

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY

Monday, December 02, 2019

APPROVED: These Minutes were approved on December 16, 2019.

ADJOURNED REGULAR MEETING 5:30 P.M.: Cancelled

REGULAR MEETING & REGULAR JOINT MEETING 6:30 P.M.:

CALL TO ORDER: Mayor/Chair Gomez called the Regular Meeting of the City Council of the City of La Habra and the Regular Joint Meeting with the La Habra Utility Authority to order at 6:30 p.m. in the Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Shaw

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Gomez
Mayor Pro Tem/Vice Chair Beamish
Councilmember/Director Espinoza
Councilmember/Director Shaw
Councilmember/Director Medrano

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: Executive Director Sadro
City Attorney/Legal Counsel Jones
City Clerk/Secretary Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None.

I. PROCLAMATIONS/PRESENTATIONS:

- a. Presentation of Harvest Spooktacular Award winner – The Scallon Family at 1600 Arbolita Drive.

Mayor Gomez invited City Council and members of the Beautification Committee to join him in front of the City Council dais. He then invited the Scallon Family to join him for presentation of

the Certificate in Recognition for the 2019 Harvest Spooktacular Home Decorating Contest. Mayor Gomez also invited Carolina Garcia with Senator Ling Ling Chang's Office to come forward to present a certificate to the Scallon Family.

- b. Presentation of Certificates of Appreciation to La Habra businesses for their contribution at the 2019 Community Development Department Open House.

Mayor Gomez invited City Council and Community and Economic Development Director Ho to join him in front of the City Council dais. He then invited the following businesses to join him for presentation of certificates in appreciation of their contribution to the 2019 Community Development Department Open House: Our Lady of Guadalupe Church, Our Lady of Guadalupe School, Grocery Outlet, Starbucks, TJ MAXX, Tommy's World Famous Hamburgers, and VCC: The Gary Center. Mayor Gomez also invited Carolina Garcia with Senator Ling Ling Chang's Office to come forward to present certificates to the businesses.

II. PUBLIC COMMENTS:

Christine Cook, La Habra, spoke regarding the Rancho La Habra Specific Plan Draft Environmental Impact Report (EIR) notification process.

Benjamin Zavala, 1530 Stoneham Way, La Habra, through his daughter Maria Zavala, spoke regarding the Neighborhood "J" Traffic Management Plan and requested that a stop light be installed at Lambert Road and Whitebook Drive. Mayor Gomez advised Mr. Zavala to speak when Consideration Item A.1 was considered by City Council.

Mayor Gomez offered condolences to Scott Miller for the recent passing of his mother.

Mayor Gomez congratulated the Grocery Outlet representatives on their upcoming relocation to Irvine.

III. CONSENT CALENDAR:

City Attorney Jones stated that he would be abstaining from acting as legal counsel due to a conflict of interest regarding Item III.C.1 as he was on the California Domestic Water Company Board of Directors.

Moved by Mayor/Chair Gomez, seconded by Councilmember/Director Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.C.1.

Said motion CARRIED by the following roll call vote:

AYES: Mayor/Chair Gomez, Mayor Pro Tem/Vice Chair Beamish,
Councilmember/Director Espinoza, Councilmember/Director Medrano,
Councilmember/Director Shaw

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. CITY COUNCIL:

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:
 - a. July 1, 2019
 - b. November 4, 2019
 - c. November 18, 2019
3. Approve denial of claim for Jorge Amaro for Property Damage.
4. Approve denial of claim for Gabriela Sarria for Personal Property.
5. Approve denial of claim for Heirs of Randolph Aguirre for Wrongful Death.
6. Approve a Live Entertainment Permit for 370 East Whittier Boulevard for a one-year period, subject to conditions; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5924** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE LIVE ENTERTAINMENT PERMIT FOR 370 EAST WHITTIER BOULEVARD FOR A ONE-YEAR PERIOD, SUBJECT TO CONDITIONS.
7. Approve and adopt a salary resolution for changes in compensation and benefits for Early Head Start (EHS) employees effective July 1, 2019; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5925** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5894 PERTAINING TO THE COMPENSATION PLAN FOR EARLY HEAD START EMPLOYEES.
8. Approve and authorize City Manager to execute the Three-Party Agreement for Quality Start OC - Quality Rating and Improvement System (QRIS) Participation Agreement Number 49041 for the 2019-2020 school year with Orange County Department of Education and Early Quality Systems (EQS), LLC for continuous program enhancement for the Child Development Programs.
9. WARRANTS: Approve Nos. 00123472 through 00123815 totaling \$2,265,288.26.

