

**MINUTES OF THE
REGULAR MEETING OF THE
LA MIRADA CITY COUNCIL
JUNE 26, 2018 – 6:30 P.M.**

1. CALL TO ORDER

Mayor Pro Tem 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 Steve Camarillo of Living Faith Assembly of God Church.

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by a representative of VFW Post 9148.

4. ROLL CALL

City Council was present with Councilmember Eng, Councilmember Lewis, Councilmember Sarega, and Mayor Pro Tem De Ruse responding to roll call. Mayor Mowles was absent.

The following staff members were also present: City Manager Jeff Boynton, City Attorney Craig Fox, and Assistant City Manager/City Clerk Anne Haraksin.

5. PUBLIC COMMENT

Steve Nagy, a representative of Congresswoman Linda Sanchez's Office, reported that community office hours would be held at the La Mirada Activity Center on the second Wednesday of each month from 9:30 a.m. to 11:30 a.m. He also provided information on the annual Senior Fair on August 10.

6. APPEARANCES, PRESENTATIONS, AND PROCLAMATIONS

6.1 RECOGNITION OF BEATITUDES OF OUR LORD GIRLS SOCCER TEAM

The City Council recognized the coaches and members of the Beatitudes of Our Lord Girls Soccer team and the Mayor Pro Tem, on behalf of the City Council, presented them with Certificates of Recognition.

6.2 RECOGNITION OF EMPLOYEE FOR YEARS OF SERVICE

The City Council recognized Melissa Pascual for her years of service and the Mayor Pro Tem, on behalf of the City Council, presented her with a service award pin and a certificate of appreciation.

7. APPOINTMENTS

7.1 APPOINTMENT TO THE PUBLIC SAFETY COMMISSION

Councilmember Lewis moved and Councilmember Eng seconded to appoint Amy Day to the Public Safety Commission for an unexpired term ending in June 2019.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

8. CONSENT CALENDAR

Councilmember Sarega moved and Councilmember Lewis seconded to approve the following consent calendar items 8.2 through 8.7:

8.2 APPROVAL OF WARRANT REGISTER

The City Council approved the warrant register dated June 26, 2018 in the total amount of \$3,016,435.29.

8.3 STATEMENT OF INVESTMENT POLICY

The City Council received and filed the Statement of Investment Policy of the City of La Mirada for Fiscal Year 2018-19.

8.4 ANNUAL INVESTMENT REPORT AS OF MAY 2018

The City Council received and filed the City's Annual Investment Report as of May 2018.

8.5 INVESTMENT REPORT FOR THE CITY OF LA MIRADA FOR THE MONTH ENDING MAY 2018

The City Council received and filed the City's Investment Report for the month ending May 2018.

8.6 MONTHLY TREASURER REPORT FOR THE PERIOD ENDING MAY 2018

The City Council received and filed the City of La Mirada Monthly Treasurer Report for the period ending May 2018.

8.7 APPROVAL OF SITE ENGINEERING SERVICES FOR LOS ANGELES COUNTY GROUNDS MAINTENANCE AND SERVICE YARD AT LA MIRADA REGIONAL PARK

The City Council approved the CNC Engineering proposal dated May 16, 2018 for site engineering service for the grounds maintenance and service yard at La Mirada Regional Park including the optional tasks for a total of amount of \$111,301; authorized the City Manager to execute the contract on behalf of the City; and authorized the City Manager to approve additional work up to 20 percent of the total contract amount.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

The following item was not approved and will be placed on a future agenda for approval:

8.1 APPROVAL OF MEETING MINUTES (Minutes of the Study Session meeting of June 12, 2018 and the minutes of the regular meeting of June 12, 2018.)

9. PUBLIC HEARING

9.1 RESOLUTION NO. 18-11 ADOPTING THE PROPOSED FISCAL YEAR 2018-19 BUDGET

Senior Accountant Melissa Pascual reported that the proposed Fiscal Year 2018-19 Budget was presented to the City Council at its May 8 Study Session meeting. She provided information on changes to the proposed budget since the May 8 Study Session meeting. Ms. Pascual said the proposed General Fund Budget, without transfers is \$35,609,197 for expenditures and \$39,236,268 for revenues resulting in an operational surplus of \$3,627,071. She said the City's Fiscal Year 2018-19 Capital Improvement Projects (CIP) Budget appropriates \$24.83 million. Additionally, she said \$3 million would be transferred to the Employee Benefits Fund to establish a Section 115 Pension Trust Fund for the City's unfunded pension liability. The establishment of the trust would provide an 80 percent funding level for the City's pension liability.

Mayor Pro Tem De Ruse opened the Public Hearing.

No members of the public spoke regarding the item.

Mayor Pro Tem De Ruse closed the Public Hearing.

Members of the City Council spoke in support of the proposed Fiscal Year 2018-19 Budget.

Councilmember Sarega moved and Councilmember Eng seconded to adopt Resolution No. 18-11 approving the Proposed Fiscal Year 2018-19 Budget.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

9.2 CAPITAL IMPROVEMENT PROJECT NO. 2017-01, LA MIRADA CREEK PARK MASTER PLAN – ADOPT RESOLUTION NO. 18-17 CERTIFYING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION AND ACCEPTING THE LA MIRADA CREEK PARK MASTER PLAN

Public Works Director/City Engineer Mark Stowell introduced the item.

Michael Sherrod of RRM Design Group gave a presentation on the La Mirada Creek Park Master Plan. He provided information on existing conditions at Creek Park and the community outreach process for the development of the Master Plan. He discussed proposed infrastructure improvements including ADA accessibility, restrooms, parking areas, pedestrian circulation, lighting and landscaping. He also provided design concepts for new bridge improvements.

Mayor Pro Tem De Ruse opened the Public Hearing.

Zebedee Cook Jr. inquired about the status of the existing horse arena.

Mr. Stowell responded to Mr. Cook's inquiry and said the horse arena would remain unchanged.

Anne Gonzales inquired about the status of the fire pit and seating area that was created by an Eagle Scout.

Mr. Stowell responded to Ms. Gonzales and said the area would become a part of the pollinator garden. He said the fire pit was being removed due to its liability issues.

Gerald Harris inquired about material that would be used for the exercise areas.

Mr. Stowell responded and provided information on the proposed natural materials that would be used for the groundcover and exercise components.

Steve Gehrig stated he had concerns with the placement of the restrooms near the parking areas due to potential loitering and illegal activity that could occur.

Mr. Stowell responded to Mr. Gehrig's concerns and said the new placement of the restrooms would enhance the access for Sheriff's Deputies and increase their ability to conduct surveillance. He also mentioned that the new locations would provide ADA access.

Mayor Pro Tem De Ruse closed the Public Hearing.

Councilmember Sarega inquired about the maintenance costs associated with the proposed modifications. He asked if the installation of surveillance cameras was considered. Councilmember Sarega also asked staff about the proposed timeline for the completion of the project.

Mr. Stowell said the proposed plants would be natural, last longer, and be of lower maintenance. He said staff was currently researching the idea of installing surveillance cameras in City parks.

Mr. Boynton said the conceptual Master Plan is the first step in the process. He said staff would be seeking grand funding to help fund the design of the park.

Councilmember Lewis spoke in support of the proposed Master Plan. He also inquired if the park would have sufficient parking available for the public.

Mr. Stowell said there would be adequate parking for the public.

Councilmember Eng thanked members of the public in the audience for their community engagement and involvement in the development in the Master Plan.

Councilmember Eng moved and Councilmember Lewis seconded to adopt Resolution No. 18-17 certifying the Initial Study/Mitigated Negative Declaration and approving the La Mirada Creek Park Master Plan.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

9.3 FIRST READING OF ORDINANCE NO. 705 AMENDING MUNICIPAL CODE SECTIONS ASSOCIATED WITH “ACCESSORY DWELLING UNITS” (FORMERLY, “SECOND DWELLING UNITS”) AND ADOPTING RELATED MUNICIPAL CODE AMENDMENTS TO TITLE 21 OF THE LA MIRADA MUNICIPAL CODE

Community Development Director Gabriel Bautista reported that on August 22, 2017 and September 26, 2017, the City Council adopted Urgency Ordinances to establish and extend interim standards for the development of Accessory Dwelling Units (ADUs). He said the interim standards will expire on August 21, 2018. He said the proposed ordinance would repeal the interim regulations currently in place and establish permanent regulations/standards for the development of ADUs. He said the proposed regulations/standards will address the following: areas ADUs may be developed; construction methods; occupancy requirements; minimum rental period; ownership requirements; design requirements; general development standards; living area standards; parking requirements; utility standards; and processes for requesting deviations from prescribed standards.

Mr. Bautista said the proposed Zoning Ordinance Amendment would also prohibit Junior ADUs, repeal references to “Second Dwelling Units,” clarify the “Site Plan Review” process and amend the definitions section of the Zoning Ordinance to include a definition for “Accessory Dwelling Unit.” He said the proposed Zoning Ordinance Amendment is consistent with the goals, policies, and objectives of the General Plan and promotes the public health, safety, and general welfare and serves the goals and purposes of Title 21 “Zoning” of the La Mirada Municipal Code.

Mayor Pro Tem De Ruse opened the Public Hearing.

No members of the public spoke on the item.

Mayor Pro Tem De Ruse closed the Public Hearing.

Members of the City Council spoke in support of the proposed ordinance.

Councilmember Sarega moved and Councilmember Lewis seconded to affirm the CEQA Exemption; and introduce for first reading Ordinance No. 705 amending La Mirada Municipal Code sections associated with “Accessory Dwelling Units” (formerly, “Second Dwelling Units”) and adopting related amendments to Title 21 of the La Mirada Municipal Code, consistent with state law, by title only, and waive further reading.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: Councilmembers Eng, Lewis, Sarega, Mayor Pro Tem De Ruse

NOES: None
ABSENT: Mayor Mowles
ABSTAIN: None

10. ORDINANCES AND RESOLUTIONS

10.1 RESOLUTION NO. 18-12 ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2018-19

City Manager Boynton reported that staff has prepared the Fiscal Year 2018-19 Appropriations Limit. He provided information on the methodology used to calculate the City's Appropriations Limit. He said the City is well below the Fiscal Year's Appropriation Limit of \$103,522,678 and has only \$25,545,758 of appropriations subject to limitations. He said although the City's total revenue is \$54,259,531, excluding transfers and the sales tax sharing agreement, only \$25,545,758 is supported by tax proceeds subject to the limitation.

Councilmember Eng moved and Councilmember Lewis seconded to select the California Per Capita Personal Income percentage change from the preceding year as the inflation factor for Fiscal Year 2018-19; select the growth of the County as the population factor for Fiscal Year 2018-19; and adopt Resolution No. 18-12 establishing an Appropriations Limit for Fiscal Year 2018-19 pursuant to Article XIII B of the California Constitution.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

10.2 RESOLUTION NO. 18-13 REGARDING EMPLOYMENT BENEFITS AND SALARY RATES FOR ALL CLASSES OF EMPLOYMENT, AND SUPERSEDING RESOLUTION NO. 17-21 AND RESOLUTION NO. 18-01

City Manager Boynton reported that the proposed Resolution No. 18-13 incorporates a 2.8 percent Cost of Living Adjustment (COLA) salary increase for all full-time positions; increases the starting pay rate for most part-time positions; promotes two current employees to a new Finance Manager position and Assistant City Clerk position; increases the salary range of the full-time Account Technician III position; changes the job title of the full-time Assistant Public Works Director position to Public Works Superintendent; decreases the salary range of the full-time City Planner position and the City Clerk position; and increases the tuition reimbursement for full-time employees from \$1,700 to \$2,500 per fiscal year. He also reported that the proposed resolution would require full-time employees hired before July 1,

2017, who are considered classic members in the California Public Employees' Retirement System (CalPERS), to pay one percent of the seven percent member contribution to CalPERS.

Councilmember Sarega moved and Councilmember Lewis seconded to adopt Resolution No. 18-13 regarding employment benefits and salary rates for all classes of employment, and superseding Resolution No. 17-21 and Resolution No. 18-01.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

10.3 RESOLUTION NO. 18-14 REGARDING PAYING AND REPORTING THE VALUE OF EMPLOYER PAID MEMBER CONTRIBUTIONS TO THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

City Manager Boynton said that in order to mitigate rising pension costs, the City proposes to require all classic members to begin paying the member contribution rate to CalPERS. He said that pursuant to the proposed resolution, effective June 25, full-time employees who are classic members and were hired before July 1, 2017, would be required to pay to CalPERS 1.0 percent of the 7.0 percent member contribution. He said the City would pay 6.0 percent of the member contribution and report the value of employer paid member contributions to CalPERS as additional compensation. He said the savings to the City would be approximately \$46,800 per year. He said that in accordance with Government Code Section 20691, the City Council has the authority to increase, reduce, or eliminate the payment made by the City of the normal contributions required to be paid by classic members.

Councilmember Eng moved and Councilmember Lewis seconded to adopt Resolution No. 18-14 regarding paying and reporting the value of employer paid member contributions to California Public Employees' Retirement System.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

10.4 RESOLUTION NO. 18-15 OPPOSING THE TAX FAIRNESS, TRANSPARENCY AND ACCOUNTABILITY ACT OF 2018

City Manager Boynton reported that the Tax Fairness, Transparency, and Accountability Act of 2018 is a ballot measure sponsored by the California Business Roundtable. If passed by voters this November, the measure would amend the State Constitution to change the way local governments approve taxes and fees. He said it would restrict a city's authority to increase local revenue through a tax or fee to address community needs; require a two-thirds approval of the local legislative body to qualify for the ballot or approve new or revised fees and also require a two-thirds vote of approval by the public, rather than a simple majority; and require a city to identify how the funds received from the tax would be allocated, and any changes on how the funds would be spent would require re-approval by a vote.

Councilmember Sarega spoke in opposition to the proposed resolution.

Councilmember Eng moved and Councilmember Lewis seconded to adopt Resolution No. 18-15 opposing the Tax Fairness, Transparency and Accountability Act of 2018.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

10.5 RESOLUTION NO. 18-16 APPROVING THE EXCHANGE OF CITY PROPERTY TAX TO COUNTY LIGHTING MAINTENANCE DISTRICT 1687 – PARCEL MAP 73221

City Manager Boynton said the City is in receipt of correspondence from the County of Los Angeles Department of Public Works requesting the approval of a joint resolution to exchange property tax revenue with the County for Parcel Map 73221, which was previously annexed into County Lighting Maintenance District (CLMD) 1687. He said that while the area is in unincorporated Los Angeles County, the City receives a portion of property tax revenue as Successor of Interest to the dissolved La Mirada-South East Recreation and Park District. He said the City Attorney is aware of the County's requests to share property tax for the maintenance and operation of streetlights within County Lighting Maintenance Districts and recommends approval of the resolution.

Councilmember Eng moved and Councilmember Sarega seconded to adopt Resolution No. 18-16 approving the exchange of City property tax to County Lighting Maintenance District.

MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

11 CITY COUNCIL REPORTS AND ANNOUNCEMENTS

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

12. CITY ATTORNEY ANNOUNCEMENTS

There were no City Attorney announcements.

13. CITY MANAGER ANNOUNCEMENTS

City Manager Boynton provided information on the July 3 Independence Celebration at La Mirada Regional Park.

14. ADJOURNMENT

There being no further business to come before the Council, the City Council adjourned the meeting at 8:07 p.m.

Anne Haraksin, City Clerk

Attest:

Lawrence P. Mowles, Mayor