

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
Monday, May 05, 2014

APPROVED: These Minutes were approved May 19, 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 E. La Habra Boulevard, La Habra, California.

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

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

COUNCILMEMBERS ABSENT: None

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

None

II. CLOSED SESSION: Mayor Beamish announced the Closed Session as listed below.
Council convened as follows:

- a. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, Interim City Manager; Employee Organizations: Police Sworn Employees, Police Civilian Employees, La Habra Municipal Employees Association, General Services Employees, Professional Employees, and Management and Executive Management Groups.

Acting Director of Finance Shannon, Acting Director of Human Resources Juengel, and Assistant to the City Manager Ferrier were present during this item.

- b. Public employee evaluation per Government Code Section 54957 - Title: Interim City Manager.

Interim City Manager Sadro, Acting Director of Finance Shannon, and Assistant to the City Manager Ferrier left during this item. Acting Director of Human Resources Juengel was present during this item.

III. ADJOURNMENT: City Council reconvened from Closed Session at 6:11 p.m. There were no announcements. Mayor Beamish adjourned the Adjourned Regular Meeting at 6:11 p.m.

REGULAR MEETING:

CALL TO ORDER: Mayor Beamish call 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 E. La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Shaw

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

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

COUNCILMEMBERS ABSENT: None

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclamation - National Public Works Week, May 18 - 24, 2014, in La Habra.

Public Works Director Saykali accepted the proclamation.

- b. Proclamation - Arbor Day Earth Day April 26, 2014, in La Habra.

Public Works Director Saykali accepted the proclamation.

- c. Proclamation - National Police Week, May 11 - 17, 2014, in La Habra.

Mayor Beamish invited Police Chief Price and other officers forward to be acknowledged and to accept the proclamation.

- d. Presentation of Certificates in recognition of Miss La Habra 2014 and her Court: Miss La Habra - Allison Staumont, Princesses Alondra Gonzalez, Victoria Johnson, Jessica Maidlow, Arlene Orozco.

Mayor Beamish invited Cindy Singer, representative from the La Habra Host Lions Club and Miss La Habra Pageant Coordinator, and Assistant Christy Wyant, to the podium to assist with the presentations.

- e. Dr. Doffoney, North Orange County Community College District, presentation on district programming.

Dr. Doffoney was unable to attend.

- f. [Lisa Telles, Transportation Corridor Agencies, presentation on TCA's internal changes.](#)

Lisa Telles, Representative of Transportation Corridor Agencies, spoke regarding the TCA's activities, the elimination of the collection of cash specified toll roads, transponders, and express accounts.

- g. [Presentation of a check from the La Habra Host Lions to the City of La Habra.](#)

La Habra Host Lions representatives Vanna Sharp and Frank Felix presented check a check for \$13,500 to the City of La Habra for the Senior Nutrition Center.

Additional presentation:

- h. Presentation to OSHER Lifelong Learning Institute (OLLI) 35th Anniversary.

Mayor Beamish invited Mike Stover, Representative of Osher Lifelong Learning Institute, to accept the proclamation.

II. PUBLIC COMMENTS:

Jane Williams, Board Member of the Lowell Joint Education Foundation, expressed her appreciation to the City of La Habra for assisting with the 1st Annual Art Exhibit held at the La Habra Community Center. She invited the community to the La Habra Heights Avocado Festival to be held Saturday, May 17.

Craig Sheets, 532 Linden Way, Brea, expressed concerns regarding the dangers of ammonia, alcohol, and vehicles that kill people.

Bret Barbre, representative of the Municipal Water District of Orange County, updated Council regarding the current water supply.

III. CONSENT CALENDAR:

Bob Dale, 1401 Sierra Vista Drive, requested that items III.3 and III.4 be pulled from the agenda for separate discussion.

Moved by Councilmember Gomez, seconded by Councilmember Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.7; WITH

THE EXCEPTION OF ITEMS III.3 AND III.4 WHICH WERE PULLED FOR SEPARATE DISCUSSION.

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

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 City Council Minutes of:
 - a. November 18, 2013
 - b. April 22, 2014
3. Approve and authorize Interim City Manager to enter into agreement with JMDiaz, Inc. of City of Industry, California in the amount of \$468,892 to provide design architectural/engineering services for the La Habra Union Pacific Rail Line Bikeway Project; and authorize staff to issue a purchase order to JMDiaz, Inc. in the amount of \$515,781 that includes a 10% contingency.
4. Approve and authorize Interim City Manager to enter into agreement with Fehr & Peers Transportation Consultants of Anaheim, California, in the amount of \$78,210 to provide professional engineering services for the City of La Habra Bikeway Master Plan Update Project; and authorize staff to issue a purchase order to Fehr & Peers Transportation Consultants in the amount of \$86,030 that includes a 10% Contingency.
5. Approve and authorize the City Manager to enter into an agreement with Albert Grover & Associates of Fullerton, California in the annual amount of \$75,600 to provide professional consultant traffic and transportation engineering services for the City of La Habra for Fiscal Year 2014-2015 through Fiscal Year 2019-2020; and authorize staff to issue a purchase order to Albert Grover & Associates for Fiscal Year 2014-2015 in the amount of \$75,600.
6. Authorize the City Manager to execute a purchase order for forty (40) Panasonic Toughbook mobile data computers (MDCs), to include all the necessary hardware, antennas, cabling, and installation service from the mobile computer vendor CDCE, Inc., of Yorba Linda, in the amount not to exceed \$287,852.80.
7. WARRANTS: Approve Nos. 00096095 through 00096266 totaling \$2,306,916.52.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

III.3 APPROVE AND AUTHORIZE INTERIM CITY MANAGER TO ENTER INTO AGREEMENT WITH JMDIAZ, INC. OF CITY OF INDUSTRY, CALIFORNIA IN THE AMOUNT OF \$468,892 TO PROVIDE DESIGN ARCHITECTURAL/ENGINEERING SERVICES FOR THE LA HABRA UNION PACIFIC RAIL LINE BIKEWAY PROJECT; AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER TO JMDIAZ, INC. IN THE AMOUNT OF \$515,781 THAT INCLUDES A 10 PERCENT CONTINGENCY.

City Engineer Johansen presented the staff report.

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

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND AUTHORIZE INTERIM CITY MANAGER TO ENTER INTO AGREEMENT WITH JMDIAZ, INC. OF CITY OF INDUSTRY, CALIFORNIA IN THE AMOUNT OF \$468,892 TO PROVIDE DESIGN ARCHITECTURAL/ENGINEERING SERVICES FOR THE LA HABRA UNION PACIFIC RAIL LINE BIKEWAY PROJECT; AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER TO JMDIAZ, INC. IN THE AMOUNT OF \$515,781 THAT INCLUDES A 10 PERCENT CONTINGENCY.

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

III.4 APPROVE AND AUTHORIZE INTERIM CITY MANAGER TO ENTER INTO AGREEMENT WITH FEHR & PEERS TRANSPORTATION CONSULTANTS OF ANAHEIM, CALIFORNIA, IN THE AMOUNT OF \$78,210 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE CITY OF LA HABRA BIKEWAY MASTER PLAN UPDATE PROJECT; AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER TO FEHR & PEERS TRANSPORTATION CONSULTANTS IN THE AMOUNT OF \$86,030 THAT INCLUDES A 10 PERCENT CONTINGENCY.

City Engineer Johansen presented the staff report.

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

Moved by Councilmember Shaw, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND AUTHORIZE INTERIM CITY MANAGER TO ENTER INTO AGREEMENT WITH FEHR & PEERS TRANSPORTATION CONSULTANTS OF ANAHEIM, CALIFORNIA, IN THE AMOUNT OF \$78,210 TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE CITY OF LA HABRA BIKEWAY MASTER PLAN UPDATE PROJECT; AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER TO FEHR & PEERS TRANSPORTATION CONSULTANTS IN THE AMOUNT OF \$86,030 THAT INCLUDES A 10 PERCENT CONTINGENCY.

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

V. PUBLIC HEARINGS:

1. Consider Amendments to Title 10 of the La Habra Municipal Code establishing regulations for food vending vehicles.

Community Development Director Haack presented the staff report.

Mayor Beamish opened the public hearing at 7:00 p.m.

Ron Lebs, Assistant Superintendent for Business Services for Fullerton Joint Union High School, spoke in support of the proposed ordinance. He suggested revising the language of section 10.58.030.B.4 where it reads "authorize to do so in writing from the school principal" to "school district."

There being no further comments, Mayor Beamish Closed the public hearing at 7:35 p.m.

Council discussion included: the citation cost for a violation of this code; verified the speed limits on Whittier Boulevard (40 mph), La Habra Boulevard (35 mph), Palm (35 mph), Idaho Street (35 mph), Lambert Road (40 mph), and Monte Vista Street (30 mph), Euclid (35 mph); confirmed there are buffers around the schools; notifying operators of food vending vehicle; staff to provide warnings for the first 30 days as opposed to citations; clarification of "an approved and readily available toilet and hand-washing facility" in section 10.58.030.B.9; and suggested adding language to requiring written permission for use of toilet and hand-washing facilities.

Moved by Mayor Pro Tem Blazey, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY 5-0 TO APPROVE FIRST READING OF **ORDINANCE NO. 1751** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING SECTION 10.20.100 (VENDING VEHICLES) OF CHAPTER 10.20 (STOPPING, STANDING AND PARKING) OF TITLE 10 (VEHICLES AND TRAFFIC) AND ADDING CHAPTER 10.58 (FOOD VENDING VEHICLES) RELATING TO FOOD VENDING VEHICLES; AS MODIFIED TO REVISE LANGUAGE IN SECTION 10.58.030.B.4 TO CHANGE "AUTHORIZE TO DO SO IN WRITING FROM THE SCHOOL PRINCIPAL" TO "SCHOOL DISTRICT" AND ADD LANGUAGE FOR REQUIRING "WRITTEN APPROVAL" FOR USE OF RESTROOM FACILITIES IN SECTION 10.58.030.B.9.

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

VI. CONSIDERATION ITEMS:

1. Consider the name "The City Trek" for the new compressed natural gas (CNG) circulator bus system that OCTA will operate in the La Habra beginning August 2014, in accordance with the new Measure M "Project V Program."

Assistant to the City Manager Ferrier presented the staff report.

Council discussion included: expressed concerns regarding the omission of "La Habra" in the name for the circulator bus system; other names that were considered by the committee; suggested names were La Habra Express, LHX, and La Habra Trek; timeframe; and confirmed the bus system service begins August 4.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY 5-0 TO SEND BACK TO THE ECONOMIC DEVELOPMENT AD HOC COMMITTEE TO CONSIDER OPTIONAL NAMES THAT WILL INCLUDE LA HABRA IN THE NAME AND BRING THE ITEM BACK TO CITY COUNCIL FOR CONSIDERATION.

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 Beamish made the following announcements:

- Mayor's Office hours are available by appointment.
- La Habra Children's Museum "Healthy You, Health Me" exhibit is now on display through August 25.
- The most recent edition of Life in La Habra Magazine is now available to learn about community events, classes, and fun activities.
- The Economic Development Ad Hoc Committee will meet again on Thursday, May 8 at the La Habra Chamber of Commerce at 321 East La Habra Boulevard.
- La Habra Children's Museum "Target Free Sunday" - Sunday, June 1. The theme is "Rail Road Round Up."
- Community Emergency Response Team (CERT) classes - May 10, 17, and 24 at the Vista Grande Scout Hut located at 1100 West Lambert Road. The CERT program is designed to teach residents what to do in the event of an emergency. Classes are led by instructors from the Los Angeles County Fire Department and this set of classes will be conducted in Spanish.
- Upcoming City Council Meeting - Monday, May 19 at 6:30 p.m. in the City Council Chambers.

- Visit the City's website at www.lahabracaca.gov, for more information about what is happening in La Habra, the Children's Museum, and the La Habra Chamber of Commerce.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Espinoza stated that she attended the Donate Life Run event held at Cal State Fullerton College; and commented regarding her niece who had two successful liver transplants. She spoke regarding the success of the Mayor's Prayer Breakfast and suggested that the committee seek a female speaker.

Councilmember Gomez noted that the committee had considered Joni Eareckson Tada as speaker, but she was unable to make the even. He said that they do hope to have her next year. He commended Public Works Director Elias on the Earth Day Arbor Day event. He requested that the meeting be adjourned in memory of Helen Villagomez; a long-time resident and grandmother to La Habra Police Department Senior Property and Evidence Technician Jessie Jaime.

Councilmember Shaw acknowledged his students in the audience. He noted that the Supreme Court had made a ruling regarding prayer at Council Meetings and asked for clarification on the ruling. City Attorney Jones explained the ruling briefly and stated a briefing would be prepared for Council.

Mayor Pro Tem Blazey expressed his appreciation for the approval of Item III.3, the Union Pacific Rail Line Bikeway Project; and Item III.4, the La Habra Bikeway Master Plan Update Project. He expressed his appreciation for Councilmember Shaw efforts on the OCTA circulator bus system. He suggested that staff offer another Emergency Preparedness Town Hall Meeting. He congratulated Community Services Chair Shavan Brown for her appointment as a Citizen Representative on the Council on Accreditation for Parks Recreation Tourism and Relating Professions for a three-year term to begin October 2014.

Mayor Beamish thanked Councilmember Espinoza for attending the Donate Live event and stated he was unable to attend. He expressed his appreciation for the success of the Mayor's Prayer Breakfast. He noted that he participated with the Economic Development Committee's visits to eight businesses in La Habra. He stated the visits were very rewarding and invited businesses to contact the committee if they would appreciate a visit from the Committee.

- X. ADJOURNMENT:** Mayor Beamish adjourned the meeting at 8:02 p.m. in memory of Helen Villagomez to Monday, May 19, 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