

**MINUTES**  
**CITY COUNCIL OF THE CITY OF LA HABRA**  
**SPECIAL MEETING**  
**&**  
**REGULAR MEETING**

**Monday, December 16, 2013**

**APPROVED:** These Minutes were approved on January 21, 2014.

**SPECIAL MEETING:**

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

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

**COUNCILMEMBERS ABSENT:** None

**OTHER OFFICIALS PRESENT:** City Manager Hannah  
Assistant City Manager/Director of Finance and  
Administrative Services Sadro  
Assistant to the City Manager Ferrier  
City Attorney Jones  
City Clerk Mason

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

**II. CLOSED SESSION:** Councilmember Gomez noted a conflict, his wife works at the school district, and he left the room during item II.a. Mayor Beamish announced the Closed Session and Council convened as follows:

- a. Conference with Legal Counsel potential litigation per Government Code Section 54956.9(d)(2) (3 cases) Facts and Circumstances: Dispute of ownership and obligation to maintain streets adjacent to several schools with and within the following school districts: Fullerton Joint Union High School District, La Habra City School District and Lowell Joint School District. Locations: La Habra High School - Idaho Street between Highlander Avenue and Whittier Boulevard, Highlander Avenue between Idaho Street and Monte Vista Street, Monte Vista Street between Highlander Ave and Whittier Boulevard; Sonora High School - Palm Street; Washington Middle School - McPherson Street and Third Avenue; El Cerrito School - Hillside Street; Sierra Vista School - Whittier Avenue; Ladera Palma School - Brookdale Avenue; and Olita School - Briercliff Drive and Cajon Drive.
- b. Conference with Real Property Negotiator per Government Code Section 54956.8 - Property: 100 - 120 E. La Habra Blvd.; City Negotiator: Don Hannah, City Manager; Negotiating Parties; California Venture; Under Negotiation: price and terms.

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

**III. ADJOURNMENT:** Council reconvened from Closed Session at 6:33 p.m. There was one announcement made during open session regarding Item II.c. Mayor Beamish adjourned the Adjourned Regular Meeting at 6:33 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 6:35 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 Shaw

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

**COUNCILMEMBERS ABSENT:** None

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

**CLOSED SESSION ANNOUNCEMENT:** City Attorney Jones announced that City Council voted 5-0 to appoint Assistant City Manager/Director of Finance and Administrative Services Sadro as Interim City Manager effective December 31, 2013.

**I. PROCLAMATIONS/PRESENTATIONS:**

- a. Whittier Christian High School Volley Ball CIF Championship.

Mayor Beamish invited Coach Shawn Hunter to assist with the presentations. The following received Certificates of Achievement: Molly Patapoff, Kylee Wolfe, Christine Pedroza, Kiana Louie, Natalie Parker, Jeanne Reinis, Delaney Harris, Deanna Blaine, Megan Kleber, Jennifer Washle, Kylie Cooke, Stephanie Stevenson, Nicole Santos, Meghan Buchanan, Amanda Ashworth, and Mandy Sides. Also acknowledged were Assistant Coach Kelly Hughes and Assistant Coach Kent Hayward.

**II. PUBLIC COMMENTS:**

Mark Sturdevant, President/CEO of the La Habra Chamber of Commerce, 321 E. La Habra Boulevard, thanked City Manager Hannah for his service to the community and for successfully moving the city through very difficult times. He spoke regarding the success of the Shop La Habra, Shop Local, and Win Program and invited the community to participate. He stated that Danny and Ophelia Hansen donated the \$1,000 prize again this year. He added that the drawing for the \$1,000 prize will occur Friday, December 20, 2013. He thanked Council for the

City's support. He stated the Chamber is looking forward to working with Interim City Manager Sadro.

Steven Reifenstein, Anaheim resident, wished to speak regarding the La Habra Depot Theater. Mayor Beamish explained that the item is on the agenda and asked that he wait to speak when the item is addressed later in the meeting.

