

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

Monday, April 20, 2020

APPROVED: These Minutes were approved on May 4, 2020.

REGULAR MEETING 6:30 P.M.:

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. via teleconference.

INVOCATION:	Councilmember Shaw
PLEDGE OF ALLEGIANCE:	Mayor Beamish
COUNCILMEMBERS PRESENT:	Mayor Beamish Mayor Pro Tem Espinoza Councilmember Gomez Councilmember Medrano Councilmember Shaw
COUNCILMEMBERS ABSENT:	None
OTHER OFFICIALS PRESENT:	City Manager Sadro City Attorney Jones City Clerk Swindell Assistant City Clerk Barone

City Clerk Swindell indicated the meeting would be live-streamed on Channel 3 and through the City of La Habra website at <http://www.lahabraca.gov/356/Archived-Council-Meetings> for viewing beginning at 6:30 p.m. She stated the public may participate remotely via Zoom by calling 1-253-215-8782 and entering Meeting ID: 370-253-996. She stated speaker comments would be limited to three minutes each.

CLOSED SESSION ANNOUNCEMENT: None.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclaim April 25, 2020, as "Earth Day/Arbor Day" in the City of La Habra.

Mayor Beamish read the proclamation title and indicated the original, fully executed version would be mailed to the service group.

II. PUBLIC COMMENTS:

The following public comments, received via email, were read into the record by City Clerk Swindell:

Arlyn Buck, La Habra, wrote in support of cloth face coverings for members of the public, and encouraged continued COVID-19 updates to residents.

Irene Ortiz, La Habra, wrote in support of cloth face coverings for patrons of local businesses, and asked about the potential waiver of street sweeping citations.

JRZ Ant wrote asking if the City of La Habra would consider a cloth face covering mandate for patrons of local businesses.

Mayor Beamish assured residents that street sweeping citations would not be issued until further notice.

III. CONSENT CALENDAR:

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.8.

Said motion CARRIED by the following roll call vote:

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

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. Approve City Council Minutes of April 6, 2020.
3. Approve denial of claim for Douglas Williams for Bodily Injury.
4. Approve to waive the formal bid procedures and award construction contract for the Russell Street Storm Drain Improvement from Valley Home Avenue to Roanoke Street, City Project No. 3-D-19 to Precision Pipeline, Inc., of Santa Fe Springs, California, in the amount of \$118,898 and reject all other bids; and authorize City Manager to execute an agreement with Precision Pipeline, Inc. of Santa Fe Springs, California in the amount of \$118,898; and authorize staff to issue a purchase order to Precision Pipeline, Inc., of Santa Fe Springs, California, in the amount of \$130,787, which includes a 10 percent contingency.

5. Approve and adopt a resolution identifying a List of Projects for Fiscal Year 2020-2021 funded by SB 1: The Road Repair and Accountability Act of 2017.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5941** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-2021 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.
6. Approve and authorize City Manager to execute Amendment No. 1 with Tetra Tech BAS, Inc., of Diamond Bar, California to extend the term for professional engineering services for the design of the Vista Grand Park project.
7. Approve and authorize the City Manager to execute the KaBOOM! Community Partner Agreement for the El Centro “Lions” Park playground installation project.
8. WARRANTS: Approve Nos. 00125412 through 00125554 totaling \$569,742.40; and WIRE TRANSFER: Approve Wire Date April 29, 2020, for a total of \$674,182.50.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider an ordinance authorizing the transfer of a pipeline franchise from Matrix Pipeline, LP (Matrix) to RMX Resources, LLC (RMX) to operate and maintain pipelines and appurtenances for the transportation of petroleum, oil, gas, gasoline, water, and other like substances in the City of La Habra; and authorize the Mayor to execute the Assignment and Assumption of Pipeline Franchise Agreement by and between the City of La Habra, Matrix Pipeline, LP, and RMX Resources, LLC.

Management Analyst Henderson presented the staff report.

There was no City Council discussion.

Mayor Beamish opened the public hearing at 6:46 p.m. There was no testimony so the public hearing was closed at 6:48 p.m.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1818** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA AUTHORIZING THE TRANSFER OF A PIPELINE FRANCHISE TO RMX RESOURCES, LLC TO OPERATE AND MAINTAIN CERTAIN PIPELINES AND APPURTENANCES FOR THE TRANSPORTATION OF PETROLEUM, OIL, GAS, GASOLINE, WATER, AND OTHER LIKE SUBSTANCES IN THE CITY OF LA HABRA.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Espinoza,
Councilmember Gomez, Councilmember Medrano, Councilmember Shaw

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

2. Duly noticed public hearing to consider approval of the Community Development Block Grant (CDBG) Program approval of the 2020-2024 Consolidated Plan, the Fiscal Year 2020-2021 Annual Action Plan, and the 2020-2024 Regional Analysis of Impediments to Fair Housing Choice.

Housing & Economic Development Housing Specialist Louie presented the staff report. She noted that in early March 2020, the City of La Habra received final Housing and Urban Development (HUD) allocation amount of \$680,282. She stated that staff adjusted their recommendation amounts by taking the percentage that the Community Services Commission approved for each of the public services and increased the amounts by the same percentage based on the final allocation fees. She clarified that with the carryover funds, in the amount of \$465,585, the total Fiscal Year 2020-2021 Annual Action Plan Allocations were \$1,145,867; which would be distributed to Housing projects, public facility projects, and public service programs.

City Council discussion included: confirmation that the CDBG Citizen Participation Committee meetings were held on January 8, 2020, and February 12, 2020; and verification that supplemental CDBG funds, would be received late April or early May 2020, could be used to offset unanticipated expenses associated with the COVID-19 pandemic.

Mayor Beamish opened the public hearing at 6:56 p.m. There was no testimony so the public hearing was closed at 6:57 p.m.

Moved by Mayor Beamish, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY (5-0) TO:

- a. RECEIVE PUBLIC COMMENTS; CONSIDER AND APPROVE THE 2020-2024 CONSOLIDATED PLAN FOR THE CITY OF LA HABRA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZE CITY MANAGER TO SUBMIT THE CONSOLIDATED PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT;
- b. APPROVE THE FISCAL YEAR 2020-2021 ANNUAL ACTION PLAN FOR THE CITY OF LA HABRA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM;
- c. AUTHORIZE CITY MANAGER TO EXECUTE THE CITY OF LA HABRA'S ANNUAL APPLICATION AND CERTIFICATIONS AND SUBMIT THE ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR ITS COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING APPROVAL/AGREEMENT IN THE AMOUNT OF \$680,282, PLUS \$465,585 OF PRIOR YEAR CARRYOVER FUNDS; AND

- d. APPROVE THE 2020-2024 REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND AUTHORIZE THE CITY MANAGER TO SUBMIT THE REGIONAL ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Espinoza,
Councilmember Gomez, Councilmember Medrano, Councilmember Shaw

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

3. Duly noticed public hearing to consider Environmental Impact Report 18-01 (SCH# 2019060214); General Plan Amendment 18-02; Zone Change 18-06; Planned Unit Development Master Plan 19-01; and Development Agreement 18-04 for the construction of a 58-unit residential condominium complex at 104-118 East Electric Avenue. A Notice of Availability (NOA) for the Draft Environmental Impact Report was prepared pursuant to Section 15072 of the California Environmental Quality Act (CEQA) Guidelines. The NOA was circulated for public review and comment on January 23, 2020 for a 45-day review period ending on March 9, 2020. Copies of the reports were made available at the Community Development public counter at City Hall, on the City website, and at the La Habra Branch of the Orange County Library system.

Planning Manager Ramsland presented the staff report.

City Council discussion included: confirmation that the proposed 181 parking spaces would be adequate for residents; verification that the parking analysis was conducted by a consultant and reviewed by the City's Traffic Manager for accuracy; clarification that the address of 240 on the Existing Land Use map was located on 4th Street and was not a part of this proposed project; confirmation that Quimby Act (park) fees from the developer would be approximately \$183,000 and a one-time fee of approximately \$766,000 would be generated for the City's project processing fees; verification that a Homeowners' Association (HOA) would be established as part of the Conditional Use Permit (CUP) and mitigation measure, and for the HOA contractual documents; confirmation that the HOA would be responsible to enforce the onsite parking rules; continued progress towards the City's Regional Housing Needs Assessment (RHNA) goals; the potential for future development of a bike trail on the site; location of the project was within walking distance to La Habra Boulevard businesses; and priority for local businesses to bid on the project.

Mayor Beamish and all City Councilmembers spoke in support of this item.

Mayor Beamish opened the public hearing at 7:22 p.m.

City Clerk Swindell indicated that the public may testify by calling (253) 215-8782 and entering Meeting ID: 370-253-996.

Chris Segesman, Bonanni Development Project Manager, and Ed Bonnani, owner of Bonanni Development spoke in support of the proposed development and its project plans. Mr. Segesman indicated that he and various colleagues were available should the City Council have questions.

Jose Louis Ornales, property owner of 118 East Electric Avenue, spoke in support of the proposed project.

The public hearing was closed at 7:27 p.m.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY (5-0) TO:

- a. APPROVE AND ADOPT **RESOLUTION NO. 5942** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT 18-01 (SCH #2019060214) "VOLARA TOWNHOMES" FOR A 58-UNIT RESIDENTIAL CONDOMINIUM PROJECT FOR THE PROPERTIES AT 104-118 EAST ELECTRIC AVENUE, HERETO ATTACHED AS EXHIBIT "A" AND WHICH INCLUDES THE DRAFT EIR, RESPONSE TO COMMENTS, THE MITIGATION MONITORING AND REPORTING PROGRAM, AND THE STATEMENT OF FINDINGS OF FACT; AND
- b. APPROVE FIRST READING OF **ORDINANCE NO. 1819** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING GENERAL PLAN AMENDMENT 18-02 CHANGING THE LAND USE DESIGNATION FROM "LIGHT INDUSTRIAL" TO "RESIDENTIAL MULTI-FAMILY 1" FOR THE PROPERTY AT 118 EAST ELECTRIC AVENUE, AS PER EXHIBIT "A"; AND
- c. APPROVE FIRST READING OF **ORDINANCE NO. 1820** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 18-06 APPLYING THE R-4 "MULTIPLE FAMILY DWELLING" ZONE TO 118 EAST ELECTRIC AVENUE AND APPLYING THE PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONE FOR THE PROPERTIES AT 104-118 EAST ELECTRIC AVENUE, AS PER EXHIBIT "A"; AND
- d. APPROVE FIRST READING OF **ORDINANCE NO. 1821** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT MASTER PLAN 19-01 FOR THE PROPERTIES AT 104-118 EAST ELECTRIC AVENUE, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS; AND
- e. APPROVE FIRST READING OF **ORDINANCE NO. 1822** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING DEVELOPMENT AGREEMENT 18-04 WITH BONANNI DEVELOPMENT FOR THE DEVELOPMENT OF A58-UNIT RESIDENTIAL CONDOMINIUM PROJECT AT 104-118 EAST ELECTRIC AVENUE, AS PER ATTACHMENT "A."

Said motion CARRIED by the following roll call vote:

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

VI. CONSIDERATION ITEMS:

1. Consider the City of La Habra proposed Fiscal Year 2020-2021 Legislative Platform.

Assistant to the City Manager Ferrier presented the staff report.

City Council discussion included: confirmation that there were no changes from the Fiscal Year 2019-2020 Legislative Platform, and verification that letters of support or opposition to legislative bills were based upon City Council discretion.

Mayor Beamish invited the public to testify at 7:41 p.m. There was no testimony so Mayor Beamish closed public testimony at 7:43 p.m.

Moved by Mayor Pro Tem Espinoza, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO ADOPT THE CITY OF LA HABRA PROPOSED FISCAL YEAR 2020-2021 LEGISLATIVE PLATFORM AND AUTHORIZE STAFF TO PREPARE LETTERS OF SUPPORT OR OPPOSITION TO LEGISLATIVE BILLS FOR THE MAYOR'S SIGNATURE AS NEEDED AND IN ACCORDANCE WITH THE LEGISLATIVE PLATFORM.

Said motion CARRIED by the following roll call vote:

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

2. Consider appointment of three at-large residents to the General Plan Advisory Committee (GPAC).

Planning Manager Ramsland presented the staff report. Staff recommended that Mayor Pro Tem Espinoza, Councilmember Gomez, and Councilmember Medrano each appoint one at-large resident to the GPAC to work on the City of La Habra's Housing Element.

There was no City Council discussion.

Mayor Beamish invited the public to testify at 7:46 p.m. There was no testimony so Mayor Beamish closed public testimony at 7:47 p.m.

Mayor Beamish opened the selection process.

Mayor Pro Tem Espinoza selected Albert Tovar.

Councilmember Gomez selected Teresa Kempker.

Councilmember Medrano selected Jim Leonard.

Moved by Mayor Beamish, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE THE APPOINTMENTS OF ALBERT TOVAR, TERESA KEMPKER, AND JIM LEONARD TO THE CITY'S GENERAL PLAN ADVISORY COMMITTEE (GPAC).

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Espinoza,
Councilmember Gomez, Councilmember Medrano, Councilmember Shaw

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- Coronavirus COVID-19 Informational Updates.
- City Facilities Closures to the public during the COVID-19 "Shelter in Place" order. City operations will continue and staff is available by phone and email.
- Red Cross Blood Drive – Thursday, April 23, 2020, and Thursday, April 30, 2020, 8:00 a.m. – 8:00 p.m., at La Habra Veterans Hall.
- La Habra Community Survey for residents to provide service priorities in preparation for the Fiscal Year 2020-2021 City of La Habra Budget.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Mayor Beamish stated that due to the COVID-19 pandemic, residents are strongly encouraged to wear cloth face coverings. He noted the temporary revisions to the Meals On Wheels Orange County Dining Program and the Meals On Wheels Local Program. He indicated street sweeping and overnight parking citations were to be suspended until further notice. He reminded residents of the moratorium on water utility late payment fees, business license late payment fees, banner permit requirements and fees for non-profit groups, and rental evictions. He informed that a listing of local restaurants currently open for delivery and takeout was on the City website, and encouraged residents to patronize those establishments. He stated that COVID-19 updates would continue to be posted on the City website. He spoke regarding topics discussed and actions taken by the California Mayor's Coalition regarding COVID-19. He noted that to date there have been 35 cases of COVID-19 in the City of La Habra.

Councilmember Gomez encouraged residents to move their cars from the street on street sweeping day even though citations would be waived. He requested that tonight's meeting be adjourned in memory of former long-time La Habra resident Alfredo Luna. He thanked City staff for their hard work under difficult circumstances. He also thanked City Manager Sadro for his leadership, and Mayor Beamish and fellow Councilmembers.

Councilmember Shaw stated that Consent Calendar Items approved included: awarding a construction contract for the Russell Street Storm Drain Improvement from Valley Home Avenue to Roanoke Street; pavement grinding/overlay of Euclid Street from Whittier Boulevard to North City Limits; extension of terms for professional engineering services for the design of the Vista Grande Park project; and the KaBOOM! Community Partner Agreement for the El Centro "Lions" Park playground installation project. He spoke regarding the recent collapse of oil prices, and that asphalt price decreases that may allow for additional street repairs in the City.

Councilmember Medrano thanked his fellow City Councilmembers, City Manager Sadro for his leadership, City staff and La Habra Police Department for their hard work and residents for their efforts during the COVID-19 pandemic. He encouraged residents to support local restaurants during the COVID-19 pandemic.

X. ADJOURNMENT: Mayor Beamish adjourned the City Council Meeting in memory of former La Habra resident Alfredo Luna, at 8:07 p.m. to Monday, May 4, 2020, in the Closed Session Room, 112C, 110 East La Habra Boulevard at 5:30 p.m., followed by City Council meeting at 6:30 p.m. in City Council Chamber.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk