

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY,
LA HABRA CIVIC IMPROVEMENT AUTHORITY,
LA HABRA HOUSING AUTHORITY, AND
LA HABRA UTILITY AUTHORITY
Monday, December 16, 2019

APPROVED: These Minutes were approved on March 2, 2020.

ADJOURNED REGULAR MEETING: CANCELLED

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

CALL TO ORDER: Mayor/Director Gomez called the Regular Meeting of the City Council of the City of La Habra and the Regular Joint Meeting with the Successor Agency to the La Habra Redevelopment Agency, La Habra Civic Improvement Authority, La Habra Housing Authority, and La Habra Utility Authority to order at 6:30 p.m. in the Council Chamber, located at 100 East La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Medrano

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Director Gomez
Mayor Pro Tem/Director Beamish
Councilmember/Director Espinoza
Councilmember/Director Medrano

COUNCILMEMBERS/DIRECTORS ABSENT: Councilmember/Director Shaw
(Excused absence)

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

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation of the 2019 "Light Up the Season" Holiday Home Decorating Awards.

Mayor/Director Gomez invited City Council to the front of the dais. Mayor/Director Gomez invited Beautification Committee members to the front of the dais to assist in presenting the award to the Lozano Ruiz Family. The Lozano Ruiz Family accepted the award.

- b. Recognition of La Habra Police Community Service Officer II Christina Nunez in honor of her retirement and 25 years of service to the City of La Habra.

Mayor/Director Gomez invited La Habra Police Chief Jerry Price to the front of the dais who presented a certificate to La Habra Police Community Service Officer II Christina Nunez (Christina Nunez). Mayor/Director Gomez also invited Carolina Garcia with Senator Ling Ling Chang's Office to come forward to present a certificate to Christina Nunez. Mayor/Director Gomez presented a proclamation to Christina Nunez and thanked her for her years of service. Ray Martinez, representative for Special Olympics, presented Christina Nunez with a "Heart of a Champion" medal.

- c. Recognition of Mary Gomez in honor of her retirement and 39 years of service to the La Habra City School District.

Mayor/Director Gomez invited the following representatives to come forward to recognize and present certificates to Mary Gomez: La Habra City School District Superintendent Joanne Culverhouse, Ed. D., Associate Superintendent Teresa Egan, Board of Education President Sandi Baltes, Carolina Garcia with Senator Ling Ling Chang's Office, and Erika Flores with Congressman Gilbert Cisnero's Office.

Mayor Pro Tem Beamish presented a retirement plaque to Mary Gomez.

Recognition of Mayor/Director Gomez for his service as Mayor during 2019.

Mayor Pro Tem/Director Beamish congratulated Mayor/Director Gomez on his accomplishments as Mayor and invited the following representatives forward to recognize and present certificates to Mayor Gomez:

- Representative Erika Flores from Congressman Gilbert Cisnero's Office;
- Carmen Miller from Meals on Wheels;
- Representative Austin Mejia from Supervisor Doug Chaffee's Office;
- Representative Carolina Garcia from Senator Ling Ling Chang's Office;
- La Habra Chamber of Commerce Board Members, and President Marie Laveaga.

Nathan Carrero, La Habra Journal, showed a video of KTLA reporters Lynette Romero and Mark Mester congratulating Mayor Gomez for his service as Mayor during 2019.

Mayor Pro Tem/Director Beamish presented a gavel plaque to outgoing Mayor Gomez.

Outgoing Mayor/Director Gomez presented flowers to Executive Secretary Hurt (City Manager Sadro accepted on her behalf), Sophie Lopez and Melissa Ceballos for their performances at school events, and various family and friends.

City of Buena Park Mayor Fred R. Smith offered his congratulations to newly elected Mayor Beamish and Mayor Pro Tem Espinoza.

II. PUBLIC COMMENTS: None

III. CITY COUNCIL RE-ORGANIZATION AND APPOINTMENTS:

1. Election of Mayor for a one-year term (December 2019 - December 2020).

City Clerk Swindell opened nominations for the position of Mayor. Councilmember Gomez nominated Councilmember Beamish. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO ELECT TOM BEAMISH AS MAYOR FOR A ONE-YEAR TERM.

2. Election of Mayor Pro Tem for a one-year term (December 2019 - December 2020).

City Clerk Swindell opened nominations for the position of Mayor Pro Tem. Mayor Beamish nominated Councilmember Espinoza. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO ELECT ROSE ESPINOZA AS MAYOR PRO TEM FOR A ONE-YEAR TERM.

3. Consideration and Election of Chairperson and Vice Chairperson for the Civic Improvement Authority for a one-year term (December 2019 – December 2020).

Secretary Swindell opened nominations for Chair for a one-year term for the La Habra Civic Improvement Authority. Director Beamish nominated Director Shaw. There were no other nominations presented. MOVED by Director Beamish, seconded by Director Medrano, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO ELECT DIRECTOR SHAW AS CHAIR OF THE LA HABRA CIVIC IMPROVEMENT AUTHORITY FOR A ONE-YEAR TERM.

Secretary Swindell opened nominations for Vice Chair for a one-year term for the La Habra Civic Improvement Authority. Director Beamish nominated Director Gomez. There were no other nominations presented. MOVED by Director Beamish, seconded by Director Medrano, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO ELECT DIRECTOR GOMEZ AS VICE CHAIR OF THE LA HABRA CIVIC IMPROVEMENT AUTHORITY FOR A ONE-YEAR TERM.

4. Consideration and election of Chairperson and Vice Chairperson for the Housing Authority for a one-year term (December 2019 – December 2020).

Secretary Swindell opened nominations for Chair for a one-year term for the La Habra Housing Authority. Director Beamish nominated Director Medrano. There were no other nominations presented. MOVED by Director Beamish, seconded by Director Espinoza, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO ELECT DIRECTOR MEDRANO AS CHAIR OF THE LA HABRA HOUSING AUTHORITY FOR A ONE-YEAR TERM.

Secretary Swindell opened nominations for Vice Chair for a one-year term of the La Habra Housing Authority. Director Beamish nominated Director Shaw. There were no other nominations presented. MOVED by Director Beamish, seconded by Chair Medrano, and

CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO ELECT DIRECTOR SHAW AS VICE CHAIR OF THE LA HABRA HOUSING AUTHORITY FOR A ONE-YEAR TERM.

5. Consideration and election of Chair and Vice Chair for the Successor Agency to the La Habra Redevelopment Agency (December 2019 – December 2020).

Secretary Swindell opened nominations for Chair for a one-year term of the Successor Agency to the La Habra Redevelopment Agency. Director Medrano nominated Director Beamish. There were no other nominations presented. MOVED by Director Gomez, seconded by Director Medrano to CLOSE NOMINATIONS AND CAST A VOTE TO ELECT DIRECTOR BEAMISH AS CHAIR OF THE SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY. No roll call was taken.

Secretary Swindell opened nominations for Vice Chair for a one-year term of the Successor Agency to the La Habra Redevelopment Agency. Director Beamish nominated Director Espinoza. There were no other nominations presented. MOVED by Director Gomez, seconded by Director Medrano to CLOSE NOMINATIONS AND CAST A VOTE TO ELECT DIRECTOR ESPINOZA AS VICE CHAIR OF THE SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY. No roll call was taken.

6. Consideration and appointment of Delegate and Alternate Representative to the Orange County Sanitation District (OCSD) for a one-year term (December 2019 - December 2020).

City Clerk Swindell opened nominations for the position of Delegate to the Orange County Sanitation District for a one-year term. Councilmember Gomez nominated Councilmember Shaw. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO APPOINT COUNCILMEMBER SHAW AS DELEGATE TO THE ORANGE COUNTY SANITATION DISTRICT FOR A ONE-YEAR TERM.

