

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA REGULAR MEETING

Tuesday, January 19, 2016

APPROVED: These Minutes were approved on March 7, 2016.

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 Chambers, located at 201 East La Habra Boulevard in La Habra, California.

INVOCATION: Deputy City Attorney Adams

PLEDGE OF ALLEGIANCE: Councilmember Espinoza

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

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
Deputy City Attorney Adams
City Clerk Mason

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

a. Presentation by Washington Middle School, the Water Guardians.

Mayor Gomez introduced Dr. Susan Pritchard, Science and Engineering teacher. She thanked City Council for their time. Dr. Susan Pritchard acknowledged La Habra City School District Superintendent Dr. Susan Belenardo, Assistant Superintendent Teresa Egan, Washington Middle School Principal Dr. Mario Carlos, Assistant Principal Mr. Matthew Cukro, and the school board members in attendance. She thanked the community members for their time and support. She introduced the Water Guardians.

City Council congratulated the Water Guardians on their presentation. Mayor Gomez invited La Habra City School District Superintendent Dr. Susan Belenardo, Assistant Superintendent Teresa Egan, Washington Middle School Principal Dr. Mario Carlos, and School Trustee Ida to the podium. Mayor Gomez invited Jim Byerrum, President of California Domestic Water Company, to the podium who presented the Water Guardians with a \$5,000 check. Jim Byerrum congratulated the Water Guardians and wished them well at their competition. Mayor Gomez presented the Water Guardians with a certificate for outstanding achievement.

- b. Surprise Presentation to Police Chief Price for the POST Executive Management Certificate.

Mayor Gomez invited Police Officer's Standards and Training (POST) Commission's Executive Director Bob Stresak and Police Chief Price to the podium. Bob Stresak presented a POST Executive Certificate to Police Chief Price. Mayor Gomez congratulated Police Chief Price.

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.14.

Said motion CARRIED by the following roll call vote:

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

A. CONSENT CALENDAR:

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. 1765** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADDING SECTION 18.08.140 "CULTIVATION OF MARIJUANA PROHIBITED" TO TITLE 18 "ZONING" OF THE LA HABRA MUNICIPAL CODE.
3. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1766** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING CHAPTER 18.16 "WATER EFFICIENT LANDSCAPING AND WATER CONSERVATION" TO TITLE 18 "ZONING" OF THE LA HABRA MUNICIPAL CODE.
4. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1767** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADDING CHAPTER 13.31 TO THE MUNICIPAL CODE TO PROHIBIT THE EXTRACTION AND EXPORTATION OF GROUNDWATER UNDERLYING THE CITY FOR USE OUTSIDE OF THE CITY.
5. Approve Community Services Commission Minutes of:
 - a. October 14, 2015
 - b. November 4, 2015

6. Authorize City Manager to execute the Memorandum and First Amendment to site lease, with option, between the City of La Habra and T-Mobile for the cellular tower site located at the Public Works Yard at 621 W. Lambert Road, La Habra CA 90631.
7. Approve and authorize the City Manager to sign CCTR-5156 Contract Amendment 01 and CSPP-5305 Contract Amendment 01 with the California Department of Education, Child Development Division for the 2015-16 Fiscal Year; and
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5716** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENTS NO. CCTR-5156 AMENDMENT 01 WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.
 - b. APPROVE AND ADOPT **RESOLUTION NO. 5717** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENTS NO. CSPP-5305 AMENDMENT 01 WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.
8. Authorize the City Manager to execute Amendment Number 1 of the Workforce Innovation and Opportunity Act (WIOA) Youth Cost Reimbursement Agreement between the City of La Habra and the County of Orange that will provide \$50,000 in additional funding for the operation of the Out of School Youth Program in the Northern Region by the Employment and Training Division, through June 30, 2016.
9. Approve Notice of Completion for the Annual Sidewalk and Access Ramp Improvements at Various Locations for Fiscal Year 2014-2015; Project No. 3-R-14; Imperial Highway and Briercliff Drive Medians, Project No. 4-R-14; and Parking Lot Improvements at Public Works Facility, Project No. 6-R-14.
10. Adopt a Resolution certifying that City has the resources to fund the projects in the Federal Fiscal Year 2016/17 - 2021/22 Federal Transportation Improvement Program and affirms its commitment to implement all projects in the jurisdiction of the Orange County Transportation Authority (OCTA) for the Arterial Pavement Management Program (APM).
 - a. APPROVE AND ADOPT **RESOLUTION NO. 5718** ENTITLED: A RESOLUTION 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 2016/17 - 2021/22 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM.
11. Approve the relocation of the school crosswalk from the south side to the north side of the south driveway for the Walnut School parking lot; adopt a resolution prohibiting stopping, standing and parking at all times on Walnut Street north of Greenwood Avenue; and appropriate \$23,000 from Gas Tax Funds to cover the costs of the proposed improvements on Walnut Street; and

- a. APPROVE AND ADOPT **RESOLUTION NO. 5719** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES ON WALNUT STREET NORTH OF GREENWOOD AVENUE.
12. Approve and authorize the City Manager to execute the Orange County Health Care Agency (OCHCA) "Fit Cities Mini Grant" contract for the purpose of creating spaces and programs that support a healthy lifestyle.
13. Receive and file the Comprehensive Annual Financial Report of the City of La Habra for the Fiscal Year ending June 30, 2015; Receive and file the Annual Financial Report of the La Habra Utility Authority for the Fiscal Year ending June 30, 2015; and receive and file the Single Audit report for the Fiscal Year ending June 30, 2015.
14. WARRANTS: Approve Nos. 00104654 through 00105007 totaling \$2,390,928.33.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

1. Consider an ordinance amending sections 5.12.030 through 5.12.100 and deleting Section 5.12.110 through Section 5.12.140 of Chapter 5.12 of Title 5 of the La Habra Municipal Code relating to Handbilling.

City Clerk Mason presented the staff report.

Council discussion included confirmation section 5.12.050 regarding handbilling at vacant properties is being deleted in its entirety.

Deputy City Attorney Adams confirmed the matter of placing handbills in places where they would be blown away is covered in other areas of the ordinance. He clarified the proposed update is to bring the ordinance up to date with current court cases and laws interpreting the first amendment that were involved.

Mayor Gomez opened the public hearing at 7:00 p.m. There was no public testimony.

Moved by Mayor Pro Tem Shaw, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1768** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING SECTIONS 5.12.030 THROUGH 5.12.100 AND DELETING SECTIONS 5.12.110 THROUGH 5.12.140 OF CHAPTER 5.12 OF TITLE 5 OF THE LA HABRA MUNICIPAL CODE, RELATING TO HANDBILLING.

Said motion CARRIED by the following roll call vote:

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

ABSENT: NONE

VI. CONSIDERATION ITEMS:

1. Consider expiring terms of the Community Services Commission, the Planning Commission, and the Beautification Committee; and give staff direction.

City Clerk Mason presented the staff report. She stated that two 4-year terms for the Planning Commission will expire on March 31; those of Commissioner Jerry Callaghan and Paul Janoian. She stated the three 3-year terms of Commissioners Deborah Musser, Jess Badillo, and Melody Drake will expire on March 3; and one 2-year term of Kathy Felix on the Community Services Commission. She stated that the Beautification Committee currently has two vacancies due to the resignations of Barbara Priestly and the passing away of Vanna Sharp. She explained that the committee is comprised of 7 members, 4 are appointed by the La Habra Chamber of Commerce and 3 are appointed by the Council; and that Barbara Priestly was appointed by the City Council and Vanna Sharpe was appointed by the La Habra Chamber of Commerce. She clarified that staff had notified the Chamber to select one new member to the committee that Council could ratify at a later date. She further explained that the Beautification Committee positions do not expire and therefore the appointments would be for indefinite terms.

City Clerk Mason summarized that the following positions were being considered:

- **Planning Commission:** Two 4-year terms which will expire on March 31, 2020.
- **Community Services Commission:** Three 3-year terms which expire on March 31, 2019; and one 2-year term which will expire on March 31, 2018.
- **Beautification Committee:** One vacancy with an indefinite term.

