

MINUTES

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

Monday, March 07, 2016

APPROVED: These Minutes were approved on March 21, 2016.

SPECIAL MEETING:

CALL TO ORDER: Mayor Gomez called to order the Special Meeting of the City Council at 4:50 p.m. in the Administrative Conference Room 106, located at 201 East La Habra Boulevard, in La Habra, California.

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

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones (arrived at 5:50 p.m. for Closed
Session)
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: Jess Badillo, Victoria Casanas, Steven Eastis, and Paul Janoian.

RECESS: Mayor Gomez called a recess at 5:48 p.m.

RECONVENE: The City Council reconvened at 5:50 p.m. All members were present. City Attorney Jones and Human Resources Director Juengel were present.

- II. **ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:**
None

- III. **CLOSED SESSION**

- a. Conference with Legal Counsel - Existing Litigation, Government Code Section 54956.9(d)(1): Chivas vs. City of La Habra, Superior Court Case No. 30-2014-00753505-CU-OE-CJC.

Human Resources Director Juengel was present for this item.

IV. ADJOURNMENT: Mayor Gomez adjourned the Special Meeting of the City Council at 6:20 p.m. There was no Closed Session Announcement.

REGULAR MEETING:

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 City Council Chambers, located at 201 East La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Gomez

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

COUNCILMEMBERS ABSENT: None

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

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

- b. [Presentation by Nadia Bettendorf of the OC Human Relations Committee Annual Report.](#)

Nadia Bettendorf submitted the report at the dais and gave a verbal summary.

- c. [Presentation of the FIT Heal City Award from the California Healthy Eating, Active Living Cities Campaign and the California Center for Public Health Advocacy.](#)

Mayor Gomez invited Alfred Mata, from the California Center for Public Health Advocacy and the California Healthy Eating, Active Living Cities Campaign to present the award. He also invited Rebecca French and Barry Ross from the La Habra Collaborative and St. Jude Hospital to join Council at the podium.

II. PUBLIC COMMENTS: None

III. CONSENT CALENDAR:

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

Said motion CARRIED by the following roll call vote:

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

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. 1769 ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 15-01 FOR THE CONSTRUCTION OF A MEDICAL OFFICE BUILDING AT 601 EAST IMPERIAL HIGHWAY, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS AND SUBJECT TO CONDITIONS.
3. Approve City Council Minutes of:
 - a. January 19, 2016
 - b. February 16, 2016
4. Approve the attached "Governing Body Resolution" authorizing participation by the City of La Habra in the 2015 Emergency Management Performance Grant (EMPG); authorize the City Manager, Director of Finance, and the Police Chief to serve as the City's "Authorized Agents" for this grant project; and authorize any of the designated "Authorized Agents" to execute the EMPG "Assurances, Certifications, Terms and Conditions" and "Agreement to Transfer Funds for EMPG."
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5728** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING THE CITY MANAGER OR DIRECTOR OF FINANCE, OR POLICE CHIEF TO SERVE AS THE CITY'S AGENTS TO EXECUTE FOR AND ON BEHALF OF THE CITY OF LA HABRA ANY ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY
5. Approve Parcel Map No. 2014-102 and authorize the recordation of the map.
6. Approve the Notice of Completion for the Fashion Square Lane Bridge Repair Fiscal Year 2014-2015 Project.
7. Approve and authorize the City Manager to enter into an agreement with G2 Construction, Inc. of Garden Grove in the amount of \$150,000 for Installation of Catch Basin Screen Phase 2 under the OCTA Environmental Cleanup, Tier 1 Grant Program.
8. WARRANTS: Approve Nos. 00105419 through 00105659 totaling \$1,494,075.66.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

1. Duly noticed public hearing to consider an appeal of the Planning Commission's approval of Design Review 15-09 for an addition to the City of La Habra Community Center at 101 West La Habra Boulevard.

Planning Manager Ramsland presented the staff report and explained the project. He reported that based on the appeal, staff requested the architect to prepare design options that include the tile roof. He stated that Option One would cost approximately \$85,000 and includes the tile roof on two sides of the addition and transitions around the corners. Option Two cost \$53,400 for a total of \$138,000 and would place the tile roof around the entire addition at an additional. He clarified that for budgeting purposes the \$138,000 cost has already been added into the overall "Guaranteed Maximum Price" (GMP) package that Council would be considering under the Consideration Item 3 of this agenda; however, should the Council decide to not to implement options 1 or 2 the GMP would be reduced accordingly.

Council discussion included: review of the cost and appearance of the two options; the reason for Council's appeal of this item; and confirmation that the City was following the La Habra Specific Plan with this project.

Mayor Gomez thanked Councilmember Beamish and Councilmember Blazey for their due diligence in bringing the roofline options to City staff and Council's attention. Councilmember Beamish thanked City staff for saving the City money on this project.

Mayor Gomez opened the public hearing at 6:49 p.m. There being no public testimony, the public hearing was closed.

Moved by Councilmember Beamish, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5729** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING DESIGN REVIEW 15-09 FOR THE EXPANSION OF THE LA HABRA COMMUNITY CENTER AT 101 WEST LA HABRA BOULEVARD, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS; INCLUDING OPTION 2.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

VI. CONSIDERATION ITEMS:

1. Consider a Live Entertainment Permit at 370 East Whittier Boulevard.

Community and Economic Development Director Ho presented the staff report.

Council discussion included: condition of requiring an updated application; and confirmed that the portion of the plans was indicating the entertainment permit area was inside the building.

Mayor Gomez invited the public to testify at 6:55 p.m. There was no public testimony.

Moved by Mayor Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5730** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA COUNCIL APPROVING A LIVE ENTERTAINMENT PERMIT FOR 370 EAST WHITTIER BOULEVARD FOR A ONE YEAR PERIOD, SUBJECT TO CONDITIONS, AND TO INCLUDE AN UPDATED APPLICATION WITH CURRENT OWNER'S NAME AND CURRENT MANAGER'S NAME.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

2. [Consider the report of the Economic Development Ad Hoc Committee on the Annual Action Plan, continuing the Committee for calendar year 2016, and potential marketing/branding of economic services for the City.](#)

Housing and Economic Development Manager Antwine presented the staff report.

Council discussion included: standardizing the business fees; simplifying the fee schedule; fee study calculations; and Consumer Price Index adjustments to the fee schedule.

Mayor Gomez invited the public to testify at 7:00 p.m. There was no public testimony.

Moved by Councilmember Beamish, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE RECEIVE AND FILE THE ANNUAL REPORT OF THE ECONOMIC DEVELOPMENT AD HOC COMMITTEE; APPROVE AN EXTENSION OF THE COMMITTEE FOR CALENDAR YEAR 2016; AND DIRECT STAFF TO RELEASE A REQUEST FOR PROPOSAL (RFP) FOR MARKETING/BRANDING OF ECONOMIC SERVICES FOR THE CITY.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

Councilmember Beamish thanked the Economic Development Ad Hoc Committee for their work.

Mayor Gomez thanked Councilmember Beamish for establishing the committee while he was Mayor.

3. Consider Phase Three Construction documents for the Civic Center Project and authorize final payment for the Design Phase; and approval of the final guaranteed maximum price for construction.

Planning Manager Ramsland presented the staff report.

Council discussion included: clarification of payment percentages for completing the project under budget; incentives for early completion of the project; projected date of completion of late November to early December 2016; Development Agreement requirement to vacate current City Hall by December 16, 2016; potential impact of El Nino weather on the completion date; review of the potential timeline and funds for the purchase of the Women's Club property by the Housing Authority; clarification that the project includes work on seven separate City buildings; and confirmation of the final guaranteed maximum price and the total Civic Center project cost.

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

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE RECEIVE AND FILE THE PHASE THREE CONSTRUCTION DOCUMENTS FOR THE CIVIC CENTER PROJECT AND DIRECT STAFF TO PAY THE BALANCE OWED OF \$254,000 TO DLS BUILDERS; APPROVE THE FINAL GUARANTEED MAXIMUM PRICE PROPOSAL FROM DLS BUILDERS OF \$15,006,410 FOR THE CIVIC CENTER PROJECT; AND APPROVE A TOTAL CIVIC CENTER PROJECT COST NOT TO EXCEED \$20,751,691.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- La Habra 5K/10K Run/Walk - Saturday, March 12, at 7:30 a.m. at the La Habra Marketplace.
- "Night Time Easter Egg Hunt" - Thursday, March 24, from 6:00 p.m. – 8:00 p.m. at Westridge Golf Course.
- The 15th Annual La Habra "Eggstravaganza" – Saturday, March 26, from 8:00 a.m. – 12:00 p.m. at La Bonita Park.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Mayor Pro Tem Shaw stated he attended La Habra Little League Opening Day and the Homerun Derby. He added his son Luke Shaw won first place in the Homerun Derby for 8 year olds and Matthew Shaw won second place for his age group.

Councilmember Espinoza stated she attended the Wells Conference regarding water issues. She encouraged La Habra's school representatives to attend future water conferences.

Councilmember Blazey congratulated Sonora High School's Girls Basketball team for making it to the finals. He stated that he visited the Emergency Operations Center for Orange County last month. He added that he found it very informative, has great resources, and that La Habra is in good hands in the event of a countywide emergency situation.

Mayor Gomez thanked City Council and everyone who attended the State of the Community address. He requested to adjourn the meeting in memory of Eleanor Pulcini who passed away at the age of 96. He stated that Eleanor had been an active participant and volunteer in the City's Senior Lunch Program. He added that Eleanor's granddaughter Veronica was one of the original members of the La Habra Youth Committee. He stated that Eleanor attended the Concerts in the Park events, always had a smile on her face and a kind word for those she met, and will be missed by all. He requested to close in memory of former La Habra Fire Captain Fred Rodriguez who started with the La Habra Fire Department in 1975 and transferred to the Los Angeles County Fire Department when they started serving our community in 2005. He stated Fred Rodriguez will be missed. He expressed condolences to the Fred Rodriguez family. He requested to adjourn in memory of former City employee Arlene Peterman, who passed away late last month at the age of 95. He stated that Arlene worked for the City for 19 years, retired in 1997, and will be missed. He requested to adjourn in memory of Roberto R. Baeza, whose funeral he attended last Friday. He stated that Roberto R. Baeza was the father of Corona Dance Studio owner Rosemary Corona.

X. ADJOURNMENT: Mayor Gomez adjourned the meeting in memory of Eleanor Pulcini, Fred Rodriguez, Arlene Peterman, and Roberto R. Baeza at 7:18 p.m. to Monday, March 21, 2016, at 4:45 p.m. in the Administrative Conference Room 106, for Commission and Committee interviews; followed by the Regular Meeting at 6:30 p.m. in the City Council Chambers.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk