

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA ADJOURNED REGULAR MEETING

& REGULAR MEETING

Monday, April 03, 2017

APPROVED: These Minutes were approved on June 5, 2017.

ADJOURNED REGULAR MEETING:

CALL TO ORDER: Mayor Espinoza called the Adjourned Regular Meeting of the La Habra City Council to order at 4:46 p.m. in the Administrative Conference Room 210 (enter through Room 206) 2nd Floor, located at 110 East La Habra Boulevard in La Habra, California.

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

COUNCILMEMBERS ABSENT: Councilmember Gomez (excused absence)

OTHER OFFICIALS PRESENT: City Manager Sadro
City Clerk Mason

- I. Conduct interviews for annual expiring terms and vacancies on the Planning Commission, the Community Services Commission, and the Beautification Committee.

Interviews were conducted with the following applicants: Bruce Medeck, Manuel Munoz, and Marie Laveaga.

- II. **ADJOURNMENT:** Council reconvened at 5:41 p.m. There were no announcements. Mayor Espinoza adjourned the Adjourned Regular meeting of the La Habra City Council at 5:41 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 6:33 p.m. in the Council Chambers, located at 100 E. La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Shaw

COUNCILMEMBERS PRESENT: Mayor Espinoza
Mayor Pro Tem Shaw (excused at 7:17 p.m.)
Councilmember Beamish

COUNCILMEMBERS ABSENT: Councilmember Blazey
OTHER OFFICIALS PRESENT: Councilmember Gomez (excused absence)
City Manager Sadro
City Attorney Jones
City Clerk Mason
Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclaim Thursday, May 4, 2017, as a day set apart for the Annual Mayor's Prayer Breakfast in recognition of the National Day of Prayer.

Mayor Espinoza presented the proclamation to Brian Burgess. Brian Burgess invited the community to attend the Annual Mayor's Prayer Breakfast.

- b. Proclaim the week of April 9 - 15, 2017, as "National Public Safety Telecommunications Week" in the City of La Habra.

Mayor Espinoza invited up Police Chief Price to assist with presentations. Lead Dispatcher Brian McClure, Lead Dispatcher Kristen Kernohan, and Bureau Manager of Communications and Records Rita Ramirez accepted the proclamation.

- c. Proclaim the week of April 9 - 15, 2017, as "Animal Control Officer Appreciation Week" in the City of La Habra.

Mayor Espinoza, assisted by Police Chief Price, presented the proclamation. Animal Control Officer Kristy Hernandez and Records Specialist Diane Villalobos accepted the proclamation.

- d. Proclaim April 2017 as the "DMV/Donate Life California Month" in the City of La Habra.

Donor recipient John Whelan spoke about the Donate Life program and accepted the proclamation.

- e. Recognition of Allan Nisle for his outstanding service and 20 years of volunteerism as a member of the La Habra Police Radio Patrol Unit.

Mayor Espinoza, assisted by Police Chief Price, presented the proclamation. Police Chief Price commended Allan Nisle for his volunteer services and described his history with the La Habra Police Department. Allan Nisle accepted the proclamation.

- f. Proclaim April 2017 as "Fair Housing Month" in the City of La Habra.

Housing and Economic Development Manager Miranda Cole-Corona spoke about upcoming workshops for the community to attend and accepted the proclamation.

II. PUBLIC COMMENTS:

Kevin Amezquita, 130 East Francis Avenue, requested that a stop sign be placed at the intersection of Rose Avenue and Lois Street. Mayor Espinoza referred him to Public Works Director Saykali.

Robert Enriquez, 528 South Walnut Street, spoke regarding the need to change the City of La Habra noise ordinance to increase its effectiveness. Mayor Espinoza referred him to Police Chief Price.

Julie Edwards, 528 South Walnut, spoke regarding the need for safe needle (Sharps) disposal in the City of La Habra.

III. CONSENT CALENDAR:

Moved by Councilmember Blazey, seconded by Councilmember Beamish, and CARRIED (4-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.6.

Said motion CARRIED by the following roll call vote:

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

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 temporary signage for Citrus Fair at the northeast corner of La Habra Boulevard and Euclid Street and at the northwest corner of La Habra Boulevard and Harbor Boulevard subject to the satisfaction of the Director of Community and Economic Development.
3. Approve and adopt a resolution prohibiting stopping, standing, and parking at all times on north side of Whittier Boulevard east of the Cervetto Homes driveway (Ellie Street), as follows:
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5795** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES ON EAST WHITTIER BOULEVARD EASTERLY OF THE CERVETTO HOMES DRIVEWAY (ELLIE STREET).
4. Approve Notice of Completion for the Neighborhood B, D & O Traffic Management Plans, Project No. 2-TC-15.
5. WARRANTS: Approve Nos. 00110689 through 00110864 totaling \$1,709,557.67; and WIRE TRANSFER: Approve Wire Date 3/30/17 for a total of \$48,293.45.