Council discussion included confirmation that all incumbents, with the exception of Jerry Callaghan and Melody Drake are interested in being reappointed.

Mayor Gomez invited the public to testify at 7:05 p.m. There was no public testimony.

Moved by Councilmember Beamish, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE ADVERTISING ALL OF THE EXPIRING TERM POSITIONS ON THE PLANNING COMMISSION, THE COMMUNITY SERVICES COMMISSION, AND THE BEAUTIFICATION COMMITTEE; AND SCHEDULE INTERVIEWS.

Said motion CARRIED by the following roll call vote:

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

2. Consider a proposed Coyote Management Plan.

Police Chief Price presented the staff report.

Council discussion included: confirmation reported coyote incidents were primarily regarding domestic animals; verification there have been no reports of threatening or stalking behavior by coyotes within the City of La Habra; confirmation individuals may contract with a trapping service on their property and must notify the Police Department; review of coyote trapping protocol; review of threat level and tiered response; verification the increase in coyotes in La Habra is due to an increase in the number of people and pets; coyote sighting reporting phone line, (562) 383-4357, has been initiated and a web site questionnaire will be completed soon; review of vendor proposal, cost summary and use of the three trapping vendors; support of coyote trapping by schools; verification of lethal trapping in proposed Coyote Management Plan; and confirmation the City hired a trapper in Fiscal Year 2007-2008.

Mayor Gomez invited the public to testify at 7:25 p.m.

Mrs. Whittington spoke in support of trapping, the formation of a citizen committee, and community education. She encouraged trapping of coyotes, accurate data be collected of coyote sightings, pet injuries, and pet deaths. She stated education should be on caring for pets, not caring of coyotes.

Mayor Gomez closed public testimony at 7:28 p.m.

Moved by Councilmember Beamish, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE RECEIVING AND APPROVING THE PROPOSED COYOTE MANAGEMENT PLAN; HAVE STAFF CONSIDER THE BENEFITS OF A CITIZEN'S COMMITTEE AND TO REPORT BACK TO COUNCIL; AND STAFF TO PROVIDE COUNCIL WITH MONTHLY UPDATES REGARDING COYOTE SIGHTINGS AND ACTIVITY.

Said motion CARRIED by the following roll call vote:

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

Councilmember Beamish requested staff to speak with Mrs. Whittington regarding the formation of a citizens committee. He asked for staff to research if other cities have formed citizens committees for coyote management, to formulate how the committee would work, and to determine the benefits of having a citizens committee.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- Sandbags are available at the City Yard or at LA County Fire Stations #192 or #193 in preparation for El Niño.
- The Community Services Department will host a design day at the Community Center on Wednesday, February 10, to help our project partners from KaBOOM! design the new playground at Montwood Park.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Beamish commented on the passing of Vanna Sharp and stated she will be missed.

Councilmember Blazey stated Vanna Sharp was his neighbor, his campaign treasurer, and was a wonderfully sweet lady. He stated that he attended her memorial service and that she will be missed. He requested the meeting be adjourned in her memory.

Mayor Pro Tem Shaw expressed his sorrow at the passing of Vanna Sharp. He requested the meeting be adjourned in memory of Edna Bomar, his wife Shannon's grandmother who passed away Sunday, January 17. He added that Edna's son Ron, Shannon's father, was a Sergeant with the Whittier Police Department and Edna was the mother of five children and numerous grandchildren. He expressed his sadness at her passing.

Mayor Gomez stated that he attended the memorial service of Vanna Sharp. He stated she was an active member of the La Habra Host Lions Club and the Gary Center. He requested to adjourn in memory of Margaret Burch, one of the founders of Burch Ford, owner of the 300 Bowl, and was very active in the community. He stated the anniversary of former City Councilmember Steve Anderson's passing was on January 16, and asked the meeting be adjourned in his memory also.

X. ADJOURNMENT: Mayor Gomez adjourned the City Council Meeting in memory of Vanna Sharpe, Edna Bomar, Margaret Burch, and Steve Anderson at 7:45 p.m. to Monday, February 1, 2016, 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