B. UTILITY AUTHORITY:

1. Approve Utility Authority Minutes of:
 - a. October 21, 2019
 - b. November 4, 2019
 - c. November 18, 2019

C. CITY COUNCIL & UTILITY AUTHORITY:

1. Approve and authorize City Manager/Executive Director to execute an agreement with California Domestic Water Company (CDWC) for the purchase of 99 shares of common stock currently owned by CDWC; and authorize the appropriation of \$1,509,750 from unencumbered Water Fund reserves to purchase 99 shares of CDWC common stock at a purchase price of \$15,250 per share.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

A. CITY COUNCIL:

1. Duly noticed public hearing to consider an ordinance to adopt the 2019 editions of the California Building, Residential, Electrical, Plumbing, Mechanical, Green Building Standards and Energy Codes and 2018 International Property Maintenance Code and Orange County Grading Code with appendices, delete the Swimming Pool and Spa Code and add the 2019 California Existing Building Code with appendices and amendments; and adoption of a resolution setting forth findings with respect to local conditions within the City, which make certain modifications and changes necessary to the 2019 California Building Code, Residential Code, and Electrical Code and appendices.

Chief Building Official Sanchez presented the staff report.

There was no City Council discussion.

Mayor Gomez opened the public hearing at 6:44 p.m. There being no testimony the public hearing was closed at 6:44 p.m.

Moved by Councilmember Espinoza, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1812** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA ADOPTING AMENDMENTS TO TITLE 15 "BUILDINGS AND CONSTRUCTION" OF THE LA HABRA MUNICIPAL CODE CHAPTERS 15.04, 15.05, 15.06, 15.08, 15.12, 15.16, 15.32, 15.44 AND 15.68 BY ADOPTING THE 2019 EDITIONS OF THE CALIFORNIA BUILDING, RESIDENTIAL, ELECTRICAL, PLUMBING, MECHANICAL, GREEN BUILDING STANDARDS AND ENERGY CODES AND 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, AND ORANGE COUNTY GRADING CODE, WITH APPENDICES AND AMENDMENTS. DELETION OF CHAPTER 15.24 SWIMMING POOL AND SPA CODE AND THE ADDITION OF CHAPTER 15.07 TO THE 2019 EDITION OF THE CALIFORNIA EXISTING BUILDING CODE WITH APPENDICES AND AMENDMENTS.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Moved by Councilmember Espinoza, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5926** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA SETTING FORTH FINDINGS WITH RESPECT TO LOCAL CONDITIONS WITHIN THE CITY WHICH MAKE CERTAIN MODIFICATIONS AND CHANGES NECESSARY TO THE 2019 CALIFORNIA BUILDING CODE, RESIDENTIAL CODE, AND ELECTRICAL CODE AND APPENDICES.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

VI. CONSIDERATION ITEMS:

A. CITY COUNCIL:

1. Consider Neighborhood Traffic Management Plans for Neighborhoods J, F, and N.

Traffic Engineering Michael Plotnik presented the staff report.

Mayor Gomez invited the public to testify at 6:54 p.m.

Maria and Benjamin Zavala, 1530 Stoneham Way, La Habra. Benjamin Zavala, through his daughter Maria, requested that a street light be installed at Lambert Road and Whitebook Drive. Maria Zavala spoke regarding the lack of communication associated with the Neighborhood "J" Traffic Management Plan committee meetings and the excessive number of speed lumps being recommended.

Patty Bruster, 1520 Elmsford Avenue, La Habra, spoke regarding the Neighborhood "J" Traffic Management Plan, traffic impacts, vehicles driving over the speed limit, and in support of speed bumps.

Council discussion included: Neighborhood "J" Traffic Management Plan residential survey results, and confirmation that streetlight installation was not part of the Neighborhood Traffic Management Plan, but could be requested through the Traffic Commission; voting separately on each of the three recommendations brought forward for consideration; support of staff continuing to work with the Neighborhood "F" residents; concern regarding staff time spent on the Neighborhood "F" Traffic Management Plan; recommendation for staff to work with Neighborhood "F" Traffic Management Plan Committee and residents through February 29, 2020.

Mayor Gomez closed public testimony at 6:59 p.m.

Moved by Mayor Gomez, seconded by Mayor Pro Tem Beamish and CARRIED UNANIMOUSLY (5-0) TO APPROVE NEIGHBORHOOD "J" TRAFFIC MANAGEMENT PLAN

AND DIRECT STAFF TO PROCEED WITH THE DESIGN AND CONSTRUCTION OF THE TRAFFIC CALMING DEVICES AS INDICATED ON THE NEIGHBORHOOD "J" TRAFFIC MANAGEMENT PLAN; DIRECT STAFF TO LOOK INTO THE INSTALLATION OF A STREETLIGHT AT LAMBERT ROAD AND WHITEBOOK DRIVE; DIRECT STAFF TO FOLLOW-UP WITH THE CITY COUNCIL THREE MONTHS AFTER INSTALLATION OF THE TRAFFIC CALMING DEVICES I, DIRECT STAFF TO CONTINUE WORKING WITH THE NEIGHBORHOOD "F" TRAFFIC COMMITTEE MEMBERS TO DETERMINE IF AN ACCEPTABLE TRAFFIC MANAGEMENT PLAN CAN BE CRAFTED THAT WOULD GAIN APPROVAL FROM THE RESIDENTS IN THAT NEIGHBORHOOD; AND , AND RECEIVE AND FILE NEIGHBORHOOD "N" REPORT.

Said motion CARRIED by the following roll call vote:

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

Moved by Councilmember Medrano, seconded by Mayor Gomez, and CARRIED (4-1) TO RECEIVE AND FILE NEIGHBORHOOD "F" TRAFFIC MANAGEMENT PLAN AND DIRECT STAFF TO CONTINUE WORKING WITH THE NEIGHBORHOOD "F" TRAFFIC COMMITTEE MEMBERS TO DETERMINE IF AN ACCEPTABLE TRAFFIC MANAGEMENT PLAN CAN BE CRAFTED THAT WOULD GAIN APPROVAL FROM THE RESIDENTS IN THAT NEIGHBORHOOD, THROUGH FEBRUARY 29, 2020.

Said motion CARRIED by the following roll call vote:

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

Moved by Mayor Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY (5-0) TO RECEIVE AND FILE THE NEIGHBORHOOD "N" REPORT.

Said motion CARRIED by the following roll call vote:

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

2. Consider approval of an urgency ordinance to authorize accessory dwelling units consistent with new state law requirements.

Planning Manager Ramsland presented the staff report.

Council discussion included: Regional Housing Needs Assessment (RHNA) and the Accessory Dwelling Units (ADU); confirmation that RHNA numbers are tentative; and existing litigation with the City of Whittier regarding their ADU policy.

City Attorney Jones clarified that the litigation was based upon the City of Whittier Municipal Code prior to the new state law requirements.

Mayor Gomez invited the public to testify at 7:11 p.m. There was no testimony.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **URGENCY ORDINANCE NO. 1813** ENTITLED: AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA TO AUTHORIZE ACCESSORY DWELLING UNITS CONSISTENT WITH NEW STATE LAW REQUIREMENTS.

Said motion CARRIED by the following roll call vote:

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

City Attorney Jones stated that an urgency ordinance required approval by a 4/5 vote of the City Council which was adopted by the unanimous vote for approval.

3. Consider adoption of a resolution in support of balanced energy solutions and local choice.

Assistant to the City Manager Ferrier presented the staff report.

There was no City Council discussion.

Mayor Gomez invited the public to testify at 7:14 p.m. There was no testimony.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTON NO. 5927** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA SUPPORTING LOCAL CONTROL OF ENERGY SOLUTIONS.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- Holiday Wishes Toy, Food, and Gift Card Drive at the La Habra Community Center through Friday, December 13.
- La Habra Holiday Home Decorating Contest nominations due by Friday, December 6, with judging to occur the week of December 9.
- “New Year’s Noon” Celebration at the La Habra Children’s Museum, Tuesday, December 31, 10:00 a.m. – 12:00 p.m.
- Northgate Market Tree Lighting, Saturday, December 14, 5:00 p.m. – 10:00 p.m.

VIII. COMMENTS FROM STAFF:

City Manager Sadro spoke regarding the success of the Tamale Festival held on Sunday, December 1. He thanked the Community Services Department and Police Department staff for their assistance with the event.

IX. COMMENTS FROM COUNCILMEMBERS:

All City Councilmembers attended the Tamale Festival held on Sunday, December 1.

Councilmember Medrano stated that he participated in the Fallen Officers Run, and thanked the La Habra Police Explorers and the Los Angeles Sheriff Explorer’s Academy Class No. 103 for their participation. He noted that he also attended the Youth Committee Loteria Night held on Sunday, November 10.

Mayor Pro Tem Beamish thanked the Mayor for his publicizing efforts and City employees for their hard work with the Tamale Festival. He stated that he participated in the Fallen Officers Run.

Councilmember Espinoza thanked staff for their hard work with the Tamale Festival event.

Mayor Gomez thanked his fellow Councilmembers for attending the Tree Lighting ceremony. He thanked KTLA 5 News for their event coverage of the Tamale Festival. He thanked the Public Works Department, Police Department, and Community Services Department staff for their hard work at the event. He stated that he participated in the Calvary Chapel Thanksgiving Outreach meal donations.

- X. ADJOURNMENT:** Mayor/Director Gomez adjourned the City Council meeting at 7:25 p.m. to Monday, December 16, 2019, at 5:30 p.m. in the Council Closed Session Room 112c, 100 East La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber. The La Habra Utility Authority Meeting was adjourned at 7:25 p.m.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk