

MINUTES

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

Monday, November 03, 2014

APPROVED: These Minutes were approved on November 17, 2014.

ADJOURNED REGULAR MEETING:

CALL TO ORDER: Mayor Beamish called to order the Adjourned Regular Meeting of the City Council of the City of La Habra at 5:30 p.m. in the Administrative Conference Room 106, located at 201 East 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 Sadro
City Attorney Jones
Deputy City Clerk Swindell

- I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:**
None
- II. CLOSED SESSION:** Mayor Beamish announced the Closed Session and Council convened as follows:
 - a. Worker's Compensation Claim per Government Code Section 54956.95; Claimant Thomas Hayward; Case No. EAMS No. ADJ7430252.

Human Resources Director Juengel, Human Resources Manager Coelho-LaFreniere, and City Attorney John Tharp were present for this item.

- III. ADJOURNMENT:** Council reconvened from Closed Session at 5:33 p.m. There were no announcements. Mayor Beamish adjourned the Adjourned Regular Meeting at 5:33 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 6:30 p.m. in the City Council Chambers, located at 201 East La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Blazey

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

COUNCILMEMBERS ABSENT: None

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

CLOSED SESSION ANNOUNCEMENT: See Consent Calendar below.

I. PROCLAMATIONS/PRESENTATIONS:

- a. [Proclamation in recognition of La Habra High School Academic Excellence.](#)

Mayor invited Fullerton Joint Union High School Superintendent Giokaris and La Habra High School Principal Zener to accept proclamation.

- b. [Proclaim July 21 - 24, 2014, as La Habra Host Town Days for the Special Olympics.](#)

Mayor invited Tim Redmond, Chair, and Peter Waldron, Global Messenger, of the Special Olympics to accept the proclamation.

- c. [Proclaim November as Pancreatic Cancer Awareness Month in La Habra.](#)

Mayor invited Monica Navarro and Brett Catrine from the Pancreatic Cancer Action Network Orange County to accept proclamation.

- d. [Proclaim November 3 - 7, 2014, as Law Enforcement Records and Support Personnel Week in the City of La Habra.](#)

Mayor invited Police Chief Price to assist in the presentation. Bureau Manager, of Communications/Records Rita Ramirez, Police Aide Rudy Medina, and Records Specialist Christina Torres accepted the proclamation.

II. PUBLIC COMMENTS:

Carrie Surich, Chairperson of the Veterans Committee and Community Services Commission invited the community to the City of La Habra Veterans Day event on Tuesday, November 11, at the La Habra Community Center. Mayor Beamish encouraged the public to attend.

Bret Barbre, Representative of the Municipal Water District of Orange County and of the Metropolitan Water District, spoke regarding an over charge in 2007-2008 and presented the City Council with a refund check.

III. CONSENT CALENDAR:

City Attorney Jones reported that in Closed Session, City Council approved a negotiated settlement regarding Ryder Aguilar vs. City of La Habra; Case No. 30-2013-00692050-CU-PO-CJC. He stated that a vote to approve the warrant list in the Consent Calendar is to approve the settlement amount of \$38,000.

Maurice Meysenburg requested the removal of Item III.8.

Moved by Mayor Beamish, seconded by Mayor Pro Tem Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.9. WITH THE EXCEPTION OF ITEM III.8 WHICH WAS REMOVED FOR SEPARATE DISCUSSION.

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 City Council Minutes of October 20, 2014.
3. Approve and adopt resolution amending the Conflict of Interest Code.
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5659** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING RESOLUTION NO. 5553 AND ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY OF LA HABRA PURSUANT TO GOVERNMENT CODE SECTION 81000, ET SEQ.
4. Approve and adopt a resolution prohibiting stopping, standing and parking at all times on both sides of Cypress Street at Pinehurst Avenue.

- a. APPROVE AND ADOPT **RESOLUTION NO. 5660** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES ON CYPRESS STREET AT PINEHURST AVENUE.
5. Approve and adopt a resolution approving the submittal of an improvement project to the Orange County Transportation Authority for funding under the Comprehensive Transportation Funding Programs (CTFP).
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5661** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING AN APPLICATION TO ORANGE COUNTY TRANSPORTATION AUTHORITY FOR WHITTIER BOULEVARD AND HACIENDA ROAD INTERSECTION IMPROVEMENTS PROJECTS FOR FUNDING UNDER THE COMPREHENSIVE TRANSPORTATION FUNDING PROGRAM (CTFP).
6. Approve and adopt a resolution approving the submittal of an improvement project to the Orange County Transportation Authority for funding under the competitive M2 Regional Traffic Signal Synchronization Program (RTSSP).
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5662** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE SUBMITTAL OF AN IMPROVEMENT PROJECT TO THE ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FUNDING UNDER THE COMPETITIVE M2 REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM (RTSSP).
7. Approve and authorize City Manager to sign the Continued Funding Application for the General Child Care (CCTR) and State Pre-School (CSPP) contracts for Fiscal Year 2015-2016 with the California Department of Education, Child Development Division.
8. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.
9. WARRANTS: Approve Nos. 00098651 through 00098883 totaling \$1,291,947.45.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

8. Authorize City Manager to create and enter into agreement with La Habra Chamber of Commerce to implement a program to place advertising street banners on light standards in the public right-of-way to promote "We Shop La Habra" subject to the following conditions: agreement shall indemnify the City of La Habra of all liability from the placement of the "We Shop La Habra" banners in addition to providing the normal liability protections required of activities conducted within the public right-of-way; banners shall be maintained in good condition at all times; City banners honoring local military veterans or advertising City sponsored events shall take precedence over the "We Shop La Habra" banners; and program will be monitored by City staff and will be reviewed by the City Council in three years.

Acting Director of Community Development Jaramillo presented the staff report.

Mayor Beamish invited the public to testify at 7:05 p.m.

Mr. Maurice Meysenburg, La Habra since resident, expressed his concerns regarding banners and potential blight. He suggested placing limits on the number of banners allowed.

Mark Sturdevant, President/CEO of the La Habra Chamber of Commerce, 321 East La Habra Boulevard, spoke in support of the program.

Mayor Beamish closed the public testimony at 7:13 p.m.

Council discussion included; clarification those who purchase a banner are not given street placement choice; level of interest in the program; confirmation program was developed in the City of Fullerton; monitoring of program by City staff; weather condition effect on the banners; confirmation there are 71 military banners; placing a limit of no more than 75 banners in the first year; and review of program within the first year or when the limit of 75 banners is reached, whichever occurs first.

City Manager Sadro suggested for the program be a pilot program to see the level of interest in the program, to see how the banners hold up in the weather, and come back in one year to look at expanding the program.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE AUTHORIZE CITY MANAGER TO CREATE AND ENTER INTO AGREEMENT WITH LA HABRA CHAMBER OF COMMERCE TO IMPLEMENT A PROGRAM TO PLACE ADVERTISING STREET BANNERS ON LIGHT STANDARDS IN THE PUBLIC RIGHT-OF-WAY TO PROMOTE "WE SHOP LA HABRA" SUBJECT TO THE FOLLOWING CONDITIONS: AGREEMENT SHALL INDEMNIFY THE CITY OF LA HABRA OF ALL LIABILITY FROM THE PLACEMENT OF THE "WE SHOP LA HABRA" BANNERS IN ADDITION TO PROVIDING THE NORMAL LIABILITY PROTECTIONS REQUIRED OF ACTIVITIES CONDUCTED WITHIN THE PUBLIC RIGHT-OF-WAY; BANNERS SHALL BE MAINTAINED IN GOOD CONDITION AT ALL TIMES; CITY BANNERS HONORING MILITARY VETERANS OR ADVERTISING CITY SPONSORED EVENTS SHALL TAKE PRECEDENCE OVER THE "WE SHOP LA HABRA" BANNERS; AND THE PROGRAM WILL BE MONITORED BY CITY STAFF, WILL BE LIMITED TO NO MORE THAN 75 BANNERS, AND WILL BE REVIEWED BY THE CITY COUNCIL IN ONE YEAR OR WHEN THE 75 BANNER LIMIT HAS BEEN REACHED; WHICHEVER OCCURS FIRST.

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

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider an ordinance of the City Council of the City of La Habra amending Title 15 "Building and Construction" of the La Habra Municipal Code, Chapter 15.46, adopting the 2014 Edition of the Los Angeles County Fire Code.

Acting Director of Community Development Jaramillo presented the staff report.

Council discussion included: Section 5034.1 regarding speed bumps and approval by the Los Angeles County Fire Department, Section 51107.6 regarding occupancy count restrictions in public buildings and facilities, and confirmation of fire hydrant placement within 250 feet of single-family dwellings.

Mayor Beamish opened the public hearing at 7:25 p.m. There was no public testimony so the public hearing was closed at 7:25 p.m.

Moved by Councilmember Shaw, seconded by Mayor Pro Tem Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE FIRST READING OF **ORDINANCE NO.1755** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING TITLE 15 "BUILDINGS AND CONSTRUCTION" OF THE LA HABRA MUNICIPAL CODE, CHAPTER 15.46, ADOPTING THE 2014 EDITION OF THE COUNTY OF LOS ANGELES FIRE CODE.

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: None at this time.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- Mayor's hours are available by appointment.
- The City of La Habra's annual Veteran's Day program – Tuesday, November 11 at the La Habra Community Center.
- Household Hazardous Waste Round-Up - Friday, November 14, from 12:00 p.m. – 2:00 p.m., and Saturday, November 15, from 8:00 a.m. – 12:00 p.m. at the City of La Habra Public Works Yard, located at 621 West Lambert Road.
- Holiday Christmas tree lighting - Monday, December 1, at 6:00 p.m on the stairs in front of City Hall.
- Operation Santa - Saturday, December 20, at the La Habra Community Center. The toy and food drop-off center is located at the old Big Lots building at 250 North Harbor Boulevard, and will be open Monday through Friday, 1:00 p.m. – 5:00 p.m.
- The La Habra Chamber of Commerce's "Shop local, Shop La Habra!" campaign - Bring receipts to the Chamber office, located at 321 East La Habra Boulevard from November 28 through December 19 to enter a drawing.
- La Habra Children's Museum's "Breakfast with Santa Claus" - Saturday, December 6 and Sunday, December 7 at 8:30 a.m., 9:45 a.m., and 11:00 a.m.

- Habitat for Humanity home building project is under construction at the southwest corner of La Habra Boulevard and McPherson Avenue, across the street from Washington Middle School.
- Ride the La Habra Express! Each trip is just \$1; OCTA pass holders ride for free. For more information on routes and schedules, please visit our website at www.goplacesseefaces.com or call 562-383-4010.
- Upcoming City Council meeting - Monday, November 17, at 6:30 p.m. in the Council Chambers.
- Visit the City's website at www.lahabracaca.gov, for more information about what is happening in La Habra, at the Children's Museum, and at the La Habra Chamber of Commerce. Also, follow us on Twitter and like us on Facebook.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Shaw encouraged the public to vote on Tuesday, November 4, 2014.

Councilmember Gomez stated he went on a ride-a-long with La Habra Police Department Sergeant Dave Crivelli on October 31, 2014. He commended the La Habra Police Department and the Bicycle Patrol for their work on such a busy night. He requested the meeting be adjourned in memory of Dolores "Lola" Ferguson, a lifetime resident of La Habra related to Raul Luna's fiancée Martha Estrada, who passed away on October 12, 2014.

Mayor Pro Tem Blazey requested the meeting be adjourned in memory of Monique Nicollete Zarazua, a 17-year old student at Sonora High School who was killed in a pedestrian/auto accident in Huntington Beach, who was involved in the Academic Decathlon team and an athletic program, and who will be greatly missed. He thanked the La Habra Police Department and the Bicycle Patrol for their presence on October 31, 2014. He stated that he attended the North Orange County Disaster Preparedness Academy and the Red Ribbon Week Breakfast. He thanked everyone involved in planning the Red Ribbon Breakfast and having Enrique Camarena as the guest speaker.

Mayor Beamish stated he attended the Red Ribbon Breakfast and appreciated the speaker Enrique Camarena's message.

- X. ADJOURNMENT:** Mayor Beamish adjourned the Regular Meeting of the City Council in memory of Dolores "Lola" Ferguson and Monique Nicollete Zarazua at 7:32 p.m. to Monday, November 17, 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