### III. CONSENT CALENDAR:

Moved by Councilmember Gomez, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.A.9.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Blazey, Councilmember Gomez,  
Councilmember Shaw, Councilmember Espinoza  
NOES: NONE  
ABSTAIN: NONE  
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 the City Manager, Assistant City Manager, City Clerk, Director of Finance, Deputy Director of Finance, and City Treasurer positions as authorized City officials for the purpose of managing the City's Local Agency Investment Fund accounts.
  - a. APPROVE AND ADOPT **RESOLUTION NO. 5608** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND.
3. Approve and adopt a resolution concerning Measure M2 Expenditure Report from July 1, 2012, to June 30, 2013, pursuant to Ordinance No. 3 of the Orange County Transportation Authority's Renewed Measure M Fair Share and Competitive Program Funds.
  - a. APPROVE AND ADOPT **RESOLUTION NO. 5609** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CONCERNING THE MEASURE M2 EXPENDITURE REPORT FOR THE CITY OF LA HABRA.
4. Approve Change Orders 1 through 4 to Sully-Miller Contracting Company for the Residential Street Rehabilitation Project 1-R-12 and Annual Water Main Replacement Project 1-W-12 to construct added work and emergency repair work; amend the project budgets by \$1,190,000; appropriate \$790,000 from the Residential Street Rehabilitation FY2013-2014 program to be allocated to this project; and appropriate \$400,000 from the Annual Water Main Replacement Project FY2013-2014 to be allocated to this project.

5. Approve and authorize City Clerk to sign the Certification of Non-Profit Status and the Mayor to sign the Authorization of Signatures required by Orange County Head Start, Inc. (OCHS).
6. Approve and authorize City Manager to execute consulting agreement with Mary Dubois for Nutrition and Educational consulting services at a rate of \$48 per hour, not to exceed 15 hours per month, as required for the Head Start and Early Head Start programs.
7. Approve and authorize City Manager to execute consulting agreement with Rosa Santoyo at a rate of \$65 per hour, not to exceed 25 hours per month, for Mental Health services as required for the students in the Head Start and Early Head Start programs.
8. Approve and authorize City Manager to execute agreement with OpenGov in an annual amount of \$3,750, totaling \$18,750 for a five-year term for a web-based budget presentation software application.
9. WARRANTS: Approve Nos. 00094145 through 00094343 totaling \$1,588,722.19.

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

**V. PUBLIC HEARINGS:**

1. Duly noticed public hearing to consider a request for a live entertainment permit for 370 West Whittier Boulevard, subject to conditions.

Planning Manager Roy Ramsland presented the staff report. He reported that the proposed live entertainment permit consist of karaoke singing on Tuesday through Friday from 8:00 p.m. to 11:30 p.m. and a live band on Saturday from 7:00 p.m. to 12:00 a.m. All entertainment would be confined to the restaurant area and limited to the seating capacity of 192 occupancy. Modifications are required. He explained that the proposal also included modifications to the restaurant and stage area to comply with the current building code requirements for safe exiting at an occupancy level of 192 persons, as well as to gain compliance with the Americans With Disabilities Act. He reported that the application had been reviewed by the Community Development Department and the Police Department, and staff was recommending approval of the live entertainment permit for a one-year period, subject to conditions.

Council discussion included: acknowledged that a letter was received from Help for Brain Injured Children (HBIC) in support of approval and no other letters were received for or against the item; confirmation there were no outstanding code violations; the Fire Department does perform periodical inspections, clarification that the application was for a one-year period and would need to be renewed annually by the applicant, if so desired; and confirmation that the non-conforming parking lot could accommodate the occupancy level.

Mayor Beamish invited the public to testify at 6:58 p.m.

Andrea Werren, General Manager of La Habra 300 Bowl, stated that her family has owned and operated La Habra 300 Bowl since it was built in 1958. Ms. Werren spoke in support of the item and had no concerns regarding the conditions.

There was no further testimony. Mayor Beamish closed the public hearing at 7:02 p.m.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5610** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING A LIVE ENTERTAINMENT PERMIT FOR 370 WEST WHITTIER BOULEVARD FOR A ONE YEAR PERIOD, SUBJECT TO CONDITIONS.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

## VI. CONSIDERATION ITEMS:

1. Consider Mayor's Economic Development goals and objectives.

Assistant to the City Manager Ferrier presented the staff report. He stated that the purpose of the proposal is for the City to renew its focus on economic development initiatives, policies, regulations, and relationships with the business community, thereby creating an environment in La Habra most conducive to business success. He described City staff's efforts currently in place to promote businesses in La Habra. He stated that staff's recommendation was to form an ad hoc committee that would consist of at least five to seven individuals initially composed of representatives from the Chamber of Commerce and key city staff members. He explained that depending on the specific issue before the committee, the size and composition could be adjusted to include representatives from the real estate, banking, development communities, or individuals who possess specific knowledge in a particular area of interest. He further explained that the committee's recommendation would be communicated through the City Manager to Council for consideration and action. He noted that the first update is proposed to occur at the City Council's meeting on January 21, 2014.

