

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

Monday, August 06, 2018

APPROVED: These Minutes were approved on August 20, 2018.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor/Director Shaw called to order the Adjourned Regular Meeting of the City Council concurrent with the Special Meeting of the La Habra Housing Authority at 5:30 p.m. in the Council Chamber, Closed Session Room 112c, located at 100 East La Habra Boulevard in La Habra, California.

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

COUNCILMEMBERS ABSENT: None

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

I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:
None

II. CLOSED SESSION:

- a. Conference with Legal Counsel potential litigation pursuant to Government Code Section 54956.9(d)(2) (one potential case).

Housing and Economic Development Manager Cole-Corona, Deputy City Attorney Gary Kranker, and Deputy City Attorney Keith Collins were present for this item.

III. ADJOURNMENT: Council reconvened at 5:58 p.m. There were no Closed Session announcements. The meeting was adjourned at 5:58 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Regular Meeting of the City Council of the City of La Habra to order at 6:34 p.m. in the Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Beamish

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

COUNCILMEMBERS ABSENT: None

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

CLOSED SESSION ANNOUNCEMENT: There were no Closed Session announcements for City Council. City Attorney Jones noted that Closed Session was not adjourned and at the conclusion of the Regular City Council and Housing Authority Meetings, the Housing Authority would reconvene into Closed Session.

I. PROCLAMATIONS/PRESENTATIONS: None at this time.

II. PUBLIC COMMENTS:

Jill Patterson, La Habra Library Branch Manager, announced that she was retiring. She thanked City Council, the La Habra Police Department, Community Services Director Sal Failla, Community Services Administrative Assistant Marcia Taylor, the staff at the Children's Museum, and the community for their support of the library. She invited City Council and the public to the open house potluck dinner for her retirement on August 30, 2018. Mayor Shaw thanked Jill Patterson for her service to the community.

Rodolfo Martinez spoke on behalf of his father, also Rodolfo Martinez, residents of Park La Habra Mobile Home Park, Space 93. He stated that they were in the process of being evicted and asked for a second chance to stay in their home. City Manager Sadro referred Rodolfo Martinez' to Housing and Economic Development Manager Miranda Cole-Corona.

Ronald Woodward, Palm Street, spoke regarding the Veteran's honor roll monument at the back of the La Habra Library and how it should be moved to a more appropriate location to honor the fallen heroes of La Habra. City Manager Sadro stated that there were also veteran plaques located at Veteran's Hall and that the monument at the back of the library would be moved. Ronald Woodward thanked Council for their hard work and time taken away from their families to serve La Habra.

III. CONSENT CALENDAR:

Councilmember Espinoza requested that Item III.9 be removed for separate discussion.

Moved by Councilmember Beamish, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.16;

WITH THE EXCEPTION OF ITEM III.9 WHICH WAS REMOVED FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

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

A. CITY COUNCIL:

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. May 21, 2018
 - b. June 4, 2018
 - c. June 18, 2018
 - d. July 2, 2018
3. Approve to authorize City Manager to execute an agreement with University of California Irvine, Department of Ophthalmology, (UCI) to provide free vision care services for children enrolled in the Child Development Division programs and provide further assessments and services for those who fail the annual vision screening for the 2018-19 school year.
4. Approve to authorize City Manager to execute an agreement with Karla Alejandra Chen, RN BSN/PHN-BC for consulting and health services as required for the Early Head Start program, at a rate of \$70 per hour with 20 percent as in-kind donation to the program, for a net rate of \$56 per hour, not to exceed 30 hours per month for the 2018-19 school year.
5. Approve to authorize City Manager to execute an agreement with Ms. Rosa Santoyo for mental health services required for students and families enrolled in the Early Head Start program, at a cost of \$65 per hour, not to exceed 36 hours per month, for the 2018-19 school year.
6. Approve to authorize City Manager to execute the Agreement for Delegation, Amendment 1, of Early Head Start Program Operations with Orange County Head Start (OCHS, Inc.) authorizing services for 50 infant/ toddler children in the City of La Habra.
7. Approve staff's recommendation for the annual fuel purchases for Fiscal Year 2018-2019 as follows:
 - a. Waive formal bid requirements per La Habra Municipal Code Section 4.20.070 (C) and authorize staff to issue a fuel Purchase Order to Merrimac Energy Group of Long Beach for \$300,000 for Fiscal Year 2018-2019; and

- b. Waive formal bid requirements per La Habra Municipal Code Section 4.20.070 (D) and authorize staff to obtain quotes as needed for the purchase of fuel through various fuel supply vendors. In the event a vendor's fuel purchase price is found to be lower than the cooperative bid contract with the City of Burbank (Agreement Bid # RFQ 2016-040 PA 2104 - Unleaded & Diesel Fuel) through Merrimac Energy Group, authorize fuel purchases in an amount not to exceed \$300,000 for Fiscal Year 2018-2019.
8. Approve a Memorandum of Understanding (MOU) between the City of La Habra and the La Habra Police Association Sworn Personnel for the period of July 1, 2018, through June 30, 2021; approve the appropriation of funds from the Fiscal Year 2017-2018 adopted budget for the cost of one-time lump sum pay adjustments for employees; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5860** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING AND REPLACING RESOLUTION No. 5749 PERTAINING TO A COMPENSATION PLAN FOR LA HABRA POLICE ASSOCIATION SWORN PERSONNEL.
9. REMOVED FOR SEPARATE DISCUSSION. PLEASE SEE ITEM IV BELOW.
10. Approve a resolution repealing and replacing Resolution 5778 regarding salary, benefits, and other terms of employment offered by the City of La Habra to Management, Police Management, and Executive Management employees for the period of July 1, 2018, through June 30, 2021; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5861** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING AND REPLACING RESOLUTION 5778 PERTAINING TO A COMPENSATION PLAN FOR MANAGEMENT, POLICE MANAGEMENT, AND EXECUTIVE MANAGEMENT EMPLOYEES.
11. Approve a resolution approving an amendment to the City of La Habra's current 457 deferred compensation plan documents with ICMA Retirement Corporation ("ICMA-RC") for plan number 301711 to approve loans and adopting participant loan administrative procedures; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5862** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING ITS ICMA-RC 457 DEFERRED COMPENSATION PLAN TO ALLOW PARTICIPANT LOANS AND ADOPTING PARTICIPANT LOAN ADMINISTRATIVE PROCEDURES.
12. Approve and accept the offer of dedication for additional right-of-way to provide the full south half width of the street; and authorize staff to submit right-of-way Grant Deed for 218 West Mountain View Avenue to the County of Orange for recordation.
13. Approve a resolution to allow staff access to both local/state summary criminal history information and federal level criminal history information as required to process permit applications for Commercial Cannabis Activities; and

- a. APPROVE AND ADOPT **RESOLUTION NO. 5863** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AUTHORIZING THE CITY TO ACCESS STATE AND LOCAL SUMMARY CRIMINAL HISTORY INFORMATION FOR LICENSING PURPOSES AND FEDERAL LEVEL CRIMINAL HISTORY INFORMATION BY TRANSMITTING FINGERPRINT IMAGES AND RELATED INFORMATION TO THE DEPARTMENT OF JUSTICE TO BE TRANSMITTED TO THE FEDERAL BUREAU OF INVESTIGATION.
14. Approve to adopt a resolution supporting the City of La Habra's participation in the Institute for Local Government's (ILG) Beacon Program; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5864** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S RECOGNITION PROGRAM, "THE BEACON PROGRAM."
 15. Approve Plans and Specifications and award construction contract to All Cities Engineering, Inc. of Jurupa Valley for the Annual Sidewalk and Curb Access Ramp Improvements Fiscal Year 2016-2017 and Fiscal Year 2017-2018, Project No. 4-R-18, in the amount of \$304,067.00 and reject all other bids; and authorize City Manager to execute an agreement with All Cities Engineering, Inc. in the amount of \$304,067.00 and authorize staff to issue a purchase order in the amount of \$334,473.70 which includes a 10 percent contingency.
 16. WARRANTS: Approve Nos. 00117274 through 00117547 totaling \$3,730,946.59.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

III.9. Consider and approve a Memorandum of Understanding (MOU) between the City of La Habra and the La Habra Police Association Civilian Personnel for the period of July 1, 2018, through June 30, 2021; approve the appropriation of funds from the Fiscal Year 2017-2018 adopted budget for the cost of one-time lump sum pay adjustments for employees.

Councilmember Espinoza stated that she does not need a staff report, but would like a separate vote on this item.

There was no Council discussion.

There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF LA HABRA AND THE LA HABRA AND THE LA HABRA POLICE ASSOCIATION CIVILIAN PERSONNEL FOR THE PERIOD OF JULY 1, 2018 THROUGH JUNE 30, 2021; APPROVE THE APPROPRIATION OF FUNDS FROM THE FISCAL YEAR 2017-2018 ADOPTED BUDGET FOR THE COST OF ONE-TIME LUMP SUM PAY ADJUSTMENTS FOR EMPLOYEES; AND APPROVE AND ADOPT **RESOLUTION NO. 5865** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING AND

REPLACING RESOLUTION 5748 PERTAINING TO A COMPENSATION PLAN FOR LA HABRA POLICE ASSOCIATION CIVILIAN PERSONNEL.