6. Receive and file Planning Commission Minutes of:
 - a. January 9, 2017
 - b. January 23, 2017
 - c. February 13, 2017
 - d. February 27, 2017

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider amending Chapter 9.22 of Title 9 of the City of La Habra Municipal Code Relating to Firework Use, Discharge, Possession, Storage and Sale on Private Property.

La Habra Police Captain Johnstone presented the staff report.

Council discussion included: limitations regarding issuance of citations; benefit and procedure of the proposed social host element of the ordinance; potential to prosecute social host defendants; communication awareness strategy if proposed ordinance is approved; confirmation that the Cities of Fullerton, Buena Park, and certain areas of the City of Brea allow safe and sane fireworks; clarification regarding the process and issuance of up to the proposed maximum citation amount; structure fires caused by fireworks and the enforcement of the State Fire Marshall Penal Code; establish the "1,000 Reason No" campaign and display the maximum fine on digital signs prior to July 4; potential to reconsider the fireworks policy in the future; support of the proposed ordinance; and concern regarding the use of illegal fireworks.

Mayor Espinoza opened the public hearing at 7:06 p.m. There was no testimony.

Moved by Councilmember Beamish, seconded by Councilmember Blazey, and CARRIED (3-1) TO APPROVE FIRST READING OF **ORDINANCE NO. 1778** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING CHAPTER 9.22 OF TITLE 9 OF THE CITY OF LA HABRA MUNICIPAL CODE RELATING TO FIREWORK USE, DISCHARGE, POSSESSION, STORAGE AND SALE ON PRIVATE PROPERTY.

Said motion CARRIED by the following roll call vote:

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

VI. CONSIDERATION ITEMS:

1. Consider appointments for annual expiring terms and vacancies on the Community Services Commission, Planning Commission, and Beautification Committee.
 - a. Appoint one individual to the Planning Commission to fill one 4-year term expiring on March 31, 2021.

Councilmember Beamish stated that the City had the finest group of candidates apply for the various positions. He encouraged those who are not appointed this evening to apply again in the future.

Mayor Espinoza opened the nominations to appoint one individual to the Planning Commission to fill one 4-year term expiring March 31, 2021. Councilmember Beamish nominated Jerry Powell. There were no other nominations. MOVED by Councilmember Beamish, seconded by Councilmember Blazey TO CLOSE NOMINATIONS AND CAST A UNANIMOUS BALLOT TO APPOINT JERRY POWELL TO THE PLANNING COMMISSION TO FILL ONE 4-YEAR TERM EXPIRING MARCH 31, 2021.

Said motion CARRIED by the following roll call vote:

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

b. Appoint one individual to the Community Services Commission to fill one 3-year term expiring March 31, 2020.

Mayor Espinoza opened the nominations to appoint one individual to the Community Services Commission to fill one 3-year term expiring March 31, 2020. Mayor Pro Tem Shaw nominated Marie Laveaga. Councilmember Beamish nominated Teresa Kempker. There were no other nominations. Councilmember Beamish MOVED, seconded by Councilmember Blazey TO CLOSE THE NOMINATIONS.

A roll call was taken, and the vote was (3-1) TO APPOINT MARIE LAVEAGA TO THE COMMUNITY SERVICES COMMISSION TO FILL ONE 3-YEAR TERM EXPIRING MARCH 31, 2020, as follows:

COUNCILMEMBER BEAMISH: Teresa Kempker
COUNCILMEMBER GOMEZ: Absent
COUNCILMEMBER BLAZEY: Marie Laveaga
MAYOR PRO TEM SHAW: Marie Laveaga
MAYOR ESPINOZA: Marie Laveaga

c. Appoint two individuals to the Community Services Commission to fill two 1-year terms expiring March 31, 2018.

Mayor Espinoza opened the nominations to appoint one individual to the Community Services Commission to fill one 1-year term expiring March 31, 2018. Mayor Pro Tem Shaw nominated Teresa Kempker. There were no other nominations. MOVED by Councilmember Blazey, seconded by Councilmember Beamish TO CLOSE NOMINATIONS AND CAST A UNANIMOUS BALLOT TO APPOINT TERESA KEMPKER TO THE COMMUNITY SERVICES COMMISSION TO FILL ONE 1-YEAR TERM EXPIRING MARCH 31, 2018.

