

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA ADJOURNED REGULAR MEETING

& REGULAR MEETING

Monday, June 06, 2016

APPROVED: These Minutes were approved on July 18, 2016.

ADJOURNED REGULAR MEETING:

CALL TO ORDER: Mayor Gomez called to order the Adjourned Regular Meeting of the La Habra City Council at 5:30 p.m. in Administrative Conference Room 106, located at 201 East La Habra Boulevard in La Habra, California.

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

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Clerk Mason

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

II. CLOSED SESSION:

- a. 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.

Community Services Director Failla, Finance Director Shannon, Human Resources Director Juengel, Human Resources Manager Coelho-La Freniere, and Assistant to the City Manager Ferrier were present for this item.

- b. Conference with Legal Counsel - Existing Litigation, Government Code Section 54956.9(d)(1): Chivas vs. City of La Habra, Superior Court Case No. 30-2014-00753505-CU-OE-CJC.

Human Resources Director Juengel and Assistant to the City Manager Ferrier were present for this item.

- c. Worker's Compensation Claims per Government Code Section 54956.95;
Claimant: Faustino Hernandez, Case No. EAMS No. ADJ10156878

Human Resources Director Juengel was present for this item.

- III. ADJOURNMENT:** Council reconvened from Closed Session at 5:55 p.m. There was one Closed Session announcement made during the City Council Regular Meeting at 6:30 p.m. Mayor Gomez adjourned the Adjourned Regular Meeting of the City Council at 5:55 p.m.

REGULAR MEETING:

CALL TO ORDER: Mayor Gomez called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the Council Chambers, located at 201 East La Habra Boulevard in La Habra, California.

Mayor Gomez sadly announced that Tim Shaw, Sr., father of Mayor Pro Tem Shaw, passed away unexpectedly on Thursday, June 2, at the age of 61. He stated that Tim Shaw, Sr. was an original student at Meadow Green Elementary School, graduated from Lowell High School in 1972, and graduated from California State University Fullerton with a Bachelor's Degree and a Master's Degree in Marriage and Family Therapy. He added that Tim Shaw, Sr. served faithfully in the Jesus Christ of Latter Day Saints Church; including a 2-year mission in Australia, and he was a drug and alcohol counselor for the Orange County Health Care Agency. He noted that Tim Shaw, Sr. is survived by four sons and one daughter. He extended condolences to Mayor Pro Tem Shaw and his family. Councilmembers Beamish, Blazey, and Espinoza expressed their condolences to Mayor Pro Tem Shaw. Mayor Gomez asked everyone to stand for a moment of silence in memory of Tim Shaw, Sr.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: City Manager Sadro

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

COUNCILMEMBERS ABSENT: None

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

CLOSED SESSION ANNOUNCEMENT: City Attorney Jones reported concerning a payment on the warrant list regarding the Chivas vs. City of La Habra; Superior Court Case No. 30-2014-00753505-CU-OE-CJC. He clarified that City Council's vote to approve the warrant list is a vote to approve the settlement amount of the Chivas vs. City of La Habra; Superior Court Case No. 30-2014-00753505-CU-OE-CJC that was included on the warrant list.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Recognition of the 2015-2016 Youth Committee.

After viewing a brief video prepared by the 2015-2016 Youth Committee, Mayor Gomez invited Youth Committee Chair Kristen Saucedo and Community Services Commissioner Monica Faith to the podium to present the certificates. Mayor Gomez and the Council then joined them at the podium for photos.

II. PUBLIC COMMENTS:

Chuck Morse spoke regarding the attendance at the Gathering of the Crosses on Memorial Day. He thanked Mayor Gomez, Mayor Pro Tem Shaw, Councilmember Beamish, and those citizens who attended.

III. CONSENT CALENDAR:

Moved by Mayor Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.7.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Gomez, Mayor Pro Tem Shaw, Councilmember Espinoza,
Councilmember Blazey, 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 and adopt State required resolutions pertaining to the November 8, 2016 General Municipal Election; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5743** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 8, 2016, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.
 - b. APPROVE AND ADOPT **RESOLUTION NO. 5744** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 8, 2016, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.

- c. APPROVE AND ADOPT **RESOLUTION NO. 5745** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 8, 2016.
3. Receive and file Planning Commission Minutes of:
 - a. February 8, 2016
 - b. March 14, 2016
 - c. March 31, 2016
 4. Approve City Council Minutes of May 16, 2016.
 5. Approve and authorize payment of \$57,809 for Fiscal Year 2015/16 Orange County 800 Megahertz Countywide Coordinated Communications System (CCCS) Partnership Cost; and approve and authorize payment of \$155,581 for Fiscal Year 2016/17 Orange County 800 Megahertz Countywide Coordinated Communications System (CCCS) Partnership Cost.
 6. Approve and authorize Mayor to execute the Caltrans Landscape Maintenance Agreement, Permit Number 15-6CS-0092.
 7. WARRANTS: Approve Nos. 00106529 through 00106704 totaling \$2,938,848.17; and WIRE TRANSFER: Approve Wire Date 06/07/16 for a total of \$1,000,000.00.
- IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:** None
- V. PUBLIC HEARINGS:** None at this time.
- VI. CONSIDERATION ITEMS:**
1. [Consider the Seven-Year Capital Improvement Program \(CIP\) as part of the Measure M2 eligibility requirements for Fiscal Year 2016-2017.](#)

City Engineer Johansen presented the staff report.

Mayor Gomez invited the public to testify at 6:45 p.m. There was no public testimony.

Moved by Councilmember Beamish, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT THE SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) AS PART OF THE MEASURE M2 ELIGIBILITY REQUIREMENTS FOR FISCAL YEAR 2016-2017.

Said motion CARRIED by the following roll call vote:

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

ABSENT: NONE

2. Consider the Fiscal Year 2016-2017 Proposed Budget presentation.

Finance Director Shannon presented the staff report and a PowerPoint presentation, assisted by Department Directors.

Council discussion included: confirmation regarding the amount California Public Employees' Retirement System charges the City; pension reform efforts by the City to mitigate cost increases; overall cost of the minimum wage increase; sales tax and property tax amounts reaching amounts seen prior to the recession; timeline of increase in property taxes received by the City due to new construction; percentage ratio of public safety versus remainder of General Fund; proposed Community Services secretary position; skate park security function and duties, skate park hours, complaints received regarding the skate park and potential exploration of alternate uses for the skate park due to complaints; Vista Grande Park project progress update and community involvement regarding uses and design options; **update on Esteli Park and Skeeter Holt Field grant received**; Pavement Management Plan maintenance cost expectations meeting actual cost; street maintenance levels and costs, and the decrease in gas tax funds received due to less fuel being consumed by citizens; inquiry regarding the basis for the 12 percent increase in costs for CARE Ambulance; confirmation the Mello-Roos Fund is for the parking lot at The Marketplace; concerns regarding the proposed Assistant Planner position relating to long-term customer service levels, resources, and funding; appreciation expressed regarding Police Department community outreach efforts; expenditure of the Police Department's Asset Forfeiture Fund for Computer Aided Dispatch/Records Management System (CAD/RMS); confirmation there are two full-time positions open in the Police Department and potential retirements by the end of the calendar year; clarification of the Police Department external upgrades as part of the Civic Center project; the success of Police Department's presence on social media; confirmation that the Emergency Management Services Coordinator position replacement for John Rees is David Gonzalez; and clarification that the decrease in the proposed budget for Legal Services was to meet actual expenditures.

The following Directors spoke regarding their department budgets, included major accomplishments and goals, and stated department highlights as follows:

- Community Services Director Failla – an increase in the Recreation Division for new special events and additional revenues that will help offset costs; funding for professional security staff company to supervise at the Skate Park; additional funding for a new full-time Secretary position; increase costs associated with maintenance of City buildings; and increase in the Child Development budget due to a State and Federal grant received.
- Public Works Director Saykali – decreases in the cost to purchase water and electricity, dedicated funding for California Domestic Water Company stock purchases, and turf removal programs; and \$150,000 budgeted to replace the City Yard security gate and install a security camera system.
- Assistant to the City Manager Ferrier regarding Fire and Ambulance – pension cost for former City of La Habra Firefighters of \$728,000; Los Angeles County Fire Department (LACFD) contract cost increase of \$290,000; and CARE Ambulance contract cost increase of \$71,000.
- Community Development Director Ho – added funding for Economic Development to provide a match for the Community Development Block Grant (CDBG) allocation;

proposed merger of National Pollution Discharge Elimination System (NPDES) and Community Preservation (Code Enforcement) into a new Code Compliance Division to reduce cost and increase efficiency; allocate CDBG Funds for Mobile Home Park Rehabilitation; funding for City Net homeless services; and funding for an additional Assistant Planner position.

- Police Chief Price – increase staffing by one full-time employee position by replacing a part-time officer position with a new full-time police officer; budget for personnel costs based on a staggered hiring plan as follows: one police officer (6 months), four reserve police officers (one year), one communication operator (one year), and one records specialist (six months); Capital Improvement Project of department generator upgrade project using Asset Seizure Fund of \$175,000; and Capital Improvement Project of department CAD/RMS replacement using Asset Seizure Fund of \$750,000.
- Finance Director Shannon – General Fund budget is balanced and provides resources for programs and services, labor negotiations, increasing pension obligations costs, restoration of some previously eliminated positions, and funds to cover an increase in the state mandated minimum wage requirement; citywide capital and development projects anticipated to continue at a brisk pace; and funding allocated for enhanced community services and programs.

During the budget presentation Mayor Pro Tem Shaw left the dais from 7:07p.m. to 7:08 p.m. and Mayor Gomez left the dais from 7:20 p.m. to 7:21 p.m.

Mayor Gomez, on behalf of the City Council, thanked the La Habra Police Department for their response to the gunman incident in the City of Buena Park over the weekend. He thanked Finance Director Shannon and his staff for the work on the budget. He thanked City Manager Sadro, Department Directors, and all City employees for their hard work, dedication, and community involvement. He thanked Planning Manager Ramsland for his work on the Civic Center project; Community and Economic Development Deputy Director Jaramillo for his hard work and customer service; Public Works Director Saykali and his staff for their dedication and hard work at all hours of the day and night; Community Services Director Failla and his staff for their work; and City Attorney Jones for his work and dedication to the City.

Mayor Gomez invited the public to testify at 7:42 p.m. There was no public testimony.

Moved by Mayor Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO RECEIVE AND FILE THE FISCAL YEAR 2016-2017 PROPOSED BUDGET.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- “Dive-In” movies - Beginning Friday, June 24, at 6:00 p.m. at the La Habra High School pool showing “Norm of the North
- 4th of July Fireworks Spectacular - Monday, July 4, at 5:00 p.m., with the fireworks show at 9:15 p.m. at the La Habra High School Stadium.

VIII. COMMENTS FROM STAFF: City Manager Sadro, on behalf of City staff, expressed condolences to Mayor Pro Tem Shaw on the passing of his father Tim Shaw, Sr.

IX. COMMENTS FROM COUNCILMEMBERS:

Mayor Gomez announced the start of the Concerts in the Park on Thursday, June 23, 2016 at Lions El Centro Park with Mariachi Divas performing, followed on June 30, 2016 with DSB, a Journey tribute band, with concerts beginning at 7:00 p.m. and ending at 9:00 p.m. He thanked the La Habra Police Department for participating in the Special Olympics Torch Run, and to Christina Nunez for organizing the event. He thanked everyone involved in the rededication of Veteran’s Memorial Hall as it demonstrates the community’s support of veterans. He thanked everyone who participated in the La Habra Chamber of Commerce Senor Campos night. He thanked everyone who donated to his team and the following City of La Habra employees/Councilmembers/association: City Manager Sadro, City Attorney Jones, City Clerk Mason, Mayor Pro Tem Shaw, Community Development Deputy Director Jaramillo, Community Services Director Failla, Recreation Manager De Leon, La Habra Police Officer’s Association, Planning Manager Ramsland, Finance Director Shannon, and Marketing Consultant Bruce Martin. He expressed to Mayor Pro Tem Shaw how proud his father Tim Shaw, Sr. was of him and his accomplishments. He announced that the meeting will be adjourned in memory of Tim Shaw, Sr., Irene Jacques, mother of City employee Al Jacques, and former Community Services Commission and a member of the La Habra Personnel Hearing Board James Barry Dowling.

Councilmember Beamish thanked staff for their work on the budget. He announced that former Community Services Commissioner and member of the La Habra Personnel Hearing Board James Barry Dowling passed away recently. He expressed sadness at the passing of Tim Shaw, Sr.

Councilmember Blazey thanked staff for their work on the budget. He expressed sadness at the passing of Community Services Commissioner and La Habra Personnel Hearing Boardmember James Barry Dowling. He reminded the community that today, June 6, 2016, is the anniversary of World War II’s D-Day and to honor those who survived and those who paid the ultimate sacrifice.

Councilmember Espinoza congratulated all of the 2016 graduates from La Habra High School, Sonora High School, and Whittier Christian High School which she attended.

Mayor Pro Tem Shaw stated he attended the graduation ceremonies at La Habra High School, Sonora High School, and Whittier Christian High School. He thanked Mayor Gomez for his kind words regarding the passing of his father, Tim Shaw, Sr. He expressed his respect and admiration for his father and other male role models in his life who served in World War II, and all who have served in the military. He commented that his father was his biggest supporter during the campaigns for a City Council seat. He thanked everyone for their kind words and invited everyone to his father’s funeral service on Thursday, June 9, 2016, for a 9:00 a.m.

viewing and 10:00 a.m. service at the Church of Jesus Christ of Latter-Day Saints, located at 15265 Mulberry Drive in Whittier, California.

- X. ADJOURNMENT:** Mayor Gomez adjourned the meeting in memory of Tim Shaw, Sr., James Barry Dowling, and Irene Jacques at 7:50 p.m. to Monday, June 20, 2016, 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