

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

**&
REGULAR MEETING**

Monday, May 07, 2018

APPROVED: These Minutes were approved on July 2, 2018.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Shaw called the Adjourned Regular Meeting of the City Council of 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 Espinoza
Councilmember Gomez
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:

- a. Conference with Legal Counsel potential litigation pursuant to Government Code Section 54956.9(d)(2) (one potential case).

City Attorney Gary Kranker was present for this item.

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

City Attorney Carrie Raven was present for this item.

- c. Conference with Real Property Negotiator Per Government Code Section 54956.8 - Property: 115-121 N. Euclid Avenue; City Negotiator: Jim Sadro, City Manager; Negotiating Parties, Daniel Uribe; Under Negotiation: Price and Terms of Payment.

Community and Economic Development Director Ho and Housing and Economic Manager Cole-Corona were present for this item.

- d. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees, Police Civilian Employees, La Habra Municipal Employees Association, General Services Employees, Professional Employees, and Management and Executive Management Groups.

Finance Director Shannon, Community Services Director Failla, Human Resources Director Balderrama, Human Resources Manager Coelho-LaFreniere, and Assistant to the City Manager Ferrier were present for this item.

- III. **ADJOURNMENT:** City Council reconvened at 6:25 p.m. There were no Closed Session announcements. Mayor Shaw adjourned the Adjourned Regular Meeting of the City Council at 6:25 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 6:33 p.m. in the City Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: Deputy City Attorney Ryan Jones

PLEDGE OF ALLEGIANCE: Councilmember Beamish

City Clerk Mason announced that the audience members who were located in the City Hall Atrium that would like to speak during the Public Comment portion of the meeting may come over to the Council Chamber to speak at that time.

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

COUNCILMEMBERS ABSENT: None

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

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

I. PROCLAMATIONS/PRESENTATIONS:

- a. Certificates of Recognition to Miss La Habra 2018 and her Court to commemorate their service to the community.

Mayor Shaw invited Miss La Habra Toni Rodriguez and her Court; princesses Erika Garcia, Lucy Leon, Isabella Moreno, and Kaili Newby to introduce themselves and to accept their certificates.

- b. Proclaim May 13-19, 2018 as National Police Week in the City of La Habra.

Mayor Shaw invited Police Chief Price to assist with the presentation. Police Chief Price invited Captain Dean Capelletti, Corporal Craig Hentcy, Officer Justin Cassidy, and Lieutenant Clint Angle to accept the proclamation. Police Chief Price spoke regarding Corporal Hentcy participating in the Police Officer Memorial ride to Washington D.C. and described a tragic accident in the community recently involving a 21-month old named Nathan Lahood. He noted that Corporal Craig Hentcy, the La Habra Police Officer Association (LHPOA) President, through the LHPOA foundation was raising money for the Lahood family. He encouraged the community to contribute to the Lahood family through the LHPOA Facebook page.

- c. Certificate of Recognition to La Habra Police Captain Dean Capelletti for successfully completing advanced police leadership training at the Federal Bureau of Investigation (FBI) Academy.

Police Chief Price asked Captain Dean Capelletti, Corporal Craig Hentcy, and Officer Justin Cassidy remain at the podium. Captain Dean Capelletti accepted the certificate of recognition. He thanked his family for their support, and his fellow police officers for taking on the extra work in his absence.

II. PUBLIC COMMENTS:

James Lees, 2140 South Farrell Court, representing the SaveLaHabra.com organization, spoke in opposition to the Public Comment period restrictions. He noted opportunities proposed to Mayor Shaw to discuss saving La Habra's open spaces. He stated that Councilmember Beamish would be meeting with the organization and thanked him. Mr. Lees read a recall narrative regarding Mayor Shaw that he stated would be published in the newspaper. Mr. Lees introduced Mr. Edward Hahn, a Westridge resident, and stated that Mr. Edward Hahn would serve recall papers to Mayor Shaw.

At 6:49 p.m. Mr. Edward Hahn served recall papers to Mayor Shaw.

David Pillman, 301 East Whittier Boulevard, Unit 116, spoke regarding preparing a master plan for the City, parking space issues for apartments east of Harbor Boulevard, City Hall design and layout issues, the addition of a second left-hand turn lane on Hacienda Road; and Beach Boulevard expansion north to relieve traffic issues.

Westridge resident spoke about outside information received regarding the proposed Rancho La Habra development and how that information could affect all residents in La Habra. She noted a potential ballot initiative regarding preventing the rezoning of open spaces in La Habra.

West Hills resident discussed the proposed Rancho La Habra development's estimated property tax revenue benefits to fund City services, costs, and benefits. She compared the City Manager's salary to another comparably sized Orange County City, and to the estimated

property tax benefits of the proposed development. She noted that the SaveLaHabra.com supporters had drafted a ballot initiative to protect the remaining open spaces in La Habra.

Jill Gainer, Westridge resident, discussed outside information received regarding proposed benefits of the proposed Rancho La Habra project versus the reality of benefits stated by Lennar Homes regarding previous developments they had built.

Tom Blaine, 1800 South Watson Street, discussed outside information received regarding the future of the Westridge Golf Course. He noted the City's budget issues, traffic problems, and invitations made to the City to speak with Westridge residents.

Christine Cook discussed the proposed Rancho La Habra developer dedication. She noted the proposed development of 25-acres of new public parks for all city residents versus the current access for city residents at Westridge Golf Course.

Catherine Madamoros, former La Habra resident and current Fullerton resident, discussed outside information received regarding the density of homes to be built for the proposed Rancho La Habra development and the actions of the developer Lennar Homes. She urged City Council to take a stand against the proposed development.

Sara Kang, 1611 West Nicklaus Avenue, stated that she was speaking on behalf of her parents. She discussed the attributes of her parent's home location, their quality of life, and the negative effects the proposed Rancho La Habra development would have on current home values. She asked that the City deny any rezoning application for the Westridge Golf Course property.

Dr. Ed Rikes, Westridge resident, stated that he was proud of the women who spoke this evening. He discussed the negative reviews of homes previously built by Lennar Homes. He noted roof damage of his home and the financial loss he experienced because of poor workmanship by the builder Lennar Homes. He stated that the drywall used by Lennar Homes that was poor quality. He referred to previous legal charges against Lennar Home's Chief Executive Officer.

Bill Sanders, Westridge resident, referred to a previous newspaper article written regarding the proposed Rancho La Habra development and how it noted that there had been no opposition by residents to previous developments in the City. He discussed that some developments previously built in the City had replaced formerly blighted areas. He noted that there were very few open spaces left in La Habra and that the proposed Rancho La Habra development would not help those in need.

Marbelle Lopez, 19-year La Habra resident, expressed condolences to Councilmember Espinoza and her family. She reviewed the Boy Scout outdoor code and expressed that everyone should follow its principles. She spoke regarding a Declaration of Deed Restriction for the Westridge Golf Course property that was recorded by the current owner on November 25, 2009.

Teresa Hardy, President and Chief Executive Officer of the Orange County Chamber of Commerce, expressed that the recall of Mayor Shaw was unwarranted and premature prior to the proposed Rancho La Habra project being deliberated and a decision made by the Planning Commission and City Council. She noted the expense of a recall action for the City. She

expressed that she had seen other cities torn apart by recall actions and urged the community to be cautious in proceeding down this path.

Alma Reed, La Habra resident, spoke regarding the former Women's Clubhouse empty property located across the street from her home. She asked that a park be built on that property, and not more homes.

Joe Faust, Sandlewood Avenue, representing the residents of Sandlewood Avenue and Country Hills, and a registered California Traffic Engineer stated that he submitted a response with concerns regarding the Environmental Impact Report's (EIR) traffic portion. He expressed appreciation for the extended review period. He requested that a comprehensive summary of the EIR consisting of a few pages be created for the community to review.

Jose, La Habra resident, suggested that a park be built at the proposed Rancho La Habra development site in support of world peace and hope. He invited Council to a future peace event. He congratulated Captain Capelletti on his award. He thanked Council for their time and service to the community. He urged the community to come together in peace.

