

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY

Monday, August 03, 2015

APPROVED: These Minutes were approved on September 21, 2015.

ADJOURNED REGULAR MEETING: CANCELLED

REGULAR MEETING & REGULAR JOINT MEETING:

CALL TO ORDER: Mayor/Chair Blazey called the Regular Meeting of the City Council of the City of La Habra 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 Jones
PLEDGE OF ALLEGIANCE:	Councilmember/Director Espinoza
COUNCILMEMBERS/DIRECTORS PRESENT:	Mayor/Chair Blazey, Mayor Pro Tem/Vice Chair Gomez, Councilmember/Director Shaw, Councilmember/Director Espinoza, Councilmember/Director Beamish
COUNCILMEMBERS/DIRECTORS ABSENT:	None
OTHER OFFICIALS PRESENT:	City Manager/Executive Director Sadro City Attorney/Legal Counsel Jones Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Beautification Award District 3: Mendoza Villalovos Family 2441 Oakland Drive.

Mayor Blazey invited Beautification Committee Chair Kim Praster and Committee member Jackie Gonzalez to the podium to assist with presenting the award.

- b. Presentations of FIT Award Designation to the City of La Habra by the California Center for Public Health Advocacy (CCPHA), the California HEAL Cities Campaign, and St. Jude Hospital.

Mayor Blazey invited Alfred Mata, from the California Center for Public Health Advocacy (CCPHA) and the California HEAL Cities Campaign, and Barry Ross, from St. Jude's Medical Center, to the podium to present the award to the City of La Habra.

II. PUBLIC COMMENTS: None

III. CONSENT CALENDAR:

Mayor Pro Tem/Vice Chair Gomez removed Items III.3 and III.4 for separate discussion.

Moved by Councilmember/Director Beamish, seconded by Mayor Pro Tem/Vice Chair Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.A.8 AND ITEMS III.B.1 THROUGH III.B.2; WITH THE EXCEPTION OF ITEMS III.3 AND III.4 WHICH WERE REMOVED FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor/Chair Blazey, Mayor Pro Tem/Vice Chair Gomez,
Councilmember/Director Shaw, Councilmember/Director Espinoza,
Councilmember/Director Beamish

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. CONSENT CALENDAR - CITY COUNCIL:

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. Approve and authorize City Manager to execute a grant agreement with St. Jude Hospital for \$30,000 to help prevent and reduce obesity by supporting La Habra residents in increasing their physical activity and eating healthier.
3. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.
4. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.
5. Approve City Council Minutes of:
 - a. June 15, 2015
 - b. July 20, 2015
6. Receive and file the Comprehensive Annual Financial Report of the City of La Habra for the Fiscal Year ending June 30, 2014; receive and file the Annual Financial Report of the La Habra Utility Authority for the Fiscal Year ending June 30, 2014; and receive and file the Single Audit report for the Fiscal Year ending June 30, 2014. (Same as Item III.B.2)
7. Approve staff's recommendation regarding Project 3-R-14, Project 4-R-14, and Project 6-R-14 as follows:

- a. Approve Plans and Specifications for the Annual Sidewalk and Access Ramp Improvements at Various Locations Fiscal Year 2014-2015, Project No. 3-R-14; Imperial Highway and Briercliff Drive Medians, Project No. 4-R-14; and Parking Lot Improvements at Public Works Facility; Project No. 6-R-14.
 - b. Award construction contract for the Annual Sidewalk and Access Ramp Improvements at Various Locations Fiscal Year 2014-2015, Project No. 3-R-14; Imperial Highway and Briercliff Drive Medians, Project No. 4-R-14; and Parking Lot Improvements at Public Works Facility, Project No. 6-R-14 to FS Construction of Sylmar, California in the amount of \$325,023.50 and reject all other bids.
 - c. Authorize City Manager to execute an agreement with FS Construction in the amount of \$325,023.50 and authorize staff to issue a purchase order to FS Construction in the amount of \$357,526.00 which includes a 10 percent contingency.
 - d. Approve an appropriation of \$34,000 from Gas Tax funds for the Median Project.
 - e. Approve an appropriation of \$3,000 from the Water Fund for the Parking Lot Facility Project.
8. WARRANTS: Approve Nos. 00102420 through 00102612 totaling \$2,604,684.43.

B. CONSENT CALENDAR - UTILITY AUTHORITY:

1. Approve Utility Authority Minutes of:
 - a. June 16, 2015
 - b. July 20, 2015
2. Receive and file the Comprehensive Annual Financial Report of the City of La Habra for the Fiscal Year ending June 30, 2014; receive and file the Annual Financial Report of the La Habra Utility Authority for the Fiscal Year ending June 30, 2014; and receive and file the Single Audit report for the Fiscal Year ending June 30, 2014. (Same as Item III.A.6)

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

Mayor Blazey introduced Items III.3 and III.4 jointly.

- III.3. Authorize the Mayor to execute a letter of support for the merger of the Gary Center and Vista Community Clinic (VCC) to provide needed dental, behavioral health, and primary care services.
- III.4 Approve and authorize City Manager to execute a lease agreement with Vista Community Clinic (VCC): The Gary Center for the use of City property at 341 S. Hillcrest for a one year term, with a possible one year extension.

Community Services Director Failla presented the staff reports. He invited Gary Center Director Pamela Austin and Vista Community Center (VCC) Chief Executive Officer Fernando Sañudo to the podium to answer questions.

Council discussion included: confirmation two Gary Center representatives will be added to the current Vista Community Center (VCC) Board of Directors of 14 members; identified that VCC has six locations of in San Diego County and owns five of the locations; Gary Center member participation and venues of VCC Board meetings; VCC and Gary Center annual budgets; changes in health care laws and funding processes for community clinics; time and cost to become a federally qualified health care center (FQHCC); Gary Center process of vetting a funding partner; confirmations that Gary Center staff and the current level of service would be maintained for a minimum of two years after the merger; location and need of potential future medical clinic building; review of VCC's history and commitment to the Gary Center; confirmation that both the Gary Center Board and Gary Center Founder Al Stafford supported the merger with VCC; review of medical services provided by VCC; costs and funding rate sustainability for the Gary Center with versus without a funding partner; confirmation VCC is free of lawsuits; identified that City staff reviewed VCC financials only; market rate leases versus the \$1 per year lease the City provides La Habra non-profits; review of internal changes and the strengthening of operations and profits at the Gary Center; clarification that a letter of support is not needed for the merger to occur, however, VCC confirmed the merger is contingent to the building lease being transferred to VCC; VCC to provide the comprehensive lease for review by City staff; identified the deadline for confirmation of the lease was July 1, 2015; verification Fernando Sañudo will speak with the VCC Board regarding negotiating building lease payments and include City staff; and credential requirements of staff once the Gary Center becomes a federally qualified health care center under VCC.

Mayor Blazey invited the public to testify at 7:27 p.m.

Gary Center Board President Christine Ellis spoke in support of the internal management and operational changes made by Pamela Austin in the last year. She noted the importance of becoming a federally qualified health care center and the increased funding that would be received. She expressed the importance of partnering with a company that would support the drug and alcohol program.

Gary Center Board Vice President Mark Phillipi spoke regarding the recruitment process for the Gary Center Director. He expressed the Gary Center was having financial concerns and the need to maintain long-term viability. He spoke in support of VCC.

Gary Center Board member Dr. Janice Frates stated that the Gary Center Board wants to preserve and protect the Gary Center's essential mission of behavioral health and substance abuse centers, which VCC supported. She noted the importance of having integrated behavioral, medical, and dental services.

Gary Center Board Member Paula McCabe thanked Council for their support of the Gary Center. She stated that for the Gary Center to continue another 43 years, the merger is necessary. She expressed the Gary Center Board reviewed every detail of the potential merger. She stated that the Stafford family wants to see the center continue and is in support of the merger.

Gary Center Board member Cliff Espy thanked Council, expressed that he loves the City of La Habra, and that he intends on continuing to contribute to the City.

There being no further testimony, Mayor Blazey closed public testimony at 7:30 p.m.

Motion regarding Item III.3:

Moved by Councilmember Shaw, seconded by Councilmember Espinoza, and FAILED (3-2) TO APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE A LETTER OF SUPPORT FOR THE MERGER OF THE GARY CENTER AND VISTA COMMUNITY CLINIC (VCC) TO PROVIDE NEEDED DENTAL, BEHAVIORAL HEALTH, AND PRIMARY CARE SERVICES.

Said motion FAILED by the following roll call vote:

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

Motion regarding Item III.4.:

Moved by Councilmember Shaw TO APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE LEASE AGREEMENT WITH VISTA COMMUNITY CLINIC (VCC): THE GARY CENTER FOR THE USE OF CITY PROPERTY AT 341 S. HILLCREST FOR A ONE YEAR TERM, WITH A POSSIBLE ONE YEAR EXTENSION. Motioned failed due to lack of second.

Councilmember Beamish suggested a motion for staff review the contract between the Gary Center and VCC and advise Council of details; and investigate VCC San Diego for their customer service and quality of care; and authorize staff to negotiate a lease amount that would be beneficial to both the City and VCC and return to Council for consideration.

City Attorney Jones gave direction to Council regarding clarity of motions and cautioned not to combine separate concepts into one motion. He expressed that regarding negotiations to be performed by staff, the greater clarity Council provides to staff will allow for a more meaningful negotiation. He suggested Council give direction to staff to conduct due diligence regarding VCC.

Moved by Councilmember Beamish TO AUTHORIZE STAFF TO NEGOTIATE A LEASE AGREEMENT WITH VISTA COMMUNITY CENTER (VCC) AND THE GARY CENTER IN TERMS FAVORABLE TO BOTH AGENCIES, BUT FOR MORE THAN \$1 PER YEAR. Motion failed due to lack of second.

Moved by Councilmember Beamish, seconded by Mayor Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE STAFF TO ANALYZE THE MERGER CONTRACT BETWEEN VISTA COMMUNITY CENTER (VCC) AND THE GARY CENTER; PERFORM DUE DILIGENCE REGARDING VISTA COMMUNITY CLINIC (VCC); AND REPORT BACK TO CITY COUNCIL.