Said motion CARRIED by the following roll call vote:

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

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider a resolution amending the Master Schedule of Fees pertaining to Refuse Collection Fees.

Public Works Director Saykali gave an overview of the PowerPoint presentation topics including: State of California regulations; New Organics Recycling Program; Rate Study; New Services for Residential and Commercial. He introduced David Davies from MSW Consultants to review the State of California regulations and the New Organics Recycling Program. Public Works Director Saykali resumed the PowerPoint presentation. He reviewed the Rate Study done for commercial and residential refuse; the new services including a senior discount; the new optional services; and other commercial fees.

David Davies, with MSW Consultants, reviewed the current state regulations Assembly Bill 939, 32, and 341; and new state regulations regarding refuse collection and organics which included State Assembly Bills 1826, 1594, and 1383. He noted the required organics diversion rate for cities, the City of La Habra's current diversion rate, and that by the year 2020 the state will no longer count organics as diversion. He added that CR&R has recommended that in the year 2020 La Habra's residential green waste be transported to the Perris, California anaerobic digestion facility. He explained that the City was required to monitor organics recycling for its commercial customers. He reviewed the new Organics Recycling Program and the costs for commercial customers.

Council discussion included: confirmation the state would not provide funds to cities for the programs and mandates; clarification commercial customers could recycle their organic waste through a company other than CR&R; how the City would monitor commercial organics recycling through outreach to customers; potential for the state to mandate the program for residential organics recycling in the future; confirmation the new optional proposed organics rates would be put into place Citywide until the City is made to by regulations, but that residential customer rates would not be affected; tonnage of organic waste processed daily at the Perris, California facility per phase and there were a total of four phases; confirmation of the average proposed dollar change for commercial trash collection fees and that there would be no change in residential trash collection fees unless there was an extra green waste container; explanation of CR&R's CUB service; confirmation there would be no change to the bulk pickup program; explanation of the low refuse collection fees for City of Irvine; and methane collection process and effectiveness at landfills.

Mayor Shaw opened the public hearing at 7:16 p.m. There being no testimony the public hearing was closed.

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE AND ADOPT **RESOLUTION NO. 5866** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO REFUSE COLLECTION FEES.

Said motion CARRIED by the following roll call vote:

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

VI. CONSIDERATION ITEMS: None at this time.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Shaw made the following announcements:

- La Habra Police Department's "National Night Out," - Tuesday, August 7, at 5:30 p.m. at Portola Park beginning.
- FREE screening of "Star Wars: The Last Jedi" - Friday, August 17, at 6:00 p.m. with the movie starting at dusk for at Crossroads Community Church.
- La Habra's General Municipal Election - Tuesday, November 6, for two City Council seats. The nomination period opened July 16 and will close at 5:00 p.m. on Friday, August 10.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

All City Councilmembers noted that they attended the 70th Annual Corn Festival and parade.

Councilmember Gomez thanked the La Habra Host Lions Club for their work on the 70th Annual Corn Festival; including Mayor Shaw, Councilmember Beamish, Councilmember Blazey, and Planning Manager Ramsland. He asked that the meeting be adjourned in memory of Danny Singer, a Hacienda Heights resident, but a longtime community volunteer and member of the La Habra Host Lions Club who passed away recently. He extended condolences to his wife Cindy, daughter Kelly, and the entire family.

Councilmember Espinoza stated that the Singer family was in her prayers and acknowledged their extensive volunteering for the community. She thanked Crossroads Community Church for supplying the baby changing station at the Corn Festival. She commended the La Habra Host Lions Club, all of the volunteers, and the La Habra Police Explorers for all of their time and work at the Corn Festival.

Mayor Pro Tem Blazey thanked, on behalf of the 70th Annual Corn Festival, the La Habra Police Chief Price and his staff, Public Works Saykali and his staff, and Community Services Director Failla and his staff, and other City staff who contributed.

Councilmember Beamish thanked everyone who worked on and at the Corn Festival.

Mayor Shaw stated that his wife Shannon went to high school with Danny Singer's daughter Kelly. He expressed that Danny Singer was a wonderful person.

- X. ADJOURNMENT:** Mayor Shaw adjourned the City Council Meeting in memory of Danny Singer at 7:23 p.m. to Monday, August 20, 2018, at 5:30 p.m. in the Council Closed Session Room 112c, 100 E. La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chambers.

Respectfully submitted,

Laurie Swindell, CMC
Deputy City Clerk