

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

**&
REGULAR MEETING**

Monday, August 20, 2018

APPROVED: These Minutes were approved on September 17, 2018.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. in the Council Chamber, Closed Session Room 112c, located at 100 East La Habra Boulevard in La Habra, California.

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

COUNCILMEMBERS ABSENT: None

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

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

II. CLOSED SESSION:

City Manager Sadro requested the Council to add an Urgency Closed Session item to the agenda due to issues arising after posting the agenda.

MOVED by Councilmember Beamish, seconded by Mayor Pro Tem Blazey and CARRIED UNANIMOUSLY (5-0) TO ADD AN URGENT CLOSED SESSION ITEM TO THE AGENDA AS ALLOWED BY GCS 54954.2(b)(2) DUE TO CIRCUMSTANCES ARISING AFTER THE POSTING OF THE AGENDA AS NOTED UNDER LETTER "B" BELOW.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

- a. Conference with Legal Counsel - Existing Litigation, Government Code Section 54956.9(d)(1): AmeriCare MedServices, Inc. v. City of La Habra, et al., Court of Appeals Case No. 17-55565 appealed from USDC Lead Case No.8:16-cv-01703-JLS-AFM (consolidated for pre-trial purposes).

Human Resources Manager Coelho-LaFreniere, Deputy City Attorney Jim Touchstone, and Deputy City Attorney Keith Collins were present for this item. Human Resources Manager Coelho-LaFreniere and Deputy City Attorney Jim Touchstone left the room at 5:47 p.m.

URGENCY ITEM:

- b. Conference with Legal Counsel consideration of initiation of litigation pursuant to Government Code Section 54956.9(d)(4) (one potential case).

Director of Community and Economic Development Ho, Housing and Economic Development Manager Cole-Corona, and Deputy City Attorney Keith Collins were present for this item.

- III. **ADJOURNMENT:** Council reconvened from Closed Session at 6:10 p.m. There were no Closed Session announcements. Mayor Shaw adjourned the Adjourned Regular Meeting at 6:10 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: Deputy City Attorney Ryan Jones

PLEDGE OF ALLEGIANCE: Councilmember Espinoza

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

COUNCILMEMBERS ABSENT: None

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

CLOSED SESSION ANNOUNCEMENT: Deputy City Attorney Ryan stated that there were no reportable actions during the Closed Session Meeting.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation by The Mysterium Theatre to perform a song from their play, "Into the Heights" opening August 31, 2018.

Mayor Shaw invited the Mysterium Theatre players to the front of the dais to perform "Into the Heights."

II. PUBLIC COMMENTS:

Susan O'Leary, Brownie Mary Democrats of California, spoke in support of and to urge local cannabis retail regulations in La Habra. She noted the economic opportunity for the City of La Habra and reviewed nationwide sales and tax benefits received.

Ignacio Corrales, 1551 Vialos Bonitos, in East County Hills development, expressed concerns regarding coyotes in his neighborhood which endangers the lives of their pets. Mayor Shaw referred him to Police Chief Price. City Manager Sadro noted that Supervisor Shawn Nelson spoke on this topic at the La Habra Community Center three to four months ago.

III. CONSENT CALENDAR:

Moved by Councilmember Gomez, seconded by Councilmember Beamish, 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 Shaw, Mayor Pro Tem Blazey, Councilmember Gomez,
Councilmember Espinoza, Councilmember Beamish

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 denial of claims filed by:
 - a. Denial of Claim for Alfredo Hernandez for Property Damage.
 - b. Denial of Claim for Susan Howard for Bodily Injury.
3. Approve City Council Minutes of:
 - a. July 16, 2018
 - b. August 6, 2018
4. Approve and authorize the City Manager to execute the Second Amendment to the cooperative agreement with Community SeniorServ for Nutrition Transportation Services for the senior nutrition program for Fiscal Year 2018-19.
5. Receive and file the 2018 Local Agency Biennial Notice to Amend Conflict of Interest Code; direct staff to notice and report any public comments to the Council for consideration; and direct staff to prepare a revised code within 90 days for submittal to the City Council for final approval and adoption.

6. WARRANTS: Approve Nos. 00117548 through 00117732 totaling \$1,918,766.36.

7. Receive and file Planning Commission Minutes of:

- a. May 14, 2018
- b. June 11, 2018
- c. June 25, 2018
- d. July 9, 2018
- e. July 23, 2018

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

1. Consider resolutions to be considered by voting members during the 2018 League of California Cities Annual Conference to occur at the Long Beach Convention Center from September 12 to September 14.

Assistant to the City Manager Ferrier presented the staff report. He explained the content of the two resolutions being presented at the League of California Cities Annual Conference.

Council discussion included clarification that Resolution No. 1 seeks to protect local control over matters that have historically been at Council's discretion.

Mayor Shaw invited the public to testify at 6:53 p.m. There was no testimony.

Moved by Councilmember Beamish, seconded by Mayor Shaw, and CARRIED UNANIMOUSLY (5-0) TO DIRECT VOTING DELEGATE TO VOTE IN SUPPORT OF RESOLUTION NO. 1 AND RESOLUTION NO. 2.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

2. Consider Appointment of City of La Habra Representative to the Bridges at Kraemer Place Community Advisory Board.

Assistant to the City Manager Ferrier presented the staff report. He noted that the Bridges at Kraemer Place Community Advisory Board (CAB) has no authority to act on matters such as policy or legislation. He reviewed the Board's primary functions. He explained that there are no specific eligibility requirements for local representatives and the representative serves at the Council's pleasure.

Council discussion included: clarification that the City helped fund a portion of the construction of the facility; confirmation the City's use of the facility for homeless services through City Net and the La Habra Police Department; confirmed CAB would meeting bi-annually; and potential CAB meeting place.

Mayor Shaw invited the public to testify at 6:56 p.m. There was no testimony.

Councilmember Gomez nominated Councilmember Espinoza.

Councilmember Beamish noted that Ophelia Hansen would be available to serve on the Bridges at Kraemer Place Community Advisory Board if no one else was willing. Councilmember Espinoza confirmed she would be willing to serve on the board.

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO CLOSE NOMINATIONS AND APPOINT COUNCILMEMBER ESPINOZA AS THE CITY OF LA HABRA'S REPRESENTATIVE TO THE BRIDGES AT KRAEMER PLACE COMMUNITY ADVISORY BOARD.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Shaw made the following announcements:

- "Coffee with a Cop" - Thursday, August 30, from 8:00 a.m. – 10:00 a.m. at Corner Bakery Café to meet with residents.
- Volunteer for the next "Love La Habra" event - Saturday, September 29, from 8:00 a.m. – 12:00 p.m. at Portola Park.
- Join us for "Gourmet Guys" – Sunday, October 21, from 12:00 p.m. to 3:00 p.m. at the La Habra Community Center. This annual event raises funds for the La Habra Children's Museum.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Beamish welcomed all the children in the community back to school. He congratulated La Habra City School Superintendent Dr. Joanne Culverhouse and her staff for their work on 2018-2019 school year. He encouraged the community to subscribe to the La Habra Journal. He commented regarding his granddaughters starting school.

Mayor Pro Tem Blazey requested that the meeting be adjourned in memory of Jeanette Lee, who was the daughter of Loretta Lee and late Robert Lee. He stated that Jeanette Lee lived in

La Habra her entire life, was the sister to Carolyn Lee, was a Sonora High School graduate, and that she passed away last Saturday at the age of 57.

Councilmember Espinoza stated that she attended the La Habra Art Gallery exhibit where there was an honorable mention of Robert Romero, Mary Schultz, and Liz Dorn. She noted that Sally Thompson came in third place for her painting called "Mother," Benvenuto Sibiu came in second place for his painting called "Lovely Lady," Bernadette Saint Marie came in first place for her painting called "Ivy Grace," and Benvenuto Sibiu won the popular choice for his painting called "Old Man." She stated that she was honored to receive a charcoal portrait done of her from Benvenuto Sibiu.

Councilmember Gomez welcomed Jane Williams, La Habra Heights Councilmember, who brought back the print issue of the La Habra Journal. He stated that he attended the opening ceremony for Pop Warner Football.

Mayor Shaw stated that he attended the La Habra Police Department's "National Night Out" event at Portola Park. He thanked the La Habra Police Department.

X. ADJOURNMENT: Mayor Shaw adjourned the meeting in memory of Jeanette Lee at 7:06 p.m.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk