

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

Tuesday, February 18, 2020

APPROVED: These Minutes were approved on March 16, 2020.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Beamish called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. in the Closed Session Room 112c, located at 100 East La Habra Boulevard, La Habra, California.

COUNCILMEMBERS PRESENT: Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Gomez
Councilmember Medrano
COUNCILMEMBERS ABSENT: Councilmember Shaw (excused)
OTHER OFFICIALS PRESENT: City Manager Sadro
Assistant City Attorney Collins
City Clerk Swindell

- 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).
- III. ADJOURNMENT:** The City Council reconvened at 6:05 p.m. There were no Closed Session announcements. Mayor Beamish adjourned the Adjourned Regular Meeting at 6:05 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Beamish 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: Assistant City Attorney Collins

PLEDGE OF ALLEGIANCE: Councilmember Gomez

COUNCILMEMBERS PRESENT: Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Gomez
Councilmember Medrano
COUNCILMEMBERS ABSENT: Councilmember Shaw (excused)
OTHER OFFICIALS PRESENT: City Manager Sadro
Assistant City Attorney Collins
City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS: None at this time.

II. PUBLIC COMMENTS: None.

III. CONSENT CALENDAR:

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Espinoza, and CARRIED (4-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.8.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Beamish, Mayor Pro Tem Espinoza, Councilmember Gomez,
Councilmember Medrano,
NOES: NONE
ABSENT: Councilmember Shaw
ABSTAIN: 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. 1815 ENTITLED:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 19-02 FOR THE CONSTRUCTION OF A FIVE-UNIT APARTMENT COMPLEX AT 431 WEST LAMBERT ROAD, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.
3. Approve denial of claim for Coyote Village Homeowners Association for Property Damage.
4. Approve and authorize City Manager to renew the City's property Insurance policy for all City properties with Travelers Property Casualty Company of America for the period of March 1, 2020 through March 1, 2021, with a \$5,000 deductible at an annual premium cost of \$89,795.

5. Approve and authorize City Manager to execute an Agreement for Legal Services with the law firm of Colantuono, Highsmith & Whatley for representation and legal services related to the claim of Daniel Hamamoto challenging the City's water rates under Proposition 218, similar claims others may file, and litigation which may arise from any of these claims.
6. Approve Tract Map No. 18004 as submitted and accept the dedication of Harbor Boulevard and an easement for Fire Lane Access as shown thereon; and authorize the recordation of the map.
7. Approve and authorize City Manager to execute the Quality Rating and Improvement System (QRIS) Block Grant Service Agreement for 2019-2020 with the Orange County Department of Education, for continuous quality improvements for the State Preschool Program; and approve the appropriation of \$30,000 in QRIS Block Grant funds for the Child Development training budget.
8. WARRANTS: Approve Nos. 00124591 through 00124794 totaling \$1,026,254.04; and WIRE TRANSFER: Approve Wire Date February 28, 2020, for a total of \$365,323.45.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

Assistant City Attorney Collins left the dais and 6:33 p.m. due to the Law Offices of Jones & Mayer having a conflict of interest.

1. Consider City-wide noticing options for the Rancho La Habra Project.

Planning Manager Ramsland presented the staff report.

City Council discussion included: posting notice on the City's web site and social media sites; how the 300-foot mailing radius was determined; confirmation that no other planning development project has been noticed citywide; potentially setting a precedence for a wider range of public notification if a citywide notification is considered for this proposed project; notification on Channel 3, and verification that there was no legal requirement to notice beyond the 300-foot radius.

Community & Economic Development Director Ho indicated the project would also be published in The Orange County Register and in some cases also The La Habra Journal.

Mayor Beamish invited the public to testify at 6:41 p.m.

The following residents spoke in support of this item:

- Maribel Lopez
- Jim Lees
- Christine Cook

Public testimony concluded at 6:47 p.m.

City Council discussion included: mailing comparisons to future, ongoing, and smaller projects; support of notification via regular/direct mail to all city residents; cost-setting precedent; and transparency benefits to residents versus cost concerns.

City Manager Sadro stated that as was standard practice, notices would be mailed to residents within 300-feet of the proposed project site, which were paid by the developer. He stated that additional mailing costs would be paid from the City's General Fund with a budget appropriation brought to the City Council for approval at a future meeting.

Moved by Mayor Beamish, seconded by Councilmember Medrano, and CARRIED (3-0) TO DIRECT STAFF TO CONDUCT CITY-WIDE MAILING OF NOTICES WHEN THE PROPOSED RANCHO LA HABRA PROJECT IS AGENDIZED BY THE PLANNING COMMISSION AND/OR THE CITY COUNCIL.

Said motion CARRIED by the following roll call vote:

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

Assistant City Attorney Collins returned to the dais at 6:52 p.m.

2. Consider authorization for staff to solicit bids for the East Bishop Drive Storm Drain Improvements Project No. 1-D-16.

Principal Engineer Rangel presented the staff report.

City Council discussion included: clarification regarding extension of residential property lines and fences; verification that the walls of the storm drain are bowing out between the support beams located at the top and bottom of the walls; and support of the project due to safety concerns.

Mayor Beamish invited the public to testify at 6:57 p.m. There was no testimony so Mayor Beamish closed public testimony at 6:58 p.m.

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) TO AUTHORIZE STAFF TO SOLICIT BIDS FOR THE EAST BISHOP DRIVE STORM DRAIN IMPROVEMENTS PROJECT NO. 1-D-16; APPROVE AN APPROPRIATION OF \$831,500 FROM THE GENERAL CAPITAL PROJECTS FUND TO COMPLETE FUNDING FOR THE EAST BISHOP DRIVE STORM DRAIN IMPROVEMENTS PROJECT NO. 1-D-16; AND AMEND THE APPROVED FISCAL YEAR 2019-2020 BUDGET AND THE APPROVED FISCAL YEAR 2019-2020 CAPITAL IMPROVEMENT PROGRAM TO MOVE THE EAST BISHOP DRIVE STORM DRAIN IMPROVEMENTS PROJECT NO. 1-D-16 FROM THE CITY'S DEFERRED CAPITAL IMPROVEMENTS PROGRAM TO ITS CURRENT CAPITAL IMPROVEMENTS PROGRAM.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSENT: Councilmember Shaw

ABSTAIN: NONE

3. Consider approval and authorization for City Manager to enter into an agreement with Placeworks to provide professional planning services for the preparation of the 2021-2029 Housing Element and Safety Element of the La Habra General Plan in the amount of \$299,541, with 10 percent contingency in the amount of \$29,954; and consider the re-formation of the General Plan Advisory Committee.

Planning Manager Ramsland presented the staff report.

There was no City Council discussion.

Mayor Beamish invited the public to testify at 7:03 p.m. There was no testimony so Mayor Beamish closed public testimony.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED (4-0) TO AUTHORIZE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH PLACEWORKS TO PROVIDE PROFESSIONAL PLANNING SERVICES FOR THE UPDATE OF THE HOUSING ELEMENT AND SAFETY ELEMENT OF THE LA HABRA GENERAL PLAN IN AN AMOUNT NOT TO EXCEED \$329,495, WHICH INCLUDES A 10 PERCENT CONTINGENCY; AND DIRECT STAFF TO RETURN WITH A REPORT FOR CONSIDERATION TO RE-FORM THE GENERAL PLAN ADVISORY COMMITTEE.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSENT: Councilmember Shaw

ABSTAIN: NONE

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- La Habra State of the Community – Friday, February 21, 11:00 a.m. – 1:15 p.m., at La Habra City Hall.
- La Habra Races - Saturday, March 14, beginning at 7:00 a.m. The event will feature a 5K, 1K Kiddy Run, and 50-Yard “Diaper Dash.”
- “Join the Conversation” La Habra Community Survey for residents to provide service priorities in preparation for the Fiscal Year 2020-2021 City of La Habra Budget.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember Medrano stated he would be participating in the La Habra Races to be held on Saturday, March 14, 2020, beginning at 7:00 a.m.

Councilmember Gomez expressed his condolences to Human Resources Director Elvie Balderrama for the recent loss of her mother Candida R. Gonzales, and requested that the meeting be adjourned in her memory.

X. ADJOURNMENT: Mayor Beamish adjourned the City Council meeting in memory of Candida R. Gonzales, at 7:06 p.m. to Monday, March 2, 2020, 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