

**MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING
&
REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY**

Monday, August 04, 2014

APPROVED: These Minutes were approved on September 15, 2014.

ADJOURNED REGULAR MEETING:

CALL TO ORDER: Mayor Beamish called the Adjourned Regular Meeting to order at 5:30 p.m. in the Administrative Conference Room 106, located at 201 East La Habra Boulevard, La Habra, California.

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

COUNCILMEMBERS/DIRECTORS 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:** Mayor Beamish announced the Closed Session and Council convened as follows:
- a. Worker's Compensation Claim per Government Code Section 54956.95; Claimant: Alexander Bancroft, Cases Nos.: EAMS No. ADJ7942013; ADJ7942066; and ADJ7942010.

Director of Human Resources Juengel and City Attorney Tharp were present for this item.

III. ADJOURNMENT: City Council reconvened from Closed Session at 5:30 p.m. There were no announcements. Mayor Beamish adjourned the Adjourned Regular Meeting at 5:30 p.m.

REGULAR MEETING AND REGULAR JOINT MEETING:

CALL TO ORDER: Mayor/Chair Beamish called the Regular Meeting of the La Habra City Council and the Regular Joint Meeting with the La Habra Utility Authority 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/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Mayor Pro Tem/Vice Chair Blazey

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Beamish
Mayor Pro Tem/Vice Chair Blazey
Councilmember/Director Gomez
Councilmember/Director Shaw
Councilmember/Director Espinoza

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:

a. Presentation by Orange County Transportation Authority on the OC Loop.

Gary Hewitt, Orange County Transportation Authority's Manager of Transit and Non-Motorized Planning made the presentation. Mayor/Chair Beamish confirmed there will be areas to park and ride bikes. Councilmember/Director Espinoza inquired regarding filling low tires/fixing bikes on the OC Loop. Mayor Pro Tem/Vice Chair Blazey requested an update regarding Coyote Creek.

b. Presentation on Water Diversification and Conservation.

Councilmember/Director Gomez left the dais/meeting at 6:52 p.m.

Public Works Director Saykali gave the PowerPoint presentation. Brett Barbre, Representative of Municipal Water District of Orange County (MWDOC) spoke regarding development of local water resources, MWDOC, water meter practices in California, and gray water recycling (GWR). Deputy Director of Community Development Jaramillo spoke regarding zoning regulations.

II. PUBLIC COMMENTS:

Heather Kobler spoke regarding parking tickets and unclear signage.

Jim Bettendorf congratulated Council and Orange County Transportation Authority for funding the La Habra Express bus program. He expressed that the bus program is confusing. He

suggested advertising the program in the newspaper and in the water bill to reach the elderly and to make the information easy to access.

City Manager Sadro stated the schedule was placed on the City's website this afternoon and staff would look into advertising in the La Habra Journal and the Orange County Register.

Gloria Williams expressed her concerns regarding her suspicions that her apartment is wire-tapped, people are out to harm her, and she is in fear for her life. Mayor/Chair Beamish referred Mrs. Williams to Police Chief Price.

III. CONSENT CALENDAR:

Mayor/Chair Beamish requested that Item III.8 and III.10 be removed from the agenda.

A member of the audience requested that Item III.4 and III.5 be removed from the agenda.

Moved by Councilmember/Director Shaw, seconded by Councilmember/Director Espinoza, and CARRIED 4-0 TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.11 WITH THE EXCEPTION OF ITEMS III.4, III.5, III.8, AND III.10 WHICH WERE REMOVED FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

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

CITY COUNCIL:

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. July 7, 2014
 - b. July 21, 2014
3. Receive and file the Treasurer's Investment Report for the Quarter Ending March 31, 2014.
4. REMOVED FOR SEPARATE DISCUSSION. SEE SECTION IV BELOW.
5. REMOVED FOR SEPARATE DISCUSSION. SEE SECTION IV BELOW.

6. Approve the Complementary Paratransit Plan and authorize the Mayor to execute the Plan between the OCTA and the City of La Habra for the Project V Community-Based Transit/Circulators.
7. Authorize the City Manager to execute the 2013-2014 Head Start & Early Head Start Program Contract authorizing services for 214 preschool aged children and 30 infant/toddler children residing in La Habra.
8. REMOVED FOR SEPARATE DISCUSSION. SEE SECTION IV BELOW.
9. WARRANTS: Approve Nos. 00097444 through 00097600 totaling \$1,895,551.66.

CITY COUNCIL AND LA HABRA UTILITY AUTHORITY:

10. REMOVED FOR SEPARATE DISCUSSION. SEE SECTION IV BELOW.

LA HABRA UTILITY AUTHORITY:

11. Approve Utility Authority Minutes of:
 - a. July 7, 2014
 - b. July 21, 2014

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

CITY COUNCIL:

- III.4. Approve and adopt a resolution prohibiting stopping, standing and parking at all times on the west side of Cypress Street south of Whittier Boulevard and on the north side of Whittier Avenue west of Palm Street for Orange County Transportation Authority Bus Stops.

City Engineer Johansen presented the staff report.

Mayor Beamish invited the public to testify at 7:43 p.m.

Eric Bewley, 1819 East Whittier Boulevard, spoke in opposition to the La Habra Express service route and having a bus near his residence. He expressed concern regarding the potential for people parking in front of his residence due to the no stopping restrictions in the proposed resolution.

Michael Roeck, 1821 East Whittier Boulevard, spoke in opposition to La Habra Express bus stop and bus route by his residence and in the residential area. He requested that parking be allowed on the weekends in the areas outlined in the proposed resolution.

Mayor Beamish closed public testimony at 7:52 p.m.

Council discussion included: concerns relating to locations of bus stops near residential areas, confirmation one of the areas is located directly in front of the California Domestic Water building; and potential for weekend parking in the red zones with the use of signs.

Moved by Councilmember Shaw, seconded by Councilmember Espinoza, and CARRIED 4-0 TO APPROVE AND ADOPT **RESOLUTION NO. 5643** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES EXCEPT FOR WEEKENDS ON THE WEST SIDE OF CYPRESS STREET SOUTH OF WHITTIER BOULEVARD AND ON THE NORTH SIDE OF WHITTIER AVENUE WEST OF PALM STREET FOR ORANGE COUNTY TRANSPORTATION AUTHORITY BUS STOPS.

Said motion CARRIED by the following roll call vote:

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

III.5. [Approve Cooperative Agreement No. C-4-1708 and authorize the Mayor to execute the Agreement between the Orange County Transportation Authority and the City of La Habra for the Project V Community-Based Transit/Circulators.](#)

City Engineer presented the staff report.

Mayor Beamish opened public testimony at 8:06 p.m. There being no public testimony, the testimony was declared closed.

Moved by Councilmember Shaw, seconded by Mayor Beamish, and CARRIED 4-0 TO APPROVE COOPERATIVE AGREEMENT NO. C-4-1708 AND AUTHORIZE THE MAYOR TO EXECUTE THE AGREEMENT BETWEEN THE ORANGE COUNTY TRANSPORTATION AUTHORITY AND THE CITY OF LA HABRA FOR THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS.

Said motion CARRIED by the following roll call vote:

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

III.8. [Approve and authorize the City Manager to execute a lease agreement with Mysterium Theater, Inc. for the operation of the Depot Theater.](#)

Recreation Manager DeLeon presented the staff report.

Mayor Beamish opened public testimony at 8:06 p.m. There being no public testimony, the testimony was declared closed

Council discussion included: confirmation Mysterium Theater, Inc would be closing their theatre in Santa Ana to move to La Habra; confirmation Mysterium Theater, Inc. would be holding more youth plays in La Habra than adult plays as they do currently; confirmation that the Mysterium Theater, Inc. Advisory Group would expand to include La Habra residents; confirmed Mysterium Theater, Inc's website includes youth summer workshops; potential financial opportunities for low income youths in the community to participate; and potential for a free play to be performed in a local park.

Moved by Mayor Beamish, seconded by Mayor Pro Tem Blazey, and CARRIED 4-0 TO APPROVE and authorize the City Manager to execute a lease agreement with Mysterium Theater, Inc. for the operation of the Depot Theater.

Said motion CARRIED by the following roll call vote:

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

CITY COUNCIL AND LA HABRA UTILITY AUTHORITY:

III.10. Approve and adopt resolutions of the La Habra City Council and the La Habra Utility Authority declaring a Stage 2 water supply shortage condition in the City of La Habra.

Mayor/Chair Beamish stated no staff report was necessary for this item.

Councilmember/Director discussion included the following: concerns regarding the cost to residents to hire a landscape architect for planting drought tolerant plants; confirmation regarding efficiency of landscaping requirements, confirmation the resolutions are being driven by the State of California, request for staff to return to Council with a detailed analysis on how the resolutions will be enforced and how to find an alternate solution to hiring a landscape architect; potential to utilize City staff expertise for landscape planning; and confirmation that the list of drought tolerant plants can be found on the Municipal Water District of Orange County's (MWDOC) website; confirmation that the zoning code will be updated in the next few months to address water conservation issues.

Mayor Beamish opened public testimony at 8:06 p.m. There being no public testimony, the testimony was declared closed.

Mayor/Chair Beamish reopened public testimony at 8:11 p.m.

Mark Sturdevant, 1460 Marlei Road, and President/CEO of the La Habra Chamber of Commerce, stated the Chamber is educating the public in the Life in La Habra magazine on how to save water with drought tolerant plants. He expressed that next year's Citrus Fair will include urban farming and growing vegetables with low water usage.

Mayor/Chair Beamish closed public testimony at 8:16 p.m.

Moved by Mayor/Chair Beamish, seconded by Mayor Pro Tem/Vice Chair Blazey, and CARRIED 4-0 TO APPROVE and adopt resolutions of the La Habra City Council and the La Habra Utility Authority declaring a Stage 2 water supply shortage condition in the City of La Habra as follows:

- a. APPROVE AND ADOPT **RESOLUTION NO. 5644** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA DECLARING AND IMPLEMENTING A STAGE 2 WATER SUPPLY SHORTAGE.
- b. APPROVE AND ADOPT **RESOLUTION NO. 2014-2** ENTITLED: A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY DECLARING AND IMPLEMENTING A STAGE 2 WATER SUPPLY SHORTAGE.

Said motion CARRIED by the following roll call vote:

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

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

CITY COUNCIL:

1. Consider agreement to provide design, cost estimating, and project management services for the new Civic Center.

City Manager Sadro presented the staff report. He confirmed that currently the plans did not include the Library building, the Veteran's Hall Building, and the La Habra Museum building. He stated that the Art Association building would most likely be demolished for the development. He clarified that the Art Association would be offered space in the new Civic Center building to display art, for storage purposes, and to have access for events. He explained that the La Habra Police Station exterior would be renovated to match the Community Center and City Hall buildings and would include a barrier wall. He confirmed the construction estimate at the end of Phase 2 should be within 90 to 95 percent of the final cost of the project.

Council discussion included the following: confirmation the proposed buildings are 20 years newer than the current City Hall building; confirmation the office space in the proposed buildings are approximately 38,000 to 40,000 square feet compared to the current City Hall building being 22,000 to 25,000 square feet; the timeline of the different phases of the Civic Center project; staff to return to Council at the completion of Phase 1 with the project cost estimates, cost benefit analysis, preliminary impact fee estimates, and cost estimates to refurbish the La Habra Police Department.

Mayor Beamish opened public testimony at 8:37 p.m. There no being public testimony the testimony was declared closed.

Moved by Councilmember Espinoza, seconded by Mayor Beamish, and CARRIED 4-0 TO APPROPRIATE \$500,000 FROM THE CAPITAL PROJECTS BUILDING MAINTENANCE FUND TO FUND THIS ACTIVITY; AND APPROVE AN AGREEMENT WITH DLS/MVEI FOR DESIGN AND COST ESTIMATING SERVICES NOT TO EXCEED A TOTAL COST OF \$481,880.

Said motion CARRIED by the following roll call vote:

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

2. Consider California State Fullerton Educational forum on oil industry operations in North Orange County and provide staff direction regarding co-sponsoring an educational form.

Assistant to the City Manager Ferrier presented the staff report. He explained the registration process to attend the forum and submit questions to the panel on the California State University Fullerton website.

Council discussion included the following: direct staff to invite La Habra Heights to the forum; confirmation the forum is strictly educational; oil drilling and environmental impact reports; and confirmation that by co-sponsoring the forum the City is not endorsing one point of view or the other.

City Manager Sadro confirmed there would be pro-oil representatives and California State University professors who teach the subject in attendance to address questions and concerns. He stated by co-sponsoring the event, the City's logo will be placed on the event materials and the City would advertise the event to inform residents.

Mayor Beamish invited the public to testify at 8:44 p.m.

Dave Warren, Whittier resident, stated that he was informed that hydraulic fracturing ("fracking") was exempt from the Environmental Impact Report process.

City Attorney Jones shared his experience with this subject matter through his work with the City of Fullerton.

There being no further testimony, the public testimony was closed.

Moved by Mayor Pro Tem Blazey, seconded by Mayor Beamish, and CARRIED 4-0 TO INSTRUCT STAFF TO CO-SPONSOR AN EDUCATIONAL FORUM AT CALIFORNIA STATE UNIVERSITY FULLERTON REGARDING OIL INDUSTRY OPERATIONS IN NORTH ORANGE COUNTY.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Chair Beamish made the following announcements:

- Mayor's office hours are available by appointment.
- La Habra General Municipal nomination period began Monday, July 14, and ends Friday, August 8. Nomination papers are available at City Clerk's office.
- The La Habra Express bus service began the morning of August 4. The service is free through August 8 and the charge is \$1 from August 9.
- The La Habra Children's Museum "Healthy You, Healthy Me" exhibit is on display through August 25.
- The Habitat for Humanity home building project is under construction at the southwest corner of La Habra Boulevard and McPherson Avenue, across the street from Washington Middle School.
- La Habra Summer Day Camp is available through Friday, August 15. The theme is "Walk Across America."
- Upcoming City Council meeting - Monday, August 18, at 6:30 p.m. in the City Council Chambers.
- Visit the City's website at www.lahabraca.gov, for more information about what is happening in La Habra, at the Children's Museum, and at the La Habra Chamber of Commerce.

VIII. COMMENTS FROM STAFF: City Manager Sadro requested the meeting be adjourned in memory of Community Development Director Michael Haack who recently passed away.

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Mayor/Chair Beamish stated he attended the 66th Annual Corn Festival and commended the La Habra Host Lions Club.

Mayor Pro Tem/Vice Chair Blazey congratulated Captain George Johnstone who in September will be awarded a Master's Degree in Security Studies from the Naval Post-Graduate School in Monterey. He stated he attended the La Habra Express ribbon cutting and congratulated Councilmember/Director Shaw for his assistance in obtaining the service for La Habra. He expressed that if the residents of La Habra do not use La Habra Express the service will not remain in La Habra. He stated that the 7-Eleven on La Habra Boulevard and Euclid Street opened and he expressed his excitement to have the owners as members of the community. He congratulated the La Habra Host Lions Club on a successful 66th Annual Corn Festival.

Councilmember/Director Shaw stated he attended the 66th Annual Corn Festival and the La Habra Chamber of Commerce Luncheon. He added that Councilmember/Director Gomez received the President's Award and Lowell Joint School Board Member Fred Schambeck received the Chamber Lifetime Achievement Award. He stated he and his children attended the

City of La Habra Bring Your Kids to Work Day. He thanked City staff and Orange County Transportation Authority staff for organizing the La Habra Express ribbon cutting event. He thanked the La Habra Chamber of Commerce, the La Habra Journal, and the Orange County Register for their support.

Councilmember/Director Espinoza stated she attended the La Habra Express ribbon cutting and the 66th Annual Corn Festival. She thanked the La Habra Host Lions Club, City employees, the La Habra Police Department, the La Habra Police Explorers, and all of the volunteers who assisted with the Corn Festival and parade. She requested the meeting be adjourned in memory of Max Jaramillo III, a relative of Community Development Acting Director Carlos Jaramillo. She extended condolences on behalf of the City Council to the Jaramillo family.

X. ADJOURNMENT: Mayor/Chair Beamish adjourned the meeting in memory of Max Jaramillo III and Michael Haack to Monday, August 18, 2014, at 5:30 p.m. in the Administrative Conference Room 106, followed by the Regular Meeting at 6:30 p.m. in the City Council Chambers.

Respectfully submitted,

Tamara D. Mason, MMC
City Clerk/Secretary