

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

Monday, March 19, 2018

APPROVED: These Minutes were approved on June 18, 2018.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. in the Council Chamber, Closed Session Room 112c, located at 100 East La Habra Boulevard in La Habra, California.

COUNCILMEMBERS PRESENT: Mayor Shaw
Mayor Pro Tem Blazey
Councilmember Espinoza
Councilmember Beamish

COUNCILMEMBERS ABSENT: Councilmember Gomez

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Mason

I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:
None

II. CLOSED SESSION:

- a. Conference with Legal Counsel - Existing Litigation, per Government Code Section 54956.9(d)(1): Elisa Ponce/Isabel Araiza vs. City of La Habra, Superior Court Case No. 30-2017-00911720-CU-PA-CJC.

Human Resources Director Balderrama, Human Resources Manager Coelho-LaFreniere, and Legal Counsel Daniel Spradlin with Woodruff, Spradlin & Smart were present for this item.

- b. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees, Police Civilian Employees, La Habra Municipal Employees Association, General Services Employees, Professional Employees, and Management and Executive Management Groups.

Finance Director Shannon, Community Services Director Failla, Human Resources Director Balderrama, and Human Resources Manager Coelho-LaFreniere were present for this item.

III. ADJOURNMENT: Council reconvened from Closed Session at 6:28 p.m. There were no Closed Session announcements. Mayor Shaw adjourned the Adjourned Regular Meeting of the City Council at 6:28 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Regular Meeting of the City Council of the City of La Habra to order at 6:35 p.m. in the City Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Espinoza

COUNCILMEMBERS PRESENT: Mayor Shaw
Mayor Pro Tem Blazey
Councilmember Espinoza
Councilmember Beamish

COUNCILMEMBERS ABSENT: Councilmember Gomez

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Recognition by American Cancer Society of the volunteers for Relay for Life in La Habra.

Mayor Shaw invited Renee Daniels and Linda Cooke, from the American Cancer Society, to the podium. Renee Daniels thanked the City of La Habra for its support and participation in the "Relay for Life" event. She presented a plaque to the City of La Habra and invited them to participate in the upcoming "Relay for Life" event.

- b. Presentation by Robert Wood Johnson Foundation: Invest Health team summarizing their 18-month effort in the program.

Mayor Shaw invited Community and Economic Development Director Ho to the podium. He introduced the following Robert Wood Johnson Foundation Invest Health team members: Barry Ross with St. Jude Medical Center, Sandi Baltés with the La Habra Collaborative, Catherine Villanueva with City of La Habra, David DeLeon with City of La Habra and Scott Miller with Our Lady of Guadalupe Church. Community and Economic Development Director Ho gave a brief presentation explaining the grant and its purpose of integrating health and economic development to focus on creating healthier communities through housing, food systems, transportation, and education.

Council discussion included: clarification regarding where the obesity statistics were gathered; boundaries of the Wellness District; and potential involvement of Washington Middle School, Walnut School, and non-profits located on Hillcrest Street as stakeholders.

II. PUBLIC COMMENTS:

The following spoke in opposition to the proposed Rancho La Habra development project:

- James "Jim" Lees, 2140 South Farrell Court
- Sue Ham, on behalf of Nam Jhung, 1641 West Nicklaus Avenue
- Mr. Himan, Westridge resident since 2001
- Cyndi Scotti, 2021 South Floyd Court
- Christine Cook, 13918 Highlander Road in La Mirada, California

Larry Dobkin, 1411 Pine Tree Court, spoke in opposition to the three minute rule for public comment and expressed his dissatisfaction with the Council's lack of response to public comments.

Councilmember Beamish clarified that the City Council is bound by law and cannot make comments during the Public Comments portion of the meeting and/or on subjects that are not on the agenda. He stated that City Council can make comments when a subject is on the agenda, and if a subject is under the Public Hearing portion of the meeting, a member of the community can speak as long as needed.

Rafael Zazueta, 1001 North Harbor Boulevard, spoke in opposition to parking restrictions at 951 North Harbor Boulevard. Mayor Shaw stated that this item is on the Consent Calendar, Item III.5. Mayor Pro Tem Blazey added that the item can be pulled off of the Consent Calendar and discussed separately.

Mayor Shaw received clarification from staff that the Public Comment timeline for the Westridge Environmental Impact Report (EIR) is open at this time and closes on April 11, 2018. He explained that City Council cannot comment on the subject until they have received the certified EIR, the item is placed on the agenda, and they have heard public testimony.

III. CONSENT CALENDAR:

Councilmember Beamish requested that Item III.5 be removed for separate discussion. Mayor Shaw requested that Item III.4 be removed for separate discussion.

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Blazey, and CARRIED (4-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.9; WITH THE EXCEPTION OF ITEMS III.4 AND III.5 WHICH WERE REMOVED FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Shaw, Mayor Pro Tem Blazey, Councilmember Espinoza,
Councilmember Beamish

NOES: NONE

ABSTAIN: NONE

ABSENT: Councilmember Gomez

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 Planning Commission Minutes:
 - a. November 27, 2017
 - b. January 8, 2018
 - c. January 22, 2018
2. Adopt a resolution approving an agreement with ICMA Retirement Corporation (ICMA-RC) to establish a 457 Deferred Compensation Plan for Part-Time, Temporary, and Seasonal (PTS) Employees and subject to conditions, and authorize the Human Resources Director to sign the agreement; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5834** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ESTABLISHING A 457 PART-TIME, TEMPORARY, AND SEASONAL (PTS) DEFERRED COMPENSATION PLAN TO BE ADMINISTERED BY THE ICMA RETIREMENT CORPORATION AND SUBJECT TO CONDITIONS.
4. ITEM REMOVED FOR SEPARATE DISCUSSION. SEE ITEM IV BELOW.
5. ITEM REMOVED FOR SEPARATE DISCUSSION. SEE ITEM IV BELOW.
6. Approve the transfer of the sewer line in Harbor Boulevard to the City of Fullerton; and authorize Mayor to sign the Sewer Line Transfer Agreement between the City of La Habra and the City of Fullerton and have staff submit the Sewer Line Transfer Agreement to the County of Orange for recordation.
7. Approve the La Habra Citrus Fair temporary signage promoting the civic event at the southeast corner of La Habra Boulevard and Euclid Street and at the northwest corner of La Habra Boulevard and Harbor Boulevard subject to the satisfaction of the Director of Community and Economic Development.
8. Approve Early Head Start (EHS) Program Application for the 2018-2019 Fiscal School Year and authorize City Manager to execute the agreement which includes: (a) Early Head Start slots allocation; (b) Early Head Start basic funding allocation; (c) Early Head Start training and technical assistance allocations; (d) Early Head Start non-federal share allocations; (e) Program goals and objectives; and (f) Eligibility, Selection, Enrollment, and Attendance (ERSEA) policies and procedures and selection criteria.
9. WARRANTS: Approve Nos. 00115389 through 00115605 totaling \$1,986,718.98; and WIRE TRANSFERS: Approve Wire Date 3/26/18 for a total of \$207,205.42.

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

Mayor Shaw announced that Item III.5 would be heard prior to Item III.4.

- III.5. Approve staff's recommendations regarding a request for "No Stopping" restrictions on the west side of North Harbor Boulevard at 951 North Harbor Boulevard.

Traffic Manager Plotnik presented the staff report.

Council discussion included: confirmation that only one concern was received via email and/or telephone; identified potential loss of 11 parking spots that are currently utilized by apartment occupants as overflow parking; overnight parking policies of Rite Aid and Stater Brothers; line of sight to the north bound traffic exiting the Rite Aid and Stater Brothers parking lots; striping change on Harbor Boulevard to be moved farther north and made into a dashed line for right-hand turn lane flow of traffic; movement of parking in front of apartment complex further north; confirmation there have been five traffic accidents in the last six years; confirmation that the speed limit on Harbor Boulevard is 45 miles per hour; and the existing 110-feet of red curb, and concerns for the line of site view of southbound traffic for those exiting the apartment complex if five parking spaces were added further north.

Mayor Shaw invited the public to testify at 7:24 p.m.

Rafael Zazueta, resident of the apartment building, stated that safety was not an issue, but parking for the apartment residents was an issue due to lack of onsite parking. He requested that no red curb be added. He asked that the red curb in front of the apartment complex north of 951 North Harbor Boulevard be enforced.

Mayor Shaw closed the public testimony at 7:28 p.m.

Moved by Mayor Pro Tem Blazey, seconded by Mayor Shaw, and CARRIED (3-1) TO APPROVE AND ADOPT **RESOLUTION NO. 5835** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES ON THE WEST SIDE OF NORTH HARBOR BOULEVARD BETWEEN 367 FEET NORTH OF THE CENTERLINE OF WHITTIER BOULEVARD AND 652 FEET NORTH OF THE CENTERLINE OF WHITTIER BOULEVARD.

Said motion CARRIED by the following roll call vote:

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

- III.4 Receive and file the Annual Report on the City of La Habra General Plan for Calendar Year 2017 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).

Community and Economic Development Director Ho presented the staff report.

Council discussion included: Regional Housing Needs Assessment (RHNA) process; City's requirement to provide 78 housing units for very low, low, and moderate income housing; clarification that the city has to search for potential projects to fulfill the development of the RHNA housing units; confirmation the City has zoned for the housing units **in any type** of residential or multi-residential in the City with a multi-family zoning designation, the City of La Habra's fair share of the County of Orange and the Association of California Cities Orange County's proposed 2,700 units of permanent supportive housing for the homeless is 52 units; proposed legislation regarding the state controlling local housing development; City funding available for low income housing after the dissolution of the Redevelopment Agency; alternative ways to build affordable housing; balance of Low to Moderate Housing Fund; State Legislation Assembly Bill 572 which allows the City to team with a neighboring city to spend a portion of the Low to Moderate Housing Fund on housing for the homeless; confirmation funds used towards the homeless issue do not count towards the City's RHNA numbers; and clarification that if housing is built outside of the City that the units do not count towards the City's requirement of 52 units for the homeless.

Moved by Mayor Shaw, seconded by Councilmember Beamish, and CARRIED (4-0) TO APPROVE TO RECEIVE AND FILE THE ANNUAL REPORT ON THE CITY OF LA HABRA GENERAL PLAN FOR CALENDAR YEAR 2017 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).

Said motion CARRIED by the following roll call vote:

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

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS: None at this time.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Shaw made the following announcements:

- 17th Annual Spring Family "Eggstravaganza" - Saturday, March 31, from 8:00 a.m. to 12:00 p.m. at La Bonita Park.
- La Habra Community Development Department's Open House - Saturday, April 14, from 9:00 a.m. – 12:00 p.m. at City Hall
- La Habra Community Services Department will host "Kids Night Out" - Friday, April 20, from 6:00 p.m. to 10:30 p.m. at the La Habra Community Center. The theme for the night is "Luau," and activities will include games, crafts, dinner, and a movie.
- "Love La Habra Block Party," - Saturday, April 28, from 8:00 a.m. – 12:00 at Corona Park. Demonstrate your love for La Habra by volunteering.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Espinoza reported that she attended the Buena Park State of the City Address, and the City of La Habra State of the Community Address. She asked that the meeting be adjourned in memory of Marie Dale, mother of Bob Dale, who passed away January 29, 2018, at the age of 93. Councilmember Espinoza stated that the Dale Family moved to La Habra in 1959, and Marie Dale was very involved with Our Lady of Guadalupe Church, the La Habra School Board, was a league bowler at the 300 Bowl, played golf weekly, and that she enjoyed her friends at her weekly bridge club. Councilmember Espinoza added that Marie Dale was active until her passing.

Councilmember Beamish stated that he attended the La Habra Races 5K Walk/Run and the City of Placentia Shamrock Race. He suggested that next year the City incorporate a donation to our local elementary schools to increase participation in the 5K Walk/Run event.

Mayor Pro Tem Blazey wished Councilmember Gomez a speedy recovery. He congratulated the new Miss La Habra Toni Rodriguez and Princesses Isabella Moreno, Erika Garcia, Lucy Leon, and Kaili Newby. Mayor Pro Tem Blazey stated that he wished that the remaining contestants Amada Amador, Jasmine Troncoso, and Alexis Valdez could have been honored. Mayor Pro Tem Blazey reported that he and Community and Economic Development Director Ho, attended a hearing, per Judge Carter's request, regarding the homeless situation at the Santa Ana City Council Chamber.

Mayor Shaw thanked Mayor Pro Tem Blazey for attending the hearing on the homeless situation in Santa Ana. On behalf of City Council Mayor Shaw gave best wishes to Councilmember Gomez for a speedy recovery. He reported that he attended the Miss La Habra Pageant, the Buena Park State of the City Address, the City of La Habra State of the Community Address, the Association of California Cities Orange County Forum on pensions, and the Association of California Cities Orange County Sacramento trip regarding transportation, homelessness, and pensions. Mayor Shaw thanked La Habra Chamber of Commerce President/CEO Mark Sturdevant and everyone else who organized the La Habra State of the Community Address.

X. ADJOURNMENT: Mayor Shaw adjourned the City Council meeting in memory of Marie Dale at 8:00 p.m. to Monday, April 2, 2018, at 5:30 p.m. in the Council Closed Session Room 112c, 100 East La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk