

201 E. La Habra Boulevard, La Habra, CA  
WHEN ADDRESSING COUNCIL PLEASE COMPLETE A SPEAKER'S CARD BEFORE  
LEAVING COUNCIL CHAMBERS



## AGENDA

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

MONDAY, MARCH 21, 2016

#### **ADJOURNED REGULAR MEETING 4:45 P.M.:**

**CALL TO ORDER:** Administrative Conference Room 106

- I. Conduct interviews for annual expiring terms and vacancies on the Planning Commission, the Community Services Commission, and the Beautification Committee.
- II. **ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:**
- III. **CLOSED SESSION**
  - a. Conference with Legal Counsel – Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (One Case).
  - 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.
- IV. **ADJOURNMENT:**

#### **REGULAR MEETING 6:30 P.M.:**

**CALL TO ORDER:** Council Chambers

**Council Next Res. No. 5731  
Council Next Ord. No. 1770**

**INVOCATION:** City Attorney Jones

**PLEDGE OF ALLEGIANCE:** Mayor Gomez

**ROLL CALL:**  
Councilmember Blazey  
Councilmember Beamish  
Councilmember Espinoza  
Mayor Pro Tem Shaw  
Mayor Gomez

#### **CLOSED SESSION ANNOUNCEMENT:**

- I. **PROCLAMATIONS/PRESENTATIONS:**

- a. Beautification Award, 402 W. Erna, Hernandez Family.
- b. Beautification Award, 305 E. Florence Avenue, Rodriguez Family.
- c. Beautification Award, 1800 E. Whittier Boulevard, Sierra Vista School, Anna Dorado, Principal.
- d. Beautification Award, 440 Holgate, Lauterborn Family.
- e. Beautification Award, 1321 Fallenleaf, DeSantis Family.

**II. PUBLIC COMMENTS:**

This is the time for the public to address any item of City business NOT appearing on this Agenda. *Speakers must limit their comments to three (3) minutes each.* The total time period for public comment is 30 minutes. (Note: Per Government Code Section 54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda).

**III. CONSENT CALENDAR:**

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Councilmember or member of the audience requests separate action or removal of an item. Removed items will be considered following the Consent Calendar portion of this agenda. Members of the audience will have the opportunity to address Council on removed items at that time. **Speakers must limit their comments to three (3) minutes each.**

**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. Receive and file the Annual Report on the City of La Habra General Plan for calendar year 2015 and authorize the Director of Community and Economic Development to forward the document to the Governor's Office of Planning and Research and the Department of Housing and Community Development per Government Code Section 65400(b)(1).
- 3. Authorize City Manager to execute agreement with the Orange County Department of Education to present the "Inside the Outdoors Traveling Scientist Program" for Fiscal Year 2015-2016 which will provide science activities for the children in the State Preschool program.
- 4. Authorize City Manager to execute agreement with California State University Los Angeles (CSULA) to provide health related services as part of the City of La Habra's Head Start and Early Head Start programs.
- 5. Approve a resolution and authorize City Manager to execute Head Start and Early Head Start Program Refunding Application for the 2016-2017 school year.
  - a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF THE HEAD START AND EARLY HEAD START REFUNDING APPLICATION FOR 2016-2017 WITH ORANGE COUNTY HEAD START, INC.

6. Authorize City Manager to establish an irrevocable trust to address unfunded liabilities related to Other Post-Employment Benefits (OPEB) for full-time City employees and prepare the necessary trust documents with CalPERS CERBT to be brought back to City Council for review and approval at a future date.
7. Approve denial of claim for AmeriCare MedServices, Inc. dba, AmeriCare Ambulance for Anti-Competitive Damage.
8. Approve denial of Claim for Southern California Edison for Property Damage.
9. Approve denial of Claim for Ishih Hsu for Bodily Injury.
10. Approve denial of Claim for Michael Kwon for Property Damage.
11. Approve denial of Claim for John Sanchez for Bodily Injury.
12. Approve denial of Claim for Verizon for Property Damage.
13. Authorize City Manager to place the City's primary earthquake policy with Landmark American Insurance Company at a policy limit of \$5 million and the excess coverage of \$49.05 million to be assigned to Everest Indemnity, QBE Specialty Insurance, and General Security Insurance for the period of April 19, 2016 through April 19, 2017 at a 10 percent deductible and an annual premium cost of \$244,445.
14. Approve City Council Minutes of March 7, 2016.
15. WARRANTS: Approve Nos. 00105660 through 00105834 totaling \$1,412,602.26.
16. Waive formal bid procedures per La Habra Municipal Code Section 4.20.050 (C) and utilize the cooperative purchase provision of the contract awarded by NJPA "National Joint Powers Alliance" to Haaker Equipment Company; and authorize City Manager to issue a purchase order in the amount of \$396,838.16 from the Fleet Replacement Fund / Sewer Fund to Haaker Equipment Company La Verne, CA for the purchase of one new 2016 Freightliner / Vactor 2110 plus jet rodder.

**IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:**

**V. PUBLIC HEARINGS:**

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

1. Duly noticed public hearing to consider an appeal of Planning Commission approval of Conditional Use Permit 15-05 and Design Review 15-10 to establish a Wireless Communications Facility at 441 West Whittier Boulevard.

Recommendation:

- a. APPROVE CONTINUING AN APPEAL OF PLANNING COMMISSION APPROVAL OF CONDITIONAL USE PERMIT 15-05 AND DESIGN REVIEW 15-10 TO ESTABLISH A WIRELESS COMMUNICATIONS FACILITY AT 441 WEST WHITTIER BOULEVARD TO A DATE UNCERTAIN.

2. Duly noticed public hearing to consider a resolution amending the Master Schedule of Fees pertaining to fees for General Services, Administrative Services, Community Development Services, Building Services, Fire Services, Police Services, Ambulance Services, Public Works Services, Utility Services, and penalties for Municipal Code and Vehicle Code Parking Violations.

Recommendation:

- a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION TO AMEND THE MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS.

**VI. CONSIDERATION ITEMS:**

Any member of the audience may request to address the Council on any Consideration Item, prior to the City Council taking a final vote on the Item. The Mayor will invite interested persons to come forward to the podium and speak as each Item is called. **Speakers must limit their comments to three (3) minutes each.**

1. Consider Fiscal Year 2015-2016 Mid-Year Budget update.

Recommendation:

- a. Receive and file the FY2015-2016 Mid-Year General Fund Budget Update.
  - b. Authorize the transfer and appropriation of \$210,000 from the Risk Management Fund Balance to Liability Account 164211-7861.
  - c. Approve the reclassification of Secretary in Community Preservation to Administrative Aide III at pay range T-50/1.
  - d. Approve the position upgrade of Building Inspector to Senior Building Inspector at pay range A-70/1.
2. Consider City of La Habra Goals and Objectives for Fiscal Year 2016-2017.

Recommendation:

- a. Consider and approve the City of La Habra Goals for FY2016-2017.
3. Consider an ongoing rate study for the Municipal Water District of Orange County.

Recommendation:

- a. Direct staff to respond to the Municipal Water District of Orange County's request for input to their rate study by indicating support for "Scenario 2," a Retail Service Connection Charge with a metric based upon the Member Agency's equivalent meter count.

**VII. MAYOR'S COMMUNITY CALENDAR:**

**VIII. COMMENTS FROM STAFF:**

**IX. COMMENTS FROM COUNCILMEMBERS:**

- X. ADJOURNMENT:** Adjourned to Monday, April 4, 2016, at 5:00 p.m. in the Administrative Conference Room 106, for Commission and Committee interviews; followed by the Regular Meeting at 6:30 p.m. in the City Council Chambers.

Except as otherwise provided by law, no action shall be taken on any item not appearing in the foregoing agenda. A copy of the full agenda packet is available for public review at the Office of the City Clerk during regular business hours, and at the La Habra Branch Library located in the Civic Center adjacent to the Administration Building.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 201 E. La Habra Blvd., La Habra, during normal business hours.

In accordance with the Federal Americans with Disabilities Act of 1990, should you require a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting due to a disability, please contact the City Clerk's Office at least ninety-six (96) hours in advance of the meeting at (562) 383-4030. Listening devices for the hearing impaired are available through the City Clerk's Office.

**DECLARATION:** This agenda was posted on the Bulletin Boards outside of the front and back doors of City Hall, where completely accessible to the public, at least 72 hours in advance of the City Council Meeting.

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Tamara D. Mason, MMC, City Clerk