

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

Monday, October 21, 2013

APPROVED: These Minutes were approved on November 18, 2013.

ADJOURNED REGULAR MEETING:

CALL TO ORDER:

Mayor Espinoza called the Adjourned Regular Meeting of the City Council of the City of La Habra to order 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

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

I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

None

II. CLOSED SESSION:

Mayor Espinoza announced the Closed Session as listed below. 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 Avenue 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.

Legal Counsel Robert Khu was present for this item.

- b. Conference with Legal Counsel potential litigation per Government Code Section 54956.9(d)(4) (1 case).
- c. Public employee evaluation per Government Code Section 54957 - Title: City Manager.

Assistant City Manager/Director of Finance and Administrative Services Sadro left the room during this item.

III. ADJOURNMENT: Council reconvened from Closed Session at 6:28 p.m. There were no announcements. Mayor Espinoza adjourned the Adjourned Regular Meeting at 6:28 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 6:32 p.m. in the City Council Chambers, located at 201 E. La Habra Boulevard, La Habra, California.

INVOCATION: Deputy City Attorney Duarte

PLEDGE OF ALLEGIANCE: Mayor Espinoza

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

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Hannah
Deputy City Attorney Duarte
City Clerk Mason

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclamation October 20 through October 26, 2013, Childhood Lead Poisoning Prevention Week in La Habra.

Mayor Espinoza invited Cecile Troung, a public health nurse and Orange County Childhood Lead Prevention Program Coordinator, to accept the proclamation. Ms. Troung expressed the importance of the program.

- b. Recognition of Girl Scout Gold Award recipients: Emily Reid, Caitlin Rubia, Sabrina Im, Kristen Sasse, Kenya Johnson, Cyrena Gonzalez, Amber Connaghan, and Rachel Gonzalez.

Mayor Espinoza invited Cindy Shrout to the podium to assist with the presentation of acknowledgement to the Girl Scout Gold Award recipients. Those in attendance were Emily Reid, Caitlin Rubia, Sabrina Im, Kenya Johnson, Amber Connaghan, and Rachel Gonzalez. It was noted that Kristen Sadde was at Cal State Fullerton College and Cyrena Gonzalez was at UC Santa Barbara; both were unable to attend.

- c. Proclamation in recognition of Girl Scout Leader Troop 670 Cindy Shrout.

Mayor Espinoza presented Girl Scout Leader Troop 670 Cindy Shrout a proclamation for her exemplary leadership as a Girl Scout leader for the past 22 years.

- d. Presentation by Fire Chief Mahan - "Los Angeles County Fire Department - Air Operations."

Fire Chief Mahan was unable to attend the City Council Meeting to give his presentation.

II. PUBLIC COMMENTS:

Craig Sheets, 532 Linden Way, Brea, expressed concerns regarding telephone poles with transformers possibly containing mercury, his father Gill Sheets who resides in Nevada, ammonia and drug conspiracy activity.

III. CONSENT CALENDAR:

MOVED by Mayor Pro Tem Beamish, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.A.5.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Pro Tem Beamish, Councilmember Blazey, Councilmember Shaw, Councilmember Gomez, Mayor 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 Community Services Commission Minutes of September 11, 2013.
3. Approve and authorize City Manager to sign the Continued Funding Application for the General Child Care (CTTR) and State Pre-School (CSPP) contracts for Fiscal Year 2014-2015 with the California Department of Education, Child Development Division.

4. Consider the Notice of Completion and Change Order No. 1 for the Sidewalk Gap Closures at Railroad Crossings Project No. 4-R-11.
5. WARRANTS: Approve Nos. 00093350 through 00093581 totaling \$2,077,070.71.
- IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:** None
- V. PUBLIC HEARINGS:** None at this time.
- VI. CONSIDERATION ITEMS:**
 1. APPROVE SECOND READING AND ADOPTION OF ORDINANCE NO. 1746 ENTITLED: AN ORDINANCE OF THE CITY OF LA HABRA, CALIFORNIA REPEALING AND REPLACING SECTIONS 18.08.110 AND 18.08.040 OF CHAPTER 18.08 (GENERAL REGULATIONS) OF ARTICLE I (GENERAL), AND ADDING CHAPTER 18.54 (MEDICAL MARIJUANA DISPENSARIES) OF ARTICLE III (SPECIAL ZONES), OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, RELATING TO MEDICAL MARIJUANA DISPENSARIES.

Council acknowledged that a staff report was not needed.

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

Moved by Councilmember Gomez, seconded by Councilmember Blazey, and CARRIED TO APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1746** ENTITLED: AN ORDINANCE OF THE CITY OF LA HABRA, CALIFORNIA REPEALING AND REPLACING SECTIONS 18.08.110 AND 18.08.040 OF CHAPTER 18.08 (GENERAL REGULATIONS) OF ARTICLE I (GENERAL), AND ADDING CHAPTER 18.54 (MEDICAL MARIJUANA DISPENSARIES) OF ARTICLE III (SPECIAL ZONES), OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, RELATING TO MEDICAL MARIJUANA DISPENSARIES.

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. Consider the League of California Cities 2014 Statewide Priorities and provide direction to staff regarding response.

Assistant to the City Manager Ferrier presented the staff report.

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

Council discussion included: confirmed that the City's legislative platform is reviewed annually during the budget and goals process; review continue pension and other post-employment benefits reform, promote local control for strong cities, and partnership with cities to improve infrastructure in the State of California as suggested proposals for the League's 2014 Statewide Priorities; and clarified that there has been discussion but no effort to bring back a scaled down version of the Redevelopment or enterprise zones.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Gomez, and CARRIED 5-0 TO DIRECT STAFF TO SUBMIT THE FOLLOWING AS SUGGESTED PROPOSALS FOR THE LEAGUE'S 2014 STATEWIDE PRIORITIES:

- *Promote Local Control:* Support or oppose legislation based on whether or not it advances maximum local control by city governments over city revenues, land use decisions, public safety, employee labor decisions to include pension reform, and/or other activities that promote the general health, safety, and welfare of city residents.
- *Improve Infrastructure:* Work towards improving infrastructure in the State of California in partnership with cities.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

3. Consider Notice of Completion for the Annual Sidewalk and Wheelchair Ramp Improvement Program at Various Locations, FY 2012-2013; Project No. 3-R-12; Change Order No. 1 and appropriate \$23,000 from the Gas Tax Fund Balance to complete the current Sidewalk Project No. 3-R-12; and authorize staff to increase the purchase order to Ruiz Concrete and Paving, Inc. in the amount of \$23,000 to cover the construction cost.

Deputy Community Director Jaramillo presented the staff report. Councilmember Gomez ensured if staff has inspected the project.

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

There was no Council discussion.

Moved by Councilmember Blazey, seconded by Mayor Pro Tem Beamish, and CARRIED TO APPROVE Notice of Completion for the Annual Sidewalk and Wheelchair Ramp Improvement Program at Various Locations, FY 2012-2013; Project No. 3-R-12; approve Change Order No. 1 and appropriate \$23,000 from the Gas Tax Fund Balance to complete the current Sidewalk Project No. 3-R-12; and authorize staff to increase the purchase order to Ruiz Concrete and Paving, Inc. in the amount of \$23,000 to cover the construction cost.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Espinoza made the following announcements:

- The "Mayor's Community Hours" will be hosted on Friday, October 25th at the Corner Bakery located at 1040 West Imperial Highway, and Saturday, October 26th at Starbucks located at 1950 West Whittier Boulevard from 11:00 a.m. to 1:00 p.m. The Mayor is also available by appointment.
- The 26th Annual "Red Ribbon" breakfast - Thursday, October 24th at 6:30 a.m. at the Community Center.
- Community Services Kid's Night Out - Friday, October 25th from 6:00 p.m. to 10:30 p.m. in the Community Center.
- The Chamber of Commerce "Shop Local and Win Program" - November 1st through December 20th. Submit receipts for purchases made in La Habra to the Chamber of Commerce to be entered into a drawing to win \$1,000 and other great prizes!
- The La Habra Historical Society "Old Businesses of La Habra: 1920s - 1960s" - Saturday, November 2nd at 11:30 a.m.
- Children's Museum Target Free Sunday - November 3rd from 1:00 p.m. to 5:00 p.m.
- The Veterans Day celebration - Monday, November 11th with breakfast at 9:30 a.m. and the ceremony at 11:00 a.m. at the Community Center.
- The La Habra Community Health Fair - Thursday, November 14th from 9:00 a.m. to 12:00 p.m. at the La Habra Community Center.
- The La Habra Planning Commission will hold a public hearing in the Council Chambers on Monday, December 9th at 6:30 p.m. to discuss the City's General Plan, the associated Environmental Impact Report, and the Climate Action Plan.
- The City Council will meet again on Monday, November 4th and November 18th at 6:30 p.m. in the City Council Chambers.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Shaw commented regarding of the collaborative effort between the Children's Museum and the Friends of the Museum for the success of the "Gourmet Guys" fundraising event.

Councilmember Blazey thanked Community Services Director Failla for his efforts with the Gourmet Guys event. Councilmember Blazey invited the community to visit the new exhibit at the Children's Museum on the life of the Egyptian Scribe. He expressed his appreciation to Allie Mac Kay, a feature reporter on the KTLA 5 Morning News, for reporting on many of the Children's Museum exhibits. He thanked J.P. Gonzales and staff for their work on the La Habra goes to College event. He offered his services in preparing a letter of recommendation for

students preparing to go to college. He congratulated Cindy Shroul and the recipients of the Girl Scout Gold Awards. He stated that he recently discovered that he and Ms. Shroul crossed paths in 1977 when they both attended the Girl Scout National Center West in Wyoming.

Councilmember Gomez congratulated Mayor Pro Tem Beamish for the birth of his new grandchild.

Mayor Espinoza noted that City Manager Hannah won first place for his dessert salad at the "Gourmet Guys" even and thanked the Children's Museum and the Friends of the Museum for its success. She expressed her appreciation for the Police Department's open house on Saturday, which she attended. She commented on Jersey Mike's grand opening and invited the community to support the new business. Mayor Espinoza stated that the meeting would be adjourned in memory of Concepcion Sotelo who was born in 1919 and passed away October 12, 2013. She expressed her appreciation that Mrs. Sotelo was recognized last year as a Wilson School alumni and noted that she had been interviewed by Councilmember Gomez.

Councilmember Gomez indicated that the interview video of Concepcion Sotelo would be available in approximately two months at the Historical Museum. He noted too that she was his cousin.

X. ADJOURNMENT: Mayor Espinoza adjourned the Meeting at 7:20 p.m. in memory of Concepcion Sotelo to Monday, November 4, 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