

## MINUTES

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

Monday, October 05, 2015

**APPROVED:** These Minutes were approved on October 19, 2015.

**ADJOURNED REGULAR MEETING: CANCELLED**

**REGULAR MEETING:**

**CALL TO ORDER:** Mayor Blazey called the Regular Meeting of the City Council of the City of La Habra 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:** Mayor Pro Tem Gomez

**COUNCILMEMBERS PRESENT:** Mayor Blazey  
Mayor Pro Tem Gomez  
Councilmember Shaw  
Councilmember Espinoza  
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 October 2015 as Community Planning Month in the City of La Habra. Deputy Community Development Director Jaramillo accepted the proclamation.

b. Beautification Award: Aaron and Holly Stein, 161 E. Francis Avenue.

c. Beautification Award: Dora Ponce, 540 Lemon Street – Not present to accept award.

d. Beautification Award: Debra Harn, 1241 N. Cypress Street.

Mayor Blazey invited Beautification Committee Vice Chair Kim Praster, Committee Member Vanna Sharp, and Committee Member Jackie Gonzalez forward to assist with the presentations.

- e. Mark Wyant presentation Living Justly Industry and Aquaponics.

Mr. Wyant, partner with Living Justly, Industries, Inc., introduce the non-profit, "Living Justly Industries, Inc", (LJI), to La Habra's City Council. He described LJI's purpose and mission, which includes a farming process called Aquaponics.

## **II. PUBLIC COMMENTS:**

Emily Yost, Representative of Gire Orthodontics, explained Dr. Robert Gire's "Sharing Smiles" Campaign planned throughout the community, and invited the community to participate.

Brent Neben, Regional Account Manager, with Ygrene Energy Fund, spoke regarding energy conservation, renewable energy, and the PACE Program. He requested Council bring this item for consideration on the October 19, 2015 City Council agenda.

## **III. CONSENT CALENDAR:**

Moved by Councilmember Beamish, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.3.

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

### **A. CONSENT CALENDAR:**

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. Receive and file the Treasurer's Investment Report for the quarter ending June 30, 2015.
3. WARRANTS: Approve Nos. 00103425 through 00103655 totaling \$2,133,928.75.

### **IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None**

## **V. PUBLIC HEARINGS:**

1. Duly noticed public hearing to consider an ordinance amending Chapter 4.20 of the La Habra Municipal Code regarding the disposition of surplus supplies and equipment.

Community Services Director Failla presented the staff report. He noted that the legal notice for this public hearing included notification of possible changes to two additional chapters of the Revenue and Finance section of the Municipal Code which are Chapter 4.24.030 entitled Disposition Notification of Sale and Chapter 4.24.060 entitled Disposition of Unsold Items. He stated that both chapters deal specifically with unclaimed property held by the La Habra Police

Department and are covered under the California Civil Code, so recommendations for modifying these chapters will not be made at this time.

Council discussion included: recommendation to use a sales contract to limit liability issues as part of the administrative policy; confirmation items are sold “as is;” clarification that items sold in the past include office equipment and computers with no hard drives or software; verification that vehicles are sold at auction; clarification that items past their useful life should be disposed of and not be sold for safety reasons; and confirmation each department is responsible to decide what items will be included for surplus sale or auction.

Mayor Blazey opened the public hearing at 6:57 p.m. There was no public testimony.

Moved by Councilmember Shaw, seconded by Mayor Pro Tem Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1764** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING CHAPTER 4.20 OF THE LA HABRA MUNICIPAL CODE REGARDING THE DISPOSITION OF SURPLUS SUPPLIES AND EQUIPMENT

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:**

1. Consider the assignment of the City's Integrated Solid Waste Management Services Agreement.

Public Works Director Saykali presented the staff report.

Council discussion included: confirmation that CR&R is buying the waste containers and trucks from Waste Management; verification the route schedule will be the same; identified other Orange County cities that CR&R services; confirmation the transfer fee from CR&R will be used to make improvements at Vista Grande Park; anaerobic digestive system to be built in 2016 for diversion of recycled materials; confirmation of \$79 per ton increased cost to add anaerobic digestive services to the contract; CR&R customer service process; confirmation CR&R purchased the customer service phone number from Waste Management; identified former employees of Waste Management who now work for CR&R; identified CR&R ownership of two landfill; and confirmation the City's diversion rate is not affected by scavengers collecting metal cans from recycle containers.

Mayor Blazey invited CR&R Representatives to the podium.

CR&R Representative Crystal Denning introduced herself. Dean Ruffridge, CR&R Senior Vice-President Solid Waste Division, spoke regarding the transfer agreement and addressed Council's questions.

Mayor Blazey invited the public to testify at 7:19 p.m.

Jesse, a La Habra resident, inquired regarding the following: use of smaller solid waste vehicles in his neighborhood due to asphalt weight restrictions; the cost of service; pick up of bulk items, and mulch service.

Mayor Blazey closed the public hearing at 7:23 p.m.

Mayor Pro Tem Gomez and Councilmember Beamish spoke in support of CR&R.

