESOURCES DEPARTMENT, AND ECONOMIC DEVELOPMENT DIVISION
 Presented by Eddie Fenton, Assistant City Manager

Purpose: To adopt a Resolution to amend the Buena Park Management Employees Compensation Plan and Classification Plan to provide for updated salary ranges, job titles, reporting relationships, essential functions, qualifications guidelines, and physical and mental demands in order to reorganize the City Manager's Office (CMO), Human Resources Department, and Economic Development Division to provide for necessary service levels and reduce City costs.

Recommended Action: 1) Approve the new and revised job classification specifications in the City Manager's Office, Human Resources Department, and Economic Development Division; and 2) Adopt a Resolution to amend the Buena Park Management Unit Compensation Plan and the City's job Classification Plan to add new and revised job classification specifications for specified jobs in the various Departments.

Assistant City Manager Fenton reported that the proposed plan includes eliminating 50% of the Assistant City Manager and 50% of the Director of Human Resources and Risk Management positions and combine each to create a hybrid Assistant City Manager/Director of Human Resources position. This position will oversee the staff of the City Manager's Office, Purchasing Division, and Visit Buena Park, as well as continue providing direction and leadership to the Human Resources and Risk Management operations and staff. In order to effectively accomplish this, the Human Resources Manager position will be created to help manage the Human Resources and Risk Management functions. Staff recommends reclassifying the Senior Human Resources Analyst to Human Resources Manager to provide greater managerial support related to human resources and risk management functions.

This proposed plan also includes adding a Senior Management Analyst position to the City Manager's Office. The Senior Management Analyst position provides greater support to the City Manager and Assistant City Manager. This plan would also increase the current Management Analyst from .5 to 1 FTE in the Economic Development Division. With this reorganization plan, this position will now spend 100% staff time in the Economic Development Division.

The new part-time Marketing Assistant and Administrative Intern positions will report to the Assistant City Manager/Director of Human Resources. The Marketing Assistant will provide entry-level public relations work in support of the City's public information and community outreach and engagement strategies and assist with the advertising, marketing, and promotion of City events and recreation programs on a part-time basis. The Administrative Intern position will support the City Manager's Office with entry-level administrative projects, data entry, phone

coverage, research, analysis, and report writing support. Based on the results of a recent classification study, the Human Resources Department recommends that the City's Classification and Compensation Plans be amended to incorporate the new positions and salary ranges.

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

MOTION CARRIED to approve the recommended action and ADOPT the following titled resolution:

RESOLUTION NO.14310

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, AMENDING THE CITY CLASSIFICATION PLAN FOR VARIOUS JOB CLASSIFICATION SPECIFICATIONS, AND AMENDING THE COMPENSATION PLAN FOR THE BUENA PARK MANAGEMENT UNIT TO ADOPT THE JOB CLASSIFICATION SPECIFICATIONS AND SALARY RANGES OF THE ASSISTANT CITY MANAGER / DIRECTOR OF HUMAN RESOURCES AND HUMAN RESOURCES MANAGER

Emergency Services 188

- 14. 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.

City Manager France provided an update on the Covid pandemic in Orange County; two of the three metrics are currently in the yellow tier; there has been a decline in Covid hospitalization, and 896,000 fully vaccinated people in Orange County; and, the Johnson and Johnson vaccine will continue to be distributed as the benefits of the vaccine outweigh the risk.

Assistant City Manager Fenton provided an update on COVID-19 testing. The City of Buena Park, the County of Orange and 360Clinic are partnering to provide free COVID-19 testing to the City and community at the Senior Center, 8150 Knott Avenue, Mondays, Thursdays and Fridays from 9:00 a.m. to 3:00 p.m. Mr. Fenton informed the public they can contribute to slow the spread by wearing a mask, washing hands, and maintaining physical distance. Vaccinations are available for all Californians 50 and older. Beginning Thursday, April 15 all Californians 16 and older will be eligible for vaccinations. Lastly, the Buena Park Community Center will be hosting vaccination events every Monday. Appointments can be schedule online through myturn.ca.gov, more information is available on the City's website or social media accounts.

APPROVED the recommended action.

CALL TO ORDER 6 P.M.

PUBLIC HEARING (15)

Block Grants 1913

15. PUBLIC HEARING - RESOLUTION ADOPTING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) 2021-2022 ANNUAL ACTION PLAN
Presented by Eddie Fenton, Assistant City Manager

Purpose: Authorize the Economic Development Division to submit the CDBG draft FY 2021-2022 Action Plan that creates goals for housing and community development and allocates the City's federal grant funds. There is no General Fund budget impact with the approval of this item.

Recommended Action: 1) Hold a public hearing to review and receive comments from the public for the Community Development Block Grant (CDBG) Draft Fiscal Year (FY) 2021-2022 Annual Action Plan; 2) Adopt a resolution approving the City of Buena Park's FY 2021-2022 Annual Action Plan; and 3) Authorize submission of the Plan to the U.S. Department of Housing and Urban Development (HUD).

Mayor Traut stated that this was the time and place for a public hearing to consider adopting the Community Development Block Grant (CDBG) Annual Action Plan 2021-2022.

Assistant City Manager Fenton reported that on February 18, 2021, the Community Development Citizens Advisory Committee (CAC) held a public meeting to review and discuss the 12 proposals submitted. The CAC recommended funding all 12 proposals, including two fair housing agencies: Fair Housing Foundation and Orange County Fair Housing Council. The CAC recommended an estimated budget allocation for the City Council consideration, which included reducing the Neighborhood Improvement/Code Enforcement allocation to allow funding for both fair housing agencies.

After the CAC meeting, the City received its 2021-2022 CDBG allocation from HUD in the amount of \$840,748, which was a 4% (\$34,406) decrease from the City's 2020-2021 fiscal year allocation. In addition to the CDBG allocation, the City will utilize \$118,556 of prior years' unspent/program income funds, for a total of available funds in the amount of \$959,304. As a result, all program allocations were decreased incrementally (approximately 4%) from the CAC's recommended budget.

On March 23, 2021, the City Council held a public hearing to review and discuss CAC's recommended budget allocation for the CDBG fiscal year 2021-2022. After considerable discussion, the City Council directed staff to fund one fair housing agency, increase funding for the Neighborhood Improvement/Code Enforcement and Fair Housing Foundation allocations, and approved a final budget. The final CDBG fiscal year 2021-2022 approved budget has been incorporated in the 2021-2022 Annual Action Plan.

The CDBG 2021-2022 Annual Action Plan serves as the City's application for CDBG funds. HUD requires that all grantees receiving federal funds prepare an Annual Action Plan that details the use of CDBG, local, and private funds to meet stated housing and community development priorities.

Mayor Traut opened the public hearing and inquired if anyone present desired to speak. There being no one desiring to speak, Mayor Traut closed the Public Hearing.

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

MOTION CARRIED to approve the recommended action and ADOPT the following titled resolution:

RESOLUTION NO. 14311
RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK ADOPTING THE 2021-2022 ANNUAL ACTION PLAN

MAYOR/CITY COUNCIL REPORTS & CALENDAR

Council Member Swift reported on the following:

- April 21 Senior Center Volunteer Recognition Drive-thru Event
- April 23 City Clerk Jimenez Wedding Via Zoom

Council Member Sonne reported on the following:

- April 15 Orange County Mosquito and Vector Control District Meeting
- April 21 Senior Center Volunteer Recognition Drive-thru Event
- April 21 Cultural and Fine Arts Commission Interview
- April 22 Beautification-Environmental Commission Meeting
- April 23 City Clerk Jimenez Wedding Via Zoom
- April 26 37th Annual Fair Housing Month Celebration Via Zoom

Mayor Pro Tem Park reported on the following:

- April 17 Jain Center Vaccination Event
- April 18 Orange County District Attorney's Office Crime Victims Rally
- April 21 America on Track Zoom Meeting
- April 21 Images Park Community Meeting
- April 22 Orange County Fire Authority Board of Director's Meeting

Mayor Pro Tem Park calendared a policy for vetting process for potential developers for City projects and a report on strategic plan to revive the tourism industry, including forming a Tourism and Hotel Task Force.

Council Member Brown reported on the following:

- April 14 Orange County Sanitation District Meeting
- April 18 Orange County District Attorney's Office Crime Victims Rally
- April 21 Senior Center Volunteer Recognition Drive-thru Event
- April 21 Orange County Sanitation District Planning Meeting
- April 22 Senior Citizens Commission Meeting
- April 22 Orange County Council of Governments Board Meeting
- April 23 City Clerk Jimenez Wedding Via Zoom
- April 27 Whitaker-Jaynes House Tours

Council Member Brown commented that there's a bill in the State's legislature to allow cities to set speed limits.

Mayor Traut reported on the following:

- April 15 Orange County Mayors Weekly Zoom Meeting
- April 16 Weekly Conference Call with County CEO and Health Officer
- April 18 Celebrated his 27th Birthday
- April 19 Interview Sunny Hills High School Newspaper
- April 21 Senior Center Volunteer Recognition Drive-thru Event
- April 23 City Clerk Jimenez Wedding Via Zoom
- April 23 Weekly Conference Call with County CEO and Health Officer
- April 26 37th Annual Fair Housing Month Celebration Via Zoom

RECESS/RECONVENE

Mayor Traut recessed the meeting at 6:10 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 6:20 p.m.

STUDY SESSION (16 – 20) (Reconvene in the Council Chamber)

16. DISCUSS AND PROVIDE DIRECTION REGARDING THE WHITAKER JAYNES VISITOR/TOUR DAYS/TIMES AND SIGNAGE
Presented by Mark Saucedo, Community Services Supervisor

Council Member Brown recused himself from this discussion and left the dais, as he is the Curator of the Buena Park Historical Society.

Community Services Supervisor Saucedo reported the Whitaker-Jaynes Estate recently underwent an extensive interior and exterior renovation. On August 14, 2020, the City, in cooperation with the Historical Society, hosted a Ribbon Cutting and Grand Reopening ceremony. At the January 28, 2020, City Council meeting, staff proposed various uses for the facility that could preserve the historical nature of Whitaker-Jaynes Estate and adjacent Bacon House. These uses included small group gatherings and tours of the historical buildings.

Later that year at the October 13, 2020, City Council meeting, Council Member Swift requested additional information about hours of operation and requested signage for the Whitaker-Jaynes Estate. Currently, a sign is located in front of the Historical Houses listing the year the buildings were established. This sign can be difficult to read while driving as this sign parallels Beach Boulevard. A sign perpendicular to Beach Boulevard would increase the visibility of the Historical Houses. Staff is seeking direction from City Council in regards to hours of operation and facility signage for the Whitaker-Jaynes Estate.

Dean Dixon, Laguna Woods History Center, submitted a letter via email in support of signage for the Whitaker-Jaynes Estate.

Chris Brown, Buena Park Historical Society President, spoke about visitor hours, Covid-19 pandemic closures, hiring Phil Coombes of Global Imaging to develop a virtual tour of the Whitaker-Jaynes and Bacon House, and programs and services provided by the Historical Society.

Roger Mahaffey, Buena Park resident, spoke about the virtual tour, the historical homes being staffed with volunteers.

The City Council discussed the opportunity to add restrooms to the historical homes, reviewed pictures of signage from two historical homes in southern California, virtual tours, importance in consistency of hours of operations, and being supportive of the City helping the historical society.

City Manager France commented that there is currently no funding in the budget for this purpose, however, the City is able to work with the historical society in partnering and splitting cost.

Following discussion, the City Council directed staff to research signage cost, funding for signage, posting hours of operation and tours on the City's website, social media, restroom availability, and potentially holding open house one day a weekend.

17. DISCUSS AND PROVIDE DIRECTION REGARDING COMPLIANCE OPTIONS FOR SB 1383 (MANDATORY COMMERCIAL ORGANICS COLLECTION) AND OTHER WASTE DISPOSAL ISSUES

Presented by Doug Brodowski, Operations Manager

Operations Manager Brodowski summarized the staff report noting State Senate Bill 1383 (SB 1383) of 2016 established methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants. By expanding the composting of organic waste, reducing food waste, and maximizing edible food rescue, a significant reduction in greenhouse gas emissions that contribute to global climate change can be achieved. SB 1383 establishes targets to achieve a 50 percent reduction in the level of statewide disposal of organic waste by 2020, and a 75 percent reduction by 2025. It also establishes a target of 20 percent of currently disposed edible food to be recovered for human consumption by 2025. By January 1, 2022, the State has mandated that local jurisdictions 1) Adopt enforceable ordinances to ensure that all residential and commercial generators are compliant with SB 1383; 2) Provide organics collection service to all residents and businesses; 3) Establish an edible food recovery program; 4) Conduct education and outreach; 5) Procure recyclable and recovered organic products; and 6) Secure access to recycling and edible food recovery capacity.

Steve South, President and CEO of EDCO, spoke about reducing short-lived climate pollutants in California, organic waste, SB1383 requirements and compliance options. He also spoke about key implementation dates, EDCO's responsibilities and jurisdiction responsibilities. He commented that by January 1, 2024, the City will be required to take enforcement action against non-compliant entities. If the City fails to implement the SB 1383 requirements, the State may levy penalties up to \$10,000 per day. Staff and Park Waste and Recycling have worked together to develop a strategy for the City to comply with these mandates.

The City Council discussed apartment complexes, Beautification-Environmental Commission being involved in the process, outreach programs, and working with the Chamber of Commerce to reach out to businesses. Following discussion, the City Council received and filed the report.

RECESS/RECONVENE

Mayor Traut recessed the meeting at 7:25 p.m. and announced the meeting would be reconvened in the City Council Chamber. The meeting was reconvened at 7:35 p.m.

18. DISCUSS AND PROVIDE DIRECTION OF REGULATORY OPTIONS FOR LIMITING YOUTH ACCESS TO TOBACCO RETAILERS AND PRODUCTS IN THE CITY OF BUENA PARK

Presented by Christopher G. Cardinale, City Attorney

City Attorney Cardinale summarized the report noting during the City Council meeting held on March 23, 2021, the City Council received a presentation from staff and non-profit groups about the health risks associated with tobacco products, the danger and proliferation of youth access and use of tobacco products, and regulatory options available to the City to reduce or remediate these risks. Following the presentation, the City Council requested staff analyze and return with additional analysis of four (4) regulatory categories: (1) local licensing of tobacco retailers; (2) sensitive use buffers from schools or locations frequented by children; (3) smoking regulations in public places; and (4) prohibition or regulation of flavored tobacco products.

The staff report provides additional information requested by the City Council and solicits direction from the City Council on next steps. Although federal and state law regulate tobacco products and retailers, achieving compliance with those regulations remains a challenge from a local perspective. To address this concern and to fill in regulatory gaps left by federal or state laws, cities throughout California have adopted local ordinances regulating tobacco products and retailers. These local regulations typically take two forms: (1) an ordinance adding licensing and regulatory requirements to the municipal code; and (2) an amendment to the zoning code to address land use issues.

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

Emails of support of an ordinance to prohibit the sale of tobacco and products from the following:

- Alyssa Horita
- Shanin Ziemer
- Sahaj Kaur
- Gaby Garcia
- Araceli Gonzalez

Ramona Lopez, Buena Park resident, spoke about her concerns as a parent about the tobacco industry tactics in hooking kids to start smoking at a young age. She urged the City Council to consider an ordinance to prohibit the sale of tobacco and products, implement local licensing for sales of tobacco, and a buffer implementation for businesses where children gather.

Jacqueline Murillo, Buena Park resident, spoke about being a mother, a resident and a community leader working with America on Track. She asked the City Council's support in working together to reduce the tobacco product sales in the community and urged the City Council to adopt an ordinance to prohibit tobacco sales in Buena Park.

Yesenia Vasquez, Buena Park resident and ICU Nurse, spoke about being involved in the City advocating for the youth in the community. Urged the City Council to adopt an ordinance prohibiting tobacco sales in Buena Park.

Claire Braeburn, Executive Director of America on Track, thanked the City Council on all they do to care for the Community. She commented that she is impressed that City Council is moving quick on the prohibition of tobacco sales, licensing, and a total ban on all tobacco products. She spoke about density issue, retailers around youth facilities, making sure the fee is high enough to support a program that will enforce tobacco retailing. She spoke about grant funding, outreach and education and offered assistance to the City Council.

The City Council discussed local licensing of tobacco retailers, regulatory options, flavored tobacco product, prohibition on smoking in public places, location of tobacco retailers, grace period prior to enforcement, cost and enforcement considerations, advertisement and display of tobacco products, informing businesses that the City is considering a tobacco licensing ordinance, and grant funding.

Following discussion, the City Council directed staff to draft a tobacco licensing ordinance, engage with impacted residents and businesses, and return to City Council for further discussion and potential adoption.

19. CITY MANAGER REPORT

City Manager France reported that the City's long time videographer Mark Cloud passed away.

20. COMMISSION/COMMITTEE REPORT

Assistant City Clerk Cazares had nothing to report.

ADJOURNMENT

There being no further business, Mayor Traut adjourned the meeting at 8:42 p.m. The meeting was adjourned in memory of Mark Cloud, City of Buena Park former videographer.

ATTEST:



City Clerk



Mayor