

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
LA HABRA CIVIC IMPROVEMENT AUTHORITY

Monday, July 02, 2018

APPROVED: These Minutes were approved on August 6, 2018.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Adjourned Regular Meeting of the City Council of the City of La Habra to order 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
City Clerk Mason

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

II. CLOSED SESSION:

- a. Conference with Real Property Negotiator per Government Code Section 54956.8 - Property: 15 foot wide easement (approximately 2.8 miles in length) on the Union Pacific Railroad right-of-way along Lambert Road from approximately 2570 feet west of Beach Boulevard (west City limits) to the northwest corner of Palm Street at Lambert Road (east City limits); City negotiator: Jim Sadro, City Manager; Negotiating Parties: Union Pacific Railroad Company, property owners; Under Negotiations: price and terms of payment.

Public Works Director Saykali and Traffic Manager Plotnik were present for this item.

- b. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, 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.

Police Chief Price, Finance Director Shannon, Community Services Director Failla, Human Resources Director Balderrama, Human Resources Manager Coelho-LaFreniere, and Assistant to the City Manager Ferrier were present for this item.

- III. ADJOURNMENT:** The City Council reconvened at 6:17 p.m. There were no Closed Session announcements. Mayor Shaw adjourned the Adjourned Regular Meeting at 6:17 p.m.

REGULAR MEETING & REGULAR JOINT MEETING 6:30 P.M.:

CALL TO ORDER: Mayor/Director Shaw 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 to order at 6:31 p.m. in the Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Mayor Pro Tem/Vice Chair Blazey

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Shaw (All present)
Mayor Pro Tem/Vice Chair Blazey
Councilmember/Director Gomez
Councilmember/Director Espinoza
Councilmember/Director Beamish

COUNCILMEMBERS/DIRECTORS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
City Attorney/Legal Counsel Jones
City Clerk/Secretary Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS: None at this time.

II. PUBLIC COMMENTS: None

III. CONSENT CALENDAR:

City Attorney Jones noted a conflict of interest regarding Item III.A.11 because it involves the City of Whittier where he also serves as City Attorney.

Mayor Shaw stated that he will be abstaining on Item III.A.11 because he lives near the road rehabilitation project at Valley Home Avenue.

Moved by Mayor Pro Tem Blazey, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.A.12; WITH THE EXCEPTION OF MAYOR SHAW ABSTAINING ON ITEM III.A.11.

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: Mayor Shaw (Item III.A.11 only)
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. Receive and File Planning Commission Minutes of:
 - a. February 12, 2018
 - b. March 12, 2018
 - c. March 26, 2018
 - d. April 9, 2018
 - e. April 23, 2018
3. Approve Community Services Commission Minutes of:
 - a. November 8, 2017
 - b. December 13, 2017
 - c. January 10, 2018
 - d. February 14, 2018
 - e. March 7, 2018
 - f. April 11, 2018
 - g. May 9, 2018
4. Approve a Memorandum of Understanding (MOU) between the City of La Habra and the La Habra Municipal Employees Association for the period of July 1, 2018, through June 30, 2021; approve a resolution amending Resolution 5746 pertaining to a compensation plan for the La Habra Municipal Employees Association; and approve the appropriation of funds from the Fiscal Year 2017-18 adopted budget for the first year cost of one-time lump sum pay adjustments for employees.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5853** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION 5746 PERTAINING TO A COMPENSATION PLAN FOR THE LA HABRA MUNICIPAL EMPLOYEES ASSOCIATION.
5. Approve a Memorandum of Understanding (MOU) between the City of La Habra and the La Habra General Services Employees Group for the period of July 1, 2018, through June 30, 2021; approve a resolution amending Resolution 5747 pertaining to a compensation plan for the La Habra General Services Employees Group; and approve

the appropriation of funds from the Fiscal Year 2017-18 adopted budget for the first year cost of one-time lump sum pay adjustments for employees; and

- a. APPROVE AND ADOPT **RESOLUTION NO. 5854** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION 5747 PERTAINING TO A COMPENSATION PLAN FOR THE GENERAL SERVICES EMPLOYEE GROUP.
6. Approve a Memorandum of Understanding (MOU) between the City of La Habra and the La Habra Professional Employees Group for the period of July 1, 2018, through June 30, 2019; approve a resolution amending Resolution 5779 pertaining to a compensation plan for the La Habra Professional Employees Group; and approve the appropriation of funds from the Fiscal Year 2017-18 adopted budget for the cost of one-time lump sum pay adjustments for employees; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5855** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION 5779 PERTAINING TO A COMPENSATION PLAN FOR THE LA HABRA PROFESSIONAL EMPLOYEES GROUP.
 7. Waive formal bid procedures per La Habra Municipal Code Section 4.20.070(c) and utilize the cooperative purchase provision of the contract awarded by the Westminster Police Department to provide custody officer services for the La Habra Police Jail; and authorize City Manager to approve a three-year Professional Services Agreement with G4S Secure Solutions Corporation for a total three-year cost of \$910,317.20.
 8. Approve City Council Minutes of May 7, 2018.
 9. Approve and authorize City Manager to enter into an agreement with G2 Construction, Inc., of Garden Grove, in the amount of \$221,610 for the installation of Full Capture Trash Inserts in catch basins under the Orange County Transportation Authority (OCTA) Environmental Cleanup, Tier 1 Grant Program.
 10. Approve a request for two-way "STOP" signs at Lois Street and Rose Avenue; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5856** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA DESIGNATING THE EASTBOUND AND WESTBOUND APPROACHES FOR THE INTERSECTION OF LOIS STREET AND ROSE AVENUE AS A TWO-WAY "STOP" INTERSECTION.
 11. Approve and authorize City Manager to execute a Cooperative Agreement between the City of La Habra and the City of Whittier for the Valley Home Avenue Pavement Rehabilitation Project, Fiscal Year 2018-2019, for a City of La Habra shared cost for design and construction of \$120,000.
 12. WARRANTS: Approve Nos. 00116896 through 00117032 totaling \$373,725.63.
- IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:** None

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

A. CITY COUNCIL:

1. Consider the Mayor's selection, with City Council approval, of one member of the community to participate in the La Habra Emergency Preparedness Council (EPC) filling the seat left by the resignation of Mr. Paul Janoian.

Police Chief Price presented the staff report.

Mayor Shaw invited the public to testify at 6:36 p.m. There was no testimony.

Councilmember Gomez nominated John Reese. Councilmember Beamish nominated Juan Guerrero.

Council discussion included: reviewed the nominees' history with the City of La Habra and identified John Reese as a former City employee, and Juan Guerrero as a former City of La Habra Planning Commissioner; confirmed that John Reese and Juan Guerrero were both interest in the position; and Mayor's Shaw ability to choose a third community member.

Moved by Mayor Shaw, seconded by Councilmember Beamish, and CARRIED (4-0) TO APPROVE APPOINTMENT OF JUAN GUERRERO TO SERVE ON THE LA HABRA EMERGENCY PREPAREDNESS COUNCIL.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: Councilmember Gomez

ABSENT: NONE

2. Receive the Status Update Report on Cannabis Testing Laboratories and provide staff with direction on the proposed ordinance.

City Manager Sadro reported that staff presented the staff report on this item at the June 18, 2018, City Council meeting. He stated that staff was available to present the staff report again or answer questions. Due to his excused absence at the June 18, 2018, Council meeting Mayor Pro Tem Blazey asked, and it was confirmed, that Council had not heard any additions to or anything contrary to the staff report presented at the June 18, 2018, meeting. The staff report was not presented.

Mayor Shaw invited the public to testify at 6:40 p.m. There was no testimony.

Council discussion included: the approval by the United States Food and Drug Administration (FDA) of a new drug called Epidolex, made from cannabis that contains Cannabidiol (CBD), and will be used to treat two rare forms of the disease epilepsy for children ages 2 and older; testing

completed on cannabis for the purpose of changing cannabis from a Schedule 1 to a Schedule 3 drug; confirmation that the FDA only tests products submitted to them which do not include Schedule 1 drugs; confirmation cannabis use is illegal under federal law, but is legal for medical and recreational use in the State of California; large of amounts of cannabis being destroyed due to insufficient regulated testing facilities; potential revenue stream for the City from permitting and other processes of cannabis facilities; and if approved, testing facilities would be placed in the industrial areas of the City.

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Blazey, and CARRIED (3-2) TO APPROVE TO RECEIVE AND FILE THE CANNABIS TESTING LABORATORY STATUS UPDATE STAFF REPORT AND DIRECT STAFF TO PROCEED WITH PREPARATION OF THE ORDINANCE AS STIPULATED IN THE STAFF REPORT.

Said motion CARRIED by the following roll call vote:

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

3. Consider and receive the report and provide direction to staff regarding an official City position on Assembly Bill 448 "Joint Powers Authorities: Orange County Housing Trust".

Assistant to the City Manager Ferrier presented the staff report.

Kelsey Brewer, with Association of California Cities Orange County (ACCOC) explained: the percentage increase of and cost of homelessness in Orange County in the last four years; barriers to permanent supportive housing were large financial gaps; how the proposed Orange County Housing Trust (OCHT) would operate; the unanimous passage of AB 448 out of Government and Finance three weeks ago and out of Housing and Transportation last week, and that it is scheduled to be heard on the Senate floor later this week; existing funds availability; potential funds availability from any proposed housing bonds that are on the November 6, 2018 ballot; proposed percentage of funds participating cities would receive through the OCHT; that there would be no entrance or exit fees for participation in the OCHT; and that cities could keep their SB 2 and Community Development Grant (CDBG) funds.

Council discussion included: details of when and how to obtain the funding through the proposed Joint Powers Authority (JPA); inquiry of percentage of funds received through the JPA; potential competition for funds with other cities that are not part of the JPA; recent tour of permanent supportive housing in Orange County; and potential access to federal, state, and private sector funds.

Mayor Shaw invited the public to testify at 7:01 p.m. There was no testimony.

Moved by Mayor Shaw, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO RECEIVE THE REPORT AND INSTRUCT STAFF TO ACT IN SUPPORT OF ASSEMBLY BILL 448 "JOINT POWERS AUTHORITIES: ORANGE COUNTY HOUSING TRUST."

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

B. CITY COUNCIL AND CIVIC IMPROVEMENT AUTHORITY:

1. Consider a Purchase and Sales Agreement between Daniel Uribe and the City of La Habra to purchase 115-121 North Euclid Street and consider Lease Financing with Opus Bank for the purchase of the property.

Housing and Economic Development Manager Cole-Corona presented the staff report. She stated that if approved, the proposed use for the land would be additional parking for the Community Center.

Council/Authority discussion included: confirmation of the number of additional parking spaces; cost per parking space; potential use of property in the future for the expansion of the Community Center; and financing terms and interest rate options.

Mayor/Chair Shaw invited the public to testify at 7:11 p.m. There was no testimony.

CITY COUNCIL:

- a. Moved by Councilmember Gomez, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO THE STANDARD OFFER, AGREEMENT, AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL ESTATE WITH DANIEL URIBE FOR THE PURCHASE OF 115-121 NORTH EUCLID STREET (APN 022-063-027) FOR \$1,130,000.

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

- b. Moved by Councilmember Gomez, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO AUTHORIZE THE CITY MANAGER TO EXECUTE ADDENDUM TO STANDARD OFFER, AGREEMENT, AND ESCROW INSTRUCTIONS FOR PURCHASE OF REAL ESTATE.

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

- c. Moved by Councilmember Gomez, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE DOCUMENTS TO SECURE A SHORT-TERM NEGOTIATED LEASE FINANCING FROM OPUS BANK IN CONNECTION WITH THE PURCHASE OF 115-121 NORTH EUCLID STREET (APN 022-063-027).

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

- d. Moved by Councilmember Gomez, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5857** ENTITLED: RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS IN CONNECTION WITH THE FINANCING OF THE PURCHASE OF 115-121 NORTH EUCLID STREET AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO.

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

- e. Moved by Councilmember Gomez, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO APPROPRIATE \$259,000 FROM THE CITY'S GENERAL FUND FUND BALANCE TO PAY FOR THE 20 PERCENT DOWN PAYMENT (\$226,000) AND TO FUND THE LOAN FEES AND COSTS (\$33,000).

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

- f. Moved by Councilmember Gomez, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO APPROPRIATE \$130,000 FROM THE CITY'S CAPITAL PROJECTS FUND TO FUND BALANCE TO PAY FOR COST TO DEMOLISH THE EXISTING BUILDINGS AND TO CONSTRUCT THE PARKING LOT.

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

CIVIC IMPROVEMENT AUTHORITY:

- g. Moved by Councilmember/Director Gomez, seconded by Mayor/Chair Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 2018-02** ENTITLED: RESOLUTION OF THE LA HABRA CIVIC IMPROVEMENT AUTHORITY APPROVING THE FORM AND AUTHORIZING THE EXECUTION OF CERTAIN LEASE FINANCING DOCUMENTS IN CONNECTION WITH THE FINANCING OF THE PURCHASE OF 115-121 NORTH EUCLID STREET AND AUTHORIZING AND DIRECTING CERTAIN ACTIONS WITH RESPECT THERETO.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Chair Shaw made the following announcements:

- Learn more about the proposed Rancho La Habra project review process by visiting the City of La Habra web site.
- La Habra July 4th Celebration – Wednesday, July 4 at 4:00 p.m. at La Bonita Park with fireworks at 9:00 p.m.
- La Habra “Concert in the Park” – Thursday, July 12, at 7:00 p.m. at Portola Park with 80's music band “Flash Pants.”
- La Habra Movies in the Park – Friday, July 13 at 6:00 p.m. at Brio Park featuring Disney Pixar movie “Coco” showing at dusk.
- La Habra Senior Dance – Sunday, July 22, from 2:00 p.m. to 4:00 p.m. at the La Habra Community Center.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Gomez congratulated La Habra Chamber of Commerce Annual Community Awards and Installation Citizen of the Year award recipient Mark Sturdevant, and award recipients Chief Price, Community Services Director Failla, and Bruce Martin. He announced that due to parking restrictions there would be shuttle service available, beginning at 3:00 p.m., for the 4th of July celebration at La Bonita Park. He asked to adjourn the meeting in memory of Frank Ciaramitaro, a long-time employee of Lowell Joint School District, who would be missed. He expressed condolences to the Ciaramitaro family. He congratulated former Miss La Habra Kirby Morales on her marriage last weekend.

Mayor Pro Tem/Vice Chair Blazey reported that he attended the La Habra Chamber of Commerce Annual Community Awards and Installation event. He congratulated Mark Sturdevant on receiving the Citizen of the Year award, as well as Chief Price and Community Services Failla on receiving awards. He thanked those who have given him good thoughts and encouragement regarding his recovery.

Councilmember/Director Beamish reported that he attended the La Habra Chamber of Commerce Annual Community Awards and Installation event and congratulated the award winners. He wished the community a happy 4th of July.

Mayor/Vice Chair Shaw expressed best wishes for speedy recoveries to Mayor Pro Tem/Vice Chair Blazey and Councilmember/Director Espinoza. He shared his recent experience touring the 9-11 site in New York City. He expressed that he is looking forward to celebrating the 4th of July with the community at the new venue La Bonita Park.

X. ADJOURNMENT: Mayor/Chair Shaw adjourned the Regular Meeting of the City Council in memory of Frank Ciaramitaro at 7:22 p.m. to Monday, July 16, 2018, at 5:30 p.m. in the Council Closed Session Room 112c, 100 East La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber. The La Habra Civic Improvement Authority meeting was adjourned.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk/Secretary