

MINUTES
THE LA HABRA UTILITY AUTHORITY
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
CITY COUNCIL OF THE CITY OF LA HABRA

TUESDAY, JANUARY 21, 2020

APPROVED: These Minutes were approved on March 16, 2020.

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

CALL TO ORDER: Mayor/Chair Beamish called the Regular Meeting of the La Habra Utility Authority and the Regular Joint Meeting with the City Council of the City of La Habra to order at 6:30 p.m. in the Council Chamber, located at 100 East La Habra Boulevard, La Habra, California.

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

COUNCILMEMBERS/DIRECTORS ABSENT: None

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

INVOCATION: Assistant City Attorney/Legal Counsel Collins

PLEDGE OF ALLEGIANCE: Councilmember/Director Shaw

CLOSED SESSION ANNOUNCEMENT: None.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation by University of California, Irvine regarding projects and services to the Orange County Community.

University of California, Irvine Senior Director of Community and Government Relations Alberto Sandoval, Sr. introduced his colleagues, who presented the University Overview PowerPoint presentation: Director of Government Relations Chris Leo, Assistant Director of Federal Government Relations Lou Bronstein, and Manager of Community Relations Amanda Hughes.

II. PUBLIC COMMENTS:

James Lees, La Habra, requested an extension of the review process for the Rancho La Habra Specific Plan Draft Environmental Impact Report. He commented that the City Hall closure during the holidays impeded the ability of residents to review and provide feedback within review period.

Christine Cook, La Habra, spoke regarding the Rancho La Habra Specific Plan Draft Environmental Impact Report, and indicated she hired a third-party to review the Report. She stated results of the review included: systemic soil hazards, outdated data, and that the guidelines utilized.

Maribel Lopez, La Habra, requested an extension of the review process regarding the Rancho La Habra Specific Plan Draft Environmental Impact Report. She introduced Korean-speaking resident Catherine Kim, aided by a translator, who spoke in support of an extension to the Rancho La Habra Specific Plan Draft Environmental Impact Report review process due to her language barrier.

Kelley Garcia, La Habra, spoke regarding non-permitted food trucks and street vendors in her Brookdale Avenue neighborhood, near Arbolita Drive and Rocking Horse Lane, during Halloween celebrations. Mayor/Chair Beamish directed staff to contact Ms. Garcia to discuss her concerns. Councilmember/Director Gomez spoke regarding a non-permitted food vendor on Monte Vista Street.

III. CONSENT CALENDAR:

Moved by Councilmember/Director Gomez, seconded by Councilmember/Director Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.C.1.

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,
Councilmember/Director Shaw

NOES: NONE

ABSENT: NONE

ABSTAIN: 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 January 6, 2020.
3. Approve denial of claim for Daniel Hamamoto, et.al. for Personal Injury.
4. Approval denial of claim for Adriana Tafoya for Property Damage.

5. Approve and authorize City Manager to execute Amendment No. 1 to Agreement for Services with Interwest Consultant Group for building inspection services increasing the compensation from \$24,522 to an amount not to exceed \$80,583, extending the term until the services are no longer necessary.
6. Receive and file Treasurer's Investment Report for the quarter ending September 30, 2019.
7. Approve and authorize City Manager to execute a five-year agreement with Video Voice and Data Communications (Voltaic Division) in the amount of \$95,402 to purchase and install ChargePoint Electric Vehicle charging infrastructure for the City Hall Charging Stations Project No. 2-B-19; authorize staff to issue a purchase order to Video Voice and Data Communications (Voltaic Division) in the amount of \$104,942, which includes a 10 percent contingency; and approve and authorize the City Manager to execute a five-year Master Services and Subscription agreement with ChargePoint, Inc. for activation and use of ChargePoint network services.
8. WARRANTS: Approve Nos. 00123996 through 00124347 totaling \$6,202,263.23.

B. UTILITY AUTHORITY:

1. Approve Utility Authority Minutes of January 6, 2020.

C. CITY COUNCIL & UTILITY AUTHORITY:

1. Approve and adopt a resolution adopting a policy on discontinuation of residential water service for nonpayment of a delinquent account in compliance with SB 998; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. CC-5932 & UA-2020-01** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AND THE LA HABRA UTILITY AUTHORITY ADOPTING A POLICY ON DISCONTINUATION OF RESIDENTIAL WATER SERVICE.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

A. CITY COUNCIL:

1. Duly noticed public hearing to consider an ordinance granting a pipeline franchise to Crimson California Pipeline, LP to operate and maintain certain pipelines and appurtenances for the transportation of petroleum, oil, gas, gasoline, water, and other like substances in the City of La Habra; and approve and authorize the Mayor to execute a Franchise Agreement with Crimson California Pipeline, LP.

Public Works Management Analyst Henderson presented the staff report.

City Council discussion included: clarification of one pipe in this proposed pipeline franchise, confirmation that only oil will be transported in the pipe; inspection protocol, and verification that the date of the most recent pipeline inspection was in 2018.

April Harvey, Right-of-Way Manager introduced David Blakeslee, Compliance Manager with Crimson California Pipeline, LP, who spoke regarding Pipeline and Hazardous Materials Safety Administration (PHMSA) regulations, transmission of substances, operations, and inspections conducted by automobile and ground every two weeks. He verified that integrity testing is conducted a maximum of every five years and if anything is identified when the test is conducted, the test time period could be shortened, and the results are sent to the State Fire Marshall's Office, Office of Pipeline Safety to be reviewed and analyzed for accuracy.

Mayor Beamish opened the public hearing at 7:06 p.m. There was no testimony so the public hearing was closed.

Moved by Councilmember Shaw, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1814** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA GRANTING A PIPELINE FRANCHISE TO CRIMSON CALIFORNIA PIPELINE, LP TO OPERATE AND MAINTAIN CERTAIN PIPELINES AND APPURTENANCES FOR THE TRANSPORTATION OF PETROLEUM, OIL, GAS, GASOLINE, WATER, AND OTHER LIKE SUBSTANCES IN THE CITY OF LA HABRA.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

VI. CONSIDERATION ITEMS:

A. CITY COUNCIL:

1. Consider expiring terms of the Planning Commission and Community Services Commission and one unscheduled vacancy on the Community Services Commission; and provide staff direction.

City Clerk Swindell presented the staff report.

Mayor Beamish invited the public to testify at 7:10 p.m. There was no testimony.

City Council discussion included support for advertising the vacancies in order to allow all residents an opportunity to apply, review of current Commissioner's attendance, and verification that the last Commissioner interviews were held in March of 2019.

MOVED by Councilmember Gomez, seconded by Councilmember Shaw, and CARRIED (3-2) TO RE-APPOINT RAY FERNANDEZ TO A FOUR-YEAR TERM, EXPIRING MARCH 31, 2024, TO THE PLANNING COMMISSION.

Said motion CARRIED by the following roll call vote:

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

MOVED by Councilmember Gomez, seconded by Councilmember Shaw, and FAILED (2-3) TO RE-APPOINT MICHELLE BERNIER TO A FOUR-YEAR TERM, EXPIRING MARCH 31, 2024, TO THE PLANNING COMMISSION.

Said motion FAILED by the following roll call vote:

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

Mayor Pro Tem Espinoza indicated she voted incorrectly on the initial motion to re-appoint Ray Fernandez to a four-year term.

MOVED by Mayor Pro Tem Espinoza, seconded by Councilmember Medrano, and FAILED (2-3) TO RE-VOTE ON THE INITIAL MOTION TO RE-APPOINT RAY FERNANDEZ TO A FOUR-YEAR TERM.

Said motion FAILED by the following roll call vote:

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

Moved by Councilmember Medrano, seconded by Mayor Pro Tem Espinoza, and CARRIED (4-1) TO ESTABLISH ALTERNATE SEATS FOR THE PLANNING COMMISSION AND THE COMMUNITY SERVICES COMMISSION; AND AUTHORIZE STAFF TO ADVERTISE ALL UPCOMING VACANCIES AND ALTERNATE SEATS TO SOLICIT COMMUNITY INTEREST AND TO SCHEDULE INTERVIEWS.

Said motion CARRIED by the following roll call vote:

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

Assistant City Attorney Collins clarified the need for City Council to correctly motion and vote on the Planning Commission appointment of Ray Fernandez without first doing a motion to reconsider.

Moved by Mayor Pro Tem Espinoza, seconded by Councilmember Medrano, and CARRIED (4-0) TO CORRECT HER VOTE FROM A YES VOTE TO A NO VOTE ON THE INITIAL MOTION TO RE-APPOINT RAY FERNANDEZ TO THE PLANNING COMMISSION FOR A FOUR-YEAR TERM.

Said motion CARRIED by the following roll call vote:

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

2. Consider establishing campaign contribution limits per Assembly Bill 571 (AB 571) enacted by the State of California legislature; which will become effective on January 1, 2021, and direct staff to draft an ordinance, for consideration by City Council at a future meeting regarding one of the following two options:

City Clerk Swindell presented the staff report.

City Council discussion included: effective date of new campaign contribution limits; personal loan and donation limits; independent expenditures and transparency; and the ability to review and adjust the contribution limit in the future.

Assistant City Attorney Collins explained that the City does not have to adopt its own ordinance to mirror AB 571, but if it does not the state law limit would apply on January 1, 2021.

Mayor Beamish invited the public to testify at 7:25 p.m. There was no testimony.

Moved by Mayor Beamish, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO MAINTAIN THE STATUS QUO OF NO LOCAL ORDINANCE SETTING OR REGULATING CAMPAIGN CONTRIBUTION LIMITS, IN WHICH CASE THE REQUIREMENTS OF AB 571 WOULD PROVIDE A DEFAULT LIMIT OF \$4,700, WHICH MAY BE AMENDED BY THE STATE ANNUALLY; AND DIRECT STAFF TO DRAFT AN ORDINANCE TO BE CONSIDERED AT A FUTURE DATE UNCERTAIN TO DEFAULT TO THE STATE CAMPAIGN CONTRIBUTION LIMITS PER ASSEMBLY BILL 571, EFFECTIVE JANUARY 1, 2021.

Said motion CARRIED by the following roll call vote:

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

3. Consideration and election of Chair and Vice Chair for the Successor Agency to the La Habra Redevelopment Agency.

City Clerk Swindell presented the staff report.

Mayor Beamish invited the public to testify at 7:33 p.m. There was no testimony.

Moved by Councilmember Gomez, seconded by Councilmember Shaw, and CARRIED UNANIMOUSLY (5-0) TO ELECT MAYOR BEAMISH AS CHAIR AND COUNCILMEMBER MEDRANO AS VICE CHAIR FOR THE SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- La Habra State of the Community – Friday, February 21, 11:00 a.m. – 1:15 p.m., La Habra City Hall
- La Habra Races - Saturday, March 14, beginning at 7:00 a.m. The event will feature a 5K, 1K Kiddy Run, and 50-Yard “Diaper Dash.”
- La Habra Community Survey for residents to provide service priorities in preparation for the Fiscal Year 2020-2021 City of La Habra Budget.

VIII. COMMENTS FROM STAFF:

City Manager Sadro wished everyone a Happy New Year and that staff is looking forward to an exciting and busy year.

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Medrano wished everyone a Happy New Year. He directed staff to research the potential use of reclaimed water at Westridge Golf Course, and report back to the City Council with the findings.

Councilmember/Director Gomez commented on the high costs to implement a reclaimed water system, based discussion in previous years.

Public Works Director Saykali indicated implementation of a reclaimed water system at Westridge Golf Course was discussed several years ago, and Los Angeles County and Orange County still have not offered the use of water lines.

Councilmember/Director Shaw requested tonight’s meeting be adjourned in memory of former Three Valleys Water District Board Member Joe Ruzicka and former City of Fullerton Councilmember Don Bankhead.

Mayor/Chair Beamish indicated he wished to direct staff regarding circulation of the Rancho La Habra Specific Plan Draft Environmental Impact Report.

Assistant City Attorney Collins stated that he would have to remove himself from the dais during Rancho La Habra Specific Plan Draft Environmental Impact Report discussion. He left the dais at 7:40 p.m.

Mayor/Chair Beamish directed staff to determine the cost of mailing the Rancho La Habra Specific Plan Draft Environmental Impact Report public review notice to all La Habra residents, and report back to the City Council with the findings at a future City Council meeting.

Councilmember/Director Shaw asked about the feasibility of including the Rancho La Habra Specific Plan Draft Environmental Impact Report public review notice in residential water bills.

Councilmember/Director Medrano spoke in support of the request by Mayor Beamish for staff to determine the cost of mailing the Rancho La Habra Specific Plan Draft Environmental Impact Report public review notice to all La Habra residents, and report back to the City Council with the findings at a future City Council meeting.

Assistant City Attorney Collins returned to the dais at 7:43 p.m.

X. ADJOURNMENT: Mayor/Chair Beamish adjourned the City Council meeting in memory of former City employee Nelson Wong, former City of Fullerton Councilmember Don Bankhead, and former Three Valleys Water District Board Member Joe Ruzicka at 7:43 p.m. to Monday, February 3, 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. The La Habra Utility Authority Meeting was adjourned at 7:43 p.m.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk/Secretary