

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

Monday, March 17, 2014

APPROVED: These Minutes were approved on April 7, 2014.

ADJOURNED REGULAR MEETING:

CALL TO ORDER:

Mayor Beamish called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. in the Administrative Conference Room 106, located at 201 E. La Habra Boulevard, La Habra, California.

I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

None

II. CLOSED SESSION:

Mayor Beamish announced the Closed Session as listed below. Council convened as follows:

- a. Public employee evaluation per Government Code Section 54957 - Title: Interim City Manager.

III. ADJOURNMENT: Council reconvened from Closed Session at 6:01 p.m. There were no announcements. Mayor Beamish adjourned the Adjourned Regular Meeting at 6:01 p.m.

REGULAR MEETING:

CALL TO ORDER:

Mayor Beamish called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the City Council Chambers, located at 201 E. La Habra Boulevard, La Habra, California.

INVOCATION: Deputy City Attorney Ryan Jones

PLEDGE OF ALLEGIANCE: Councilmember Espinoza

COUNCILMEMBERS PRESENT: Mayor Beamish
Councilmember Gomez
Councilmember Shaw

OTHER OFFICIALS PRESENT: Councilmember Espinoza
Interim City Manager Sadro
Deputy City Attorney Ryan Jones
City Clerk Mason
Deputy City Clerk Swindell

COUNCILMEMBERS ABSENT: Mayor Pro Tem Blazey (Excused absence)

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation by MADD for recognition of La Habra Police Officers' DUI enforcement efforts.

Mayor Beamish invited Sherri Galindo, volunteer with the Orange County Chapter of MADD, and Police Chief Price to assist him with the following presentations:

- Officer Mucio Sanchez was recognized for 28 DUI arrest.
- Officer Cory Barrow was recognized for 36 DUI arrests.
- Officer Noah Daniels was recognized for 41 DUI arrests.
- Officer Jason Sanchez was recognized for 44 DUI arrests.
- Officer Ricardo Rodriguez was recognized for 51 DUI arrests.
- Officer Tam Do was recognized for 25 arrests.

- b. District Superintendent Giokaris presentation on infrastructure needs of the Fullerton Union High School District.

District Superintendent Giokaris spoke regarding the infrastructure needs of the Fullerton Union High School District and submitted information at the dais.

II. PUBLIC COMMENTS:

Craig Sheets spoke regarding bartenders, electric eyes, heroin addicts that receive social security, his commitment to keep working, and not allowing embalming fluid around food.

Albert Yont, spoke regarding his incident on March 6, 2014 at La Habra Boulevard and Cypress Street near Franks X-Ray Garage. He stated that he fell and injured a rib due to a handicap curb. He noted that he spoke with Sam Makar who was assisting him with the matter.

Jeff Laturno spoke regarding the potential speaker for the Mayor's Prayer Breakfast.

Gerard Thomas was asked to wait to speak until the public hearing portion of the meeting where he could address his concerns regarding commercial property on Walnut Street and Highlander Avenue.

III. CONSENT CALENDAR:

Moved by Councilmember Espinoza, seconded by Councilmember Shaw, and CARRIED (4-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.7.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Councilmember Gomez, Councilmember Shaw,
Councilmember Espinoza

NOES: NONE

ABSTAIN: NONE

ABSENT: Mayor Pro Tem Blazey

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. WARRANTS: Approve Nos. 00095295 through 00095531 totaling \$1,400,253.37.
3. Approve renewal of the City's primary earthquake insurance policy with Landmark American Insurance for a policy limit of \$5 million, and assign the excess coverage of \$47.9 million to Empire Indemnity, Everest Indemnity, Hiscox, QBE Specialty Insurance Company, Ironshore Insurance and Ironshore Insurance EU Company for terms of April 19, 2014 through April 19, 2015.
4. Approve and authorize Interim City Manager to enter into an agreement with KOA Corporation/CBM Consulting to update the Americans with Disabilities Act Assessment Transition Plan at a cost of \$44,240; and authorize staff to issue a purchase order in the amount of \$44,240.
5. Approve Plans and Specifications for the Traffic Signal Modification at Euclid Street and Country Hills Drive Project; award construction contract to and authorize Interim City Manager to execute agreement with California Professional Engineering, Inc. in the amount of \$99,948.00 and reject all other bids; and authorize staff to issue a purchase order in the amount of \$109,942.80, which includes a 10 percent contingency.
6. Approve Notice of Completion for construction of the School Radar Speed Feedback Signs Project.
7. Approve City Council Minutes of January 21, 2014.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider Zone Change 14-01 modifying Chapter 18.06, Chapter 18.26, Chapter 18.32, Chapter 18.36, and Chapter 18.38 of Title 18 "Zoning" of the La Habra Municipal Code; and modifying the "Official Land Use Zoning Map" to incorporate changes to the zoning designation on 296 parcels to create consistency with the General Plan 2035.

Planning Manager Roy Ramsland presented the staff report.

Mayor Beamish opened the public hearing at 6:58 p.m.

The following individuals spoke regarding concerns relating to potential changes to various properties:

- Gerard Thomas spoke regarding commercial property on Walnut Street zone C-1 that is non-conforming property to be redesignated as R-1.
- Fran Parpala, Co-owner of property, spoke regarding the property at 621 West Erna Avenue proposed to be rezoned from R-2 to R-1.
- Mr. Tracey who resides on East Olive Avenue spoke regarding the proposed rezoning of 610, 611, and 617 Cypress Street - Shepard Brothers - and access to the flood channel between his property and the referenced property.
- Luis Ornales, owner Unicorn Metals Recycling Center, spoke regarding the proposed changes to the zoning of his property that consists of two Parcels with addresses of 118 Electric Avenue and 240 Fourth Avenue.
- Debbie Dudley, who is employed at 410 West Whittier Boulevard, spoke regarding the proposed rezoning of 645 North Hazel Street.

Mayor Beamish closed the public hearing at 7:34 p.m.

Council discussion included: Deputy City Attorney Ryan Jones clarifying that the City Attorney's Office reviewed Ms. Parpala's concerns regarding 621 West Erna Avenue and rezoning of the property is within the rights of the City Council; it was identified that the property at 118 Electric Avenue was proposed to be rezoned from M-1 to R-1 and the property at 240 Fourth Avenue was proposed to be left as M-1, and that it was not the intention of the General Plan Advisory Committee to split the parcels; and it was clarified that the property owner of 645 North Hazel had requested the proposed rezoning and that it would have no effect on 410 West Whittier Boulevard.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED (4-0) TO REMOVE 118 ELECTRIC AVENUE AND 240 FOURTH AVENUE, UNICORN METALS RECYCLING CENTER PROPERTY, FROM THE PROPOSED ORDINANCE AND ANY DECISION MADE THIS EVENING, AND TO BE BROUGHT BACK FOR CONSIDERATION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Councilmember Gomez, Councilmember Shaw,
Councilmember Espinoza

NOES: NONE

ABSTAIN: NONE

ABSENT: Mayor Pro Tem Blazey

Moved by Mayor Beamish, seconded by Councilmember Shaw, and CARRIED (4-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1750** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 14-01 MODIFYING CHAPTER 18.06, CHAPTER 18.26, CHAPTER 18.32, CHAPTER 18.36, AND

CHAPTER 18.38 OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE; AND MODIFY CHANGES TO THE ZONING DESIGNATION ON 296 PARCELS TO CREATE CONSISTENCY WITH THE GENERAL PLAN 2035, AS PER EXHIBITS "A", "B", AND "C" AS MODIFIED TO EXCLUDE 118 ELECTRIC AVENUE AND 240 FOURTH AVENUE.

Said motion CARRIED by the following roll call vote:

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

Councilmember Gomez voted yes; however, he stated "but remove my portion of the vote in retrospect to the Erna property."

VI. CONSIDERATION ITEMS:

1. Consider Memorandum of Understanding with City Ventures for the Town Center and Civic Center Complex at 100 to 110 East La Habra Boulevard and 201 East La Habra Boulevard.

Community Development Director Haack presented the staff report.

Council discussion included: clarification of property that would be in consideration of the potential project; and clarification that an interior renovation was made to the Police Department approximately one year ago, it would be too costly to build a new Police Station at this time, and a rehabilitation of the exterior building of the Police Department would be included in the potential project.

Mayor Beamish invited the public to testify at 7:49 p.m. There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Espinoza, and CARRIED (4-0) TO APPROVE A MEMORANDUM OF UNDERSTANDING WITH CITY VENTURES FOR THE TOWN CENTER AND CIVIC CENTER COMPLEX AT 100 TO 110 EAST LA HABRA BOULEVARD AND 201 EAST LA HABRA BOULEVARD.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- The Mayor is available to meet with residents by appointment.

- The City of La Habra 5K/10K Run Walk on Saturday, March 22 at 7:30 a.m.
- Children's Museum Target Free Sunday theme "Reduce, Reuse, and Recycle" on April 6 from 1:00 p.m. to 5:00 p.m.
- The 13th Annual Spring Family "Eggstravaganza" – Saturday, April 19 from 8:00 a.m. to 12:00 p.m. at La Bonita Park.
- Children's Museum annual fundraising Golf Tournament "Chipping in for Kids" - Monday, April 21 at Hacienda Golf Club
- Community Emergency Response Team (CERT) training on the following Saturdays: May 10, May 17, and May 24 at Vista Grande Scout Hut.
- La Habra Chamber of Commerce Citrus Fair - Friday, April 11 through Sunday, April 13.
- Economic Development Ad Hoc Committee meeting - Thursday, March 27 at the La Habra Chamber of Commerce.
- The City Council will meet again on Monday, April 7 and Tuesday, April 22 at 6:30 p.m. in the City Council Chambers.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Espinoza wished the community a happy Saint Patrick's Day.

Councilmember Shaw expressed his support for the potential Civic Center project. He stated that he attended the State of the Community Address and commended those involved. He stated that he attended the MADD (Mothers Against Drunk Drivers) event, expressed his support of Police Officers, and congratulated those officers receiving MADD awards.

Councilmember Gomez requested that the meeting be adjourned in memory of Lowell Johnson who recently passed away. He said Mr. Johnson was survived by his wife Betty, daughter Michele, and son Eric. He stated that Mr. Johnson was a long-time teacher in the Whittier School District and neighbor to Bruce Martin.

Mayor Beamish thanked all those involved in the State of the Community event and expressed his support for the revised format of the event.

X. ADJOURNMENT: Mayor Beamish adjourned the meeting at 7:58 p.m. in memory of Lowell Johnson to Monday, April 7, 2014, at 5:30 p.m. in the Administrative Conference Room 106, followed by the Regular Meeting at 6:30 p.m. in the City Council Chambers.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk