

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

Monday, September 16, 2019

APPROVED: These Minutes were approved on October 7, 2019.

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

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Gomez 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 Collins

PLEDGE OF ALLEGIANCE: Councilmember Medrano

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

COUNCILMEMBERS/DIRECTORS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- a. Recognition of Teachers of the Year for Lowell Joint Unified School District and La Habra Unified School District.

Mayor Gomez invited La Habra City School District Superintendent Joanne Culverhouse and Lowell Joint School District Superintendent Jim Coombs to the front of the dais. Each Superintendent presented Certificates of Recognition to their Teachers of the Year and classified employees. Superintendent Culverhouse thanked Mayor Gomez and City Council, and introduced Associate Superintendent Dr. Teresa Egan and Sharon Hensley who assisted in

presenting the certificates. Mayor Gomez congratulated the Superintendents and their certificate recipients.

b. Introduction of 2019-2020 Youth Committee Members.

Mayor Gomez invited the Community Services Commission (CSC) members and the 2019 Youth Committee members to the front of the dais. The Youth Committee Members introduced themselves and stated which school they attended. CSC Chair Surich expressed appreciation to the parents for allowing their children to join the Youth Committee.

c. Proclaim September 2019 as National Preparedness Month in the City of La Habra and swearing-in of Certified Emergency Response Team (CERT) Disaster Service Workers.

Mayor Gomez invited Police Chief Price, Emergency Services Coordinator Gonzalez, and the CERT Disaster Service Workers to the front of the dais. Emergency Services Coordinator Gonzales presented proclamations to and Police Chief Price swore in each of the CERT Disaster Service Workers.

II. PUBLIC COMMENTS:

Kelly Lee, North Orange County Representative for Southern California Edison, provided an update on the Wildfire Mitigation Plan and community outreach. She announced that her colleague Jessica Hernandez would be the new Representative for the City of La Habra. Mayor Gomez and Councilmember Shaw thanked Kelly Lee for representing the City.

III. CONSENT CALENDAR:

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.8.

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

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 City Council Minutes of:

a. August 5, 2019

b. August 19, 2019

3. Receive and file Planning Commission Minutes of:
 - a. April 8, 2019
 - b. April 22, 2019
 - c. May 13, 2019
 - d. May 28, 2019
 - e. June 10, 2019
4. Approve denial of Claim for Barbara Diers for Bodily Injury.
5. Approve and adopt a resolution affirming the City of La Habra's commitment to projects submitted for inclusion in the Federal Fiscal Year 2020-2021 through 2025-2026 Federal Transportation Improvement Program (FTIP); and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5915** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA WHICH CERTIFIES THAT THE CITY OF LA HABRA HAS THE RESOURCES TO FUND THE PROJECTS IN THE FEDERAL FISCAL YEAR 2020-21 THROUGH 2025-26 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM.
6. Approve and authorize City Manager to execute the Fourth Amendment to the Cooperative Agreement with Community SeniorServ for Nutrition Transportation Services for Fiscal Year 2019-2020.
7. Approve and authorize City Manager to execute a Memorandum of Understanding (MOU) with Vista Community Clinic (VCC: The Gary Center), to provide educational information regarding dental care and provide dental screenings for the seniors participating in City sponsored senior programs for the period of January 1, 2020 – December 31, 2020.
8. WARRANTS: Approve Nos. 00122594 through 00122925 totaling \$2,537,001.45.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

A. CITY COUNCIL:

1. Duly noticed public hearing to consider adoption of an ordinance amending Section 5.36.090 of Chapter 5.36 (Alarm Systems) of Title 5 (Business Taxes, Licenses, and Regulations) of the City of La Habra Municipal Code relating to false alarm prevention fees. The City of La Habra, California, pursuant to the provisions of the California Environmental Quality Act ("CEQA") (Cal. Pub. Res, § 21000) and State CEQA guidelines (14 CCR 15000), has determined that this ordinance is exempt pursuant to Section 15061(b)(3) of Title 14 of the California Code of Regulations.

Mayor Gomez commended Captain Capelletti for his leadership during Chief Price's absence.

Police Captain Capelletti presented the staff report.

There was no City Council discussion.

Mayor Gomez opened the public hearing at 6:54 p.m. There was no testimony so the public hearing was closed.

Moved by Councilmember Shaw, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1810** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING SECTION 5.36.090 OF CHAPTER 5.36 (ALARM SYSTEMS) OF TITLE 5 (BUSINESS TAXES, LICENSES, AND REGULATIONS) OF THE CITY OF LA HABRA MUNICIPAL CODE RELATING TO FALSE ALARM PREVENTION FEES.

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

2. Duly noticed public hearing to review and discuss the draft version of the City of La Habra Hazard Mitigation Plan (HMP) prior to authorizing staff to finalize the HMP through a process with the California Office of Emergency Services (Cal-OES) and the Federal Emergency Management Agency (FEMA).

Emergency Services Coordinator Gonzalez presented the staff report. He stated that Consultant Mr. Ryan Bray with Risk Management Professionals was available for questions.

City Council discussion included: confirmation that the San Onofre Nuclear Power Plant was taken out of the HMP; and verification that the containers of radioactive waste at the San Onofre location were taken into account in case an earthquake occurred.

Mayor Gomez opened the public hearing at 6:57.p.m. There was no testimony so the public hearing was closed.

Moved by Mayor Pro Tem Chair Beamish, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO AUTHORIZE STAFF TO FINALIZE THE UPDATED HAZARD MITIGATION PLAN BY SENDING IT TO THE CALIFORNIA OFFICE OF EMERGENCY SERVICES (CAL-OES) AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FOR REVIEW.

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

3. Duly noticed public hearing to review and approve the Fiscal Year 2018-2019 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER).

Community and Economic Development Housing Specialist Louie presented the staff report.

City Council discussion included confirmation of the funds set aside for alley improvements.

City Manager Sadro stated that the amounts spent to date were on alleys that have been completed and that there were additional alley projects to be bid out and constructed using those funds.

Housing and Economic Development Manager Cole-Corona clarified that the alley projects began late in Fiscal Year 2018-2019, so the expenditure amount shown was only for Fiscal Year 2018-2019. She noted that the remaining amount of funds expended would be in the CAPER to be brought to City Council next year.

Mayor Gomez opened the public hearing at 7:04.p.m. There was no testimony so the public hearing was closed.

Moved by Councilmember Medrano, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY (5-0) TO REVIEW AND APPROVE THE FISCAL YEAR 2018-2019 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND AUTHORIZE STAFF TO SUBMIT THE REPORT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

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

VI. CONSIDERATION ITEMS:

1. Consider resolutions to be considered by voting members during the 2019 League of California Cities (LOCC) Annual Conference to occur at the Long Beach Convention Center from October 16 -18, 2019.

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

City Council discussion included: in relation to Resolution No. 1 to Amend PUC Rule 20A costs associated with placing utilities underground, confirmation that criteria was added for funding eligibility, and verification that Rule 20(a) was not being changed.

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

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

2. Consider approval of a marketing agreement with Utility Service Partners, Inc. (USP), for provision of a home service line warranty program, through a partnership with the National League of Cities (NLC), for an initial term of three years, with a one-year renewal, subject to City Council review and approval.

Assistant to the City Manager Ferrier presented the staff report. He noted that USP Regional Account Director Bill Coffey was available for questions.

There was no City Council discussion.

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

Moved by Mayor Gomez, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO AUTHORIZE CITY MANAGER TO ENTER INTO A MARKETING AGREEMENT WITH UTILITY SERVICE PARTNERS, INC. (USP), FOR PROVISION OF A HOME SERVICE LINE WARRANTY PROGRAM, THROUGH A PARTNERSHIP WITH THE NATIONAL LEAGUE OF CITIES (NLC), FOR AN INITIAL TERM OF THREE YEARS AND A ONE-YEAR RENEWAL.

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

3. Consider Beautification Committee unscheduled vacancies.

Recommendation:

- a. Instruct staff to advertise the vacancy for the City Council appointment, and conduct interviews for one indefinite term on the Beautification Committee; and instruct the La Habra Chamber of Commerce to appoint one individual to have ratified by City Council at a future City Council meeting to fill one indefinite term; or
- b. Appoint one individual for the City Council appointment from existing applications (Attachment 3) to the Beautification Committee to fill one indefinite term; and instruct the La Habra Chamber of Commerce to appoint one individual to have ratified by City Council at a future City Council meeting to fill one indefinite term; or

- c. Approve the reduction of the number of Beautification Committee members from seven members to the current number of five members, thus eliminating the need to fill the two vacancies; or
- d. Discontinue and disband the Beautification Committee entirely as a stand-alone body and instead assign their duties and responsibilities to a new Community Services Commission sub-committee.

City Clerk Swindell presented the staff report.

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

City Council discussion included increased/continued community interest in serving on committees; maintaining seven members on the Beautification Committee; confirmation that there were currently two existing Beautification Committee applications on file; and option "d" for the discontinuance and disbandment of the Beautification Committee and consolidation of its duties to a new Community Services Commission sub-committee.

Councilmember Espinoza, Councilmember Medrano and Mayor Pro Tem Beamish concurred with Mayor Gomez to maintain a seven member Beautification Committee.

Motion made by Councilmember Shaw to DISCONTINUE AND DISBAND THE BEAUTIFICATION COMMITTEE ENTIRELY AS A STAND-ALONE BODY AND INSTEAD ASSIGN THEIR DUTIES AND RESPONSIBILITIES TO A NEW COMMUNITY SERVICES COMMISSION SUB-COMMITTEE. MOTION FAILED DUE TO LACK OF SECOND.

Alternate Motion made by Mayor Pro Tem Beamish to APPOINT ONE INDIVIDUAL FOR THE CITY COUNCIL APPOINTMENT FROM EXISTING APPLICATIONS TO THE BEAUTIFICATION COMMITTEE TO FILL ONE INDEFINITE TERM; AND INSTRUCT THE LA HABRA CHAMBER OF COMMERCE TO APPOINT ONE INDIVIDUAL TO HAVE RATIFIED BY CITY COUNCIL AT A FUTURE CITY COUNCIL MEETING TO FILL ONE INDEFINITE TERM. MOTION FAILED DUE TO LACK OF SECOND.

Motion made by Mayor Gomez, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO INSTRUCT STAFF TO ADVERTISE THE VACANCY FOR THE CITY COUNCIL APPOINTMENT, AND CONDUCT INTERVIEWS FOR ONE INDEFINITE TERM ON THE BEAUTIFICATION COMMITTEE; AND INSTRUCT THE LA HABRA CHAMBER OF COMMERCE TO APPOINT ONE INDIVIDUAL TO HAVE RATIFIED BY CITY COUNCIL AT A FUTURE CITY COUNCIL MEETING TO FILL ONE INDEFINITE TERM.

Said original motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Chair Gomez made the following announcements:

- California Coastal Cleanup Day at Coyote Creek Bikeway – Saturday, September 21, 8:00 a.m. – 12:00 p.m.
- Flag Retirement Ceremony at El Centro Lions Park – Saturday, September 21, 9:00 a.m. – 10:00 a.m.
- La Habra Police Department's Community Meeting on Preparedness at La Habra City Hall – Wednesday, September 25, 6:00 p.m. – 7:45 p.m.
- "Love La Habra" at Portola Park– Saturday, September 28, 8:00 a.m. – 12:00 p.m.
- La Habra Police Department "Open House" – Saturday, October 12, 10:00 a.m. – 2:00 p.m.

VIII. COMMENTS FROM STAFF:

City Manager Sadro introduced the new Assistant City Clerk Rhonda Barone who came to the City from the City of Cypress.

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Shaw stated that the La Habra Reward Fund Board list needed to be updated to include the removal of a deceased member.

Councilmember Medrano stated that he attended the La Habra High School Band and Colorguard Boosters Car Show honoring first responders and military veterans. He thanked Marie and Victor Laveaga for helping to coordinate the event. He spoke on behalf of City Council, in support of Ryan Dickinson, son of Greg and Monique Dickinson, who recently had health issues.

Mayor Gomez spoke regarding overflowing waste bins following the holidays and requested more frequent disposal pick up. He congratulated the La Habra Chamber of Commerce on its 105th Anniversary. He thanked La Habra High School for its Memorial Car Show, Northgate Market for hosting a recent Town Hall meeting, and Assemblyman Phillip Chen for helping him host the meeting. He apologized for not attending the Sonora High School gymnasium ribbon cutting ceremony.

- X. ADJOURNMENT:** Mayor Gomez adjourned the City Council meeting at 7:26 p.m. to Monday, October 7, 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.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk