

**CITY OF HAWAIIAN GARDENS  
CITY COUNCIL MINUTES**

**Tuesday, May 25, 2021  
Regular Meeting, 6:00 PM**



Victor Farfan, Mayor Pro Tem  
Jesse Alvarado, Council Member  
Myra Maravilla, Council Member  
Maria Teresa Del Rio, Council Member

**Luis Roa, Mayor**

Linda Hollinsworth, Interim City Manager  
Megan Garibaldi, City Attorney

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**MINUTES**

**CALL TO ORDER**

Mayor Roa called to order the Regular City Council meeting on Tuesday, May 25, 2021 at 6:32 PM.

**INVOCATION**

The invocation was led by Mayor Roa.

**FLAG SALUTE**

The flag salute was led by Mayor Roa.

**ROLL CALL**

**PRESENT**

**Mayor Pro Tem Farfan  
Mayor Roa  
Councilmember Alvarado  
Councilmember Maravilla  
Councilmember Del Rio**

**ABSENT**

**None**

Reanna Guzman, Staff Assistant I, announced a quorum.

**PROCLAMATIONS AND CERTIFICATES**

There were no Proclamations or Certificates at this time.

**PRESENTATIONS**

**1. PRESENTATION BY PACIFIC GARDENS MEDICAL**

**SUGGESTED ACTION:**

Pacific Gardens Medical was unable to present due to technical difficulties.

## **PUBLIC COMMENTS - GENERAL OR ITEMS ON OR OFF THE AGENDA**

The City Clerk's Office received one request for a call back during Public Comments from Frances Rodriguez.

Megan Garibaldi, City Attorney, reported out from Saturday, May 22, 2021 Closed Session and stated the City Council adjourned at approximately 12:50PM and there was no reportable action.

## **AGENDA ORGANIZATION**

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Alvarado, to adopt the Agenda Organization.

The motion was carried by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion carried: 5-0-0-0

### **A. PUBLIC HEARING(S) / HEARING(s)**

There were no Public Hearings at this time.

### **B. CONSENT CALENDAR**

#### **1. WAIVE READING IN FULL OF ALL ORDINANCES AND RESOLUTIONS ON THE AGENDA**

That the City Council waive reading in full of all ordinances and resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

2. RECOMMENDATION TO RECEIVE AND FILE THE COMMUNITY DEVELOPMENT-ENGINEERING DIVISION MONTHLY REPORT FOR APRIL 2021

**SUGGESTED ACTION:** Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

3. RECOMMENDATION TO RECEIVE AND FILE THE COMMUNITY DEVELOPMENT-ENGINEERING DIVISION PUBLIC WORKS PERMITS REPORT FOR THE MONTH OF APRIL 2021

**SUGGESTED ACTION:** Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

4. RECOMMENDATION TO RECEIVE AND FILE THE COMMUNITY DEVELOPMENT DEPARTMENT, CODE ENFORCEMENT DIVISION REPORT FOR THE MONTH OF APRIL 2021

**SUGGESTED ACTION:** Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

5. RECOMMENDATION TO RECEIVE AND FILE THE COMMUNITY DEVELOPMENT DEPARTMENT, BUILDING AND SAFETY DIVISION REPORT FOR THE MONTH OF APRIL 2021

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

6. RECOMMENDATION TO RECEIVE AND FILE THE COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION REPORT FOR THE MONTH OF APRIL 2021

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

7. RECOMMENDATION TO APPROVE THE CONSTRUCTION PLANS AND SPECIFICATIONS AND AUTHORIZE THE COMMUNITY DEVELOPMENT DEPARTMENT TO ADVERTISE AND SEEK PUBLIC BIDS FOR THE FISCAL YEAR 2020-2021 VARIOUS STREET IMPROVEMENTS

## PROJECT

SUGGESTED ACTION: Approve Recommendation.

Megan Garibaldi, City Attorney, stated there are three Councilmembers who have conflict of interest and will need to draw straws due to the Rules of Necessity.

Mayor Roa, Councilmember Alvarado, and Councilmember Del Rio stated for the record they are within 500 ft of the project will need to be recused.

Mayor Roa was able to participate in Agenda Item B-7 due to Rules of Necessity.

Doug Benash, City Engineer, presented the staff report.

Councilmember Maravilla spoke.

Mayor Roa spoke.

Mayor Pro Tem Farfan spoke.

A motion was made by Councilmember Maravilla, seconded by Mayor Pro Tem Farfan, to approve recommendation.

The motion was carried by the following vote:

**AYES:** 3; Farfan, Roa, Maravilla

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion carried: 3-0-0-0

## 8. RECOMMENDATION TO RECEIVE AND FILE WARRANTS PROCESSED DURING THE PERIOD OF APRIL 17 TO MAY 14, 2021

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

9. RECOMMENDATION TO APPROVE CITY COUNCIL MEETING MINUTES.

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

10. RECOMMENDATION TO ADOPT RESOLUTION NO. 012-2021, IDENTIFYING THE STREET IMPROVEMENT PROJECTS AND ADOPTING THE LIST OF PROJECTS FOR FISCAL YEAR 2021-2022 PURSUANT TO SENATE BILL 1 ROAD MAINTANANCE REHABILITATION ACCOUNT (RMRA) FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

SUGGESTED ACTION: Approve Recommendation.

Councilmember Alvarado was recused due to a conflict of interest and stated for the record he lives within 500 ft of the project.

Doug Benash, City Engineer, presented the staff report.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Maravilla, to approve recommendation.

The motion was carried by the following vote:

**AYES:** 4; Farfan, Roa, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion carried: 4-0-0-0

11. RECOMMENDATION TO ADOPT RESOLUTION NO. 013-2021, APPROVING THE PRELIMINARY ENGINEER'S REPORT FOR CONSOLIDATED LANDSCAPING AND LIGHTING ASSESSMENT DISTRICT NO. HG-LLA1 AND DECLARING THE CITY COUNCIL'S INTENT TO LEVY AN ASSESSMENT FOR FISCAL YEAR 2021-2022, AND SETTING A PUBLIC HEARING ON THE PROPOSED LEVY AT THE REGULAR CITY COUNCIL MEETING ON TUESDAY JUNE 22, 2021

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

12. RECOMMENDATION TO ADOPT RESOLUTION NO. 014-2021 APPROVING APPLICATIONS FOR THE SALE OF SAFE AND SANE FIREWORKS AND FIREWORKS STAND IN THE CITY OF HAWAIIAN GARDENS FOR THE YEAR 2021 INDEPENDENCE DAY CELEBRATION.

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5-0-0-0

13. RECOMMENDATION TO AUTHORIZE THE CITY MANAGER TO ENTER INTO (1) A REIMBURSEMENT AGREEMENT WITH THE CITY'S WASTE HAULER, WASTE RESOURCES, INC., FOR COSTS ASSOCIATED WITH SOLID WASTE FRANCHISE AGREEMENT AMENDMENT, RATE NEGOTIATIONS AND EDUCATION, AND RELATED MATTERS; (2) A CONTRACT FOR PROFESSIONAL SERVICE AGREEMENTS FOR PROPOSITIONS 218 COMMUNICATIONS AND PUBLIC EDUCATION SUPPORT WITH TRIPEPI SMITH; (3) A CONTRACT AMENDMENT WITH MUNIENVIRONMENTAL LLC, RELATING TO SOLID WASTE FRANCHISE AGREEMENT RATE NEGOTIATIONS AND AMENDMENT SUPPORT.

SUGGESTED ACTION: Approve Recommendation.

A motion was made by Mayor Pro Tem Farfan, seconded by Councilmember Del Rio, to approve Consent Calendar Items, as presented, excluding Agenda Items B-7 and B-10 for separate

discussion due to conflict of interest and amend and add a Do Not Exceed amount of \$35,000 into the contract of item B-13..

The motion was by the following vote:

**AYES:** 5; Farfan, Roa, Alvarado, Maravilla, Del Rio

**NOES:** 0;

**ABSENT:** 0;

**RECUSE:** 0;

Motion : 5—0—0—0

**C. DISCUSSION ITEM(S)**

There were no Discussion Items at this time.

**D. COMMITTEE REPORT(S)**

There were no Committee Reports at this time.

**E. NEW BUSINESS**

There were no New Business items at this time.

**F. ORAL STAFF REPORT(S)**

There were no Oral Staff Reports at this time.

**G. CITY ATTORNEY REPORT(S)**

There were no City Attorney Repors at this time.

**H. ORAL COUNCIL REPORT(S)**

There were no Oral Council Reports at this time.

**I. CLOSED SESSION**

1. **PUBLIC EMPLOYEE APPOINTMENT (Recruitment)**  
**PURSUANT TO GOVERNMENT CODE SECTION 54957**  
Title: City Manager

2. **CONFERENCE WITH LABOR NEGOTIATOR**  
**PURSUANT TO GOVERNMENT CODE SECTION 54957.6**  
Agency Designated Representatives: Luis Roa, Mayor; Megan Garibaldi, City Attorney  
Unrepresented Employee: City Manager



Megan Garibaldi, City Attorney, read the titles of the Closed Session Items.

The City Council recessed at 6:35 PM into Closed Session.

The City Council reconvened from Closed Session at approximately 7:45 PM.

Reanna Guzman, Staff Assistant I, conducted a roll call and announced a quorum.

Megan Garibaldi, City Attorney, stated no reportable action.

## **J. ADJOURNMENT**

Mayor Roa adjourned the meeting at approximately 7:45 PM to the next Regular City Council meeting to be held on Tuesday, June 8, 2021 at 6:00 PM.

RESPECTFULLY SUBMITTED BY:

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REANNA GUZMAN

STAFF ASSISTANT II

APPROVED BY:

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LUIS ROA

MAYOR

City Council Meeting

Calls backs for Public Comment 05-25-2021

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Frances Rodriguez (562) 