Said motion CARRIED by the following roll call vote:

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

Mayor Espinoza opened the nominations to appoint one individual to the Community Services Commission to fill one 1-year term expiring March 31, 2018. Councilmember Beamish nominated Mario Avila. Mayor Pro Tem Shaw nominated Andrea Trujillo. There were no other nominations. Councilmember Beamish MOVED, seconded by Mayor Pro Tem Shaw TO CLOSE THE NOMINATIONS.

A roll call was taken, and the vote was (3-1) TO APPOINT ANDREA TRUJILLO TO THE COMMUNITY SERVICES COMMISSION TO FILL ONE 1-YEAR TERM EXPIRING MARCH 31, 2018, as follows:

COUNCILMEMBER BEAMISH: Mario Avila
COUNCILMEMBER GOMEZ: Absent
COUNCILMEMBER BLAZEY: Andrea Trujillo
MAYOR PRO TEM SHAW: Andrea Trujillo
MAYOR ESPINOZA: Andrea Trujillo

- d. [Appoint one individual to the Beautification Committee to fill one seat with an indefinite term.](#)

Mayor Espinoza opened the nominations to appoint one individual to the Beautification Committee to fill one seat with an indefinite term. Councilmember Beamish nominated Manuel Munoz. There were no other nominations.

MOVED by Councilmember Beamish, seconded by Councilmember Blazey TO CLOSE NOMINATIONS AND CAST A UNANIMOUS BALLOT TO APPOINT MANUEL MUNOZ TO THE BEAUTIFICATION COMMITTEE TO FILL ONE SEAT WITH AN INDEFINITE TERM.

Said motion CARRIED by the following roll call vote:

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

- e. [Ratify La Habra Chamber of Commerce appointment of Graciela \(Grace\) Garcia to the Beautification Committee to fill one vacancy with an indefinite term.](#)

MOVED by Councilmember Beamish, seconded by Mayor Pro Tem Shaw TO RATIFY THE LA HABRA CHAMBER OF COMMERCE'S APPOINTMENT OF GRACIELA "GRACE" GARCIA TO THE BEAUTIFICATION COMMITTEE TO FILL ONE VACANCY WITH AN INDEFINITE TERM.

Said motion CARRIED by the following roll call vote:

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

Mayor Espinoza encouraged those applicants that were not appointed this evening to apply again in the future.

Mayor Pro Tem Shaw was excused from the City Council meeting at 7:17 p.m.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Espinoza made the following announcements:

- Celebrate your family, honor a loved one, or highlight your business or organization by ordering a personalized tile paver at the new La Habra City Hall.
- The 2017 "Spring Family Eggstravaganza" - Saturday, April 15 at La Bonita Park from 8:00 a.m. – 12:00 p.m.
- La Habra Chamber of Commerce "La Habra Citrus Fair" - Friday, May 5, through Sunday, May 7.
- North Orange County Gem and Mineral Society's "Game of Stones" show - Friday, June 2, through Sunday, June 4 at the La Habra Community Center. Hours vary each day, but admission is free.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Blazey congratulated Northgate Market on their store opening and encouraged the community to support the grocery store. He stated that as the City Council's representative to the Orange County Library Advisory Board, he attended Literary Orange, held by the Orange County Public Library Foundation which celebrates authors and books and he encouraged the public to attend next year.

Councilmember Beamish congratulated Northgate Market on their store opening. He stated that he attended the La Habra Boys and Girls Club Golf Tournament and the La Habra Children's Museum "Chipping for Kids" Golf Tournament.

Mayor Espinoza thanked City Manager Sadro, Assistant to the City Manager Ferrier, Councilmember Gomez, and everyone else who helped with the State of the Community Address. She expressed condolences on behalf of the City Council to Carrie Surich on the passing of her mother and to former Commissioner Daren Nigsarian on the passing of his mother. She stated that she would be adjourning the meeting in memory of Carrie Surich's

mother Betty Rubio, Daren Nigsarian's mother Carol Dess Nigsarian, and Assistant Chief Deputy Clint Greenwood of the Harris County Sheriff's Department in Texas who was slain this morning while arriving to work. She noted that Clint Greenwood was a classmate of Captain George Johnstone at the Federal Bureau of Investigation (FBI) National Academy Class number 263. She added that Clint Greenwood was described as an intelligent, caring, and humble law enforcement executive with a law enforcement career that spanned nearly 30 years. She stated that Clint Greenwood was ambushed and his killer is still at large. She expressed condolences on behalf of City Council to the Greenwood family, the Harris County Sheriff's Department, and Captain George Johnstone.

- X. ADJOURNMENT:** Mayor Espinoza adjourned the Regular Meeting of the La Habra City Council in memory of Betty Rubio, Carol Dess Nigsarian, and Assistant Chief Deputy Clint Greenwood at 7:24 p.m. to Monday, April 17, 2017, 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 Chambers.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk