

100 E. La Habra Boulevard, La Habra, CA
WHEN ADDRESSING COUNCIL PLEASE COMPLETE A SPEAKER'S CARD BEFORE
LEAVING COUNCIL CHAMBERS



AGENDA

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

MONDAY, APRIL 1, 2019

ADJOURNED REGULAR MEETING 3:45 P.M.:

CALL TO ORDER: Administration Conference Room 210 (enter through Room 206) 2nd Floor,
110 East La Habra Boulevard,

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

RECESS:

RECONVENE: Council Chamber, Room 112c, 100 East La Habra Boulevard.

II. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

III. CLOSED SESSION: Closed Session Conference Room 112c, 100 East La Habra Boulevard.

- a. Conference with Legal Counsel potential litigation pursuant to Government Code Section 54956.9(d)(2) (one potential case).
- b. Conference with Real Property Negotiator per Government Code 54956.8 – Property 106 East 1st Avenue (APN 022-174-17) and 222 South Euclid Avenue (APN 022-174-08); City Negotiator: Jim Sadro, City Manager; Negotiating Parties: Vishnu A. Patel Trust and Mark E. and Alicia M. Bryant; Under Negotiation: Price and Terms.

III. ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber

**Council Next Res. No. 5890
Council Next Ord. No. 1804**

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Medrano

ROLL CALL: Councilmember Medrano
Councilmember Shaw
Councilmember Espinoza
Mayor Pro Tem Beamish
Mayor Gomez

CLOSED SESSION ANNOUNCEMENT:

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclaim the week of April 8-14, 2018, as “National Animal Control Officer Appreciation Week” in the City of La Habra.
- b. Proclaim April 2019 as “DMV/Donate Life California Month” in the City of La Habra.
- c. Proclaim Thursday, May 2, 2019, as a day set apart for the Annual Mayor’s Prayer Breakfast in recognition of the National Day of Prayer.

II. PUBLIC COMMENTS:

This is the time for the public to address any item of interest to the public that is within the subject matter jurisdiction of the City NOT appearing on this Agenda. Speakers must limit their comments to three (3) minutes each. The total time period for public comment is 30 minutes. (Note: Per Government Code Section 54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda).

III. CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Councilmember or member of the audience requests separate action or removal of an item. Removed items will be considered following the Consent Calendar portion of this agenda. Members of the audience will have the opportunity to address Council on removed items at that time. **Speakers must limit their comments to three (3) minutes each.**

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. Receive and file Planning Commission Minutes of:
 - a. December 10, 2018
 - b. January 28, 2019
3. Approve and authorize City Manager to enter into a retainer agreement with the law firms of Robins Kaplan, and Andrews and Thornton; and join a civil suit against the manufacturers of prescription opiates and those in the chain of distribution of prescription opiates that have contributed to the opioid epidemic in the United States.
4. Approve and authorize City Manager to place the City’s primary earthquake policy with Landmark American Insurance Company at a policy limit of \$5 million and assign the excess coverage of \$67.23 million to Everest Indemnity, QBE Specialty Insurance, and General Security Insurance for the term of April 19, 2019 through April 19, 2020 at a 10 percent deductible and an annual premium cost of \$249,168.
5. Approve and authorize the Mayor to execute a Memorandum of Understanding (MOU) as a member agency in the North Orange County Service Planning Area (SPA) homelessness outreach effort; and authorize City Manager to approve non-substantive changes to the MOU as needed.

6. Approve a resolution rescinding Resolution No. 5651 Establishing a Twenty-minute Parking Zone at Certain Times on Lambert Road West of Martinez Drive; at 2451 West Lambert Road; and
 - a. APPROVE **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA RESCINDING RESOLUTION NO. 5651 ESTABLISHING A TWENTY-MINUTE PARKING ZONE AT CERTAIN TIMES ON LAMBERT ROAD WEST OF MARTINEZ DRIVE.
7. Approve the La Habra Citrus Fair temporary signage promoting the civic event at the southeast corner of La Habra Boulevard and Euclid Street and at the northwest corner of La Habra Boulevard and Harbor Boulevard, subject to the satisfaction of the Director of Community and Economic Development.
8. Approve and authorize City Manager to execute separate professional services agreements with the consulting firms FM3, not to exceed \$29,500, and the Lew Edwards Group, not to exceed \$29,750, to conduct a community satisfaction survey.
9. Approve and authorize City Manager to execute a Memorandum of Understanding (MOU) with Vista Community Clinic (VCC: The Gary Center) to provide educational information regarding dental care and provide dental screenings for the children enrolled in the Child Development Division Programs from April 1, 2019 through March 31, 2020.
10. WARRANTS: Approve Nos. 00120531 through 00120797 totaling \$3,038,001.94.
11. Approve an increase in the Early Head Start Basic Budget & Training and Technical Assistance (T&TA) Budget in the amount of \$11,824 for Fiscal Year 2018-2019 with Orange County Head Start, Inc.; authorize staff to make line item budget adjustments as necessary; and
 - a. APPROVE **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF THE EARLY HEAD START BASIC BUDGET AND TRAINING AND TECHNICAL ASSISTANCE BUDGET ADJUSTMENT APPLICATION FOR FISCAL YEAR 2018-2019 WITH ORANGE COUNTY HEAD START, INC.
12. Approve Early Head Start Program Refunding Application with Orange County Head Start (OCHS) for the 2019-2020 Fiscal School Year and authorize City Manager to sign the application and documentation.
13. Approve and authorize City Manager to execute an agreement between City of La Habra and Fullerton Joint Union High School District (FJUHSD) to continue providing the School Resource Officer (SRO) program at La Habra High School and Sonora High School for Fiscal School Year 2018-2019; with an option for up to three additional term periods of one Fiscal School Year each.
14. Approve and authorize City Manager to execute the proposed Master Joint Use Agreement with the Fullerton Joint Union High School District (FJUHSD) for the use of La Habra High School, located at 801 West Highlander Avenue, and Sonora High School located at 401 South Palm Street from Fiscal Year 2018-2019 through Fiscal Year 2028-2029.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

V. PUBLIC HEARINGS:

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

1. Duly noticed public hearing to consider certifying Mitigated Negative Declaration of Environmental Impacts 18-01, and approve Planned Unit Development Master Plan 18-01 for the construction of a 30-unit apartment complex at 320-330 South Monte Vista Street, subject to findings and conditions in the attached resolution and ordinance. 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.
(This item was continued from the 3/4/2019 City Council Meeting.)

Recommendation:

- a. Mitigated Negative Declaration 18-01 – APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS 18-01 FOR THE CONSTRUCTION OF A 30-UNIT APARTMENT COMPLEX AT 320-330 SOUTH MONTE VISTA STREET, SUBJECT TO THE MITIGATION MONITORING AND REPORTING PROGRAM AND THE STATEMENT OF FINDINGS OF FACT HERETO ATTACHED AS EXHIBITS "A" & "B."
 - b. Planned Unit Development 18-01 – APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT MASTER PLAN 18-01 FOR THE PROPERTY AT 320-330 SOUTH MONTE VISTA STREET, MAKING THE APPROPRIATE FINDINGS, AS PER THE REVISED SITE PLAN, AND SUBJECT TO CONDITIONS.
2. Duly notice public hearing to consider Zone Change 18-08 amending Title 18 (Zoning) by creating Chapter 18.54 "MX-Mixed Use Overlay Zone" and re-zoning certain properties throughout the City by adding the MX Overlay Zone to the base zone along with updating Table 18.06.010.1 adding the MX Overlay Zone as per Exhibits "A" and "B." 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; and

Recommendation:

- a. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 18-08 AMENDING TITLE 18 (ZONING) BY CREATING CHAPTER 18.54 "MX-MIXED USE OVERLAY ZONE" AND RE-ZONING CERTAIN PROPERTIES THROUGHOUT THE CITY BY ADDING THE MX OVERLAY ZONE TO THE BASE ZONE ALONG WITH UPDATING TABLE 18.06.010.1 ADDING THE MX OVERLAY ZONE, AS PER EXHIBITS "A" AND "B."

3. Duly noticed public hearing to consider reappointing the City of La Habra Community Services Commission to serve as the Community Development Block Grant (CDBG) Citizen Participation Committee; and approve the Amended Community Development Block Grant (CDBG) Citizen Participation Plan (CPP).

Recommendation:

- a. APPROVE **RESOLUTION NO.** _____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REAPPOINTING THE CITY OF LA HABRA COMMUNITY SERVICES COMMISSION TO SERVE AS THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CITIZEN PARTICIPATION COMMITTEE AND APPROVING THE CDBG CITIZEN PARTICIPATION PLAN.

VI. CONSIDERATION ITEMS:

Any member of the audience may request to address the Council on any Consideration Item, prior to the City Council taking a final vote on the Item. The Mayor will invite interested persons to come forward to the podium and speak as each Item is called. **Speakers must limit their comments to three (3) minutes each.**

1. Consider appointments for annual expiring terms and vacancies on the Planning Commission, the Community Services Commission, and appoint an Alternate to the Hillside Open Space Education Coalition (HOSEC).

Recommendation:

- a. Conduct remaining interviews for two 4-year terms expiring on the Planning Commission and three 3-year terms on the Community Services Commission.
- b. Appoint two individuals to the Planning Commission to fill two 4-year terms expiring on March 31, 2023.
- c. Appoint three individuals to the Community Services Commission to fill three 3-year terms expiring March 31, 2022.
- d. Appoint an Alternate to the Hillside Open Space Education Coalition (HOSEC) for an indefinite term.

VII. MAYOR'S COMMUNITY CALENDAR:

VIII. COMMENTS FROM STAFF:

IX. COMMENTS FROM COUNCILMEMBERS:

- X. **ADJOURNMENT:** Adjourned to Monday, April 15, 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 Chamber.

Except as otherwise provided by law, no action shall be taken on any item not appearing in the foregoing agenda. A copy of the full agenda packet is available for public review at the Office of the City Clerk during regular business hours, and on the City's webpage at <http://www.lahabracal.gov/>.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 110 E. La Habra Blvd., La Habra, during normal business hours.

In accordance with the Federal Americans with Disabilities Act of 1990, should you require a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting due to a disability, please contact the City Clerk's Office at least ninety-six (96) hours in advance of the meeting at (562) 383-4030. Listening devices for the hearing impaired are available through the City Clerk's Office.

DECLARATION: This agenda was posted on the Bulletin Boards outside of the south entrance of City Hall, where completely accessible to the public, at least 72 hours in advance of the City Council Meeting.

Laurie Swindell, CMC, Interim City Clerk