

**MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY
Monday, July 21, 2014**

APPROVED: These Minutes were approved on August 4, 2014.

ADJOURNED REGULAR MEETING:

CALL TO ORDER: Mayor Beamish called the Adjourned Regular Meeting to order at 5:30 p.m. in the Administrative Conference Room 106, located at 201 East La Habra Boulevard, La Habra, California.

COUNCILMEMBERS PRESENT: Mayor Beamish
Mayor Pro Tem Blazey
Councilmember Gomez
Councilmember Shaw
Councilmember Espinoza

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: Interim City Manager Sadro
City Attorney Jones
City Clerk Mason

I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

None

II. CLOSED SESSION:

- a. Conference with Legal Counsel - Existing Litigation, Government Code Section 54956.9(a): Manuel Galvan vs. City of La Habra, U.S. District Court Case No. SACV12-2103 JGB (JPRx).

Acting Personnel Director Juengel and Attorney Kevin Osterberg were present for this item. They left the room at 5:50 p.m.

- III. ADJOURNMENT:** City Council reconvened from Closed Session at 5:55 p.m. An announcement was made during the Regular Meeting. Mayor Beamish adjourned the Adjourned Regular Meeting at 5:55 p.m.

REGULAR MEETING & REGULAR JOINT MEETING:

CALL TO ORDER: Mayor/Chair Beamish called the Regular Meeting and the Regular Joint Meeting with the La Habra Utility Authority to order at 6:30 p.m. in the City Council Chambers, located at 201 East La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Gomez

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Beamish
Mayor Pro Tem/Vice Chair Blazey
Councilmember/Director Gomez
Councilmember/Director Shaw
Councilmember/Director Espinoza

COUNCILMEMBERS/DIRECTORS ABSENT: None

OTHER OFFICIALS PRESENT: Interim City Manager/Interim Executive
Director Sadro
City Attorney/Legal Counsel Jones
City Clerk/Secretary Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: City Attorney Jones announced that during Closed Session City Council directed settlement in the matter of Manuel Galvan vs. City of La Habra, U.S. District Court Case No. SACV12-2103 JGB (JPRx). He noted that when the documents have been fully executed the information will be made available to the public.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclamation to declare La Habra as a "Purple Heart City."

Mr. Dannie Watkins, Representative of the Military Order of the Purple Heart, Frank Orzio, Don Pegeler, and Lupe Saenz accepted the proclamation.

- b. Certificate of Appreciation to Nathan Percy in recognition of years of service to the La Habra Community.

Nathan Percy accepted the Certificate of Appreciation.

- c. Proclamation to Ron Rogers in recognition of 21 years of volunteer service to the La Habra Police Department.

Captain Johnstone was invited to the podium to assist with the presentation. Mr. Ron Rogers accepted the proclamation

II. PUBLIC COMMENTS:

Roy Ramsland spoke regarding the La Habra Host Lions Club and invited the public to the 66th Annual Corn Festival at El Centro Lions Park from Friday August 1 through Sunday, August 3.

Mayor/Chair Beamish reported out regarding the attendance of Councilmember/Director Shaw, Interim City Manager Sadro, and his attendance at the 54th Annual Summer Seminar for the Independent Cities Association (ICA) Conference from July 10 through July 13.

III. CONSENT CALENDAR:

Interim City Manager Sadro pulled Item III.A.6 to be brought back at a future date uncertain. Councilmember/Director Gomez stated he will be voting no on Item III.A.4. Councilmember/Director Shaw pulled item III.A.8 for separate discussion.

Moved by Councilmember/Director Shaw, seconded by Mayor/Chair Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.B.2; WITH THE EXCEPTION OF STAFF PULLING ITEM III.A.6 TO A FUTURE DATE UNCERTAIN; COUNCILMEMBER/DIRECTOR GOMEZ VOTING NO ON ITEM III.A.4; AND COUNCILMEMBER/DIRECTOR SHAW PULLING ITEM III.A.8 FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor/Chair Beamish, Mayor Pro Tem/Vice Chair Blazey,
Councilmember/Director Gomez, Councilmember/Director Shaw,
Councilmember/Director Espinoza
NOES: NONE (Councilmember/Director Gomez voted no on Item III.A.4 only)
ABSTAIN: NONE
ABSENT: NONE

A. PROPOSED ITEMS:

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. Approve Community Services Commission Minutes of June 11, 2014.
3. Approve denial of claim filed by Mark and Tina Bloomington.
4. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1753** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING CHAPTER 9.66 TO TITLE 9 OF THE LA HABRA MUNICIPAL CODE THAT ESTABLISHED CITY PARKS AS "CHILD SAFETY ZONES" WHERE REGISTERED SEX OFFENDERS ARE PROHIBITED FROM ENTERING WITHOUT WRITTEN PERMISSION.
5. Receive and file the Comprehensive Annual Financial Report (CAFR) for the City of La Habra, the Annual Financial Report for the La Habra Utility Authority and the Single Audit Report for the Fiscal Year ending June 30, 2013.

6. Receive and file the Treasurer's Investment Report for the quarter ending March 31, 2014.
7. Approve Amendment No. 2 to Master Funding Agreement No. C-1-2767 with the Orange County Transportation Authority (OCTA).
8. REMOVED FOR SEPARATE DISCUSSION. SEE SECTION IV. BELOW.
9. Approve staff's recommendations regarding annual fuel purchase for Fiscal Year 2014-2015 as follows:
 - a. Waive formal bid requirements per La Habra Municipal Code Section 4.20.050 (C) and authorize staff to issue a Purchase Order to Merrimac Energy Group of Long Beach in the amount of \$425,000 for Fiscal Year 2014-2015.
 - b. Waive formal bid requirements per La Habra Municipal Code Section 4.20.050 (D) and authorize staff to obtain quotes for the purchase of fuel and determine availability through various fuel supply vendors. In the event a vendor's fuel purchase price is found to be lower than the cooperative bid contract with Saddleback Valley Unified School District (Agreement Bid #11-04) through Merrimac Energy Group, enable purchase for a not to exceed amount of \$425,000 for Fiscal Year 2014-2015.
10. Approve and adopt a resolution in support of Assembly Bill 1453 supporting the establishment of the Southern California State Veterans Cemetery.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5642** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA IN SUPPORT OF ASSEMBLY BILL 1453 AND IN FAVOR OF THE ESTABLISHMENT OF THE SOUTHERN CALIFORNIA STATE VETERANS CEMETERY IN ORANGE COUNTY.
11. WARRANTS: Approve Nos. 00097093 through 00097443 totaling \$4,037,802.64.
- B. CONSENT CALENDAR - LA HABRA UTILITY AUTHORITY
 1. Authorize Interim Executive Director to Waive formal bid requirements per La Habra Municipal Code, Section 4.20.080 (B) when a service firm has established such a successful past history of work with City that it is clearly in the public interest not to negotiate with any other source; award a contract to Bucknam and Associates, Inc. in the amount of \$89,775 for specialty water design/engineering/construction support services for the rehabilitation of the Municipal Water District (MWD) Flow Control Connection OC-45, update the Utility Authority's Water Master Plan, and completing miscellaneous water and sewer projects for Fiscal Year 2014-15; and authorize the Interim Executive Director to execute the agreement and issue a purchase order to Bucknam and Associates, Inc.
 2. Receive and file the Comprehensive Annual Financial Report (CAFR) for the City of La Habra, the Annual Financial Report for the La Habra Utility Authority and the Single Audit Report for the Fiscal Year ending June 30, 2013 (Same as Item III.A.5).

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

III.A.8. Approve and authorize the execution of the attached three year agreement appointing James Sadro, Interim City Manager, to the position of City Manager effective July 1, 2014.

Councilmember/Director Shaw stated the most important decisions City Council makes is appointing a City Manager. He expressed his confidence in Jim Sadro in becoming City Manager.

Moved by Councilmember Shaw, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND AUTHORIZE THE EXECUTION OF THE THREE YEAR AGREEMENT APPOINTING JAMES SADRO, INTERIM CITY MANAGER, TO THE POSITION OF CITY MANAGER EFFECTIVE JULY 1, 2014.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Blazey, Councilmember Shaw,
Councilmember Gomez, Councilmember Espinoza

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

1. Consider designating a voting delegate and up to two alternate voting delegates to attend the League of California Cities Annual Conference meeting to be held September 5, 2014 in Los Angeles, California.

City Manager Sadro presented the staff report.

Council discussion included: confirmation of the time of day the League of California Cities Annual Conference will be held and those Councilmembers available to attend.

Mayor Beamish invited the public to testify. There was no public testimony.

Mayor Beamish opened the nominations for Voting Delegate. Councilmember Gomez nominated Mayor Beamish as Voting Delegate. There were no other nominations.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Blazey, TO CLOSE THE NOMINATION AND CAST A UNANIMOUS BALLOT TO APPROVE APPOINTING MAYOR BEAMISH AS THE VOTING DELEGATE TO ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE MEETING TO BE HELD SEPTEMBER 5, 2014 IN LOS ANGELES, CALIFORNIA.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Blazey, Councilmember Gomez,
Councilmember Shaw, Councilmember Espinoza
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

Mayor Beamish opened the nominations for two Alternate Voting Delegates. Councilmember Gomez nominated Councilmember Espinoza as the first Alternate Voting Delegate and Mayor Pro Tem Blazey as the second Alternate Voting Delegate. There were no other nominations.

Moved by Councilmember Gomez, seconded by Mayor Beamish, TO CLOSE THE NOMINATION AND CASTE A UNANIMOUS BALLOT TO APPROVE APPOINTING COUNCILMEMBER ESPINOZA AS THE FIRST ALTERNATE VOTING DELEGATE AND MAYOR PRO TEM BLAZEY AS THE SECOND ALTERNATE VOTING DELEGATE TO ATTEND THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE MEETING TO BE HELD SEPTEMBER 5,2014 IN LOS ANGELES.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Blazey, Councilmember Gomez,
Councilmember Shaw, Councilmember Espinoza
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Chair Beamish made the following announcements:

- Mayor's office hours are available by appointment.
- La Habra General Municipal Election nomination period begins on Monday, July 14 and ends on Friday, August 8. Nomination papers are available at the City Clerk's office.
- La Habra Children's Museum "Healthy You, Healthy Me" exhibit is now on display through August 25.
- The last La Habra Summer Concert Series concert is on July 24 at 7:00 p.m. at El Centro Lions Park.
- La Habra Summer Day Camp is available through Friday, August 15. The theme is "Walk Across America."
- Upcoming City Council meetings – Monday, August 4, and Monday, August 18, at 6:30 p.m. in the City Council Chambers.
- Visit the City's website at www.lahabraca.gov for more information about what is happening in La Habra, at the Children's Museum, and at the La Habra Chamber of Commerce.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Mayor/Chair Beamish congratulated Jim Sadro on being appointed City Manager. He encouraged the public to attend the 66th Annual Corn Festival.

Mayor Pro Tem/Vice Chair Blazey congratulated Jim Sadro on being appointed City Manager.

Councilmember/Director Gomez congratulated Jim Sadro on being appointed City Manager.

Councilmember/Director Shaw asked that the Council meeting be adjourned in Memory of Kevin A'lurede and Alaina A'lurede, La Habra residents and his friends.

Councilmember/Director Espinoza congratulated Jim Sadro on his appointment to City Manager.

X. ADJOURNMENT: Mayor/Chair Beamish adjourned in memory of Kevin A'lurede and Alaina A'lurede to Monday, August 4 2014, at 5:30 p.m. in the Administrative Conference Room 106, followed by the Regular Meeting at 6:30 p.m. in the City Council Chambers.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk/Secretary