Said motion CARRIED by the following roll call vote:

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

City Attorney Jones suggested staff investigate fair market value of the Gary Center building in regards to evaluating potential lease amounts. Mayor Blazey instructed staff to keep in mind the mission of the Gary Center in regards to the lease payments. City Manager Sadro discussed the short term of the lease being one year and the lease termination terms being 30 days in the potential agreement with the City and VCC.

Moved by Councilmember Beamish, seconded by Mayor Blazey, and CARRIED (4-1) TO APPROVE STAFF TO NEGOTIATE DIFFERENT LEASE TERM AMOUNT WITH VISTA COMMUNITY CENTER (VCC) WHILE PERFORMING DUE DILIGENCE.

Said motion CARRIED by the following roll call vote:

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

Mayor Blazey explained the Council's responsibility in regards to protecting the public's trust regarding the mission of the Gary Center and who leases the building. He expressed Council's support of the Gary Center within the public trust.

Councilmember Beamish expressed his support of the Gary Center merging with VCC. He noted he was optimistic regarding the merger, but the lease needs to be negotiated.

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider a request for an Addendum to Mitigated Negative Declaration of Environmental Impact 12-01 and Modification 14-10 to Planned Unit Development 11-01 for a 12 unit residential condominium complex at 306 South Monte Vista Street.

Planning Manager Ramsland presented the staff report.

Council discussion included: confirmation Mrs. Escamilla's concerns were addressed regarding relocation of a balcony and trash enclosure, and the building of a screen wall to prevent seeing into her backyard on the east side of the project; vehicular trip reduction with condominiums versus apartments; and confirmation of an increase of one parking space in the complex

Mayor Blazey opened the public hearing at 8:08 p.m. There being no testimony, the public hearing was closed at 8:09 p.m.

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5697** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING AN ADDENDUM TO MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT 12-01 FOR A 12-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 306 SOUTH MONTE VISTA STREET, AS PER THE APPROVED PLANS AND SUBJECT TO THE MITIGATION MONITORING AND REPORTING PROGRAM AND FINDINGS OF FACT OF MITIGATED NEGATIVE DECLARATION 12-01, HERETO ATTACHED AS EXHIBITS "A" AND "B".

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1762** ENTITLED: A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA OF LA HABRA APPROVING MODIFICATION 14-10 TO PLANNED UNIT DEVELOPMENT 11-01 FOR A 12-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 306 SOUTH MONTE VISTA STREET, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

VI. CONSIDERATION ITEMS: None at this time.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Blazey made the following announcements:

- Mayor's office hours are available by appointment.
- "National Night Out" at Portola Park - August 4, from 6:00 p.m. – 8:00 p.m.
- "Dive-In" movie at the La Habra High School Pool showing "The Muppets: Most Wanted" – Friday, August 14, at 6:00 p.m.
- The City's "Movie in the Park" series at Brio Park showing "Big Hero 6" - Friday, August 21, at 6:00 p.m.
- "Kids Night Out" at the La Habra Community Center - Friday, August 28.
- Upcoming City Council meeting - Monday, August 17, at 6:30 p.m. in the Council Chambers

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Beamish announced that the Corn Festival is Friday through Sunday and he will be attending. He congratulated Mayor Pro Tem Gomez on being Community Grand Marshall and Citizen of the Year. He noted that in regards to the Gary Center lease that Council is very serious about City properties, more information is needed to make a decision, and he wishes the Gary Center success.

Councilmember Espinoza thanked the Community Services Department for the Concerts in the Park series and the Dive-In movie events.

Councilmember Shaw stated he attended the Independent Cities Association Conference in the San Diego area. He noted the topics learned were: the drought, parking, Assembly Bill 32 – The Global Warming Solutions Act, foreclosure prevention and housing programs, marijuana, renegotiating debt and liabilities, and high speed rail. He announced the following change in the La Habra Express Bus Service schedule effective August 11, 2015 - the bus route running clockwise will be canceled and the original counter clockwise route will run with the same stops.

Mayor Pro Tem Gomez thanked the La Habra Host Lions Club for naming him Community Grand Marshall. He asked Council to consider placing the subject of handling coyotes in La Habra on a future City Council agenda. Councilmember Beamish agreed and requested that a representative from the United States Fish and Wildlife Department be present. Mayor Pro Tem Gomez invited the public to the Corn Festival Parade.

Mayor Blazey thanked the Orange County Fair for inviting him to participate in the flag raising ceremony where the Cities of La Habra, Newport Beach, and Seal Beach were recognized. He stated that he also attended an Orange County Fair Board event where Councilmembers were recognized.

X. ADJOURNMENT: Mayor/Chair Blazey adjourned the City Council Regular Meeting at 8:19 p.m. to Monday, August 17, 2015, 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. The Utility Authority Regular Meeting was adjourned at 8:19 p.m.

Respectfully submitted,

Laurie Swindell, CMC
Deputy City Clerk