

Tuesday, July 23, 2024, 5:00 PM
Council Chamber
6650 Beach Boulevard
Buena Park, CA 90621

BUENA PARK CITY COUNCIL REGULAR MEETING AGENDA

5:00 p.m.
PUBLIC HEARINGS AT 6:00 P.M.

1: GENERAL

- 1A. CALL TO ORDER
- 1B. ROLL CALL
- 1C. INVOCATION
 - By Rabbi Lawrence Goldmark
- 1D. PLEDGE OF ALLEGIANCE
 - By Rebecca Valdez, Human Resources Manager
- 1E. CITY MANAGER REPORT
 - Aaron France, City Manager

2: PRESENTATIONS

- 2A. EMPLOYEE SERVICE AWARDS
 - Presented to Joseph Davenport, Buena Park Police Department
 - 20-year Service Award

3: ORAL COMMUNICATIONS

3A. 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 add your information at the digital public kiosk located at the entrance of the Council Chamber.

4: CONSENT CALENDAR

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.

4A. APPROVAL OF MINUTES

- Recommended Action: Approve the Minutes of the Special and Regular City Council Meetings of July 9, 2024.

4B. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

- Recommended Action: Adopt Resolutions approving the Claims and Demands.

4C. TREASURER'S REPORT FOR THE MONTH OF JUNE 2024

— Recommended Action: Receive and file the reports.

4D. FINAL PAYMENT FOR THE CABALLERO BOULEVARD PAVEMENT REHABILITATION PROJECT

— Recommended Action: 1) Accept the project as complete and approve final payment to Hardy and Harper, Inc. in the amount of \$604,391.18; and 2) Direct the Public Works Department to file a Notice of Completion.

4E. CONTRACT WITH M.J. ELLS CONSTRUCTION, INC. FOR THE STAGE STOP IMPROVEMENTS PROJECT AND AUTHORIZE A PURCHASE ORDER WITH BIO-ONE FOR ODOR REMOVAL AND CLEANING

— Recommended Action: 1) Approve a contract with M.J. Ells Construction, Inc. In the amount of \$65,615 for fire repairs to the City's Stage Stop building; 2) Approve a purchase order to Bio-One in the amount of \$24,050.80 for fire-odor remediation of the building; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the contract and purchase order; and, 4) Authorize the City Manager and City Clerk to execute the contract.

4F. PROFESSIONAL SERVICES AGREEMENT WITH WORKCARE, INC. (WELLNESS SOLUTIONS) FOR A CITY EMPLOYEE COMPREHENSIVE WELLNESS PROGRAM

To approve an agreement with Workcare Inc. to provide a wellness program for the Police Department and City employees. The program will enhance officer and employee wellness and resilience by providing employee health resources.

— Recommended Action: 1) Approve a professional services agreement with Workcare, Inc. (Wellness Solutions) in the amount of \$201,620 to provide a comprehensive wellness program for all Buena Park Police Department and City employees; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Authorize the City Manager and City Clerk to sign the agreement; and 4) Authorize a budget amendment in the amount of \$201,700 from the undesignated General Fund balance for this purpose.

4G. AMENDMENT NO. 1 TO A PROFESSIONAL SERVICES AGREEMENT WITH TRANSTECH ENGINEERS, INC. FOR LAND DEVELOPMENT ON-CALL ENGINEERING SERVICES

— Recommended Action: 1) Approve Amendment No. 1 to a Professional Services Agreement with Transtech Engineers, Inc. in the amount of \$80,000 to provide additional on-call land development engineering services; 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the amendment; 3) Authorize the City Manager and the City Clerk to execute the amendment; and, 4) Authorize a budget amendment in the amount of \$50,000 from the undesignated Water Enterprise Fund balance.

4H. AMENDMENT NO. 1 TO AGREEMENT WITH AXON ENTERPRISE, INC. FOR THE PURCHASE OF TEN (10) ADDITIONAL POLICE BODY-WORN CAMERAS

Authorize the City Manager to execute a 34-month agreement to purchase ten (10) additional police body-worn cameras. Costs will be funded by the General Fund reserves.

— Recommended Action: 1) Approve Amendment No. 1 to the agreement with Axon Enterprise, Inc. for the purchase of ten (10) additional police body-worn cameras (BWC) with associated hardware, software, data, and evidence storage for a total 34-month cost of \$45,531.58; 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.

4I. AUTHORIZE PURCHASE OF SEWER VACTOR TRUCK AND POLICE PURSUIT VEHICLE UPFITTING AND APPROVE A BUDGET AMENDMENT FOR THIS PURPOSE

— Recommended Action: 1) Authorize the purchase of one CNG Vactor Truck from Haaker Equipment Company in the approximate amount of \$697,815.93; 2) Authorize upfitting of three police vehicles by Innovative Emergency Equipment in the approximate total amount of \$77,003.37; 3) Approve a budget amendment in the amount of \$105,000 for the cost of upfitting the police vehicles and additional cost of the Vactor truck due to an increase in costs since the items were originally budgeted; and, 4) Determine that dispensing with competitive bidding pursuant to Municipal Code Section 3.28.080(E) is in the best interests of the City because it will result in the lowest purchase price for this vehicle.

4J. APPROVAL OF CITY RESPONSES TO TWO 2023-2024 ORANGE COUNTY GRAND JURY REPORTS ENTITLED "LAW ENFORCEMENT'S RESPONSE TO MENTAL HEALTH CALLS FOR SERVICE" AND "E-BIKES: FRIEND OR FOE"

— Recommended Action: 1) Approve the City's response to the 2023-2024 Orange County Grand Jury report entitled, "Law Enforcement's Response to Mental Health Calls for Service"; and, 2) Approve the City's response to the 2023-2024 Orange County Grand Jury report entitled, "E-Bikes: Friend or Foe."

5: NEW BUSINESS

5A. REORGANIZATION PLAN FOR THE COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT BUILDING DIVISION AND RESOLUTION AMENDING THE BUENA PARK MANAGEMENT UNIT COMPENSATION PLAN ESTABLISHING THE NEW PRINCIPAL PLAN CHECK ENGINEER AND ASSOCIATE PLAN CHECK ENGINEER CLASSIFICATION SPECIFICATIONS AND PAY RANGES

To authorize the Human Resources Department to reorganize the City's Building Division to better fit the needs of the building plan check program. This new position will cost \$220,000 in total compensation. This amount is expected to come from the City's General Fund Undesignated Reserve Fund balance.

— Recommended Action: 1) Adopt a Resolution amending the Buena Park Management Unit Compensation Plan establishing the Principal Plan Check Engineer and Associate Plan Check Engineer classifications and salary ranges; 2) Approve the new job classification specifications of Principal Plan Check Engineer and Associate Plan Check Engineer; and 3) Appropriate \$220,000 from the undesignated General Fund balance for this purpose.

5B. RESOLUTION APPROVING PLANS, SPECIFICATIONS, AND APPROVAL OF A CONTRACT WITH TUNNELWORKS SERVICES, INC. FOR THE 2023-2024 & 2024-2025 SEWER MAIN LINING AT VARIOUS LOCATIONS PROJECT

— Recommended Action: 1) Adopt a resolution approving the plans and specifications for the 2023-2024 & 2024-2025 Sewer Main Lining at Various Locations Project; 2) Award a contract to Tunnelworks Services, Inc. in the amount of \$1,035,308.75; 3) Authorize contingency funds in the amount of \$100,000 in the same purchase order; 4) Authorize a purchase order for the Solis Group in the amount of \$8,070 for administration of the Community Workforce Agreement (CWA); 5) Authorize contingency funds in the amount of \$1,500 for CWA administration; 6) Authorize a budget transfer in the amount of \$125,000 from the Miscellaneous Sewer Systems Improvements Account (52-490010-9806) for this purpose; 7) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the contract; and, 8) Authorize the City Manager and City Clerk to execute the contract.

5C. CONSIDERATION OF SUBMITTING TO BUENA PARK VOTERS A BALLOT MEASURE FOR A ONE CENT (1¢) TRANSACTIONS AND USE TAX (LOCAL SALES TAX) AT THE NOVEMBER 5, 2024, GENERAL ELECTION

It is recommended that the City Council review this report, the results of the City’s community outreach and engagement campaign, and determine whether it is appropriate to submit to Buena Park voters the question of whether to adopt a one cent (1¢) transactions and use tax (local sales tax) to generate new revenues to fund the public safety, essential services, and other General Fund services and programs being requested by residents. Staff recognizes that introducing new taxes should never be done casually, and this item is being brought forward, after three years of outreach and engagement with residents and community groups, as an option for protecting local revenues and funding the priorities identified by residents.

The proposed measure is titled the “City of Buena Park Public Safety/Essential Services Measure,” and the proposed ballot question would read as follows (the “Proposed Measure”):

CITY OF BUENA PARK PUBLIC SAFETY/ ESSENTIAL SERVICES MEASURE. To maintain Buena Park’s quality of life/essential services, such as 911 response, preventing crime including property crimes; keeping public areas safe/clean; protecting local drinking water; fire protection/ prevention; providing safe places to play; retaining/ attracting police officers; repairing streets/ potholes; shall a measure establishing a 1¢ sales tax, providing approximately \$20,000,000 annually for general revenue purposes, until ended by voters, with local control/ spending disclosure, be adopted?

— Recommended Action: If the City Council desires to submit the Proposed Measure to voters at the General Municipal Election scheduled for November 5, 2024, it is recommended that the City Council: 1) Approve a budget amendment in the amount of \$50,000 from the undesignated General Fund reserve balance to allocate funding for the election; and 2) Adopt the following resolutions: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, DIRECTING THE CITY OF BUENA PARK PUBLIC SAFETY/ESSENTIAL SERVICES MEASURE, A ONE-CENT (1¢) LOCAL GENERAL TRANSACTIONS AND USE TAX (SALES TAX), TO BE PLACED ON THE BALLOT FOR CONSIDERATION BY VOTERS AT THE GENERAL MUNICIPAL ELECTION SCHEDULED FOR TUESDAY, NOVEMBER 5, 2024. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, PROVIDING FOR THE FILING OF DIRECT AND REBUTTAL ARGUMENTS AND SETTING RULES FOR THE FILING OF WRITTEN ARGUMENTS REGARDING THE BUENA PARK PUBLIC SAFETY/ESSENTIAL SERVICES MEASURE, A ONE-CENT (1¢) LOCAL GENERAL TRANSACTIONS AND USE TAX (SALES TAX), FOR CONSIDERATION BY VOTERS AT THE GENERAL MUNICIPAL ELECTION SCHEDULED FOR TUESDAY, NOVEMBER 5, 2024. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUENA PARK, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A MUNICIPAL ELECTION CONCERNING A LOCAL BALLOT MEASURE WITH THE GENERAL MUNICIPAL ELECTION AND THE STATEWIDE GENERAL ELECTION TO BE HELD ON NOVEMBER 5, 2024, PURSUANT TO SECTION 10403 OF THE CALIFORNIA ELECTIONS CODE.

6: PUBLIC HEARING

No Public Hearings Items

7: COUNCIL MEMBER ANNOUNCEMENTS, CONFERENCE REPORTS AND CALENDAR REQUESTS

7A. COUNCIL MEMBER ANNOUNCEMENTS, CONFERENCE REPORTS AND CALENDAR REQUESTS

8: RECESS

8A. RECESS

9: STUDY SESSION

9A. APPOINT A VOTING DELEGATE AND ALTERNATE DELEGATE FOR CAL CITIES CONFERENCE IN OCTOBER

10: CITY MANAGER REPORT

10A. CITY MANAGER REPORT

11: COMMISSION & COMMITTEE UPDATES

11A. COMMISSION & COMMITTEE UPDATES

12: ADJOURNMENT

12A. 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. Supplementary materials distributed to the City Council less than 72 hours before the meeting are posted to the City's website at www.buenapark.com and copies are available for public inspection beginning the next regular business day in the City Clerk's Office. 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 Korean or Spanish 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.

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 Buena Park City Hall, 6650 Beach Blvd., and uploaded to the City of Buena Park website www.buenapark.com.

Adria M. Jimenez, MMC
Director of Government and Community Relations
City Clerk

Date Posted: July 19, 2024