

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA ADJOURNED REGULAR MEETING

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REGULAR MEETING

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REGULAR JOINT MEETING WITH THE LA HABRA UTILITY AUTHORITY

Monday, November 16, 2015

APPROVED: These Minutes were approved on December 7, 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 Council Chambers, located at 201 East La Habra Boulevard, La Habra, California.

Mayor/Chair Blazey requested a moment of silence for the nearly 400 victims of terrorism that lost their lives in Beirut, over the Sinai Peninsula, and last weekend in Paris. He asked that as everyone stands to also please remember Nohemi Gonzales, a Whittier High School graduate and student at California State University Long Beach who was one of the 129 killed in Paris.

INVOCATION: Deputy City Attorney/Legal Counsel Ryan 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
Deputy City Attorney/Legal Counsel Ryan Jones
City Clerk/Secretary Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

Mayor/Chair Blazey invited La Habra Beautification Chair Kim Praster and Committee Member Jackie Gonzalez to assist him with the presentations.

- a. Beautification Award: Romero Family, 350 Oakland Drive.
- b. Beautification Award: Stuart Family, 2551 Wilshire Avenue.
- c. Beautification Award: Deoram Family, 1101 La Casa Avenue.
- d. Beautification Award: Central Plumbing, 570 Beach Boulevard.
- e. Recognition of the Love La Habra Executive Team.
Item "e" was continued to the December 7, 2015 City Council Meeting.

Mayor/Chair Blazey invited Senator Huff and Leia Hernandez to the podium to present a proclamation to Councilmember/Director Shaw for his 7 ½ years of service with Senator Huff. Councilmember/Director Shaw expressed his appreciation.

II. PUBLIC COMMENTS:

La Habra Chamber of Commerce President/CEO Mark Sturdevant spoke regarding "Shop La Habra" event. He encouraged the community to participate.

III. CONSENT CALENDAR:

Moved by Mayor Pro Tem Gomez, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.11.

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. 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 Community Services Minutes of:
 - a. August 12, 2015
 - b. September 9, 2015
3. Receive and file Planning Commission Minutes of:
 - a. August 24, 2015
 - b. September 14, 2015
4. Approve City Council and Planning Commission Study Session minutes of October 19, 2015.

5. Approve and authorize City Manager to execute grant agreement with St. Jude Hospital for \$120,000 to develop a Complete Streets Master Plan, with an active transportation focus.
6. Approve and adopt a resolution approving the submittal of an improvement project to the Orange County Transportation Authority (OCTA) for funding under the competitive Measure M2 Regional Traffic Signal Synchronization Program as follows:
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5705** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE SUBMITTAL OF AN IMPROVEMENT PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE MEASURE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM.
7. Approve Caltrans Landscape Maintenance Agreement Permit Number 15-6CS-0154A regarding the Cervetto Development located at 1001 East Whittier Boulevard; and authorize the Mayor, City Clerk, and City Attorney to execute the Caltrans Landscape Maintenance Agreement Permit Number 15-6CS-0154A.
8. Approve and authorize City Manager to execute Street and Sidewalk Agreement that updates and modifies the conditions of a Joint Participation Agreement dated October 4, 1999 between the City and the La Habra City School District; and accept and authorize the recordation of Grant Deeds for streets as well as other purposes across the following seven areas:
 - a. The westerly 10 feet of the 800 feet of Hillside Street south of La Presa Drive,
 - b. The easterly 18.25 feet of McPherson Street between La Habra Boulevard and Third Street,
 - c. The northerly 15 feet of the 347.50 feet of East Third Avenue easterly of McPherson Street,
 - d. The northerly 30 feet of Brookdale Avenue adjacent to Ladera Palma School,
 - e. A portion of sidewalk on Schoolwood Drive adjacent to Imperial Middle School,
 - f. A variable width portion of Brookdale Avenue street and sidewalk adjacent to Arbolita School, and
 - g. A portion of East Whittier Avenue street and sidewalk adjacent to Sierra Vista School.
9. Authorize City Manager to execute the Quality Rating and Improvement System (QRIS) Block Grant Service Agreement Amendment 1 with Orange County Department of Education, to provide an additional \$12,852 in funding for continuous quality improvements for the State Preschool Program from July 1, 2014 through December 31, 2015.
10. Approve and adopt a resolution supporting efforts by the County of Orange to develop a year-round homeless emergency shelter and multi-service center in the region; as follows:
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5706** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, EXPRESSING SUPPORT FOR THE COUNTY OF ORANGE EFFORT TO LOCATE A YEAR-

ROUND PERMANENT EMERGENCY HOMELESS SHELTER AND MULTI-SERVICE CENTER IN THE REGION.

11. WARRANTS: Approve Nos. 00104034 through 00104233 totaling \$1,057,080.43.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

A. CITY COUNCIL AND UTILITY AUTHORITY:

1. Duly noticed public hearing to consider a resolution amending the Master Schedule of Fees pertaining to water usage, connections and fees effective January 1, 2016, and January 1, 2017; and to approve the elimination of the water surcharge rate between the months of May and September, effective January 1, 2016.

Deputy City Attorney/Legal Counsel Ryan Jones recused himself stating City Attorney Jones is City Council's appointee to the California Domestic Water Company Board. He left the dais at 6:47 p.m.

Public Works Director Saykali presented the staff report. He reminded the community that we are in a historic and severe drought, and encouraged the community to continue reducing their water use including watering their lawns only once per week. He noted that El Nino is expected this year; however, he stated that it would take 15 years of continuous rainy seasons to replenish our water supply. He noted a correction to the slide 4 of the presentation stating the data was of the calendar year, not the fiscal year as titled.

Council/Director discussion included: residential water use and proposed rate increase calculations; option to proposed rate increase is decreasing capital which affects future water system infrastructure rehabilitation; confirmation that water infrastructure costs do not include salaries and benefits; explanation of and the validity of the \$5 million reserve formula; confirmation proposed rate increase is not due to water conservation lowering revenues; review of La Habra water supply resources; verification the City of La Habra is not in a position to sell water to other agencies; review of water system additions and the resulting increase of operation and maintenance costs; water system security measures and natural disaster preparedness; clarification of lease payments; review and comparison of Orange County cities water rate average per month; the significant decrease in water main breaks in the city; necessity of proposed rate increase to maintain a reliable water system; and instruct staff to research potential assistance programs for residents on fixed incomes.

Mayor/Chair Blazey opened the public hearing at 7:12 p.m.

Mark Romero, 350 Oakland Drive, spoke regarding Title 22 (reclaimed) water and inquired if it was an option for the City. Public Works Director Saykali explained the cost to import potable water is less expensive than the \$30 million cost of building a water main line to transport reclaimed water into the city.

Anne Richards, 1110 Urell Drive, spoke in opposition to the water rate increase.

Mayor/Chair Blazey closed the public hearing at 7:18 p.m.

Moved by Councilmember/Director Shaw, seconded by Mayor/Chair Blazey, and CARRIED (4-1) TO APPROVE AND ADOPT **RESOLUTION NO. 5707 & 2015-02** ENTITLED: A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY AND THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO WATER USAGE, CONNECTIONS, AND FEES; AND APPROVE THE ELIMINATION OF THE WATER SURCHARGE RATE BETWEEN THE MONTHS OF MAY AND SEPTEMBER, EFFECTIVE JANUARY 1, 2016.

Said motion CARRIED by the following roll call vote:

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

Deputy City Attorney/Legal Counsel Ryan Jones returned to the dais at 7:26 p.m.

2. [Duly noticed public hearing to consider a resolution amending the Master Schedule of Fees pertaining to sewer usage, connections, and fees effective January 1, 2016, and January 1, 2017.](#)

Public Works Director Saykali presented the staff report.

Council/Director discussion included: confirmation that by using reserve fund monies to subsidize costs, rather than previously implementing a double digit rate increase, sewer rates have been kept artificially low; sewer reserve target and balance; explanation of sewer system operation, maintenance, and repair; potential effects of anticipated El Nino; confirmation that no debt has been issued regarding the sewer system; review of the sewer capital Improvement projects; and potential fines if repairs not completed.

Mayor/Chair Blazey opened the public hearing at 7:36 p.m. There being no testimony, the public hearing was closed.

Moved by Mayor Pro Tem/Vice Chair Gomez, seconded by Councilmember/Director Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5708 & 2015-03** ENTITLED: A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY AND THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO "REFUSE" FEES EFFECTIVE JANUARY 1, 2016, AND JANUARY 1, 2017.

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

Moved by Mayor Pro Tem/Vice Chair Gomez, seconded by Councilmember/Director Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5708 & 2015-03** ENTITLED: A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY AND THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO SEWER USAGE, CONNECTIONS, AND FEES.

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

Moved by Mayor/Chair Blazey, seconded by Mayor Pro Tem/Vice Chair Gomez, and CARRIED UNANIMOUSLY (5-0) TO RESCIND FIRST MOTION MADE IN ERROR BY COUNCILMEMBER/VICE CHAIR GOMEZ TO ADOPT **RESOLUTION NO. 5708 & 2015-03** ENTITLED: A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY AND THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO "REFUSE" FEES EFFECTIVE JANUARY 1, 2016, AND JANUARY 1, 2017.

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

B. CITY COUNCIL:

1. [Duly noticed public hearing to consider a resolution amending the Master Schedule of Fees pertaining to refuse fees effective January 1, 2016, and January 1, 2017.](#)

Public Works Director Saykali presented the staff report.

Council discussion included: confirmation that since the acceptance of Vista Grande Park from Orange County, the County of Orange settlement funds have been used to maintain the landfill and for methane monitoring expenses; confirmation that the settlement funds are decreasing and additional funds are needed for final construction of the cap of the landfill and development of Vista Grande park; and clarification of the effect of compressed natural gas cost on the refuse contract.

Mayor Blazey opened the public hearing at 7:49 p.m. There being no testimony the public hearing was closed.

Moved by Mayor Pro Tem Gomez, seconded by Mayor Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5709** ENTITLED: A RESOLUTION OF

THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO REFUSE FEES.

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 resolutions consenting to the inclusion of properties within the City's jurisdiction in the Ygrene Works PACE Program to finance renewable energy, and Energy- and Water-Efficiency Improvements.

Community and Economic Development Director Ho presented the staff report.

Council discussion included: confirmation that staff had not received feedback from residents regarding the HERO program in La Habra that is a similar financing program; verification financing programs and options are explained to interested residents; and estimate given by staff that there are approximately 12 similar financing companies.

Mayor Blazey invited the public to testify at 7:54 p.m. There was no testimony.

Moved by Mayor Pro Tem Gomez, seconded by Councilmember Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5710** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY PROGRAM TO FINANCE RENEWABLE ENERGY GENERATION, ENERGY AND WATER EFFICIENCY IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE AND APPROVING ASSOCIATE MEMBERSHIP IN THE JOINT EXERCISE OF POWERS AUTHORITY RELATED THERETO.

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 Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5711** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA CONSENTING TO INCLUSION OF PROPERTIES WITHIN THE CITY'S JURISDICTION IN THE CALIFORNIA HOME FINANCE AUTHORITY COMMUNITY FACILITIES DISTRICT NO. 2014-1 (CLEAN ENERGY) TO FINANCE RENEWABLE ENERGY IMPROVEMENTS, ENERGY

EFFICIENCY AND WATER CONSERVATION IMPROVEMENTS AND ELECTRIC VEHICLE CHARGING INFRASTRUCTURE.

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 Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE ASSOCIATE MEMBERSHIP IN THE CALIFORNIA HOME FINANCE JOINT EXERCISE OF POWERS AUTHORITY AND AUTHORIZE THE APPROPRIATE CITY OFFICIALS TO EXECUTE ANY NECESSARY DOCUMENTS TO EFFECTUATE SUCH MEMBERSHIP TO ASSIST PROPERTY OWNERS WITHIN THE INCORPORATED AREA OF THE CITY IN FINANCING THE COST OF INSTALLING AUTHORIZED IMPROVEMENTS.

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

2. [Consider accepting the lowest responsible bidders by trade in accordance with the approved Design/Build Contract with De La Secura Inc. dba DLS, Builders for the City of La Habra Civic Center Project.](#)

Community and Economic Development Director Ho presented the staff report.

Mayor Blazey invited the public to testify at 8:00 p.m. There was no testimony.

Moved by Councilmember Shaw, seconded by Mayor Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE ACCEPTING THE LOWEST RESPONSIBLE BIDDERS, BY TRADE, IN ACCORDANCE WITH THE APPROVED DESIGN/BUILD CONTRACT WITH DE LA SECURA, INC. DBA DLS BUILDERS FOR THE CITY OF LA HABRA CIVIC CENTER PROJECT AS FOLLOWS:

1. STRUCTURAL CONCRETE - J.K.B. CORPORATION \$171,996.00
2. MECHANICAL - BRADLEY MECHANICAL \$667,500.00
3. PAINTING - D&M PAINTING \$123,900.00
4. FIRE SPRINKLER - ADVANCE FIRE PROTECTION \$177,080.00
5. FIRE ALARM - VFS FIRE AND SECURITY \$43,215.00
6. ROOFING - CHRISTIANSON ROOFING \$198,000.00
7. FLOORING - DFS FLOORING \$147,946.20

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.
- 2nd Annual La Habra Tamale Festival – Sunday, November 29, from 12:00 p.m. to 6:00 p.m. at the La Habra Community Center.
- The La Habra Children's Museum's "Breakfast with Santa." - Saturday and Sunday, December 5 and 6, three seating times each morning.
- The La Habra Host Lions Club's 5th Annual "Santa Cause" Classic & Custom Car Show – Saturday, December 6, from 10:00 a.m. – 2:00 p.m. at the parking lot of the CVS Distribution Center at 777 South Harbor Boulevard.
- The City of La Habra's Christmas Tree Lighting Ceremony – Monday, December 7, at City Hall. The festivities begin at 5:30 p.m. with entertainment and the tree lighting is at 6:00 p.m.
- Consider donating to Operation Santa, the City's annual food and toy distribution event to benefit La Habrans in need. Donated food and toys will be collected throughout the fall for distribution at the Community Center on Saturday, December 19.
- Upcoming City Council meeting - Monday, December 7, at 6:30 p.m. in the Council Chambers.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Shaw stated he attended the La Habra Boys and Girls Club Annual Kids Auction. He congratulated and thanked Kent Roberts for the donation he made in support of the Boys and Girls Club.

Mayor Pro Tem/Vice Chair Gomez wished the community a Happy Thanksgiving. He stated he will be attending the Calvary Chapel La Habra has an annual Thanksgiving outreach from 10:00 a.m. to 1:00 p.m. and invited those in the community who do not have plans or who are less fortunate. He congratulated and wished his parents, Ben and Mary Gomez a Happy 50th Wedding Anniversary. He requested the meeting be adjourned in memory of Norm Perez, a long time La Habra resident who was involved in the La Habra Girls Softball program and California State University Fullerton as a coach. He expressed his condolences to his daughter Lily and granddaughter Sophia.

Mayor/Chair Blazey wished everyone a Happy Thanksgiving. He stated that he attended the Habitat for Humanity dedication and welcomed three new residents to La Habra. He thanked Carrie Surich and everyone who put on the Veteran's Day event. He requested to adjourn the meeting in memory of Robert F. "Bob" Luckel who passed away on Saturday, November 7, at the age of 99, and was laid to rest at Rose Hills on Friday, November 13. Bob was born in

Webster Groves, Missouri, on July 1, 1916. During WWII Bob served in the Recon Troop of the US Army's 37th Infantry Division, seeing combat on the island of Bougainville in the Northern Solomon Islands, and on the Island of Luzon in the Philippines. Bob was awarded the Bronze Star for his actions, and upon his return from the war he settled in Southern California with his wife June and started a family. At different times in his life he worked as a postman for the US Postal Service, a foreman at US Steel, and owned a family chrome plating business. Automobile racing was a passion of Bob's and he competed in open road racing until he was well into his 80s, earning multiple awards for his class at the Silver State Classic Road Race in Nevada. Bob could be charming with the ladies, was active in the Shriners and American Legion Post 496 in the Lakewood/Long Beach area, and loved talking politics (as well as "explaining" to you exactly why your politics were completely off base). Bob is preceded in death by his first wife June, his second wife Liz, and his elder daughter Donna (aka "Candy"). He is survived by his younger daughter Cathy (aka "Kitty"), six grandchildren, one of which is Assistant to the City Manager Robert Ferrier, and 16 great-grandchildren.

X. ADJOURNMENT: Mayor/Chair Blazey adjourned the meeting in memory of Norm Perez and Robert F. "Bob" Luckel at 8:07 p.m.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk/Secretary