

MINUTES

**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING**

Monday, November 07, 2016

APPROVED: These Minutes were approved on December 5, 2016.

ADJOURNED REGULAR MEETING: CANCELLED

REGULAR MEETING:

CALL TO ORDER: Mayor Gomez called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the Council Chambers, located at 201 East La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Espinoza

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

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclaim November 14 through November 18, 2016, as Law Enforcement Records and Support Personnel Week in the City of La Habra.

Chief Price, Captain Capelletti, Bureau Manager Rita Ramirez, and Bridget Vazquez accepted the proclamation.

- b. Proclaim November 2016 as Pancreatic Cancer Awareness Month in the City of La Habra.

Stephanie Ruvalcaba Ho accepted the proclamation.

II. PUBLIC COMMENTS:

Gloria Rossel, 2211 Voquero Avenue, spoke in opposition to violation letters she received regarding trash can placement. Mayor Gomez referred Gloria Rossel to Community and Economic Development Director Ho.

Nick Hernandez, 738 West 5th Avenue, inquired regarding speed lump placement in his neighborhood. Mayor Gomez referred Nick Hernandez to City Engineer Johansen.

III. CONSENT CALENDAR:

Mayor Gomez clarified that Item III.6 on the Consent Calendar is not to reconsider placement of traffic calming devices in the Neighborhood Traffic Management Plan (NTMP), but it is to award the contract to construct the approved traffic calming devices.

Bob Dale, La Habra resident, requested that items III.5, III.6, and III.12 be removed for separate discussion.

Moved by Mayor Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.13 WITH THE EXCEPTION OF ITEMS III.5, III.6, AND III.12 WHICH WERE REMOVED FOR FURTHER DISCUSSION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Gomez, Mayor Pro Tem Shaw, Councilmember Espinoza,
Councilmember Blazey, Councilmember Beamish
NOES: NONE
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 SECOND READING AND ADOPTION OF ORDINANCE NO. 1773 ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA, TRANSFERRING A PIPELINE FRANCHISE AGREEMENT FROM EXXONMOBIL OIL CORPORATION TO TORRANCE PIPELINE COMPANY, LLC, TO OPERATE AND MAINTAIN CERTAIN PIPELINES AND APPURTENANCES FOR THE TRANSPORTATION OF PETROLEUM, OIL, GAS, GASOLINE, WATER, AND OTHER LIKE SUBSTANCES IN THE CITY OF LA HABRA.
3. Approve Community Services Commission Minutes of:
 - a. May 11, 2016
 - b. June 8, 2016
 - c. July 13, 2016
 - d. August 10, 2016
 - e. September 14, 2016

4. Approve and authorize the City Manager to execute Cooperative Agreement No. 12-744 between the City of La Habra and the California Department of Transportation (CALTRANS) for the Imperial Highway/SR-90 Corridor Project Regional Traffic Signal Synchronization Program.
5. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.
6. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.
7. Approve the Notice of Completion for the Annual Sidewalk and Access Ramp Improvements, Fiscal Year 2015-2016; Project No. 1-R-16.
8. Approve and adopt appropriate resolutions, and authorize City Manager to sign CCTR-6156 Contract Amendment 01 and CSPP-6315 Contract Amendment 01 with the California Department of Education, Child Development Division for Fiscal Year 2016-2017.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5775** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENTS NO. CCTR-6156 AMENDMENT 01 WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.
 - b. APPROVE AND ADOPT **RESOLUTION NO. 5776** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENTS NO. CSPP-6315 AMENDMENT 01 WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.
9. Approve and authorize City Manager to sign the Continued Funding Application for the General Child Care (CCTR) and State Pre-School (CSPP) contracts for Fiscal Year 2017-2018 with the California Department of Education, Early Education and Support Division.
10. Approve Plans and Specifications for the La Bonita Park-Parking Lot Improvements, Project No. 2-P-16; award a contract and authorize City Manager to execute contract for the construction of the La Bonita Park-Parking Lot Improvements, Project No. 2-P-16 to EC Construction Co. in the amount of \$116,482.50 and reject all other bids; authorize staff to issue a purchase order in the amount of \$128,130.75 that includes a 10 percent contingency; and appropriate additional \$50,000 from CDBG Fund to cover the cost of construction of the La Bonita Park-Parking Lot Improvements project.
11. Approve and adopt salary resolution for changes in compensation for Head Start employees effective July 1, 2016.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5777** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5648 PERTAINING TO THE CITY COMPENSATION PLAN FOR HEAD START EMPLOYEES.

12. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.
13. WARRANTS: Approve Nos. 00108762 through 00108951 totaling \$1,487,198.74; and WIRE TRANSFER: Approve Wire Date 10/25/16 for a total of \$1,662,343.23.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

- III.5 Approve a Preliminary Engineering Services Agreement between the City of La Habra and the Union Pacific Railroad Company (UPRR) for the La Habra Union Pacific Rail Line Bikeway Project; appropriate \$225,000 from the Gas Tax Fund for the La Habra Union Pacific Rail Line Bikeway Project for the purpose of this Agreement; and authorize City staff to enter into a Preliminary Engineering Services Agreement with UPRR.

Mayor Gomez inquired if Mr. Bob Dale had any questions regarding this item and requested that he come to speak into the mic at the podium. Mr. Dale refused and stated he had no questions.

City Engineer Johansen presented the staff report.

Mayor Gomez invited the public to testify at 6:42 p.m. There was no testimony.

Moved by Councilmember Beamish, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE A PRELIMINARY ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF LA HABRA AND THE UNION PACIFIC RAILROAD COMPANY (UPRR) FOR THE LA HABRA UNION PACIFIC RAIL LINE BIKEWAY PROJECT; APPROPRIATE \$225,000 FROM THE GAS TAX FUND FOR THE LA HABRA UNION PACIFIC RAIL LINE BIKEWAY PROJECT FOR THE PURPOSE OF THIS AGREEMENT; AND AUTHORIZE CITY STAFF TO ENTER INTO A PRELIMINARY ENGINEERING SERVICES AGREEMENT WITH UPRR.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

- III.6 Approve Plans and Specifications for Neighborhood B, D, and O Traffic Management Plans, Project No. 2-TC-15; award construction contract and authorize City Manager to execute agreement with Terra Pave, Inc. for Neighborhood B, D, and O Traffic Management Plans, Project No. 2-TC-15 in the amount of \$142,325 and reject all other bids; and authorize staff to issue a purchase order in the amount of \$156,557.50 which includes a 10 percent contingency.

City Engineer Johansen presented a brief staff report.

Councilmember Blazey recused himself stating that he lives in one of the neighborhoods being discussed. He left the dais at 6:44 p.m.

Mayor Gomez invited the public to testify at 6:44 p.m.

Mayor Gomez reminded the audience that this item is to award the contract to construct approved traffic calming devices.

Councilmember Espinoza inquired if she needed to recuse herself based on the location of her home. City Attorney Jones confirmed she did not need to recuse herself.

The following spoke in support of the item:

- John Macor, 543 South Walnut Street
- Debra West, 200 Chinchilla Street
- Jay Stiebel, 1121 Kansas Lane
- Jason Murphy, 980 Meadow Lark Street
- Richard Castillo, 801 East Sycamore Avenue
- Robert La Guardia, 501 West Ryan Avenue

The following spoke in opposition to the item:

- Joan Carson, 631 Ember Lane

Mayor Gomez closed public testimony at 6:54 p.m.

Councilmember Beamish clarified that the delay in a decision regarding this item was to give the community that is involved in the item a voice regarding any issues and addressing those issues. He stated the intent is to make the neighborhood safer for them.

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Shaw, and CARRIED 4-0 TO APPROVE PLANS AND SPECIFICATIONS FOR NEIGHBORHOOD B, D, AND O TRAFFIC MANAGEMENT PLANS; PROJECT NO. 2-TC-15; AWARD CONSTRUCTION CONTRACT AND AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT WITH TERRA PAVE, INC. FOR NEIGHBORHOOD B, D, AND O TRAFFIC MANAGEMENT PLANS, PROJECT NO. 2-TC-15 IN THE AMOUNT OF \$142,325 AND REJECT ALL OTHER BIDS; AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$156,557.50 WHICH INCLUDES A 10 PERCENT CONTINGENCY.

Said motion CARRIED by the following roll call vote:

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

III.12 Approve and authorize City Manager to execute the Notice of Nomination of Directors to nominate Richard Jones for the office of Director; and authorize Mayor and City Clerk to execute proxy for election of Directors to the California Domestic Water Company Board for election to be held at its Annual Shareholder Meeting on November 18, 2016.

City Attorney Jones stated he is recusing himself because he is on the California Domestic Water Company Board of Directors. He left the dais at 6:54 p.m.

Councilmember Blazey returned to the dais at 6:55 p.m.

City Clerk Mason presented the staff report.

Mayor Gomez opened public testimony at 6:56 p.m. There was no testimony.

Moved by Mayor Pro Tem Shaw, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE THE NOTICE OF NOMINATION OF DIRECTORS TO NOMINATE RICHARD JONES FOR THE OFFICE OF DIRECTOR; AND AUTHORIZE MAYOR AND CITY CLERK TO EXECUTE PROXY FOR ELECTION OF DIRECTORS TO THE CALIFORNIA DOMESTIC WATER COMPANY BOARD FOR ELECTION TO BE HELD AT ITS ANNUAL SHAREHOLDER MEETING ON NOVEMBER 18, 2016.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

City Attorney Jones returned to the dais at 6:57 p.m.

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS: None at this time.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- Veteran's Day Program – Friday, November 11 at 11:00 a.m. at the La Habra Community Center.
- "Shop La Habra" - Bring your La Habra shopping receipts to the Chamber of Commerce for purchases made between Friday, November 25 and Wednesday, December 21 for a chance to win \$1,000.
- 3rd Annual La Habra Tamale Festival - Sunday, November 27, from 11:00 a.m. – 6:00 p.m. along Euclid Street between Portola Park and Brio Park.
- Operation Santa for the collection of toys and food for families in need. The City gratefully accepts non-perishable food; new, unwrapped toys for children, and Wal-Mart and Target gift cards.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Mayor Pro Tem Shaw discussed the approval of Items III.4 and III.5.

Councilmember Espinoza stated she attended a recognition ceremony at the Metropolitan Water District where Washington Middle School students, The Water Guardians, who were

nominated by California Domestic Water Company, received the Adelita Award for their work encouraging water conservation. She commended The Water Guardians and Washington Middle School for the recognition received.

Councilmember Blazey thanked Chief Price and Community Services Director Failla for organizing the Red Ribbon Breakfast.

Councilmember Beamish asked staff for the timeline regarding Item III.6. Staff stated the traffic calming measure construction, for all three neighborhoods, will begin in December 2016 and be completed in approximately one month.

Mayor Gomez reminded the community that tomorrow, November 8, 2016, is Election Day and encouraged everyone to vote. He commended Mayor Pro Tem Shaw, Councilmember Espinoza, and Councilmember Beamish regarding their work on the City Council. He wished all candidates good luck on Election Day.

X. ADJOURNMENT: Mayor Gomez adjourned the Regular Meeting of the City Council at 7:00 p.m. to Monday, November 21, 2016, 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