Moved by Mayor Pro Tem Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5700** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE ASSIGNMENT OF THE CITY OF LA HABRA'S INTEGRATED SOLID WASTE FRANCHISE AGREEMENT APPLICATION FROM USA WASTE OF CALIFORNIA, DBA WASTE MANAGEMENT OF ORANGE COUNTY, INC. TO CR&R INCORPORATED.

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 Mayor Pro Tem Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND AUTHORIZE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING, DATED OCTOBER 5, 2015, AMONG: a) USA WASTE OF CALIFORNIA, INC. DBA WASTE MANAGEMENT OF ORANGE COUNTY, b) CR&R, INCORPORATED, AND c) THE CITY, REGARDING THE TRANSFER OF THE CITY'S SOLID WASTE FRANCHISE AGREEMENT FROM USA WASTE OF CALIFORNIA, INC. TO CR&R, INCORPORATED.

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 Mayor Pro Tem Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE ASSIGNMENT AND ASSUMPTION AGREEMENT REFLECTING THE ASSIGNMENT FROM WASTE MANAGEMENT OF ORANGE COUNTY TO CR&R, INCORPORATED OF THE SOLID WASTE FRANCHISE AGREEMENT AS PROVIDED IN THE MEMORANDUM OF UNDERSTANDING IN A FORM APPROVED BY THE CITY ATTORNEY.

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

**VII. MAYOR'S COMMUNITY CALENDAR:**

Mayor Blazey made the following announcements:

- Mayor's office hours are available by appointment.
- La Habra Police Department's Open House - Saturday, October 17 from 10:00 a.m. to 2:00 p.m.
- La Habra Children's Museum's 23<sup>rd</sup> Annual "Gourmet Guys" - Sunday, October 18, from 12:00 p.m. to 3:00 p.m. at the La Habra Community Center.
- La Habra "Red Ribbon Community Breakfast" - Thursday, October 29 at 6:30 p.m. at the La Habra Community, with keynote speaker La Habra Police Chief, Jerry Price.
- La Habra Senior Health Fair, - Wednesday, November 4, from 9:00 a.m. to 12:00 p.m. at the La Habra Community Center
- La Habra Tamale Festival. – Sunday, November 29 from 12:00 p.m. to 6:00 p.m. at the Community Center.
- Donate to Operation Santa. - Food and toys will be collected throughout the fall for distribution to La Habrans in need on Saturday, December 19.
- Upcoming City Council meeting on Monday, October 19 at 6:30 p.m. in the City Council Chambers.

**VIII. COMMENTS FROM STAFF:** None

**IX. COMMENTS FROM COUNCILMEMBERS:**

Councilmember Beamish stated he attended the "Love La Habra" service day event and noted its success with 600 volunteers.

Councilmember Shaw congratulated Emergency Services Coordinator John Rees and staff who organized the Emergency Preparedness event at the Community Center and noted approximately 200 participants.

Mayor Pro Tem Gomez congratulated Community Services Director Failla, Assistant Recreation Manager Katie Elmore, and staff for the successful Father Daughter dance. He commented on his attendance to the Ketchum University 5<sup>th</sup> Annual Gala at the Richard Nixon Library where City Attorney Jones and his family were honored for their community service. He expressed his appreciation to City Attorney Jones for his generosity to the community. He asked that the meeting be adjourned in memory of Patricia "Pepper" Martin Blais, daughter of City of La Habra Marketing Consultant Bruce Martin, who passed away on September 26. He stated that she is survived by her husband Morgan, daughters Lauren and Emma, and parents Sally and Bruce Martin.

Mayor Blazey noted that he attended the flag ceremony for Hector Magallanes, Los Angeles County Firefighter. He stated he attended the Ono Hawaiian BBQ ribbon cutting ceremony and the "Love La Habra" service day event. He thanked Pastor Kurt Fuller with the Warehouse

Foursquare Church for organizing the event and working with City staff for this event. He reported that he attended the League of California Cities 2015 Annual Conference in San Jose. He commented about Our Lady of Guadalupe La Fiesta event held October 4. He requested that the meeting be adjourned in memory of Benjamin David Meier, who recently passed away from a head injury. He was the husband of Becky Diane Delgado Meier. He stated that Becky is the daughter of Susan Black of La Habra and Los Angeles Police Department officer Vincent Delgado of Fullerton. He added that her stepfather is Tom Black. He commented that Becky is a Sonora High School graduate and the sister of Jennifer Delgado. He stated that Benjamin was a bonafide hero who flew F-16 fighter missions in Afghanistan, Iraq, and Libya; and remained on active duty at Edwards Air Force Base. Mayor Blazey stated that in addition to his wife, Benjamin leave two sons Logan and Gabriel. He noted that friends have opened a "Go Fund Me" campaign for the family under [www.gofundme.com](http://www.gofundme.com) under the name, "Prayers for Becky, Diane, and her boys: for those who would like to contribute to the family.

- X. ADJOURNMENT:** Mayor Blazey adjourned the Regular Meeting of the La Habra City Council in memory of Patricia "Pepper" Martin Blais and Benjamin David Meier at 7:35 p.m. to Monday, October 19, 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.

Respectfully submitted,

Tamara D. Mason, MMC  
City Clerk