

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

Monday, May 06, 2013

APPROVED: These Minutes were approved on May 20, 2013.

ADJOURNED REGULAR MEETING:

CALL TO ORDER: Mayor Espinoza called to order the Adjourned Regular Meeting of the City Council concurrent with the Special Meeting of the Utility Authority at 5:30 p.m. in the Administrative Conference Room 106, located at 201 E. La Habra Boulevard, La Habra, California.

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

COUNCILMEMBERS ABSENT: None

OTHERS OFFICIALS PRESENT: City Manager Hannah
Deputy City Attorney Potter
City Clerk Mason

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

II. CLOSED SESSION: Mayor Espinoza announced the Closed Session and Council convened as follows:

- a. Conference with Real Property Negotiator per Government Code Section 54956.8- Property: El Centro Lions Park 320 Erna Avenue; City Negotiator: Don Hannah, City Manager; Negotiating Parties; La Habra Host Lions; Under Negotiation: Price and Terms.

Director of Community Services Failla was present for this item.

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

Director of Finance and Administrative Services Sadro was present for this item.

III. ADJOURNED: Council reconvened from Closed Session at 6:02 p.m. There were no announcements. Mayor Espinoza adjourned the Adjourned Regular Meeting at 6:02 p.m.

REGULAR MEETING:

CALL TO ORDER: Mayor Espinoza 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 Chambers, located at 201 E. La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Gomez

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

COUNCILMEMBERS ABSENT: None

OTHERS OFFICIALS PRESENT: City Manager Hannah, City Attorney Jones, City Clerk Mason, Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation of Certificates in recognition of Miss La Habra 2013 and her Court: Miss La Habra Kelsey Farrell, Princess Ashley Aguirre, Princess Karen Chestnut, Princess Gigi Gradillas, and Princess Marcelle Occomore-Vianna.

Mayor Espinoza invited Cindy Singer to assist with the presentation. Princess Ashley Aguirre was unable to attend.

- b. Proclamation - Advance! 10 Year Anniversary.

Mayor Espinoza invited Fred Lantz, Juan Pablo "JP" Gonzales, Habib Captan, and Eva Juarez to accept the proclamation.

- c. Proclamation - National Public Works Week, May 19-25, 2013, in La Habra.

Mayor Espinoza presented the proclamation to Public Works Director Elias Saykali.

- d. Proclamation - National Police Week, May 12-18, 2013, in La Habra.

Mayor Espinoza presented the proclamation to Acting Police Chief Price.

II. PUBLIC COMMENTS:

Andrew Macias, 1750 W. Lambert Road, View Park Mobile Home Park, identified himself as a third-year electrical apprentice in a state approved program. He expressed

his concerns regarding the absence of an apprentice performing the required 20 percent of total hours on the construction and remodeling being performed at the mobile home parks. Mayor Espinoza directed him to Community Development Director Haack.

III. CONSENT CALENDAR:

Mayor Pro Tem Beamish noted an abstention on Item III.6 due to his prior work history as a Southern California Edison employee.

Moved by Councilmember Gomez, seconded by Councilmember Shaw, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.7.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Beamish, Councilmember Gomez,
Councilmember Blazey, Councilmember Shaw
NOES: NONE
ABSTAIN: Mayor Pro Tem Beamish (Item III.6 Only)
ABSENT: 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 Community Services Commission Minutes:
 - a. March 13, 2013
 - b. March 25, 2013
3. Approve City Council Minutes of:
 - a. March 4, 2013
 - b. March 18, 2013
4. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1744** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 13-01 APPLYING THE ES EMERGENCY SHELTER OVERLAY ZONE TO 2220 THROUGH 2280 EAST LAMBERT ROAD AND ADOPTING CHANGES TO TABLE 18.06.040.A "LAND USE MATRIX," SECTION 18.26.050.E "DESIGN REVIEW," AND SECTION 18.68.010 "GENERALLY" TO TITLE 18 "ZONING" AS PER EXHIBITS "A" AND "B."
5. Approve and authorize City Manager to enter into agreement with Albert Grover & Associates of Fullerton, California in the amount of \$299,800 to provide professional engineering services for the La Habra Boulevard/Central Avenue/State College Boulevard Corridor Project Regional Traffic Signal Synchronization Program and staff to issue a purchase order to Albert Grover & Associates in the amount of \$314,790 that includes a 5% Contingency.

6. Approve the granting of above ground and underground utility easement across the westernmost portion of Vista Del Valle Park to Southern California Edison per the submitted Easement Deed.

7. WARRANTS: Approve Nos. 0009089 through 00091193 totaling \$1,727,262.14.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

1. Consider and review the 2014-2021 Draft Housing Element and submittal of the 2014-2021 Draft Housing Element to the State Department of Housing and Community Development for review, pursuant to State law.

Carlos Jaramillo introduced the item and Woodie Tescher, representative of The Planning Center. Mr. Tescher reviewed the 2014-2021 Housing Element Update PowerPoint presentation. He briefly reviewed the housing element background; the plans for needs; the requirements; the accomplishments of the prior 2008-2014 Housing Element; and housing resources. Mr. Tescher reviewed the goals, policies, and programs of the 2014-2021 Draft Housing Element update. He stated that staff recommended the City Council approve a motion to submit the 2014-2021 Draft Housing Element to the State Department of Housing and Community Development for their review, pursuant to State Law. He explained that after the State Department of Housing and Community Development reviews and comments on the Draft Housing Element, staff will make any required modifications to the document and will return the Housing Element to the Planning Commission and City Council for final review concurrent with the entire General Plan.

Councilmember Shaw inquired if the seven units that are a part of the Habitat for Humanity project would apply towards the City's Regional Housing Needs Assessment (RHNA) allocation.

Housing and Economic Development Manager Linda Padilla-Smyth responded that three units would be low-to-moderate rate and the other four units would be market rate.

Mayor Espinoza invited the public to testify. There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO DIRECT STAFF TO SUBMIT THE 2014-2021 DRAFT HOUSING ELEMENT TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR THEIR REVIEW, PURSUANT TO STATE LAW.

Said motion CARRIED by the following roll call vote:

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

2. Council to consider and provide direction regarding the two current Citizen-At-Large Reward Fund Board seats and confirm and continue with one or both of the current Board members; or appoint new "member(s) of the public," who are interested in serving, to fill one or both Citizen-At-Large seats and serve on the Reward Fund Committee.

City Clerk Mason reported that recently Acting Police Chief Price requested a convening of the Reward Fund Committee to review a reward request involving a homicide investigation. She reviewed the establishment and purpose of the Reward Fund Committee. She noted that since 1995 the Committee met approximately four times with the last meeting being in 2006. She explained that the board members are made up of the Mayor, Mayor Pro Tem, one member from the Executive Management staff appointed by the City Manager, and two members from the public appointed by the City Council. She identified the two current members appointed by Council as Dan Casey, who was originally appointed in 1995 and reaffirmed in 2006 when Council appointed Daren Nigsarian. She stated that because the Committee rarely meets, and in light of the long period of time that has elapsed since it last assembled, staff was requesting that Council review the appointments of the two members from the public to confirm one or both of these appointments and/or make new appointments as desired.

Council discussion included confirmation that both Dan Casey and Daren Nigsarian had expressed to members of the Council their interest in reappointment as well as a statement from staff that they had not contacted Mr. Casey or Mr. Nigsarian, but had verified both are currently La Habra residents.

Mayor Espinoza invited the public to testify. There was no public testimony.

Mayor Espinoza opened the nominations for appointment to the Reward Fund Committee to fill one Citizen-At-Large position. Councilmember Gomez nominated Dan Casey. There were no other nominations.

Moved by Councilmember Shaw, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO CLOSE THE NOMINATION AND CAST A UNANIMOUS BALLOT TO APPOINT DAN CASEY AS CITIZEN-AT-LARGE MEMBER ON THE REWARD FUND COMMITTEE FOR AN UNLIMITED TERM.

Said motion CARRIED by the following roll call vote:

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

Mayor Espinoza opened the nominations for appointment to the Reward Fund Committee to fill one Citizen-At-Large position. Mayor Espinoza nominated Daren Nigsarian. Councilmember Blazey nominated Jerry Powell.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY 5-0 TO CLOSE THE NOMINATION.

Said motion CARRIED by the following roll call vote:

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

A roll call vote was taken, and the vote was 3-2 as follows TO ELECT JERRY POWELL AS CITIZEN-AT-LARGE MEMBER ON THE REWARD FUND COMMITTEE FOR AN UNLIMITED TERM.

COUNCILMEMBER GOMEZ: JERRY POWELL
MAYOR PRO TEM BEAMISH: DAREN NIGSARIAN
COUNCILMEMBER SHAW: JERRY POWELL
COUNCILMEMBER BLAZEY: JERRY POWELL
MAYOR ESPINOZA: DAREN NIGSARIAN

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Espinoza made the following announcements:

- Mayor's Community Hours will be held - Friday, May 10th at Décor Party Supply, located at 2052 W. La Habra Boulevard from 10:00 a.m. to noon. On Saturday, May 11th at Lascari's, located at 1360 Beach Boulevard from 10:00 a.m. to noon. The Mayor is also available by appointment.
- La Habra Fire Stations Open House - Saturday, May 11th from 10:00 a.m. to 4:00 p.m.
- The Children's Museum is hosting their annual Family Arts Festival Day on Saturday, May 18th from 10 a.m. to 4 p.m. Families are invited to join museum staff and volunteers for a day of crafts, activities, music and fun. Please call (562) 905-9793 or visit the museum website for more information.
- Children's Museum Target Free Saturday - Saturday, June 1st from 10:00 a.m. to 5:00 p.m. The theme is "The Magic of Music."
- Smartphone users can now report problems or concerns, make information requests, attach photos, and receive status updates through the City's new "Contact La Habra" phone app which is available for both Android and iPhone users.
- The City Council will meet again on Monday, May 20th and Monday, June 3rd at 6:30 p.m. in the City Council Chambers.

VIII. COMMENTS FROM STAFF: None.

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Shaw congratulated the La Habra Chamber of Commerce, CEO/President Mark Sturdevant, and all who were involved on the Citrus Fair. He stated he attended the grand opening of Big Lots at Idaho Street and Imperial Highway. He

complimented Mayor Espinoza and those who organized the Mayor's Prayer Breakfast. He expressed that he enjoyed Congressman McEwen, the guest speaker. He wished his father, Tim Shaw, Sr., a happy birthday.

Councilmember Blazey wished Councilmember Shaw a happy birthday. He wished all the mothers a Happy Mother's Day.

Councilmember Gomez congratulated the Imperial Middle School 7th Grade team who competed in the Academic Pentathlon and took first place out of 70 teams, and the 8th Grade team who took fourth place. He stated the 6th Grade team competed two weeks ago and the results will be received at the end of the month. He complimented his wife Brenda on coaching the 7th Grade team. He invited the community to the La Habra Chamber of Commerce Night at Señor Campos, and noted that that all proceeds benefit the Chamber.

Mayor Pro Tem Beamish stated that Councilmember Gomez serves on the Mayor's Prayer Breakfast Committee and the event was well attended. He announced that he and his wife Nancy will be grandparents again to another granddaughter.

Mayor Espinoza stated Mayor Pro Tem Beamish, City Manager Hannah, and she attended the League of California Cities General Membership meeting at the Brea Civic and Cultural Center. She stated that Betty Yee, State Board of Equalization Chair, was the guest speaker. She congratulated Big Lots on their grand opening and thanked them for donating \$1,500 to Las Positas Elementary School. She stated that she attended the following events: the Citrus Fair; the Annual Children's Museum Golf Tournament dinner; the Donate Live Walk/Run at California State University Fullerton; the Earth/Arbor Day event in La Habra; the Mormon's Helping Hands at La Bonita Park; the Mayor's Prayer Breakfast, and the Southern California Association of Governments (SCAG) Conference. She thanked the following: those who assisted with the Citrus Fair; Public Works employee Hector Alceio-Perez for his assistance at the Mormon's Helping Hands event; Social Services Manager Josie Anderson, Brian Burgess, the Mayor's Prayer Breakfast Committee, Assistant to the City Manager Ferrier, and the high school students for their assistance with the success of the Mayor's Prayer Breakfast; She thanked those who attended the Mayor's Prayer Breakfast for joining her in the rededication of individuals in our community to God. She wished everyone a Happy Mother's Day and a happy birthday to Councilmember Shaw.

- X. ADJOURNMENT:** Mayor Espinoza adjourned the meeting at 7:28 p.m. to Monday, May 20, 2013, 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