

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY

Monday, November 05, 2018

APPROVED: These Minutes were approved on December 17, 2018.

ADJOURNED REGULAR MEETING 5:30 P.M.:

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

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

COUNCILMEMBERS ABSENT: None

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

I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:
None

II. CLOSED SESSION:

- a. Conference with Legal Counsel - Existing Litigation, per Government Code Section 54956.9(d)(1): City of La Habra vs. Lakeside Resources, Inc., Eminent Domain Complaint Filed: 6/28/18 Orange County Superior Court Case No. 30-2018-01002676-CU-EI-CXC.

Public Works Director Saykali, Principal Engineer Rangel, and Deputy City Attorney Raven were present for this item. Public Works Director Saykali, Principal Engineer Rangel, and Deputy City Attorney Raven left the room at 5:40 p.m.

- b. Conference with Legal Counsel - Anticipated Litigation - Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (One Case).

Community and Economic Development Director Ho and Deputy City Attorney Collins were present for this item. Community and Economic Development Director Ho and Deputy City Attorney Collins left the room at 6:04 p.m.

- c. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees and Police Civilian Employees.

Community Services Director Failla and Human Resources Director Balderrama were present for this item. Community Services Director Failla and Human Resources Director Balderrama left the room at 6:19 p.m.

- d. Public employee evaluation per Government Code Section 54957- Title: City Attorney.

City Attorney Jones was present for this item.

- III. **ADJOURNMENT:** The City Council reconvened at 6:22 p.m. There were no Closed Session announcements. Mayor Shaw adjourned the Adjourned Regular Meeting at 6:22 p.m.

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

CALL TO ORDER: Mayor/Chair Shaw called the Regular Meeting of the La Habra City Council and the Regular Joint Meeting with the Successor Agency to the La Habra Redevelopment Agency to order at 6:33 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 Beamish
COUNCILMEMBERS/DIRECTORS PRESENT:	Mayor/Chair Shaw Mayor Pro Tem/Vice Chair Blazey Councilmember/Director Gomez Councilmember/Director Espinoza Councilmember/Director Beamish
COUNCILMEMBERS/DIRECTORS ABSENT:	None
OTHER OFFICIALS PRESENT:	City Manager/Executive Director Sadro City Attorney/Legal Counsel Jones City Clerk/Secretary Mason Deputy City Clerk Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

Mayor/Chair Shaw invited Councilmembers/Directors to join him in front of the dais.

- a. Proclaim November 4-11, 2018 as Law Enforcement Records and Support Personnel Week in the City of La Habra.

Mayor/Chair Shaw invited Chief Price to the front of the dais. Chief Price invited Records Specialist Larissa Terrones and Captain Capelletti to the front of the dais. Chief Price reviewed the duties of the Records and Support personnel. He thanked Council for the recognition. Records Specialist Larissa Terrones accepted the proclamation.

- b. Proclamation November 12-18, 2018 as Nurse Practitioner Week in the City of La Habra.

Mayor/Chair Shaw invited Jennifer Gonzalez to the front of the dais. Jennifer Gonzalez spoke regarding the qualifications and duties of nurse practitioners. She accepted the proclamation.

- c. Proclaim November 24, 2018, as Small Business Saturday in the City of La Habra.

Mayor/Chair Shaw invited La Habra Area Chamber of Commerce President Marie Laveaga to the front of the dais. Marie Laveaga explained and encouraged the community to participate in the "Shop La Habra" program. She introduced her Assistant Gail Jenkins. Marie Laveaga accepted the proclamation.

- d. Police Department staffing level update.

Mayor/Chair Shaw invited Chief Price to the podium. Chief Price gave a Police Department sworn and non-sworn staffing update. He presented a preview of the La Habra Police Department recruiting video.

Councilmember Gomez commended Chief Price on the recruiting video. He thanked Chief Price and Sergeant Jennifer Southern for the opportunity to go on a ride along on October 31, 2018.

II. PUBLIC COMMENTS:

Craig Sheets, Brea, spoke regarding Area 51 crimes, weaponry, storage of cocaine and heroin by the military, and immigrants; his family; and Vulcan terrestrials.

Jose Medrano, 9402 Mikinda Avenue, announced that he was running for City Council. He gave a brief summary of his life and work experience. He encouraged the community to vote on November 6, 2018.

Matt Bates, Vice President with CityNet, a homeless solutions agency, explained their work, their accomplishments, and reviewed the other Orange County cities and organizations with which they contract. He explained the 2019 Point in Time Count of the homeless, funded by United States Department of Housing and Urban Development. He encouraged the public to volunteer, and he shared flyers and their web site www.everyonecountsoc.org. Mayor/Chair Shaw thanked Matt Bates for the information, the report, and the work his agency was doing for the La Habra community.

Sandro Samano, 1800 Laguna Drive, expressed concerns regarding how loud the drying system was at the Wave City Express Car Wash, located at 1701 West Whittier Boulevard. He asked Council's assistance in resolving this issue. Councilmember Beamish stated that staff is aware of the issue and will be checking into the issue. Councilmember Gomez referred Mr. Samano to Community and Economic Development Director Ho.

Amir Barkador, 1720 Laguna Drive, thanked Mayor Pro Tem Blazey for meeting him to experience how loud the drying system was at the Wave City Express Car Wash, located at 1701 West Whittier Boulevard. Mr. Barkador also thanked Community and Economic Development Director Ho for keeping his neighbors and him updated on the progress regarding this issue. Mr. Barkador spoke regarding his neighborhood's request for speed bumps on Lindauer Drive to help with speeding issues and to decrease the number of car accidents. He noted that traffic calming via signs previously posted by the City has been of some help.

Emily France, Public Affairs Manager at the Southern California Gas Company, spoke regarding natural gas as part of a balanced energy portfolio. She discussed a recent proposal that supported the use of only electricity that did not pass in the State Legislature. She warned that similar proposals would go before the State Legislature, and she explained the high costs to consumers if approved. She stated that there was a new source of natural gas, called biogas, which comes from organic sources, which would be more efficient and cost effective for everyone.

Jennifer Cabrera, 1021 Monterey Street, stated that she had participated in Rosie's Garage when she was younger. She thanked Councilmember Espinoza for her assistance. She spoke regarding the issue of cars speeding on Lindauer Drive and Laguna Drive. She expressed concern regarding the safety of children in the neighborhood. She thanked the La Habra Police Department for patrolling the area. She requested speed bumps in her neighborhood.

Bernadette Kovacs, 1921 Lindauer Drive, spoke regarding cars speeding and car accidents that have occurred on Lindauer Drive. She expressed concern regarding the safety of children in the neighborhood.

City Manager Sadro stated that Item VI.1 on the agenda regarding Neighborhood Traffic Management Plans (NTMP) would address the Lindauer Drive and Laguna Drive neighborhood.

III. CONSENT CALENDAR:

City Attorney Jones declared a conflict of interest regarding Item III.A.2.

Moved by Councilmember Gomez, seconded by Councilmember Espinoza, 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 Shaw, Mayor Pro Tem/Vice Chair Blazey,
Councilmember/Director Gomez, Councilmember/Director Espinoza,
Councilmember/Director Beamish

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

A. CONSENT CALENDAR - 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 and authorize City Manager to execute the Notice of Nomination of Directors to nominate Richard Jones for the office of Director; and authorize Mayor and City Clerk to execute proxy for election of Directors to the California Domestic Water Company Board for election to be held at its Annual Shareholder Meeting on November 16, 2018.
3. Approve and authorize City Manager to enter into an agreement with CSG Consultants, Inc. in the amount of \$220,293 to provide professional building inspection and management services for various private development projects until vacant building positions are filled; and authorize staff to issue a purchase order in the amount of \$220,293 for CSG contract services.
4. Approve and authorize City Manager to execute Contracts CCTR-8155 and CSPP-8338 Amendment 01 with the California Department of Education, Child Development Services for the 2018-2019 Fiscal School Year; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5873** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENT NO. CCTR-8155 AMENDMENT 01 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION.
 - b. APPROVE AND ADOPT **RESOLUTION NO. 5874** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENT NO. CSPP-8338 AMENDMENT 01 WITH THE CALIFORNIA DEPARTMENT OF EDUCATION.
5. Approve and authorize City Manager to execute the Three-Party Agreement for Quality Rating and Improvement Implementation and Data Management, Agreement Number 47222, for the 2018-2019 school year with the Orange County Department of Education and Early Quality Systems, for continuous quality improvements for the state preschool and Early Head Start programs.
6. Approve Notice of Completion for the Installation of Full Capture Trash Inserts in Catch Basins Environmental Cleanup Project, Fiscal Year 2017-2018, and authorize staff to submit this notice for recordation.
7. Authorize City Manager to execute an agreement with Bucknam Infrastructure Group, Inc., in the amount of \$29,996.00, for the 2019 Pavement Management Program Update; and authorize staff to issue a purchase order to Bucknam Infrastructure Group, Inc. in the amount of \$32,995.60, which includes a 10 percent contingency.

8. WARRANTS: Approve Nos. 00118556 through 00118830 totaling \$2,406,669.99; and WIRE TRANSFER: Approve Wire Date 10/26/18 and 10/31/18 for a total of \$1,864,483.87.

- B. CONSENT CALENDAR - SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AUTHORITY:
 1. Approve Successor Agency Minutes of:
 - a. June 4, 2018
 - b. June 18, 2018
 - c. July 2, 2018
 - d. July 16, 2018
 - e. August 6, 2018
 - f. August 20, 2018
 - g. September 4, 2018
 - h. September 17, 2018
 - i. October 1, 2018
 - j. October 15, 2018

- C. CONSENT CALENDAR - CITY COUNCIL AND SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AUTHORITY:
 1. Approve and adopt resolutions amending the City's Conflict of Interest Code and the Conflict of Interest Code of the Successor Agency for Designated Employees as required by State law; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5875** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING RESOLUTION NO. 5659 AND ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY OF LA HABRA PURSUANT TO GOVERNMENT CODE SECTION 81000, ET SEQ.; and
 - b. APPROVE AND ADOPT **RESOLUTION NO. 5876 & 2018-04** ENTITLED: A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AND THE BOARD OF DIRECTORS OF THE SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY REPEALING RESOLUTION NO. CC5557 AND SA 2012-11 IN ITS ENTIRETY AND APPROVING AND ADOPTING A CONFLICT OF INTEREST CODE FOR THE SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY PURSUANT TO GOVERNMENT CODE SECTION 81000, ET SEQ.

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

- V. **PUBLIC HEARINGS:** None at this time.

- VI. **CONSIDERATION ITEMS:**
 1. Consider Neighborhoods B, D, and I Traffic Management Plans After Study and Neighborhoods K, L, and M Traffic Management Plans.

- a. Receive and file Neighborhood's B, D, and I Traffic Management Plan After Study.
- b. Receive and file Neighborhood K Traffic Management Plan.
- c. Receive and file Neighborhood L Traffic Management Plan.
- d. Approve Neighborhood M Traffic Management Plan.
- e. Direct staff to proceed with the design and construction of traffic calming devices as indicated on the Neighborhood M Traffic Management Plan.

City Manager Sadro stated that a section of this staff report would discuss the status of the six remaining neighborhoods in the Neighborhood Traffic Management Plan (NTMP), which included Neighborhood A, which includes Lindauer Drive and Laguna Drive. He noted that in addition to the existing NTMP priority list, an additional 20 neighborhoods have requested traffic calming measures. He reviewed staff's recommendation, including the changes in action for Neighborhoods K and M. He stated that not all traffic calming measures are appreciated by all residents.

City Engineer Johansen presented the staff report and gave a brief PowerPoint presentation. He stated that this item would discuss formerly completed neighborhoods and new neighborhoods. He explained the purpose of the NTMP was to discuss the concerns of each neighborhood, evaluate and take measurements of traffic speed and volume, and to propose traffic calming devices at the most effective locations; with the approval of the Traffic Committee members for each neighborhood. He reviewed that the requirement for the responses received from the properties in each neighborhood was 50 percent, and among the responses an approval rate of 66.67 percent was required. He explained the next steps in the process if traffic calming were to be approved by Council. He reviewed the current NTMP priority list. He reviewed left-hand turn restrictions installed two years ago in Neighborhood A, during the construction project at Beach Boulevard and Whittier Boulevard, but clarified the action did not follow the standards of a formal traffic study. He discussed Neighborhoods B, D, and I Traffic Management Plans After Study showing traffic speeds had decreased in most areas since the installation of traffic calming measures. He noted that Neighborhood I did not meet minimum qualifications for traffic calming. He reviewed traffic calming meetings and timelines for Neighborhoods K, L, and M. He confirmed that Neighborhood K met the minimum requirements for traffic calming based on already received and additional responses received to date. He stated that Neighborhood M also met the minimum requirements for traffic calming. He requested that if Council approved to move forward, to change the recommendation in the staff report from receive and file Neighborhood K and M Traffic Management Plans to approve Neighborhood K and M Traffic Management Plans. He stated that Neighborhood L met the response rate requirement, but did not meet the approval rating requirement. He noted that in the year 2019 Neighborhoods J, F, N, and in the year 2020 Neighborhoods E, C, and A, would begin the traffic calming process. He noted that the priority list for NTMP was based on the volume of traffic, speed of traffic, and qualifying circumstances.

Council discussion included: confirmation the NTMP priority list was established by City Council in 2011 and that there has been no consideration for modification of the data since that time; resident awareness regarding the planned improvement project on Hacienda Road and Whittier Boulevard resulting in potential decrease of cut through traffic; decrease in traffic issues when La Habra Police Department was patrolling in Neighborhood A; thanking the City of La Habra Heights for installing the turn restriction on Peppertree Drive; verification the After study was done after the turn restriction was installed on Arbolita Drive; confirmation that a list of

neighborhoods and the Traffic Management Plans are on the Public Works/Engineering Traffic section of the City's web site for the public to review regarding where they are in the traffic calming process; verification the public could contact Traffic Manager Plotnik or City Engineer Johansen with any Traffic Management inquiries; confirmation regarding amount budgeted and total amount spent on traffic calming to date; cost to expedite Neighborhood A; verification that traffic management measures are funded through the gas tax and Measure M2 funds; request to have City staff reach out to Waze and Google Maps to communicate the street restrictions now present in Neighborhood A; request to have La Habra Police Department patrol more often in Neighborhood A; the order in which neighborhoods on the priority waiting list would have traffic calming process done; and the need for the residents to speak up by contacting City Hall, and to participate in the NTMP process.

Mayor Shaw invited the public to testify at 7:41 p.m.

Emily Wallace, 551 East Montwood Avenue, stated she was on the Traffic Committee for Neighborhood M. She encouraged Council to approve the Neighborhood M Traffic Management Plan. She supported a more aggressive approach regarding neighborhood participation in the NTMP process.

Arlene Buck, 281 South Monte Vista Street, spoke regarding the speed of traffic in her neighborhood; specifically during school pick up times. She requested traffic calming for her neighborhood. Councilmember Gomez asked Police Chief Price to increase patrols in this neighborhood.

Joe Faust, 601 Sandlewood Avenue, spoke regarding the pros and cons of traffic management. He stated that he and his wife Joyce were members of the Traffic Committee for Neighborhood L. He expressed support for no traffic calming in Neighborhood L. Councilmember Gomez stated that he had received several phone calls from residents of Neighborhood L stating they did not want traffic calming measures.

Maria, from Parkwood Lane, located in Neighborhood L, spoke regarding the increase in traffic in the last seven years on Parkwood Lane, Schoolwood Drive, and Walnut Street. She requested that Council reconsider and place traffic calming on Parkwood Lane, Schoolwood Drive and Walnut Street; specifically when the children are crossing the street to and from school.

Mayor Shaw closed the public testimony at 7:52 p.m.

Moved by Mayor Pro Tem Blazey, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO RECEIVE AND FILE NEIGHBORHOOD'S B, D, AND I TRAFFIC MANAGEMENT PLAN AFTER STUDY; APPROVE NEIGHBORHOOD K TRAFFIC MANAGEMENT PLAN; RECEIVE AND FILE NEIGHBORHOOD L TRAFFIC MANAGEMENT PLAN; APPROVE NEIGHBORHOODS K AND M TRAFFIC MANAGEMENT PLANS; AND DIRECT STAFF TO PROCEED WITH THE DESIGN AND CONSTRUCTION OF TRAFFIC CALMING DEVICES AS INDICATED ON THE NEIGHBORHOODS K AND M TRAFFIC MANAGEMENT PLANS.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Chair Shaw made the following announcements:

- La Habra Annual Veterans Day Celebration "Honoring our Heroes." - Sunday, November 11, at 1:00 p.m. at the La Habra Community Center.
- 4th Annual La Habra Tamale Festival - Sunday, November 25, from 10:00 a.m. – 6:00 p.m. at Portola Park and Brio Park in downtown La Habra.
- City of La Habra's "Holiday Wishes" Toy and Food Drive - Help local families in need by donating unwrapped toys, non-perishable food, gift cards, and financial donations which are being gratefully accepted now through Friday, December 8.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember Gomez asked that the meeting be adjourned in memory of longtime La Habra resident Tommy Garcia and Costa Mesa Firefighter Mike Kreza.

Councilmember Espinoza expressed condolences to the Garcia family. She reported that she attended the 14th Annual Brea/La Habra International Soroptomist Author's Luncheon fundraiser and thanked Maria Laveaga for inviting her to the event.

Mayor Pro Tem Blazey thanked CR&R and the Public Works Department for putting on another successful hazardous waste event. He congratulated City Manager Sadro for winning the gold medal at the Gourmet Guys event with his dessert entry. He reported that he attended the Orange County Sanitation District Monthly Director's Meeting on behalf of Mayor Shaw, the Red Ribbon Breakfast, the La Habra Police Department Open House, and the swearing in ceremony of Kevin Wolett. He stated that he had over 800 visitors that trick-or-treated at his home. He thanked the La Habra Police officers and bike patrol for patrolling his neighborhood on Halloween. He thanked those who encouraged him during his campaign for the 2018 election. He thanked Councilmember Gomez and challenger Jose Medrano for a civil campaign. He stated that Police Chief Price has given permission to the police officers to participate in "No Shave November," and that he was also participating.

Mayor Shaw thanked Chester Jane, who along with the non-profit ICCA, for inviting him to participate in handing out scholarship information at City Hall to young people in the community. He reported that he attended the Yorba Linda State of the City address, the Orange County Sanitation District Annual State of the District event, and the City of Placentia ribbon cutting ceremony for Veteran's Village complex groundbreaking.

Councilmember Gomez left the dais at 8:00 p.m. He returned at 8:02 p.m.

- X. ADJOURNMENT:** Mayor/Chair Shaw adjourned the Regular Meeting of the City Council of the City of La Habra in memory of Tommy Garcia and Mike Kreza and at 8:03 p.m. to Monday, November 19, 2018, 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. The Regular Joint Meeting of the Successor Agency to the La Habra Redevelopment Agency was adjourned at 8:03 p.m.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk/Secretary