Jay Patel, Westridge model home owner, informed the Council of a previous class action lawsuit by Westridge residents that they won against Lennar Homes for faulty building issues. He inquired if there had been collusion between the City of La Habra and Lennar Homes for the proposed Rancho La Habra development. He suggested, that if the proposed development was approved, that a Councilmember should live in one of the homes.

Gretchen Stevens, Country Hills resident, spoke regarding traffic mitigation issues at Beach Boulevard and Imperial Highway. She referred to unavoidable impacts in the EIR and stated that they were avoidable if the proposed Rancho La Habra development did not occur. She asked to see the Traffic Impact Study.

Sandi Baltés, 73- year La Habra resident, spoke in opposition to the recall of Mayor Shaw. She stated that the recall would tear apart the City, and was a waste of valuable resources and of City funds that could be used in other ways. She urged the community to do what was best for La Habra.

Carrie Killiant-Waite, La Habra resident, discussed Lennar Home's language seen regarding the proposed Rancho La Habra development. She expressed concerns that the proposed homes to be built would destroy views of existing homes and regarding the lengthy timeline for construction. She noted that Westridge Golf Course was for the entire City to enjoy, not just for Westridge residents.

Nathan Sakai, with a local peace organization, spoke regarding a petition being started to turn the Westridge Golf Course property into a peace park.

Councilmember Beamish expressed appreciation to those who attended this evening. He stated that he was looking forward to his meeting with the Westridge group. He explained that the current period of the proposed Rancho La Habra project Environmental Impact Report (EIR) was the review, evaluate, and analyze portion, which would end on May 15, 2018. He stated that City staff would respond to comments received. He explained the process when the City received an application from a property owner to develop their private property, and who had

already chosen the developer. He confirmed that nothing was final regarding the proposed Rancho La Habra project and staff had not yet made a recommendation to the Planning Commission or the City Council. He explained that once the Planning Commission had made a recommendation to Council that the proposed item would be heard under the Public Hearing portion of the Council meeting during which there would be no time limit for the public to speak. He stated that the recall of Mayor Shaw was premature because nothing had been decided regarding the Westridge Golf Course property.

Mayor Pro Tem Blazey explained that he just completed the Fair Political Practices Commission (FPPC) Ethics course which he was required to complete every two years as a Councilmember. He stated that a part of the training was about the process Council was required to follow regarding proposed projects. He clarified that Council had to be open-minded and could not make any comments about how they feel or believe about a project until it was presented to Council and debated on during an open Council meeting. He noted that if Council stated which side they support now, without having a project in front of them, their decision would be prejudiced. He explained that if a decision was prejudiced, the community or the developer could sue the City for prejudging a project and the Councilmember could no longer represent the community. He stated that the recall of Mayor Shaw was unfair given that he was following the ethical procedures that Council was required to follow by the FPPC.

Deputy City Attorney Ryan Jones stated that he had a personal conflict with the project, and the Brown Act prevents discussion of the project, but he could comment regarding any project in general. He explained that both the developer and the public were entitled to decision makers that were fair and unbiased. He stated that Council could not provide their opinion before the decision making portion of the project was presented to them. He noted that during a Public Hearing was when Council can be open-minded and evaluate the project based on what was being presented to them. He confirmed that Mayor Pro Tem Blazey was correct in his comments.

Councilmember Gomez stated that he has had a discussion with Mayor Shaw and that the Mayor and he would be willing to meet with a few Westridge residents.

III. CONSENT CALENDAR:

City Manager Sadro reported a correction to Consent Calendar Item No. III.2 regarding the approval of the second reading and adoption of Ordinance No. 1792 – Exhibits “A” and “B” were not included in the agenda packet for this evening. However, he noted that the exhibits were included in and reviewed by Council as a part of the April 16, 2018, agenda packet when considered for approval of the first reading. He stated that Exhibits “A” and “B” had been submitted at the dais and will be posted to the City’s web page tomorrow morning.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.7; WITH THE CORRECTION TO ITEM III.2 NOTED.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Shaw, Mayor Pro Tem Blazey, Councilmember Espinoza,
Councilmember Gomez, 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 SECOND READING AND ADOPTION OF **ORDINANCE NO. 1792** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 18-03 FOR AMENDMENTS TO TITLE 18 ZONING CHAPTER 18.80 AFFORDABLE HOUSING INCENTIVES AND AMENDMENTS TO CHAPTER 18.12.150 ACCESSORY DWELLING UNITS OF THE CITY OF LA HABRA MUNICIPAL CODE PURSUANT TO THE REQUIREMENTS OF SB 229 AND AB 494, AS PER EXHIBIT "A" AND EXHIBIT "B".
3. Approve staff's recommendation regarding the purchase of Geographical Information System (GIS) and professional services agreement as follows:
 - a. Waive the formal bid procedures per La Habra Municipal Code Section 4.20.070 (E), acquisition of information technology and 4.20.070 (B); sole source vendor, and authorize City Manager to issue a purchase order to ESRI Inc. for \$20,000 for the purchase of a Geographical Information System (GIS) server and software; and
 - b. Waive formal bid procedures per La Habra Municipal Code 4.20.080 (B); service firm with established successful history, and authorize City Manager to enter into a professional services agreement for \$21,940 with Bucknam Infrastructure Group, for assisting in the implementation process of the new centralized GIS.
4. Approve and adopt a resolution authorizing staff participation in planning efforts to address county-wide permanent supportive housing needs; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5839** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING STAFF PARTICIPATION IN PLANNING EFFORTS TO ADDRESS COUNTY-WIDE PERMANENT SUPPORTIVE HOUSING.
5. Approve an Affordable Housing Agreement with Olson Urban Housing, LLC, for restriction of five units available to moderate-income households through density bonus for the property located at 1801 West La Habra Boulevard; and authorize City Manager to execute all necessary documents.
6. Approve Plans and Specifications and award construction contract to NR Development, Inc. of Downey for Brio Park Shade Structures Fiscal Year 2017-2018, Project No. 1-P-18, in the amount of \$89,500 and reject all other bids; authorize City Manager to execute agreement with NR Development, Inc. in the amount of \$89,500; and authorize staff to issue a purchase order in the amount of \$98,450, which includes a ten percent (10%) contingency.

7. WARRANTS: Approve Nos. 00116010 through 00116293 totaling \$3,400,595.90.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider the adoption of a Resolution of Necessity to acquire certain real property located at 1471-1649 West Whittier Boulevard (APN 017-143-018) for the Whittier Boulevard and Hacienda Road Intersection Improvement Project. An environmental review was performed on the Whittier Boulevard and Hacienda Road Intersection Improvement Project (including the acquisition of real property) and a Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act (CEQA) on August 25, 2014.

Civil Engineer Rangel presented the staff report. He introduced Deputy City Attorney Carrie Raven to represent the City. She stated that after conducting the public hearing, if the City makes the required findings, the City should adopt, by at least a four-fifths (4/5) vote of the entire Council, the Resolution of Necessity authorizing condemnation proceedings for the purpose of acquiring the Real Property Easements, and direct the City Attorney to file a complaint. She read into record that in order to adopt the Resolution of Necessity, there were four major findings that needed to be made, and they were as follows:

- a. That the public interest, convenience, and necessity require the acquisition of the proposed Subject Property for the benefit of the City's intersection and road widening Project.
- b. That the Project was located in the manner that would be most compatible with the greatest public good and the least private injury.
- c. That the Subject Property sought to be acquired was necessary for the City's intersection and road widening Project. Without the acquisition of the Subject Property, the City would not be able to proceed with the Project.
- d. That the statutory offer to purchase the property, as required by Section 7267.2 of the Government Code, had been made to the owners of record of the property to be acquired.

She stated that questions relating to value of the property were not relevant for this proceeding as this public hearing was an action on public necessity and use of the City's power of eminent domain. She clarified that just compensation would be decided later through an agreement with the property owner or through a trial. She noted that representatives for the property owner were present to speak. She introduced Mr. Hamad, who was present for specific questions about the appraisal. She explained that he had done a forensic review of the appraisal report, had offered his opinions, and had concluded that the methodologies and findings in the original appraisal met applicable standards of the industry.

Kevin Brogan, Condemnation Council for property owner, submitted a letter written to City Manager Sadro on April 12, 2018, to make it part of the record. He stated that the City did not comply with Government Code Section 7267.2; which required that particular matters be evaluated by the appraisal. He noted that the City's appraiser only evaluated a corner of the 5.5-acre property; failed to include the improvements made to the shopping center; and

compared land sales instead of improved shopping center sales. He asked that the City Council reconsider and not adopt the Resolution of Necessity. He stated that every parking space that was lost can be quantified. He expressed that he would like to see the property reappraised. He noted that the property owner offered to do a forensic review of the appraisal, but the funds the City offered would not cover the cost, and the timeframe was not consistent within which Council had to make a decision. He explained that the property should be viewed as a larger parcel; not be cut into pieces; the loss of the area being taken; and how the loss of 11 parking spaces affected the entire shopping center.

City Attorney Carrie Raven stated that the City did not agree with Attorney Brogan's assessment regarding the appraisal and the statutory offer. City Attorney Raven explained that the appraiser's methodologies, assumptions, extraordinary assumptions that were used met the industry standards and they were acceptable. She stated that should another appraisal be done it would be during terms of negotiations regarding property value. She clarified that the appraiser included reduced rental value in the offer for the corner business property due to the loss of the 11 parking spaces. She explained the acceptable schools of thought regarding determination of the remaining property not being taken versus a section of the property being seen as unity of use/title or contiguous to validate the appraiser's methodology. She stated that a letter of offer was sent to the property owner on February 13, 2018; which was based on a valid appraisal.

Mr. Hamad, appraiser for the City, explained that the parcel was a stand-alone parcel, so the damages and loss of 11 parking spaces were related to only this parcel. He noted that the property owner and his counsel made the argument that the larger parcel was the entire shopping center and that the appraiser needed to consider the impact of loss of income and value on all the other tenants. He clarified that it came down to the identification of the larger parcel as part of the eminent domain process.

Council discussion included: Attorney Brogan's belief that the appraisal was done improperly; impact of the improvements to the shopping center; Hacienda Road and Whittier Boulevard intersection complaints received by the City; clarification that Attorney Brogan was only disputing Finding d.; confirmation the property owner did not do his own appraisal; any new appraisal or critical analysis would be done prior to a court date; clarification that the northeast corner of Hacienda Road and Whittier Boulevard portion on Staff Report Attachment No. 2 was the area to be taken by eminent domain; confirmation that the subject property was just over 6,000 square feet; clarification that 11 parking spaces would be taken from the edge of the property near the fast food restaurant; confirmation there would still be a sidewalk to the east on Hacienda Road, but it would be moved in toward the shopping mall; the City had satisfied item d. by making a statutory offer to purchase the property; confirmed that Attorney Brogan believed the portion of the property being taken was worth more than the City is offering the property owner; verification that when the project is completed, the following improvements would be made: southbound on Hacienda Road there would be two right-hand turn lanes, one through lane, and two left-hand turn lanes on to Whittier Boulevard; westbound Whittier to Northbound Hacienda Road would have two right-turn lanes; and northbound Hacienda Road to eastbound Whittier Boulevard would have one right-hand turn lane; confirmation of the timeline for expenditure of Orange County Transportation Authority (OCTA) grant funds for the improvement project of April 2019; and verification that staff had asked OCTA for an extension on the grant funds, but that to date no response had been received.

Mayor Shaw opened the public hearing at 8:19 p.m. There being no testimony, the public hearing was closed.

Councilmember Gomez thanked City Attorney Carrie Raven and Attorney Brogan for articulating the subject matter so well.

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE TO FIND THAT THE PUBLIC INTEREST, CONVENIENCE, AND NECESSITY REQUIRE THE ACQUISITION OF THE PROPOSED SUBJECT PROPERTY FOR THE BENEFIT OF THE CITY'S WHITTIER BOULEVARD AND HACIENDA ROAD INTERSECTION IMPROVEMENTS PROJECT.

Said motion CARRIED by the following roll call vote:

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

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE TO FIND THAT THE PROJECT IS LOCATED IN THE MANNER THAT WILL BE MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY.

Said motion CARRIED by the following roll call vote:

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

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE TO FIND THAT THE SUBJECT PROPERTY TO BE ACQUIRED IS NECESSARY FOR THE CITY'S INTERSECTION AND ROAD WIDENING PROJECT. WITHOUT THE ACQUISITION OF THE SUBJECT PROPERTY, THE CITY WILL NOT BE ABLE TO PROCEED WITH THE PROJECT.

Said motion CARRIED by the following roll call vote:

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

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE TO FIND THAT THE OFFER REQUIRED BY SECTION 7267.2 OF THE

GOVERNMENT CODE HAS BEEN MADE TO THE OWNERS OF RECORD OF THE PROPERTY TO BE ACQUIRED.

Said motion CARRIED by the following roll call vote:

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

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE TO ADOPT **RESOLUTION NO. 5840** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING RESOLUTION OF NECESSITY TO ACQUIRE CERTAIN REAL PROPERTY BY EMINENT DOMAIN (1471-1649 WEST WHITTIER BOULEVARD).

Said motion CARRIED by the following roll call vote:

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

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED (4-1) TO APPROVE AUTHORIZE CITY ATTORNEY TO INITIATE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE THE SUBJECT PROPERTY.

Said motion CARRIED by the following roll call vote:

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

VI. CONSIDERATION ITEMS: None at this time.

VII. MAYOR'S COMMUNITY CALENDAR:

- Annual "Daddy/Daughter Dance" - Friday May 11, and Saturday May 12, at the La Habra Community Center. The event is open to girls ages 3-13 with an accompanying father, grandfather, uncle, or adult male guardian and reservations are required.
- La Habra's "Movies in the Park" series - Friday, May 18, at dusk at El Cerrito School with a screening of "The Emoji Movie."
- The City of La Habra and CR&R's Household Waste Collection event - Saturday, May 19, from 8:00 a.m. – 12:00 p.m. at the Public Works yard.
- La Habra 4th of July Celebration - Wednesday, July 4, at 4:00 p.m. at La Bonita Park with the fireworks display at 9:00 p.m.

VIII. COMMENTS FROM STAFF:

City Manager Sadro welcomed back Councilmember Espinoza. He wished Mayor Shaw a happy birthday.

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Beamish reported that he attended the Citrus Fair event. He thanked City staff for their work at the event.

Mayor Pro Tem Blazey welcomed Councilmember Espinoza back. He expressed that she was missed and that he was sorry for her loss. He stated that he had a wonderful vacation in England.

Councilmember Espinoza stated that she was glad to be back.

Councilmember Gomez welcomed Councilmember Espinoza back. He stated that her husband Alex was a wonderful man. He expressed what a wonderful loyal wife, and caretaker Councilmember Espinoza was to her husband. He stated that Alex Espinoza would be greatly missed. He reported that he attended the Citrus Fair. He requested to adjourn the meeting in memory of Teresa Gonzalez, the mother of the owner of Northgate Market, and Nathan Lahood. He expressed condolences to the families. He thanked the La Habra Police Department for their compassion in handling the tragedy regarding Nathan Lahood at Calvary Chapel and for continually checking up on the family.

Mayor Shaw welcomed Councilmember Espinoza back. He stated that Alex Espinoza was a great man and that Council adjourned in his memory during her absence. Mayor Shaw expressed his condolences for her loss. He reported that he attended the Citrus Fair, the Mayor's Prayer Breakfast, the grand opening of Chase Bank at Beach Boulevard and Whittier Boulevard, the "Love La Habra" event, and the Association of California Cities Orange County's Golden Hub of Innovation Awards event. He stated that the City of La Habra won the "Public/Private Partnership Award for the City Hall and Luna housing development projects. He requested that the meeting be adjourned in memory of Tim Domis, a longtime La Habra resident, his friend, and an active realtor with whom he worked. He expressed that Council's thoughts were with his wife Linda Domis. He thanked his mother, Karen Shaw, for attending the meeting in recognition of his birthday.

X. ADJOURNMENT: Mayor Shaw adjourned the meeting in memory of Teresa Gonzalez, Nathan Lahood, and Tim Domis at 8:35 p.m. to Monday, May 21, 2018, at 5:30 p.m. in the Council Closed Session Room 112c, 100 E. La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk