MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING &
REGULAR MEETING &
REGULAR JOINT MEETING WITH THE
LA HABRA CIVIC IMPROVEMENT AUTHORITY, LA HABRA HOUSING AUTHORITY,
LA HABRA UTILITY AUTHORITY, AND
SUCCESSION AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY

Monday, March 04, 2019

APPROVED: These Minutes were approved on June 3, 2019.

ADJOURNED REGULAR MEETING 4:00 P.M.:

CALL TO ORDER: Mayor Gomez called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 4:00 p.m. in the Administrative Conference Room 210, 110 East La Habra Boulevard.

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

COUNCILMEMBERS/DIRECTORS ABSENT: Councilmember Shaw

OTHER OFFICIALS PRESENT: City Manager Sadro
Interim City Clerk Swindell

I. Conduct interviews for annual expiring terms and vacancies on the Planning Commission and the Community Services Commission.

Interviews were conducted with the following applicants: Jose Vargas, Linda Cooke, Bruce Medeck, Yahtina Soto, Gary Martinez, Denis Schmidt, and Grace Garcia.

II. ADJOURNMENT: The meeting was adjourned at 5:51 p.m.

REGULAR MEETING & REGULAR JOINT MEETING:

CALL TO ORDER: Mayor/Director Gomez called the Regular Meeting of the City Council of the City of La Habra and the Regular Joint Meeting with the La Habra Civic Improvement Authority, the La Habra Housing Authority, the La Habra Utility Authority, and the Successor Agency to the La Habra Redevelopment Agency to order at 6:30 p.m. in the City Council Chamber, 100 East La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney/Legal Counsel Jones
PLEDGE OF ALLEGIANCE: Mayor Pro Tem/Director Beamish

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Director Gomez
Mayor Pro Tem/Director Beamish
Councilmember/Director Espinoza
Councilmember/Director Medrano

COUNCILMEMBERS/DIRECTORS ABSENT: Councilmember/Director Shaw
(Excused absence)

OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
City Attorney/Legal Counsel Jones
Interim City Clerk/Secretary Swindell

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS:

a. Presentation to the La Habra Police Department Radio Patrol Unit volunteers Steve Hopple and Ted Singer.

Mayor/Director Gomez invited the City Council, Lieutenant Tigner on behalf of Police Chief Price, and Carolina Garcia, District Representative for Senator Ling Ling Chang to join him at the front of the dais. Steve Hopple and Ted Singer received City Proclamations and State of California Certificates of Appreciation honoring their many years of volunteer Radio Patrol service.

b. Splash Pad Park Improvement Projects Update presentation.

Mayor/Director Gomez invited Senior Civil Engineer Rangel to the podium. Senior Civil Engineer Rangel gave a brief PowerPoint presentation.

II. PUBLIC COMMENTS:

Mike Opolosky, South Monte Vista property owner, spoke in support of speed bumps on Monte Vista Street. Mayor/Director Gomez referred Mr. Opolosky to City Engineer Johansen.

Kelly Garcia, 1721 Brookdale Avenue, inquired about the proposed zone change. Mayor/Director Gomez advised her to speak when the item was discussed during the Public Hearing portion of the meeting.

Mr. Safarino Castillo, La Habra resident inquired the status of the initiative and if any development projects were forecasted prior to the year 2020. Mayor/Director Gomez asked Mr. Castillo to provide his contact information to City Manager Sadro so he could call him to discuss his inquiry.

III. CONSENT CALENDAR:

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED (4-0) TO APPROVE Motion to Approve CONSENT CALENDAR ITEMS III.A.1 THROUGH III.G.1. Said motion CARRIED by the following roll call vote:

AYES: Mayor/Director Gomez, Mayor Pro Tem/Director Beamish,
Councilmember/Director Espinoza, Councilmember/Director Medrano
A. **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 the issuance of an Easement Deed to Southern California Edison (SCE) for a portion of La Bonita Park located at 1400 West Whittier Boulevard; and authorize staff to send the Easement Deed to the County of Orange for recordation.

3. Approve and authorize City Manager to execute agreements with recommended consultants for On-Call Professional Engineering Services for Public Works projects on an as-needed basis for Fiscal Year 2018-2019 through Fiscal Year 2022-2023; and authorize staff to issue purchase orders to (1) Onward Engineering, Inc. and (2) JMDiaz, Inc. for Fiscal Year 2018-2019 through Fiscal Year 2022-2023 in an amount not to exceed $250,000 per year, per selected consultant.

4. Approve and authorize staff to submit application(s) for all CalRecyle Grants for which the City of La Habra is eligible; and

   a. **APPROVE AND ADOPT RESOLUTION NO. 5885 ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING SUBMITTAL OF APPLICATION(S) FOR ALL CALRECYCLE GRANTS FOR WHICH THE CITY OF LA HABRA IS ELIGIBLE.**

5. Approve the adoption of the City of La Habra Complete Streets Master Plan; and

   a. **APPROVE AND ADOPT RESOLUTION NO. 5886 ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING THE CITY OF LA HABRA COMPLETE STREETS MASTER PLAN.**


7. **WARRANTS:** Approve Nos. 00120197 through 00120314 totaling $1,314,164.26.

8. Approve City Council Minutes of:
   a. January 7, 2019
   b. February 4, 2019

B. **CIVIC IMPROVEMENT AUTHORITY:**

1. Approve Civic Improvement Authority Minutes of:
a. December 17, 2018  
b. January 7, 2019  
c. January 22, 2019  
d. February 4, 2019  
e. February 19, 2019

C. **HOUSING AUTHORITY:**

1. Approve Housing Authority Minutes of:  
   a. December 17, 2018  
   b. January 7, 2019  
   c. January 22, 2019  
   d. February 4, 2019  
   e. February 19, 2019

D. **UTILITY AUTHORITY:**

1. Approve Utility Authority Minutes of:  
   a. December 17, 2018  
   b. February 4, 2019  
   c. February 19, 2019

E. **SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AUTHORITY:**

1. Approve Successor Agency Minutes of:  
   a. December 17, 2018  
   b. February 4, 2019  
   c. February 19, 2019

F. **CITY COUNCIL AND UTILITY AUTHORITY:**

1. Approve Plans and Specifications for the construction of the Residential Street Rehabilitation Project, Fiscal Year 2016-2018, Project 3-R-18 and Annual Water Main Replacement Program, Fiscal Year 2017-2018, Project 2-W-18; approve withdrawal of bid proposal submitted by G.J. Gentry General Engineering, Inc. due to a clerical error; award construction contract for the construction of Residential Street Rehabilitation Project, Fiscal Year 2016-2018, Project 3-R-18 and Annual Water Main Replacement Program, Fiscal Year 2017-2018, Project 2-W-18 to Big Ben, Inc. in the amount of $5,412,749.98 and reject all other bids; authorize City Manager to execute agreement with Big Ben, Inc. and authorize staff to issue a purchase order to Big Ben, Inc. in the total amount of $5,954,024.98 which includes a 10 percent contingency; authorize staff to draw down and expend Series 2013A Water Bond account proceeds in the amount of $3,088,000.00; and appropriate $275,903.53 from Water Funds reserves for the water main replacement portion of this project.

G. **CITY COUNCIL AND ALL AUTHORITIES/AGENCY:**
1. Approve and adopt the City of La Habra Fiscal Year 2018-2019 Amended Municipal Budget reallocations resulting from City Council approved Memorandums of Understanding and salary resolutions; and


IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS:

City Manager Sadro requested to have Consideration Item VI.A.1 heard prior to Public Hearing Item V.A.1.

Moved by Mayor Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED (4-0) TO APPROVE Motion to move Consideration Item VI.A.1 before the Public Hearing. Said motion CARRIED by the following roll call vote:

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

A.  CITY COUNCIL:

1. Duly noticed public hearing to consider Zone Change 18-06 establishing three new zoning designations (R-5, R-6, and R-7) and rezoning various property throughout the city; and repealing and replacing chapter 18.26 "R-2, R-2a, R-3 and R-4 Multiple-Family Dwelling Zones" in its entirety and replacing it with the new Chapter 18.26 "R-2, R-3, R-4, R-5, R-6 and R-7 Multiple-Family Dwelling Zones," and amending chapters 18.06, 18.12, 18.14, and 18.56. The proposed amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA guidelines.

Community and Economic Development Director Ho introduced Planning Manager Ramsland who presented the staff report.

Council discussion included: confirmation that the proposed revision to the La Habra Land Use Zoning Map involving Chestnut Street has been removed from consideration; any action taken would not affect Chestnut Street; residential development pace decrease related to the General Plan 2035; request for a development projection analysis report every 5-years to assist City Council in reassessing Council’s previous actions; revisit General Plan 2035 in the near future to rezone properties to R-1 zones; consider decreasing residential density for new development; clarification regarding the R-7 zoned properties; verification that the Valentina project located on Beach Boulevard was developed by use of a specific plan.

Mayor Gomez invited the public to testify at 7:33 p.m.

The following spoke in opposition to establishing three new residential zone change designations:

- Arlene Buck, 281 South Monte Vista Street
- La Habra Resident, Chestnut Street
- Larry Lazar, 801 Chapman Avenue, Suite 233, Fullerton
- Jose Serrano, 620 East Third Avenue
- Linda Luem Bennett, 960 Chestnut Street
- Daniel Sapp, 970 North Walnut Street
- Mark Hutchinson, 232 Second Avenue
- Donna Wilson, 816 East Third Avenue
- Lorenda Gonzales, 1499 West Lambert Road
- La Habra Resident, Monte Vista Street
- Anna Baker, 100-340 East Whittier Boulevard
- Margorie Bush, Third Avenue

Mayor Gomez closed public testimony at 7:55 p.m.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED (4-0) TO APPROVE FIRST READING OF ORDINANCE NO 1803 ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 18-06.
ESTABLISHING THREE NEW ZONING DESIGNATIONS (R-5, R-6, AND R-7), AND REZONING VARIOUS PROPERTY THROUGHOUT THE CITY AS PER EXHIBITS "A" AND REPEALING AND REPLACING CHAPTER 18.26 "R-2, R-2A, R-3 AND R-4 MULTIPLE-FAMILY DWELLING ZONES" IN ITS ENTIRETY AND REPLACING IT WITH THE NEW CHAPTER 18.26 "R-2, R-3, R-4, R-5, R-6 AND R-7 MULTIPLE-FAMILY DWELLING ZONES" AND AMENDING CHAPTERS 18.06, 18.12, 18.14 AND 18.56 AS PER EXHIBIT B.

City Manager Sadro reconfirmed that the Chestnut properties would not be considered as part of this proposed project.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: Councilmember Shaw

RECESS: Mayor Gomez called the Meeting into Recess at 7:57 p.m.

RECONVENE: Mayor Gomez reconvened the Meeting at 8:01 p.m. All members of Council/Authorities/Agency were present with the exception of Councilmember/Director Shaw who had an excused absence.

2. Duly noticed public hearing to consider request for Mitigated Negative Declaration of Environmental Impacts 18-01, and Planned Unit Development Master Plan 18-01 to construct a 30-unit apartment complex at 320-330 South Monte Vista Street. An Initial Study, resulting in a Mitigated Negative Declaration of Environmental Impacts (MND 18-01), was prepared for this project pursuant to Sections 15070 to 15075 of the California Environmental Quality Act (CEQA) Guidelines. The environmental analysis prepared for the proposed project indicated that the project would not result in any significant environmental impacts that cannot be mitigated. Mitigation Measures have been identified and are included in the Mitigation Monitoring Program.


Community and Economic Development Director Ho introduced Planning Manager Ramsland who presented the staff report.

Council discussion included: problems with existing parking congestion; concern with the State of California’s affordable housing parking requirements and its effects on local communities; and the possibility that the project developer could generate additional parking; and requested staff to work with the property owner to find solutions to traffic and parking problems the project could potentially generate.

City Attorney Jones advised Council to conduct the public hearing and allow residents to testify. He added that at that point further dialogue could take place with the property owner regarding the Council’s concerns and direction.

Mayor Gomez invited the public to testify at 7:33 p.m.

The following spoke in opposition to the proposed project:

- Arlene Buck, 281 South Monte Vista Street
- Mike Opolosky, South Monte Vista Street property owner

The following spoke in favor of the proposed project:

- Michael Barnett, Representative for the Project Developer

City Attorney Jones expressed a potential conflict of interest concerning the distance between Councilmember Espinoza’s residence and the proposed project, which could affect her ability to participate in the decision process. Mayor Gomez requested that City Attorney Jones work with staff to determine whether a conflict of interest existed and to report the findings.

**RECESS:** Mayor Gomez called the Meeting into Recess at 8:21 p.m.

**RECONVENE:** Mayor Gomez reconvened the Meeting at 8:26 p.m. All members of Council/Authorities/Agency were present with the exception of Councilmember/Director Shaw who had an excused absence.

City Attorney Jones reported that based on newly revised Fair Political Practices Commission requirements regarding real property that Councilmember Espinoza’s residence was within 1,000-feet of the proposed project. Due to the location of her residence, she had a conflict of interest and should not participate in this item.

Councilmember Espinoza left the dais at 7:49 p.m.

Michael Barnett, Developer Representative, stated portions of various State of California legislation regarding housing. He clarified that his project proposes to provide three very low-income apartments units, meeting State requirements.

Mayor Gomez closed public comments at 7:55 p.m.

Council discussion included: lack of affordable housing in California; the differences between condominiums and apartments; issues associated with high bonus density properties and parking; and establishing solutions for crime; and reduction of blight in the City.
Moved by Mayor Gomez, seconded by Councilmember Medrano, and CARRIED (3-0) TO APPROVE TO CONTINUE THIS ITEM TO MONDAY, APRIL 1, 2019, AT 6:30 P.M. IN COUNCIL CHAMBER.

Said motion CARRIED by the following roll call vote:

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

Councilmember Espinoza returned to the dais at 8:34 p.m.

IV.  CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

VI.  CONSIDERATION ITEMS:

Consideration Item VI.A.1 was heard prior to Public Hearing Item V.A.1.

A.  CITY COUNCIL:


   Community and Economic Development Director Ho introduced Consultant Woody Tesher from Place works who presented a progress report on the General Plan. The presentation included existing and new State of California housing requirements geared to increase housing production. Consultant Woody Tesher introduced Senior Planner Schaefer who gave an annual report on General Plan 2035. The report included the status of the City’s compliance with the Regional Needs Housing Assessment (RHNA), and that the City was a few units short of meeting this requirement.

   Mayor Gomez invited the public to testify at 7:33 p.m.

   Mike Opolosky, South Monte Vista property owner spoke in opposition to the State of California’s requirement to increase affordable housing in local communities. He encouraged the City to advocate for the City’s best interest.

   City Manager Sadro described the City’s continuous efforts to track new State of California legislation, and noted Council’s active role to provide direction by supporting or opposing bills that could potentially affect the City of La Habra. City Manager Sadro also stated that the City, along with other cities, participates with the League of California Cities to fight Sacramento in taking away local control.

   Mayor Gomez closed public comments at 7:55 p.m.

   Council discussion included: review of General Plan 2035; and the increase of mixed-use and residential development to assist in addressing vacant commercial properties and underdeveloped businesses.
Council instructed staff to report back to Council regarding the following from five years ago to today: recent residential development and its effect on attraction of new businesses to the City; percentage of residential development versus business development and had a balance between the two been reached; the measure of traffic patterns; and whether the following had affected traffic congestion in the City: recent population growth, cut-through traffic, new neighboring development; and possible amendments to General Plan 2035.

Moved by Mayor Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED (4-0) TO APPROVE TO RECEIVE AND FILE THE ANNUAL REPORT ON THE CITY OF LA HABRA GENERAL PLAN FOR CALENDAR YEAR 2018.

Said motion CARRIED by the following roll call vote:

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

Moved by Mayor Pro Tem Beamish, seconded by Mayor Gomez, and CARRIED (4-0) TO APPROVE TO AUTHORIZE THE DIRECTOR OF COMMUNITY AND ECONOMIC DEVELOPMENT TO FORWARD THE DOCUMENT TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH AND THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT PER GOVERNMENT CODE SECTION 65400(B)(1).

Said motion CARRIED by the following roll call vote:

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

2. Consider the Code Enforcement Status Update Report.

Community and Economic Development Director Ho introduced Code Enforcement Manager Dekowski who presented the staff report.

Council discussion included: concern regarding the lack of Code Enforcement coverage on weekends; an increase in Code Enforcement Division staffing; concern with the City’s financial crisis regarding California Public Employee Retirement System (CalPERS) unfunded liability; agreement that layoffs were not Council’s direction; budgetary issues associated with funding a new Code Enforcement position; the various staff positions that had been cut from the City’s budget; increase in operating costs; and increased unfunded liabilities would affect staffing decisions.

Mayor Gomez invited the public to testify at 8:45 p.m. There being no public testimony Mayor Gomez closed public testimony.
Moved by Councilmember Medrano, seconded by Mayor Pro Tem Beamish, and CARRIED (4-0) TO APPROVE TO RECEIVE AND FILE THE CODE ENFORCEMENT STATUS UPDATE REPORT.

Said motion CARRIED by the following roll call vote:

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

3. Consider the Investment Guidelines, which includes a "Moderate" Asset Allocation Strategy, for the City of La Habra's Pension Rate Stabilization Program through Public Agency Retirement Services (PARS).

City Manager Sadro requested that Consideration Item VI.A.3 be continued to March 18, 2019, at 6:30 p.m. in the Council Chamber.

Moved by Mayor Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED (4-0) TO CONTINUE THIS ITEM TO MARCH 18, 2019, AT 6:30 P.M. IN THE COUNCIL CHAMBER.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR’S COMMUNITY CALENDAR:

Mayor/Director Gomez made the following announcements:

- City of La Habra Splash Pad Community Meeting – Thursday, March 7, at 6:30 p.m.
- La Habra Races - Saturday, March 9, beginning at 7:00 a.m. The event will feature a 5K, 1K Kiddy Run, and 50-Yard “Diaper Dash.”
- La Habra Movies in the Park – Friday, April 12, at Portola park and will begin at dusk
- La Habra Spring Family Eggstravaganza – Saturday, April 20, at La Bonita Park

VIII. COMMENTS FROM STAFF:

City Manager Sadro reported that he would participate in the La Habra Races event.

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Espinoza reported that she attended the State of the Community event.
Mayor Pro Tem/Director Beamish reported that he would be participating in the La Habra Races event. He encouraged the community to participate.

Councilmember/Director Medrano reported that he attended the State of the Community and the La Habra Girls Softball (LHGS) opening night events. He acknowledged the LHGS Board Members and expressed appreciation for the City’s assistance with the softball field scoreboard. He noted that he was looking forward to participating in the La Habra Races event.

Mayor/Director Gomez reported that he attended the State of the Community event.

X. ADJOURNMENT: Mayor/Director Gomez adjourned the meeting in memory of Blanca Jarrin and Jim Thompson at 8:53 p.m. to Monday, March 18, 2019, at 3:00 p.m. in Administration Conference Room 210, 2nd Floor 110 East La Habra Boulevard, La Habra, California for Commission interviews, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber.

Respectfully submitted,

Laurie Swindell, CMC
Interim City Clerk