Council discussion included: potential concierge program for new businesses; reinforcement to continue providing excellent serve; potential for using CDBG funds for small business program; staff to work closely with applicants to work through plan issues; potential parking district fee to address parking concerns; staff to research the possibility for allowing the Community Development Director to administratively review and approve Conditional Use Permits instead of requiring Planning Commission's approval; suggested having the Planning Commission and Community Services Commission's involvement; the need to educate businesses regarding the Americans with Disabilities Act.

Mayor Beamish shared his vision for his economic development goals and stated that he plans on being out in the community meeting with businesses throughout the year.

Mayor Beamish invited the public to testify at 7:15 p.m. There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY 5-0 TO APPROVE TO RECEIVE THE REPORT AND DIRECT STAFF TO FORM AN AD HOC ECONOMIC DEVELOPMENT COMMITTEE.

Said motion CARRIED by the following roll call vote:

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

2. Consider and authorize the development and issuance of a Request for Proposals for the future operation of the Depot Theater.

Community Services Director Failla presented the staff report. He described the four potential options for operation of the Depot Theater as Non-Profit, Operation by Contract, City Operated, and Hybrid Non-Profit/City Operated. He stated that staff was recommending the Hybrid Non-Profit/City Operated option.

Council discussion included: Confirmation that Mr. Andy Nagel has indicated that he was interested in using, but was not interest in operating the theater; confirmation that option four would allow the school district to use the theater; suggestion that the outdoor area surrounding the theater could be used for play also; confirmation that no correspondence was received from any former board members; and clarification that staff is to confer with City Attorney to include language in contract to address facility uses that could be of concern.

Mayor Beamish invited the public to testify at 7:21 p.m.

Mrs. Gloria Williams, La Habra resident, addressed the Council on issues not concerning this item. Mayor Beamish asked her to speak after this item.

Steven Reifenstein, Anaheim resident, introduced himself and his history with the La Habra Depot Theater. He spoke in support of the Hybrid option and expressed his intention of submitting a proposal to be one of the theater groups to use the facility for a summer youth program.

There was no further public testimony.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE THE DEVELOPMENT AND ISSUANCE OF A REQUEST FOR PROPOSALS FOR THE FUTURE OPERATION OF THE DEPOT THEATER; AND APPROVE THE HYBRID NON-PROFIT/CITY OPERATED OPTION.

Said motion CARRIED by the following roll call vote:

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

Mayor Beamish allowed Mrs. Gloria Williams to speak since she arrived after the Public Comments portion of the meeting. Gloria Williams spoke regarding the parking issues she encounters while being dropped off due to lack of wheelchair access at her residence, traffic, and speeding on Erna Avenue.

**VII. MAYOR'S COMMUNITY CALENDAR:**

Mayor Beamish made the following announcements:

- The La Habra Chamber "Shop Local and Win" contest ends Friday, December 20.
- Children's Museum's "New Year's Noon Party" for the community children to ring in the New Year. The festivities begin at 10:00 a.m. on Tuesday, December 31 and will include craft activities, face painting, and a countdown to a balloon drop at the stroke of noon.
- Children's Museum "Target Free Sunday" theme is "Year of the Horse" - Sunday, January 5.
- City Council will hold a public hearing to consider the La Habra General Plan 2035, the 2014-21 Housing Element, Climate Action Plan, and Environmental Impact Report - Tuesday, January 21, at 6:30 p.m. in the City Council Chambers.
- Meetings with the Mayor are available upon request. To schedule an appointment, please call (562) 383-4010.
- The next City Council - Tuesday, January 21 at 6:30 p.m. in the City Council Chambers.

**VIII. COMMENTS FROM STAFF:**

City Manager Hannah stated that on behalf of his wife Marta Hannah, the Executive Management team, City staff, and himself, he wished everyone a Merry Christmas and Happy New Year. He thanked Council for all of their support.

