

Tuesday, November 12, 2024, 5:00 PM
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
 - BPPD Chaplain Jonathan Lee
- 1D. PLEDGE OF ALLEGIANCE
 - Joe Hunt, Public Works Manager
- 1E. CITY MANAGER REPORT
 - Aaron France, City Manager

2. PRESENTATIONS

- 2A. PRESENTATION TO 2024 HALLOWEEN HOME DECORATING CONTEST WINNERS
- 2B. INVITATION TO CHRISTMAS TREE LIGHTING AND CANDY CANELAND

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 to the digital public kiosk located at the entrance to 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 October 22, 2024.

4B. RESOLUTIONS APPROVING CLAIMS AND DEMANDS

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

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

— Recommended Action: Receive and file the reports.

4D. PROCLAMATION RECOGNIZING NOVEMBER 12, 2024, AS EXTRA MILE DAY

— Recommended Action: Approve proclamation.

4E. PROCLAMATION RECOGNIZING NOVEMBER 30, 2024, AS SMALL BUSINESS SATURDAY

— Recommended Action: Approve proclamation.

4F. FINAL PAYMENT TO URBAN HABITAT FOR THE WHITAKER PARK PROJECT

— Recommended Action: 1) Accept the project as complete and approve final payment to Urban Habitat in the amount of \$507,222.87; 2) Direct the Public Works Director to file a Notice of Completion; and, 3) Allocate \$16,044 from the undesignated General Fund balance to the project account.

4G. BUDGET APPROPRIATION FOR THE WHITAKER PARK PROJECT RELATED PROJECT CLOSEOUT SERVICES ASSOCIATED WITH THE DEPARTMENT OF THE STATE ARCHITECT GUIDELINES

— Recommended Action: 1) Approve a budget allocation of \$50,000 from the undesignated General Fund balance to the Whitaker Park Project Account to fund professional services needed to close out the Project in compliance with Department of the State Architects' guidelines.

4H. ACCEPTANCE OF GRANT FUNDING FROM THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) FOR THE FY 2024-25 ALCOHOL POLICING PARTNERSHIP (APP) PROGRAM

To accept grant funding from the ABC for education and enforcement related to problematic alcoholic beverage outlets, and minor decoy programs to deter underage drinking.

— Recommended Action: 1) Accept grant funding from the Department of Alcoholic Beverage Control ("ABC") in the amount of \$34,400 for the FY 2024-25 Alcohol Policing Partnership (APP) program; 2) Authorize the Police Chief to sign any necessary documentation related to the grant; and, 3) Approve a budgetary action to appropriate an amount not-to-exceed \$34,400 for this purpose.

4I. RESOLUTION APPROVING PLANS, SPECIFICATIONS, AND APPROVAL OF CONTRACT WITH SOUTHERN BLEACHER COMPANY, INC. FOR THE BELLIS PARK BLEACHER REPLACEMENT PROJECT

— Recommended Action: 1) Adopt a resolution approving the plans and specifications for the Bellis Park Bleacher Replacement Project; 2) Award a contract to Southern Bleacher Company, Inc. in the amount of \$47,530; 3) Authorize contingency funds in the amount of \$5,000 in the same purchase order; 4) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the contract; 5) Authorize the City Manager and City Clerk to execute the contract; and, 6) Authorize a budget amendment for the project in the amount of \$52,530 from the undesignated Facilities Maintenance Fund balance for this purpose.

4J. PROFESSIONAL SERVICES AGREEMENT WITH ECONOMICS, INC. FOR CONTINUED IMPLEMENTATION OF THE SB 1383 EDIBLE FOOD RECOVERY PROGRAM

Authorize the Public Works Department to continue to work with EcoNomics, Inc. to support Buena Park's Edible Food Recovery Program, in compliance with the mandates of Senate Bill 1383.

— Recommended Action: 1) Approve a professional services agreement with EcoNomics, Inc. in the amount of \$120,003 for continued assistance in implementing the City's edible food recovery program and related requirements of Senate Bill 1383 (SB 1383); 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.

4K. RESOLUTION APPROVING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF BUENA PARK

— Recommended Action: 1) Adopt a resolution approving the annual Measure M2 Expenditure Report.

4L. RESOLUTION ACCEPTING GRANT FUNDS FROM THE CALIFORNIA DEPARTMENT OF JUSTICE FOR THE 2024 TOBACCO GRANT PROGRAM AND APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) FOR SAID GRANT

— Recommended Action: 1) Adopt a resolution accepting grant funds from the California Department of Justice for the Tobacco Grant Program in the total amount of \$444,180; 2) Approve a Memorandum of Understanding with the California Department of Justice for the grant; 3) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; and, 4) Authorize the City Manager and the City Clerk to execute the MOU and other grant-related documents, as necessary.

4M. AGREEMENT WITH THE STATE OF CALIFORNIA OFFICE OF TRAFFIC SAFETY (OTS) FOR THE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT

Authorize the Police Department to receive grant funding for STEP enforcement operations. The proposed agreement is in the amount of \$180,000 and will fully reimburse STEP program-related activities.

— Recommended Action: 1) Approve an agreement with the State of California Office of Traffic Safety (OTS) for the Selective Traffic Enforcement Program (STEP) Grant (PT25003); 2) Authorize the City Manager and City Attorney to make any necessary, non-monetary changes to the agreement; 3) Ratify the Finance Director, Traffic Sergeant, and Traffic Lieutenant's execution of the agreement; 4) Authorize the Police Chief to execute all other necessary grant documents; and, 5) Approve a budget appropriation in the amount of \$180,000 for this purpose.

4N. FINAL PAYMENT TO ROY ALLAN SLURRY SEAL, INC. FOR THE 2023-2024 ANNUAL SLURRY SEAL PROJECT

— Recommended Action: 1) Accept the project as complete and approve a final payment to Roy Allan Slurry Seal, Inc. in the amount of \$286,827; and 2) Direct the Public Works Director to file a Notice of Completion.

4O. APPROVAL OF CHANGE ORDER NO. 19 AND FINAL PAYMENT TO MBC ENTERPRISES, INC. FOR THE PEAK PARK AND BOISSERANC PARK POOL IMPROVEMENTS PROJECT

— Recommended Action: 1) Approve Change Order No. 19 in amount of \$105,000; 2) Accept the project as complete and approve a final payment to MBC Enterprises, Inc. in the amount of \$121,489.26; 3) Direct the Public Works Director to file a Notice of Completion; and, 4) Authorize the City Manager to sign Change Order No. 19 on behalf of the City.

4P. FINAL PAYMENT TO M.J. ELLS CONSTRUCTION, INC. FOR THE NAVIGATION CENTER MEN'S SHOWER FLOOR REHABILITATION PROJECT

— Recommended Action: 1) Accept the project as complete and approve a final payment to M.J. Ells Construction, Inc. in the amount of \$6,588.48; and 2) Direct the Public Works Department to file a Notice of Completion.

4Q. PURCHASE OF A POLICE MOTORCYCLE FROM LONG BEACH BMW AND APPROVE A BUDGET AMENDMENT FOR THE PURCHASE

— Recommended Action: 1) Authorize the purchase of one 2024 BMW R1250 Motorcycle in the approximate amount of \$39,191.94 from Long Beach BMW Motorcycles utilizing Los Angeles County Sheriff's RFB-IS-23008318-1 dated October 22, 2024; 2) Determine that dispensing with the competitive bidding pursuant to Municipal Code Section 3.28.080(E) is in the best interest of the City because it will result in a lower purchase price for this vehicle; and, 3) Approve a budget amendment in the amount of \$39,200 from the undesignated Vehicle Replacement Fund balance for the purchase.

5. NEW BUSINESS

5A. EXCLUSIVE NEGOTIATING AGREEMENT WITH BOARDWALK ENTERPRISES, LLC FOR THE PROPERTY LOCATED AT 7711-7733 BEACH BOULEVARD

Consideration of a 9-month Exclusive Negotiating Agreement (ENA) with Boardwalk Enterprises, LLC for the development of the property at 7711-7733 Beach Boulevard with a multi-attraction development.

— Recommended Action: 1) Approve an Exclusive Negotiating Agreement (ENA) with Buena Park Boardwalk to perform initial design, feasibility, environmental analysis and other due diligence as part of the future disposition of the City-owned property at 7711-7733 Beach Boulevard for a multi-attraction entertainment venue, including a butterfly conservatory, aquarium, laser maze, surprise your eyes, 4-D theater, cafe, and candy shop development.

5B. RESOLUTION TO CREATE A NEW PREFERENTIAL PARKING DISTRICT ON BRENNER AVENUE AND MELROSE STREET

— Recommended Action: 1) Adopt a resolution to establish a new Preferential Parking District (PPD) on Brenner Avenue.

6. PUBLIC HEARING

Public Hearings are held at 6:00 PM

6A. GENERAL PLAN AMENDMENT (GP-23-1), ZONE CHANGE (23-1), TENTATIVE TRACT MAP (TT-24-1), CONDITIONAL USE PERMIT (CU-24-1), AND MITIGATED NEGATIVE DECLARATION (MND-24-2) TO ALLOW THE CONSTRUCTION OF A 93-UNIT TOWNHOME RESIDENTIAL DEVELOPMENT AT 8030 DALE STREET

— Recommended Action: 1) Conduct a public hearing; and 2) thereafter based on the analysis provided in this agenda report and the facts and findings provided in the attached Resolutions and an Ordinance, adopt Resolutions and an Ordinance approving a General Plan Amendment (GP-23-1) to amend the existing General Plan Land Use designation from Commercial to High Density Residential; a Zone Change (Z-23-1) to amend the existing zoning district from CS (Commercial Shopping) Mixed Use Overlay-45 to RM-20 (Medium-Density Multifamily Residential) Mixed Use Overlay-45; a Tentative Tract Map (TT-24-1) to subdivide an existing parcel into a single lot for condominium purposes; a Conditional Use Permit (CU-24-1) to permit the proposed 93-unit townhome residential development, and to allow building heights up to 37 feet 7 inches; and Mitigated Negative Declaration (MND-24-2) certifying the project in compliance with the California Environmental Quality Act (CEQA) for the property located at 8030 Dale Street.

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. DISCUSS AND PROVIDE DIRECTION REGARDING THE EVALUATION OF ON-STREET PARKING ON ADAMS WAY, JACKSON WAY, AND GRAND AVENUE FRONTAGE ROAD

9B. DISCUSS THE CITY'S ROAD IMPROVEMENT STRATEGIES AND COSTS

9C. DISCUSS AND PROVIDE DIRECTION REGARDING CITY SELECTION COMMITTEE VOTING

9D. DISCUSS AND PROVIDE DIRECTION REGARDING A MEASURE R EXPENDITURE REVIEW COMMITTEE

10. CITY MANAGER REPORT

10A. CITY MANAGER REPORT

11. COMMISSION & COMMITTEE UPDATES

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12. 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.

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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: November 7, 2024