

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
LA HABRA CIVIC IMPROVEMENT AUTHORITY, LA HABRA HOUSING AUTHORITY,
LA HABRA UTILITY AUTHORITY, AND
SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY
&
SPECIAL MEETING OF THE LA HABRA UTILITY AUTHORITY
Monday, June 17, 2013

APPROVED: These Minutes approved on September 16, 2013.

ADJOURNED REGULAR MEETING & SPECIAL MEETING OF THE LA HABRA UTILITY AUTHORITY:

CALL TO ORDER: Mayor/Chair Espinoza called to order the Adjourned Regular Meeting of the City Council concurrent with the Special Meeting of the Utility Authority at 5:30 p.m. in the Administrative Conference Room 106, located at 201 E. La Habra Boulevard, La Habra, California.

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

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Hannah
City Attorney Jones
City Clerk Mason

- I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:**
None
- II. CLOSED SESSION:** Mayor/Chair Espinoza announced the Closed Session and Council/Authority convened as follows:

City Manager Hannah explained and requested that an item be added to the agenda.

MOVED by Councilmember Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY 5-0 TO ADD AN URGENT CLOSED SESSION ITEM TO THE AGENDA DUE TO CIRCUMSTANCES ARISING AFTER THE POSTING OF THE AGENDA AS NOTED UNDER LETTER "B" BELOW.

Said motion CARRIED by the following roll call vote:

AYES: COUNCILMEMBERS: GOMEZ, BEAMISH, BLAZEY, SHAW, ESPINOZA
NOES: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE

CITY COUNCIL:

- a. Conference with Real Property Negotiator per Government Code Section 54956.8-Property: 981 N. Euclid Street, 341 Hillcrest, 343 Hillcrest Street, 350 S. Hillcrest Street, 311 S. Euclid Street, 221 E. La Habra Blvd, 215 N. Orange Street; City Negotiator: Don Hannah, City Manager; Negotiating Parties; Help for Brain Injured Children (HBIC), The Gary Center, Community Resources Care Center (CRCC), Boxing Club, La Habra Depot Theatre, Historical Society Museum, and La Habra Art Association, Under Negotiation: Price and Terms.

Director of Community Services Failla was present for this item.

- b. Conference with Legal Counsel -Potential Litigation per government Code Section 54956 9(b) (1 potential case).

Director of Administrative Services Sadro was present during this item.

UTILITY AUTHORITY:

- a. Conference with Real Property Negotiator per Government Code Section 54956.8 Properties; California Domestic Water Company and Pellissier, Acquisition of Water Property Rights, Agency Negotiator Don Hannah and Elias Saykali, Negotiating Parties Holders of Real Property Interest in Water Property Rights, Under Negotiation, Price and Terms.

Public Works Director Saykali and Director of Administrative Services Sadro were present for this item.

III. ADJOURNED: Council/Authority reconvened from Closed Session at 6:20 p.m. There were no announcements. Mayor/Chair Espinoza adjourned the meetings at 6:20 p.m.

REGULAR MEETING & REGULAR JOINT MEETING:

CALL TO ORDER: Mayor/Chair Espinoza called the Regular Meeting of the City Council of the City of La Habra and the Regular Joint Meeting with the La Habra Civic Improvement Authority, La Habra Housing Authority, La Habra Utility Authority, and the Successor Agency to the La Habra Redevelopment Agency to order at 6:32 p.m. in the City Council Chambers, located at 201 E. La Habra Boulevard, La Habra, California.

INVOCATION:

City Attorney Jones

PLEDGE OF ALLEGIANCE:

Mayor Pro Tem/Director Beamish

COUNCILMEMBERS/DIRECTORS PRESENT:

Mayor/Chair Espinoza
Mayor Pro Tem/Vice-Chair Beamish

COUNCILMEMBERS/DIRECTORS ABSENT:
OTHER OFFICIALS PRESENT:

Councilmember/Director Gomez
Councilmember/Director Blazey
Councilmember/Director Shaw
None
City Manager/Executive Director Hannah
City Attorney/Legal Counsel Jones
City Clerk/Secretary Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclamation in recognition of July as Parks and Recreation Month

Mayor/Chair Espinoza presented the proclamation to Community Services Director Sal Failla.

- b. Proclamation in recognition of Assistant Special Agent in Charge Thomas "Joe" O'Donnell of the Department of Homeland Security for his dedication and professionalism.

Mayor/Chair Espinoza invited acting Police Chief Price to assist with the presentation to Assistant Special Agent in Charge Thomas "Joe" O'Donnell. Steve Spernak presented a proclamation on behalf of Supervisor Shawn Nelson's office to Assistant Special Agent in Charge Thomas "Joe" O'Donnell.

II. PUBLIC COMMENTS:

Craig Sheets, 532 Linden Way, Brea, spoke regarding methamphetamine laboratories in Los Angeles County, cocaine and heroin transported via freight trains, China transporting nuclear weapons and machine guns, and police officers serving alcohol.

Wendy Zambrano, 965 Glenclyff Street, La Habra, spoke regarding a negative experience obtaining medical marijuana from a dispensary other than the La Habra Cares Medical Marijuana dispensary. She spoke in support of La Habra Cares.

Councilmember/Director Gomez thanked those who have testified and stated that Mayor/Chair Espinoza and Mayor Pro Tem/Director Beamish took a tour of La Habra Cares. Councilmember/Director Gomez expressed that more direction was needed from the state and federal government. He directed Wendy Zambrano to speak with her state legislators, senator, assemblyman, and the federal government on this issue.

City Manager/Executive Director Hannah requested that Consideration Item No. VI.1, "Consider a resolution adopting Safe Harbors under the Patient Protection and Affordable Care Act," be heard immediately following the conclusion of the Consent Calendar.

III. CONSENT CALENDAR:

Councilmember/Director Blazey abstained on item III.A.3.

Moved by Councilmember/Director Gomez, seconded by Councilmember/Director Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.A.20, IIIB.1 THROUGH III.B.2, III.C.1 THROUGH III.C.2, III.D.1 THROUGH III.D.2, AND III.E.1 THROUGH III.E.3.

Said motion CARRIED by the following roll call vote:

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

NOES: None

ABSTAIN: Councilmember/Director Blazey (Item III.A.3 only)

ABSENT: None

A. PROPOSED ITEMS - CITY COUNCIL:

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only. (For all Agencies and Authorities)
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 for the Fiscal Year ending June 30, 2012.
3. Approve City Council Minutes of April 15, 2013.
4. Receive and file the Treasurer's Investment Report for the quarter ending March 31, 2013.
5. Approve denial of claims filed by:
 - a. Gina Camacho on behalf of her minor son alleging bodily injury.
 - b. Mercury Insurance and Deborah Loomis alleging property damage and bodily injury.
6. Adopt Resolution amending the Citywide Records Management Policy and Records Retention Schedule to incorporate new statutes related to public records.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5578** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE RECORDS MANAGEMENT POLICY AND PROCEDURES AND RECORDS RETENTION SCHEDULE FOR THE RETENTION AND DISPOSITION OF RECORDS OF THE CITY OF LA HABRA AND RESCINDING RESOLUTION NO. 4935 IN ITS ENTIRETY.
7. Approve second reading and adoption of **Ordinance No. 1745** entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 12-01 FOR THE CONSTRUCTION OF A RETAIL COMMERCIAL BUILDING AT 1151 SOUTH HARBOR BOULEVARD,

MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.

8. Approve and authorize City Manager to execute agreement with California Consulting for grant search, writing, tracking, monitoring, and reporting services in the amount of \$48,000, for the period covering July 1, 2013, to June 30, 2014.
9. Authorize submittal of an application to the California State Department of Housing and Community Development for funding under the HOME Investment Partnerships Program for the City of La Habra's Owner Occupied Rehabilitation Loan Program (OOR).
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5579** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE HOME INVESTMENT PARTNERSHIPS PROGRAM; AND IF SELECTED, THE EXECUTION OF A STANDARD AGREEMENT, ANY AMENDMENTS THERETO, AND OF ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE HOME INVESTMENT PARTNERSHIPS PROGRAM.
10. Adopt the Seven-Year Capital Improvement Program (CIP) and a resolution concerning the status of the circulation element for La Habra as part of the Measure M and Renewed Measure M (M2) eligibility requirements for FY 2013-2014.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5580** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CONCERNING THE STATUS OF THE CIRCULATION ELEMENT AND MITIGATION FEE PROGRAM.
11. Approve Project No. 1-TC-11 Plans and Specifications for Lambert Road Regional Traffic Signal Synchronization; award Project No. 1-TC-11 to Aegis ITS, Inc. in the amount of \$255,969.98 and reject all other bids; and authorize City Manager to execute an agreement with Aegis ITS, Inc. and authorize staff to issue a purchase order in the amount of \$281,567 that includes a 10% contingency.
12. Approve Project No. 3-R-12 Plans and Specifications for the Annual Sidewalk and Wheelchair Ramp Improvements at Various Locations FY 2012-2013; award Project No. 3-R-12 to Ruiz Concrete & Paving, Inc. (DBA Ruiz Engineering Co.) in the amount of \$204,261.21, and reject all other bids; authorize City Manager to execute agreement with Ruiz Concrete & Paving, Inc. and authorize staff to issue a purchase order in the amount of \$224,687.33 that includes a 10% contingency; and appropriate \$7,000.00 from the Gas Tax Fund to cover the construction cost including soil and material testing.
13. Waive formal bid procedures per La Habra Municipal Code Section 4.20.050 (C) and utilize the cooperative purchase provision of the contract awarded by the Los Angeles County Sheriff Department for the purchase of One (1) new 2013 Ford F-550 Custom North Star SWAT Truck; and authorize City Manager to issue a purchase order in the amount of \$209,148.94 from Public Safety Augmentation Funds and Fleet Replacement Fund to Braun Northwest Incorporated, Chehalis, WA for the purchase of One (1) new 2013 Ford F-550 Custom North Star SWAT Truck.

14. Receive the Addendum to Memorandum of Understanding between the City of La Habra and the General Services Employees' Group for the period of July 1, 2013, to June 30, 2014, and approve the resultant salary resolution; approve the appropriation of funds from the FY 2012-13 adopted budget for the cost of the 4% one-time lump sum adjustments for top step employees.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5581** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5531 PERTAINING TO A COMPENSATION PLAN FOR GENERAL SERVICES EMPLOYEES' GROUP.
15. Receive the Memorandum of Understanding between the City of La Habra and the La Habra Police Sworn Employees' Group for the period of July 1, 2013, to June 30, 2014, and approve the resultant salary resolution; and approve the appropriation of funds from the FY 2012-13 adopted budget for the cost of the 4% one-time lump sum adjustments for top step employees.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5582** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5535 PERTAINING TO A COMPENSATION PLAN FOR POLICE SWORN PERSONNEL.
16. Receive the Memorandum of Understanding between the City of La Habra and the La Habra Police Civilian Employees' Group for the period of July 1, 2013, to June 30, 2014, and approve the resultant salary resolution; approve the appropriation of funds from the FY 2012-13 adopted budget for the cost of the 4% one-time lump sum adjustments for top step employees.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5583** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5534 PERTAINING TO A COMPENSATION PLAN FOR POLICE - CIVILIAN PERSONNEL.
17. Receive and approve the salary resolution for Management and Executive employees for the period of July 1, 2013, to June 30, 2014.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5584** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5532 PERTAINING TO A COMPENSATION PLAN FOR MANAGEMENT AND EXECUTIVE MANAGEMENT EMPLOYEES.
18. Receive the Addendum to Memorandum of Understanding between the City of La Habra and the Field/Maintenance Services Employees' Group for the period of July 1, 2013, to June 30, 2014, and approve the resultant salary resolution; approve the appropriation of funds from the FY 2012-13 adopted budget for the cost of the 4% one-time lump sum adjustments for top step employees.

- a. APPROVE AND ADOPT **RESOLUTION NO. 5585** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5544 PERTAINING TO A COMPENSATION PLAN FOR FIELD/MAINTENANCE SERVICES EMPLOYEES' GROUP.
19. Authorize the City Manager to execute an agreement with Macias, Gini & O'Connell, LLP (MGO) for comprehensive annual audit and financial reporting services for a one year term in the amount of \$88,600.
20. WARRANTS: Approve Nos. 00091542 through 00091768 totaling \$1,801,005.44.

B. CONSENT CALENDAR - CIVIC IMPROVEMENT AUTHORITY:

1. Approve Civic Improvement Authority Minutes of:
 - a. December 3, 2012
 - b. December 17, 2012
 - c. January 7, 2013
 - d. January 22, 2013
 - e. February 4, 2013
 - f. February 19, 2013
 - g. March 4, 2013
 - h. March 18, 2013
 - i. April 1, 2013
 - j. April 15, 2013
 - k. May 6, 2013
 - l. May 20, 2013
 - m. June 3, 2013
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 for the Fiscal Year ending June 30, 2012. (Same as item III.A.2)

C. CONSENT CALENDAR - HOUSING AUTHORITY:

1. Approve Housing Authority Minutes of:
 - a. March 4, 2013
 - b. March 18, 2013
 - c. April 1, 2013
 - d. April 15, 2013
 - e. May 6, 2013
 - f. May 20, 2013
 - g. June 3, 2013
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 for the Fiscal Year ending June 30, 2012. (Same as item III.A.2)

D. CONSENT CALENDAR - SUCCESSOR AGENCY OF THE LA HABRA REDEVELOPMENT AUTHORITY:

1. Approve Successor Agency Minutes of:
 - a. May 20, 2013
 - b. June 3, 2013
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 for the Fiscal Year ending June 30, 2012. (Same as item III.A.2)

E. CONSENT CALENDAR - UTILITY AUTHORITY:

1. Approve Utility Authority Minutes of May 20, 2013.
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 for the Fiscal Year ending June 30, 2012. (Same as item III.A.2)
3. Award a contract to Bucknam and Associates, Inc. in the amount of \$90,725 for Specialty Water Design/Engineering/Construction Support Services for the Foothill Pressure Zone Consolidation Project and miscellaneous water and sewer projects for fiscal year 2013-2014; and authorize the Executive Director to execute agreement and issue a purchase order.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

1. Duly noticed joint public hearing to consider the adoption of the Fiscal Year 2013-2014 Municipal Budget and consider a resolution establishing the Appropriation Limit for Fiscal Year commencing July 1, 2013, and ending June 30, 2014. (This item was continued from June 3, 2013.)

Finance and Administrative Services Director Sadro presented the staff report. He reported that the final proposed budget incorporates the cost of labor agreements reached with the City's various employee groups, funding to pay for increased fire services contract costs based on adjusted estimates from the Los Angeles County Fire Authority, and the additional revenue in Community Development Block Grant funding allocation.

Mayor/Chair Espinoza opened the public hearing at 7:13 p.m. There was no public testimony. The public hearing was closed at 7:13 p.m.

Councilmember Shaw supported the elimination of furloughs.

- a. Moved by Councilmember Gomez, seconded by Councilmember Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5587** ENTITLED: A RESOLUTION OF THE **CITY COUNCIL** OF THE CITY OF LA HABRA ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014, MAKING APPROPRIATIONS FOR THE CONDUCT OF CITY OF LA HABRA

GOVERNMENT, ESTABLISHING POLICIES FOR THE ADMINISTRATION OF THE ADOPTED BUDGET, AND FOR OTHER BUDGET RELATED PURPOSES.

Said motion CARRIED by the following roll call vote:

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

- b. Moved by Director Gomez, seconded by Vice-Chair Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 2013-1** ENTITLED: A RESOLUTION OF THE **CIVIC IMPROVEMENT AUTHORITY** OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014.

Said motion CARRIED by the following roll call vote:

AYES: Chair Espinoza, Vice-Chair Blazey, Director Beamish, Director Gomez,
Director Shaw
NOES: None
ABSTAIN: None
ABSENT: None

- c. Moved by Vice-Chair Gomez, seconded by Director Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 2013-1** ENTITLED: A RESOLUTION OF THE **HOUSING AUTHORITY** OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014.

Said motion CARRIED by the following roll call vote:

AYES: Chair Espinoza, Vice-Chair Gomez, Director Beamish, Director Blazey,
Director Shaw
NOES: None
ABSTAIN: None
ABSENT: None

- d. Moved by Director Gomez, seconded by Director Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 2013-3** ENTITLED: A RESOLUTION OF THE **SUCCESSOR AGENCY** TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014.

Said motion CARRIED by the following roll call vote:

AYES: Chair Espinoza, Vice-Chair Beamish, Director Gomez, Director Blazey,
Director Shaw
NOES: None
ABSTAIN: None
ABSENT: None

- e. Moved by Vice-Chair Beamish, seconded by Director Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 2013-2** ENTITLED: A RESOLUTION OF THE **UTILITY AUTHORITY** OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014.

Said motion CARRIED by the following roll call vote:

AYES: Chair Espinoza, Vice-Chair Beamish, Director Gomez, Director Blazey,
Director Shaw
NOES: None
ABSTAIN: None
ABSENT: None

- f. Moved by Mayor Pro Tem Beamish, seconded by Councilmember Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5588** ENTITLED: A RESOLUTION OF THE **CITY COUNCIL** OF THE CITY OF LA HABRA ESTABLISHING THE APPROPRIATION LIMIT IN ACCORDANCE WITH ARTICLE XIII B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA FOR THE FISCAL YEAR COMMENCING JULY 1, 2013, AND ENDING JUNE 30, 2014, AND AMENDING RESOLUTION NO. 5529.

Said motion CARRIED by the following roll call vote:

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

2. Duly noticed public hearing to consider a resolution to amend the Master Schedule of Fees pertaining to fees for general services, administrative services, community development services, building services, community services, fire services, police services, ambulance services, public works services, utility services, and penalties for municipal code and vehicle parking violations.

Assistant to the City Manager Ferrier reported that the La Habra Municipal Code Section 4.08.010 requires the City to adjust various fees and charges by the increase or decrease in the Consumer Price Index (CPI) for the previous year, which was 1.3 percent. He stated that fees related to Enterprise Funds, franchises, or fees for which the State sets the fee may not be adjusted by the CPI and would remain the same. He explained that basis for the fees must be the actual cost of providing the service.

Mayor Pro Tem Beamish confirmed that the 1.3% increase in fees has been included in the adopted Fiscal Year 2013-2014 Budget.

Mayor Espinoza opened the public hearing at 7:19 p.m. There being no public testimony, the public hearing was closed at 7:19 p.m.

Moved by Councilmember Shaw, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5589** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS.

Said motion CARRIED by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

VI. CONSIDERATION ITEMS:

Consideration Item VI.1 was heard out of sequence prior to Public Hearing Item V.1,

CITY COUNCIL:

1. Consider a resolution adopting Safe Harbors under the Patient Protection and Affordable Care Act.

Finance and Administrative Services Director Sadro and Scott Tiedeman, with Liebert, Cassidy and Whitmore, presented the staff report.

Council discussion included: clarification of the term household income to include spouse's income; clarification of the three Safe Harbor options established in the proposed resolution; clarification of penalty formulas; and confirmation that the proposed resolution will aid the City to avoid penalties.

Mayor Espinoza invited the public to testify.

Gloria Williams, Erna Street, La Habra, addressed the Council on issues not concerning this item. Mayor Espinoza asked her to speak after this item. There was no further public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5586** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING THE SAFE HARBORS UNDER THE PATIENT PROTECTION AND AFFORDABLE CARE ACT.

Said motion CARRIED by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

HOUSING AUTHORITY:

2. Consider a two percent rent increase at View Park Mobile Home Park located at 1750 West Lambert Road and Park La Habra Mobile Home Park located at 1731 West Lambert Road.

Vice-Chair Gomez stated that he had received calls from five residents of the mobile home parks to request a meeting with him regarding this item. He explained that he was out of town and was not able to meet with them and they were unable to attend the meeting this evening. He indicated that he intended to meet with them during the week and requested that the item be continued to July 15, 2013.

In response to a question from Director Beamish, staff confirmed that waiting until July 15, 2013, would not have a negative impact on the matter.

Moved by Vice-Chair Gomez, seconded by Director Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONTINUING THE ITEM TO CONSIDER A TWO PERCENT RENT INCREASE AT VIEW PARK MOBILE HOME PARK LOCATED AT 1750 WEST LAMBERT ROAD AND PARK LA HABRA MOBILE HOME PARK LOCATED AT 1731 WEST LAMBERT ROAD TO THE JULY 15, 2013 MEETING.

Said motion CARRIED by the following roll call vote:

AYES: Chair Espinoza, Vice-Chair Gomez, Director Beamish, Director Blazey, Director Shaw

NOES: None

ABSTAIN: None

ABSENT: None

CITY COUNCIL:

3. Consider a progress report on achievement of citywide goals for Fiscal Year 2012-2013 and approve and adopt goals for Fiscal Year 2013-2014.

Assistant to the City Manager Ferrier presented the report.

Council discussion included: confirmation that the goals document is continually updated; directed staff to include Fire Department goals; directed staff to provide a Fire Department report for the past year.

Mayor Espinoza invited the public to testify at 7:28 p.m. There was no public testimony.

Councilmember Shaw expressed his support of the facility needs assessment, long-term plans for the civic center, Vista Grande Park, and the rehabilitation of alleyways, which were identified as goals. City Manager Hannah clarified that the progress for paving of alleys would be determined by the success of funding by Measure M2 funds.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY 5-0 TO RECEIVE AND FILE PROGRESS REPORT ON ACHIEVEMENT OF CITYWIDE GOALS FOR FISCAL YEAR 2012-2013, AND APPROVE AND ADOPT CITYWIDE GOALS FOR FISCAL YEAR 2013-2014.

Said motion CARRIED by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

CITY COUNCIL & UTILITY AUTHORITY:

4. Consider the Notice of Completion for the Fiscal Year 2011-2012 Residential Street Rehabilitation, Project (1-R-11); and the Fiscal Year 2011-2012 Water Main Replacement Project (1-W-11); and consider Change Order No. 5.

City Manager/Executive Director Hannah presented the staff report. He reported that the project and some additional work had all been completed on July 14, 2012, to the specifications given to the contractor. He explained that after completion of the project several streets were identified that needed additional work and that the work was scheduled to be completed no later than the end of July. He stated that the total cost for the additional repairs and improvements was approximately \$55,000 and would become part of this year's Pavement Management Program.

City Manager/Executive Director Hannah explained that this was the first year Type 1 Slurry Seal had been used and identified concerns regarding the use of Type 1 Slurry Seal versus Type 2 Slurry Seal. He clarified that Type 1 Slurry Seal is not appropriate for all situations. He indicated that in the future the intended use of Type 1 and Type 2 Slurry Seal, and the streets it will be applied to, will be specified in the Council agenda report.

Councilmember Gomez noted that he received complaints from residents after the repaving of the streets and expressed his disappointment with the results of the Type 1 slurry seal.

Council discussion included: the appropriate use of Type 1 Slurry Seal versus Type 2 Slurry Seal; the effects of various elements such as weather, traffic, trash trucks, and weight of vehicles on both types of Slurry Seal; confirmation slurry seal is applied during warmer months and takes 4 to 6 hours to cure; confirmation staff is to carefully evaluate street needs and review closely with contractors during future projects; confirmation protocols are in place for staff to inspect streets after paving; confirmation of the success of the Pavement Management

Program; expressed concerns regarding change orders; confirmation that most change orders on this project have been exclusively related to the water project; expressed the importance of aesthetics regarding street rehabilitation; and directed staff to distinguish in future reports as to the use of Type 1 and Type 2 Slurry Seal.

Mayor/Chair Espinoza invited the public to testify at 7:57 p.m. There was no public testimony.

Moved by Mayor Pro Tem/Vice-Chair Beamish, seconded by Councilmember/Director Blazey, and CARRIED TO APPROVE THE NOTICE OF COMPLETION FOR THE FISCAL YEAR 2011-2012 RESIDENTIAL STREET REHABILITATION, PROJECT (1-R-11); AND THE FISCAL YEAR 2011-2012 WATER MAIN REPLACEMENT PROJECT (1-W-11); APPROVE CHANGE ORDER NO. 5; IN THE AMOUNT OF \$43,045.68 FOR ASPHALT PAVEMENT OF THE INTERSECTION OF HARBOR BOULEVARD AND WHITTIER BOULEVARD, DIRECT STAFF TO USE TYPE 1 OR TYPE II SLURRY SEAL AS APPROPRIATE.

Said motion CARRIED by the following roll call vote:

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

NOES: Councilmember/Director Gomez

ABSTAIN: None

ABSENT: None

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Director Espinoza made the following announcements:

- The Mayor's Community Hours will be hosted on Friday, June 21st, at Albertsons located at 1800 West Whittier Boulevard from 11 a.m. to 1 p.m. and Saturday, June 22nd, at the Starbucks located at 1331 W. Imperial Highway from 11 a.m. to 1 p.m. The Mayor is also available by appointment.
- Concerts in the Park begin this Thursday evening June 20th, from 7:00 p.m. to 9:00 p.m. at El Centro-Lions Park with Mariachi Cuicatlan and a special performance from the Grandeza Mexican Folk Ballet Company. On June 27th the featured band is "Hip Street."
- 4th of July Celebration will be at La Habra High School Stadium; gates open at 5:00 p.m. and Fireworks begin at 9:15 p.m.
- Children's Museum Target free Sunday. The theme is "Americana Fest," July 7th from 1:00 pm to 5 p.m.
- The City of La Habra and the La Habra American Legion Post 267 will co-host "The Wall That Heals" a replica of the Vietnam Veterans Memorial monument located in Washington, D.C. The replica of the memorial will be open 24 hours a day, beginning Thursday, July 11th, through Sunday, July 14th, at the La Habra High School stadium. The opening ceremony will take place on Thursday, July 11th, at 10:00 a.m., the candlelight ceremony will take place at 7:30 p.m. on Saturday, July 13th, and the closing ceremony will occur at 1:00 p.m. on Sunday, July 14th.
- Smartphone users can now report problems or concerns, make information requests, attach photos, and receive status updates through the City's new Contact La Habra app which is available for both Android users and iPhone users.
- The City Council will not meet on Monday, July 1st, but will meet again on Monday, July 15th and Monday, August 5th, at 6:30 p.m. in the City Council Chambers.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember/Director Shaw reported the Project V application for the bus circulator route in La Habra was unanimously passed by the Orange County Transportation Authority Transit Committee and it will go before the full Orange County Transportation Authority Board on June 24th, which is expected to pass. He stated he attended the graduation ceremony at Sonora High School with Councilmember/Director Blazey and Mayor/Chair Espinoza. He congratulated all the graduates.

Councilmember/Director Blazey stated he attended a Girl Scout Gold Award ceremony for a La Habra Troop where six girls received the award. He commented that he would like to present certificates to the recipients at a future Council meeting. He noted that, as a Girl Scout Leader, Cindy Shrout is the only leader in the United States who has had a 100 percent rate of success with her Girl Scout Troop receiving the Gold award. He stated that he attended the La Habra High School and Sonora High School graduations. He announced that the next General Plan Advisory Committee meeting will be Wednesday, at 6:30 p.m. at the Community Center. He expressed his support on the progress regarding the Pavement Management Program, particularly on Idaho Street between Lambert Street and Imperial Highway. He stated that due to family vacation he would not be able to attend the "Wall That Heals." He stated that he has visited the Vietnam Memorial Wall in Washington, D.C. and encouraged the public to visit the replica wall while it is in La Habra.

Councilmember/Director Gomez asked that the meeting be adjourned in memory of the anniversary of Brad Bridenbecker's passing. He stated the City will be dedicating Bridenbecker Street in memory of the former City Manager in July. He asked that the meeting also be adjourned in memory of Eva Luna Aguilar, who is survived by two sons, a brother Lenny Luna who works in the La Habra Community Services Department, and relatives Georgina Lewis and Josie Anderson who are also employees of the City of La Habra.

Mayor Pro Tem/Vice-Chair Beamish commented on the benefits, consequences, and costs of the Affordable Care Act. He stated that he and Mayor/Chair Espinoza toured the La Habra Cares Medical Marijuana Dispensary and noted the conflicts in state and federal laws regarding the issue.

Mayor/Chair Espinoza stated she attended Eagle Scout ceremonies the last three Saturdays. She stated that she attended the La Habra High School and Sonora High School graduation ceremonies, the La Habra Valley Fair, and the Gem and Mineral Society event.

X. ADJOURNMENT: Mayor/Chair Espinoza adjourned the meeting at 8:12 p.m. in memory of Brad Bridenbecker and Eva Luna Aguilar.

Respectfully submitted,

Tamara D. Mason, MMC

City Clerk/Secretary