**IX. COMMENTS FROM COUNCILMEMBERS:**

Councilmember Espinoza requested that the meeting be adjourned in memory of Steve Aanderud, soccer Coach at La Habra High School, who passed away at the age of 59 years old, and leaves behind his wife Julie, and 4 children Heather, Brian, Jennifer, and Brittany. She expressed her condolences to the Aanderud family. She noted that she participated in the land-use field trip to the cities of Anaheim, Irvine and Santa Ana and thanked the City staff. She expressed that it has been a pleasure to work alongside City Manager Hannah over the last 9 years. She commented that many City employees are retiring and that she attended the retirement parties of Chief Building Inspector Roy Fewell and Account Clerk III/Accounts Payable Georgina Lewis. She thanked everyone who gave their time to help with Operation Santa. She wished the community a Happy Holidays and Happy New Year, encouraged them to be safe, and to not drink and drive.

Councilmember Shaw stated he attended Account Clerk III/Accounts Payable Georgina Lewis' retirement party celebrating 40 years of service to the City. He thanked Marta Hannah for sharing Don Hannah with the City. He thanked City Manager Hannah and expressed he enjoyed working with him. He congratulated Assistant City Manager/Director of Finance and Administrative Services Sadro on his appointment as Interim City Manager. He congratulated the Whittier Christian High School Girls Volleyball team on their CIF Championship.

Councilmember Gomez requested that the meeting be adjourned in memory of Maria Tiscareno, mother of La Habra Police Explorer Anthony Velasquez, and Steven Sofi, a longtime La Habra resident and Southern California Edison employee. He noted the success of Operation Santa. He thanked City Manager Hannah for his years of dedication and service to the City of La Habra. He expressed that Mr. Hannah came in during turmoil, shaped the City,

and has left the City a better place. He thanked Marta Hannah and Joe Hannah for always being supportive of Don Hannah.

Mayor Pro Tem Blazey stated his daughter Lorna and he volunteered at Operation Santa distributing almost 600 bags of toys that were in the ballroom at the Community Center. He thanked Social Services Manager Josie Anderson, Community Services Director Sal Failla, Recreation Manager David DeLeon, members of the Youth Committee, American First Credit Union, and the many volunteers for their time and effort. He thanked the La Habra Host Lions Club for their work on the "Santa Cause" Car Show. He wished City Manager Hannah a farewell. and congratulated him on a job well done. He thanked Marta Hannah for her support over the years and gave his best to their son Joe Hannah. He congratulated Assistant City Manager/Director of Finance and Administrative Services Sadro and stated he looks forward to working with him. He wished his fellow Councilmembers, City staff, and all City of La Habra residents a Merry Christmas, Happy New Year, and the best of the holiday season.

Mayor Beamish recognized the following City of La Habra retirees: Account Clerk III/Accounts Payable Georgina Lewis, Street Supervisor Paul Hamilton, Senior Service Worker William Morales, Service Worker Art Orosco, Chief Building Official Roy Fewell, Child Development Teacher Katie Sue Moreno, and Child Development Lead Teacher Kim Kaohimaunu. He expressed pride in working with City Manager Hannah the last 7 years. He commented how City Manager Hannah has helped the City to survive challenges it has faced. He stated that he owes it to City Manager Hannah, Assistant City Manager/Director of Finance and Administrative Services Sadro, management staff, and all City employees for the City of La Habra being in good financial shape. He thanked Don Hannah. He announced there is an Open House for Don Hannah on Wednesday, December 18, 2013, from 4:00 p.m. to 6:00 p.m. at the Community Center.

City Manager Hannah thanked City Council. He stated it has been an honor and a privilege to serve as City Manager. He expressed that the City Council sets the tone for the City and they have been great to work for due to their support of, trust in, and respectful treatment of city staff. He stated that the executive management team runs the City day-to-day, and although the city has been through challenges, all of them pulled together and did a great job. He expressed his appreciation to the City of La Habra employees for their hard work and dedication.

**X. ADJOURNMENT:** Mayor Beamish adjourned the meeting in memory of Steven Sofi, Maria Tiscareno, and Steve Aanderudi at 7:50 p.m.

Respectfully submitted,

Tamara D. Mason, MMC  
City Clerk