

**MINUTES OF THE
REGULAR MEETING OF THE
LA MIRADA CITY COUNCIL/SUCCESSOR AGENCY
AUGUST 9, 2016 – 6:30 P.M.**

1. CALL TO ORDER

Mayor De Ruse called the meeting to order at 6:30 p.m. in the Council Chambers, La Mirada City Hall, 13700 La Mirada Boulevard, La Mirada, California.

2. INVOCATION

The invocation was delivered by Pastor Kevin Penfold.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Boy Scout Troop 985.

4. ROLL CALL

City Council was present with Councilmember Deal, Councilmember Mowles, Mayor Pro Tem Eng and Mayor De Ruse responding to roll call. Councilmember Sarega was absent for roll call. He joined the meeting via a teleconference during the Closed Session.

The following staff members were also present: City Manager Jeff Boynton, Deputy City Manager/City Clerk Anne Haraksin and City Attorney James Markman.

*Items 5 and 6 were taken out of order.

6. PUBLIC COMMENT

Thurston Bowden addressed the City Council and expressed issues he has experienced with the La Mirada Post Office.

Brian Tarvin complimented the Public Safety team's efforts to reduce crime in his area and informed the City Council of a vandalism that occurred to his property.

Janice Kroupa thanked the City Council for the trees that were planted on the Imperial Highway medians between Biola Avenue and Valley View Avenue.

5. APPEARANCES, PRESENTATIONS, AND PROCLAMATIONS

5.1 RECOGNITION OF SUPERVISOR DON KNABE FOR HIS CAREER OF PUBLIC SERVICE

The City Council recognized Supervisor Don Knabe for his career in public service and presented him with an appreciation plaque and framed photo collage.

7. APPOINTMENTS

7.1 REAPPOINTMENT TO THE SENIOR COUNCIL

Councilmember Mowles moved and Councilmember Deal seconded to reappoint Diane Albert to the Senior Council for a term expiring in June 2017.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng,
Mayor De Ruse**
NOES: None
ABSENT: Councilmember Sarega
ABSTAIN: None

8. CONSENT CALENDAR

Mayor Pro Tem Eng moved and Councilmember Mowles seconded to approve the following Consent Calendar items:

8.1 APPROVAL OF MEETING MINUTES

The City Council approved the minutes of the regular meeting of July 26, 2016.

8.2 APPROVAL OF WARRANT REGISTER

The City Council approved the warrant register dated August 9, 2016 in the total amount of \$2,037,086.23.

8.3 SOUTHEAST AREA SOCIAL SERVICES FUNDING AUTHORITY
(SASSFA) FUNDING REQUEST FOR FISCAL YEAR 2016-17

The City Council approved SASSFA's Fiscal Year 2016-17 funding request in the amount of \$28,000 and in-kind contribution of \$11,352 and authorized the City Manager to execute the agreement on behalf of the City.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

**AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng,
Mayor De Ruse**
NOES: None
ABSENT: Councilmember Sarega
ABSTAIN: None

9. PUBLIC HEARING

9.1 RESOLUTION NO. 16-24 FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

Mayor De Ruse opened the Public Hearing.

Senior Administrative Analyst Marlin Munoz reported that the Congestion Management Program (CMP) is a program enacted by the State to improve traffic congestion in California's highly urbanized areas. He said CMP compliance is required as a condition of receiving Proposition 111 (1990) state gas tax funds and to preserve the City's eligibility for other state and federal transportation dollars. He said the City has completed all actions required by the CMP for 2016. City staff has reviewed development activity in La Mirada and prepared the Local Development Report for 2015-2016. He said the final requirement to achieve 2016 CMP compliance is to adopt Resolution No. 16-24 and submit it to LA Metro for final review and approval.

No members of the public spoke on the item.

Mayor De Ruse closed the Public Hearing.

Councilmember Mowles moved and Councilmember Deal seconded to adopt Resolution No. 16-24 finding the City of La Mirada to be in conformance with the Congestion Management Program (CMP) and adopting the CMP Local Development Report, in accordance with California Government Code Section 65089; and authorizing City staff to submit the Local Development Report and Resolution No. 16-24 to LA Metro.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng, Mayor De Ruse

NOES: None

ABSENT: Councilmember Sarega

ABSTAIN: None

10. ORDINANCES AND RESOLUTIONS

10.1 FIRST READING OF ORDINANCE NO. 683 REPEALING REGULATIONS APPLICABLE TO NOISE LEVELS IN RESIDENTIAL AND COMMERCIAL ZONES, AND AMENDING TITLE 9 OF THE LA MIRADA MUNICIPAL CODE

Senior Administrative Analyst Mark Rounds reported that the proposed Ordinance No. 683 would amend La Mirada Municipal Code (LMMC) Section 9.04.010(b)(4) to allow for minor home repairs and maintenance work on Sundays between 9 a.m. and 8 p.m. and repeal Section 9.04.010(c) of Title 9 of the LMMC. He said Section 9.04.010(c) of Title 9 of the LMMC currently prohibits sound levels beyond the boundaries of any lot or parcel of land of any residential or commercially zoned property from exceeding 45 decibels. He said LMMC Section 21.70.080, which established 60 decibels as the maximum noise levels for residential and 70 decibels the maximum noise levels for commercially zoned uses, would be enforced. He said a maximum noise level of 60 decibels would be more appropriate as many common activities that take place in a residential neighborhood exceed 45 decibels.

Councilmember Mowles moved and Councilmember Deal seconded to introduce for first reading Ordinance No. 683 repealing regulations applicable to noise levels in residential and commercial zones, and amending Title 9 of the La Mirada Municipal Code, by title only, and waive further reading.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: Councilmember Sarega
ABSTAIN: None

11. NEW BUSINESS

11.1 REIMBURSEMENT AGREEMENT (HSR 15-180) WITH THE CALIFORNIA HIGH-SPEED RAIL AUTHORITY FOR COSTS INCURRED IN PROVIDING ANALYSIS AND INPUT ON HIGH SPEED RAIL'S IMPACT ON THE LOCAL COMMUNITY

City Manager Boynton said City staff and High Speed Rail Authority (HSRA) representatives have been preparing a reimbursement agreement for costs incurred by the City in providing analysis and input on high speed rail's impact on the La Mirada community, and participating in coordination activities. He said that in the very near future, the City will release a Request for Proposals from qualified firms to perform technical/engineering review and support for the high speed rail project. The reimbursement will be from various federal funds and state bond measure sources. He said the term of the proposed agreement is upon execution of the agreement through April 12, 2019. During the term of this agreement, the City will be reimbursed by the HSRA, up to \$457,000 for actual, direct, and necessary expenses for the City's technical/engineering review and support of the high speed rail project.

Councilmember Deal moved and Mayor Pro Tem Eng seconded to approve the reimbursement agreement with the California High-Speed Rail Authority and authorize the City Manager to execute the agreement and any amendments on behalf of the City.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: Councilmember Sarega
ABSTAIN: None

CITY COUNCIL ACTING IN ITS CAPACITY AS THE SUCCESSOR AGENCY
TO THE LA MIRADA REDEVELOPMENT AGENCY

12. CONSENT CALENDAR

Mayor Pro Tem Eng moved and Councilmember Mowles seconded to approve the following Consent Calendar item:

12.1 APPROVAL OF WARRANT REGISTER

The Successor Agency approved the warrant register dated August 9, 2016 in the total amount of \$7,195.87.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Deal, Mowles, Mayor Pro Tem Eng, Mayor De Ruse
NOES: None
ABSENT: Councilmember Sarega
ABSTAIN: None

*Items 13 and 14 were included on the agenda for the Board of Directors of the Parking Authority of the City of La Mirada. The Parking Authority meeting was called to order at 7:05 p.m. and convened at 7:07 p.m. The City Council meeting was continued at 7:07 p.m.

CITY COUNCIL (CONTINUED)

15. ADMINISTRATIVE REPORTS FROM STAFF

There were no administrative reports given by staff.

16. CITY COUNCIL REPORTS AND ANNOUNCEMENTS

Members of the City Council reported on meetings and events they attended.

17. CITY ATTORNEY ANNOUNCEMENTS

The City Attorney announced a need for a Closed Session to discuss anticipated litigation.

18. CITY MANAGER ANNOUNCEMENTS

There were no City Manager announcements.

At this time, the City Council adjourned the City Council meeting at 7:14 p.m. and convened to Closed Session. Councilmember Sarega joined the meeting via teleconference from the Atlantis Resort, Paradise Beach Drive, Suite 19, Paradise Island, Bahamas. The teleconference was properly posted at the resort and City Hall posting locations.

19. CLOSED SESSION

19.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: SIGNIFICANT EXPOSURE TO LITIGATION – 1 CASE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9(d)(2)

No action was reported.

19.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION: INITIATION OF LITIGATION – 1 CASE PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 54956.9(d)(4)

No action was reported.

20. ADJOURNMENT

There being no further business to come before the Council, the City Council adjourned the meeting at 8:05 p.m.

Anne Haraksin, City Clerk

Attest:

Steve De Ruse, Mayor