City Clerk Swindell opened nominations for the position of Alternate to the Orange County Sanitation District for a one-year term. Councilmember Gomez nominated Mayor Pro Tem Espinoza. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A VOTE TO APPOINT MAYOR PRO TEM ESPINOZA AS ALTERNATE TO THE ORANGE COUNTY SANITATION DISTRICT FOR A ONE-YEAR TERM.

7. Consider appointments of Delegate and Alternate Representative to the Southern California Association of Governments (SCAG) for the purposes of voting in the General Assembly Meetings to be held in 2020.

City Clerk Swindell opened nominations for the position of Delegate and Alternate to the Southern California Association of Governments (SCAG) for the purposes of voting in the General Assembly meetings to be held in 2020. Mayor Beamish nominated Mayor Pro Tem Espinoza as Delegate and Councilmember Shaw as Alternate. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED (4-0) TO CLOSE NOMINATIONS AND CAST A UNANIMOUS VOTE TO APPOINT

MAYOR PRO TEM ESPINOZA AS DELEGATE AND COUNCILMEMBER SHAW AS ALTERNATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) FOR THE PURPOSES OF VOTING IN THE GENERAL ASSEMBLY MEETINGS TO BE HELD IN 2020.

8. Consider appointments of two Councilmembers to serve on the Internal Audit Committee for a one-year term (December 2019 - December 2020).

City Clerk Swindell opened nominations for one position to serve on the Internal Audit Committee for a one-year term ending December 2020. Councilmember Gomez nominated Mayor Beamish. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) CLOSE THE NOMINATION AND CAST A VOTE TO APPOINT MAYOR BEAMISH TO SERVE ON THE INTERNAL AUDIT COMMITTEE FOR A ONE-YEAR TERM ENDING DECEMBER 2020.

City Clerk Swindell opened nominations for one position to serve on the Internal Audit Committee for a one-year term ending December 2020. Councilmember Gomez nominated Councilmember Medrano. Councilmember Medrano nominated Councilmember Gomez. Both motions were withdrawn. Councilmember Gomez nominated Mayor Pro Tem Espinoza. There were no other nominations presented. MOVED by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) CLOSE THE NOMINATION AND CAST A VOTE TO APPOINT MAYOR PRO TEM ESPINOZA TO SERVE ON THE INTERNAL AUDIT COMMITTEE FOR A ONE-YEAR TERM ENDING DECEMBER 2020.

9. Consideration and appointment by the Mayor of one Councilmember to serve on the Emergency Preparedness Council as Vice Chair for a one-year term (December 2019 - December 2020).

Mayor Beamish appointed Councilmember Medrano to serve on the Emergency Preparedness Council as Vice Chair for a one-year term.

IV. CONSENT CALENDAR FOR CITY COUNCIL, AGENCY, AND ALL AUTHORITIES:

Moved by Councilmember/Director Gomez, seconded by Mayor/Director Beamish, and CARRIED (4-0) TO APPROVE CONSENT CALENDAR ITEMS IV.A.1 THROUGH IV.F.1, with the exception of Councilmember Shaw who had an excused absence.

Said motion CARRIED by the following roll call vote:

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

A. CONSENT CALENDAR - CITY COUNCIL:

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.

2. Approved City Council Minutes of December 2, 2019.

3. Receive and file Planning Commission Minutes of:
 - a. July 8, 2019
 - b. August 1, 2019
 - c. August 12, 2019
 - d. September 23, 2019

4. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1812** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING AMENDMENTS TO TITLE 15 "BUILDINGS AND CONSTRUCTION" OF THE LA HABRA MUNICIPAL CODE CHAPTERS 15.04, 15.05, 15.06, 15.08, 15.12, 15.16, 15.32, 15.44 AND 15.68 BY ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, GREEN BUILDING STANDARDS AND ENERGY CODES AND 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND ORANGE COUNTY GRADING CODE, WITH APPENDICES AND AMENDMENTS. DELETION OF CHAPTER 15.24 SWIMMING POOL AND SPA CODE AND THE ADDITION OF CHAPTER 15.07 TO THE 2019 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE WITH APPENDICES AND AMENDMENTS.

5. Approve and adopt a resolution concerning Measure M2 Expenditure Report from July 1, 2018 to June 30, 2019, pursuant to Ordinance No. 3 of the Orange County Transportation Authority's Renewed Measure M Fair Share and Competitive Program Funds; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5928** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LA HABRA.

6. Approve Plans and Specifications for the Annual Sidewalk and Curb Access Ramp Improvements Fiscal Year 2018-2019, City Project No. 1-R-19; reject bid proposal submitted by S & H Civilworks of Colton, California as non-responsive; award construction contract to EBS General Engineering, Inc. of Corona, California in the amount of \$253,091.05 and reject all other bids; authorize City Manager to execute agreement with EBS General Engineering, Inc. in the amount of \$253,091.05; authorize staff to issue a purchase order to EBS General Engineering, Inc. in the amount of \$278,400.16, which includes a 10 percent contingency; and approve an appropriation of \$3,400.16 from the Gas Tax Fund to complete funding for this project.

7. Approve submittal of an application to the Orange County Transportation Authority (OCTA) for funding under Project V Community-Based Transit/Circulators Program for funding to support special event shuttle transportation services for community events; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5929** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE SUBMITTAL OF THE SPECIAL EVENT SHUTTLE SERVICE APPLICATION TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR FUNDING UNDER THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS PROGRAM.

8. Approve and authorize City Manager to execute an updated one-year lease agreement with Mysterium Theater, Inc. for the operation of the Depot Theater.

9. WARRANTS: Approve Nos. 00123816 through 00123995 totaling \$583,753.48.

B. SUCCESSOR AGENCY:

1. Approve Successor Agency Minutes of:
 - a. October 21, 2019
 - b. November 4, 2019
 - c. November 18, 2019
 - d. December 2, 2019

C. CIVIC IMPROVEMENT AUTHORITY:

1. Approve Civic Improvement Authority Minutes of:
 - a. October 21, 2019
 - b. November 4, 2019
 - c. November 18, 2019
 - d. December 2, 2019

D. HOUSING AUTHORITY:

1. Approve Housing Authority Minutes of:
 - a. November 4, 2019
 - b. November 18, 2019
 - c. December 2, 2019

E. UTILITY AUTHORITY:

1. Approve Utility Authority Minutes of December 2, 2019.

F. CITY COUNCIL, ALL AGENCIES, AND AUTHORITY:

1. Approve to adopt the City's Annual Investment Policy for implementation on January 1, 2020.

V. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

VI. PUBLIC HEARINGS:

A. CITY COUNCIL AND LA HABRA UTILITY AUTHORITY:

1. Duly noticed public hearing to consider amending the Master Schedule of Fees pertaining to water and sewer usage, connections, and fees.

City Attorney/Legal Counsel Jones stated that he would be abstaining from acting as legal counsel due to a conflict of interest as he currently serves on the on the California Domestic Water Company Board of Director. He left the dais at 7:20 p.m.

Public Works Director Saykali presented the staff report.

Mayor/Director Beamish opened the public hearing at 7:32 p.m.

Paul Huang, Owner, Westridge Golf Course, spoke regarding water rate increase impacts on his business. He requested reasonable, gradual rate increases, and noted that there had been a 70 percent increase within the past two years. Mayor Beamish referred Mr. Huang to Public Works Director Saykali.

John Madsen, resident, spoke in opposition to the water/sewer rate increases. He requested that City Council consider discounted rates for senior citizens and low income residents.

Mayor/Director Beamish closed the public hearing at 7:37 p.m.

City Council discussion included: increasing water costs, addressing water rate increase worries among businessowners and seniors, increased utility costs, and the water drought.

Moved by Councilmember/Director Gomez, seconded by Mayor/Chair Beamish, and CARRIED (4-0) TO APPROVE AND ADOPT **CITY COUNCIL RESOLUTION NO. 5930 AND UTILITY AUTHORITY RESOLUTION 2019-06** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AND THE LA HABRA UTILITY AUTHORITY AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO WATER AND SEWER USAGE, CONNECTIONS, AND FEES.

Said motion CARRIED by the following roll call vote:

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

City Attorney/Legal Counsel Jones returned to the dais at 7:40 p.m.

VII. CONSIDERATION ITEMS:

A. CITY COUNCIL:

1. Consider a resolution of the City Council of the City of La Habra, Orange County, declaring its intention to grant a pipeline franchise to Crimson Pipeline, LLC, and setting a public hearing date for Tuesday, January 21, 2020, at 6:30 p.m. in accordance with the California Public Utilities Code and to receive any objections thereto.

City Manager Sadro indicated that the City Council may have the staff report presented tonight or during the public hearing to be held on Tuesday, January 21, 2020.

It was the consensus of the City Council to have the staff report presented during the public hearing to be held on Tuesday, January 21, 2020.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED (4-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5931** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA, DECLARING ITS INTENTION TO GRANT A PIPELINE FRANCHISE TO CRIMSON PIPELINE, LLC, AND SETTING A PUBLIC HEARING TO RECEIVE ANY OBJECTIONS THERETO.

Said motion CARRIED by the following roll call vote:

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

VIII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- City Hall and the Community Center will be closed in observance of the winter holidays, from Monday, December 23, 2019, through Wednesday, January 1, 2020.
- La Habra Children's Museum "New Year's Noon" Celebration, Tuesday, December 31, 10:00 a.m. – 12:00 p.m.
- La Habra Community Survey for residents to provide service priorities in preparation for the Fiscal Year 2020-2021 City of La Habra Budget.

IX. COMMENTS FROM STAFF:

City Manager/Executive Director Sadro thanked outgoing Mayor/Director Gomez for his service as Mayor, and congratulated Mayor/Director Beamish on his election as Mayor. He wished everyone a Merry Christmas.

X. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Medrano congratulated newly elected Mayor Beamish and Mayor Pro Tem Espinoza. Councilmember/Director Medrano thanked outgoing Mayor Gomez for his service as Mayor, City staff for their assistance and support throughout the year, and the Police Department for the recent Driving under the Influence (DUI) checkpoint. He announced the passing of local community figure Danny Martin. He wished everyone a Merry Christmas and a Happy New Year.

Mayor Pro Tem/Director Espinoza congratulated newly elected Mayor Beamish. Mayor Pro Tem/Director Espinoza thanked outgoing Mayor Gomez for his service as Mayor, and City staff for the successful special events held throughout the year. She wished everyone a Merry Christmas and a Happy New Year.

Councilmember/Director Gomez congratulated newly elected Mayor Beamish. Councilmember/Director Gomez thanked City staff, his family, and friends for their support throughout his service as Mayor. He spoke regarding the recent Driving under the Influence

(DUI) checkpoint conducted by the Police Department; the success of “Holiday Wishes” toy, food, and gift card drive; and the Northgate Market Tree Lighting.

Mayor/Director Beamish stated that he was looking forward to serving as Mayor. He spoke regarding successful and ongoing City projects that included: Whittier Boulevard and Hacienda Road Intersection Improvements, Union Pacific Rail Line Bike Way Project, Splash Pads at Brio and Oeste Parks, Vista Grande Park Project, and improvements to La Bonita Park. He indicated future goals including working more closely with the La Habra Chamber of Commerce and maintaining the financial stability of the City.

XI. ADJOURNMENT: Mayor/Director Beamish adjourned the City Council Meeting at 7:49 p.m. to Monday, January 6, 2020, 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 Chamber. All other meetings were adjourned at 7:49 p.m.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk/Secretary