

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
AND THE LA HABRA UTILITY AUTHORITY

Tuesday, January 22, 2019

APPROVED: These Minutes were approved on April 15, 2019.

ADJOURNED REGULAR MEETING: Cancelled

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 Successor Agency to the La Habra Redevelopment Agency and the La Habra Utility Authority to order at 6:30 p.m. in the Council Chamber, located at 100 East La Habra Boulevard, La Habra, California.

INVOCATION: Deputy City Attorney/Legal Counsel Collins

PLEDGE OF ALLEGIANCE: Mayor Pro Tem/Director Beamish

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

COUNCILMEMBERS/DIRECTORS ABSENT: None

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

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS: None at this time.

II. PUBLIC COMMENTS: None

III. CONSENT CALENDAR:

Moved by Councilmember/Director Shaw, seconded by Councilmember/Director Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.D.1.

Said motion CARRIED by the following roll call vote:

AYES: Mayor/Director Gomez, Mayor Pro Tem/Director Beamish,
Councilmember/Director Espinoza, Councilmember/Director Shaw,
Councilmember/Director Medrano

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

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 City Council Minutes of December 3, 2018.
3. Receive and file Planning Commission Minutes of:
 - a. October 22, 2018
 - b. November 13, 2018
 - c. November 26, 2018
4. Approve denial of claim for Shana and Cade Gaudreau for Bodily Injury.
5. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1802** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA FINDING THAT THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING DEVELOPMENT AGREEMENT 18-03 BETWEEN THE CITY OF LA HABRA AND RIVER DISTRIBUTING CO., LLC FOR A CANNABIS DISTRIBUTION FACILITY AT 1721 EAST LAMBERT ROAD, UNIT B, AS PER ATTACHMENT "A".
6. Approve and authorize City Manager to execute a revised lease agreement with the La Habra Woman's Club (LHWC) for the use of City facilities for an initial term from January 22, 2019 through April, 24, 2022, with the option to extend the lease agreement for three additional five-year terms.
7. Approve Notice of Completion for the Annual Sidewalk and Curb Ramp Improvements Fiscal Year 2016-2017 and Fiscal Year 2017-2018, City Project No. 4-R-18; and authorize staff to send the Notice for recordation.
8. WARRANTS: Approve Nos. 00119367 through 00119728 totaling \$2,625,145.06.

B. **SUCCESSOR AGENCY:**

1. Approve Successor Agency Minutes of January 7, 2019.
2. Approve a resolution approving the Recognized Obligation Payment Schedule (ROPS 19-20) for the period of July 1, 2019 through June 30, 2020 pursuant to Health and Safety

Code Section 34177(l) and 34177(0); authorize Executive Director to forward the approved Recognized Obligation Payment Schedule (ROPS 19-20) to the Orange Countywide Oversight Board for their review and approval with a copy to the California State Department of Finance, Orange County Auditor Controller, and the County Administrative Office and, upon approval of ROPS 19-20 by the Orange Countywide Oversight Board, for submittal to the California State Department of Finance, California State Controller, Orange County Auditor Controller, and the Council Administrative Office for their approval; and

- a. APPROVE AND ADOPT **RESOLUTION NO 2019-01** ENTITLED: A RESOLUTION OF THE SUCCESSOR AGENCY TO THE LA HABRA REDEVELOPMENT AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR THE PERIOD OF JULY 1, 2019 THROUGH JUNE 30, 2020 (ROPS 19-20) PURSUANT TO HEALTH AND SAFETY CODE SECTION 34177(l) AND 34177 (0).

C. LA HABRA UTILITY AUTHORITY:

1. Approve Utility Authority Minutes of January 7, 2019.

D. CITY COUNCIL AND LA HABRA UTILITY AUTHORITY:

1. Approve Notice of Completion for the Idaho Street Rehabilitation from Whittier Boulevard to La Habra Boulevard and Idaho Street Waterline Improvements, from Highlander Avenue to La Habra Boulevard, Fiscal Year 2017-2018; City Project Nos. 1-R-18 and 1-W-18; and authorize staff to send the Notice for recordation.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

V. PUBLIC HEARINGS: None at this time.

VI. CONSIDERATION ITEMS:

A. CITY COUNCIL:

1. Consider the Status Update Report on the County Island Community Meetings.

Councilmember Medrano stated for the record: that he reviewed this item, consulted with legal counsel on any potential conflict of interest that would result from his residence being located within the area annexed to the City, and that he could participate in the discussion and decision regarding this item because it would not result in a material or financial effect on the value of his residence.

Assistant to the City Manager Ferrier presented the staff report.

Council discussion included: clarification that the City lacks jurisdiction in areas overseen by the County or Orange so their addressing system takes precedence; potential of first responders finding locations when cell phones become inoperable during an emergency and how the totality of the location services used could be compromised; county island emergency response times;

county islands annexation history; confirmation that since 1980 nobody who lived in a former county island contested having their address numbers changed; review of previous annexations requested by the County of Orange including efforts by the City through county island residents surveyed; confirmation of up to two existing City lots that may need an address number change; the cost to residents of potential future improvements to gaps in: sidewalks, streetlights, sewers, and issuance of new address numbers unless the residents request through a petition process; the importance for emergency responders to find an address when they are not sequential with existing city addresses; and potential responses of previously annexed residents whose address numbers were changed.

Community and Economic Development Deputy Director Jaramillo noted that the following agencies/companies would be notified by the City if annexed property addresses were changed: the United States Post Office; California Department of Transportation; the La Habra Water Authority; CR&R; Southern California Edison; Southern California Gas Company; Verizon; AT&T; Time Warner; Los Angeles County Fire Department; California Department of Finance; State Board of Equalization; Orange County Registrar of Voters; and all City Departments, including the La Habra Police Department.

Chief Jerry Price and Assistant Fire Chief Patrick Errett discussed to the importance of the address number change to bring them into compliance with City of La Habra addressing system. Chief Price stated he could research if there was a separate system if the internet based Computer Aided Dispatch Records Management System (CAD-RMS) system or cellular system stops operating at the police station.

Deputy City Attorney Collins noted that if emergency responders could not find an address in the newly annexed county island areas that the city would have little or no legal exposure.

City Manager Sadro stated that in the last 40-50 years the annexation of over 160 county islands had occurred, which added over 1,100 acres to the City. He noted that in every case of annexation, the county island addresses had been changed if they did not align with existing City addresses.

Mayor Gomez invited the public to testify at 6:52 p.m.

The following spoke in opposition to a change in address of the recently annexed areas:

- James “Jimmy” Andreoli II, 1009 North Cypress Street, stated that addresses on Walnut Street do not align with City addresses. He spoke in support of the annexation. He noted that he attended community meetings held by City staff. Mayor Pro Tem Beamish noted that City Council makes policy, not City staff. He explained that City staff answer the public’s questions, gather information, and data to supply a staff report to City Council.
- Jerry Allard, 9281 Randall Avenue, noted that there were no issues regarding response times of emergency responders.
- Jason DeMille reviewed a discussion he had with GeoSpatial Technologies, Inc. in Fountain Valley regarding the effect of a power outage on emergency services. He stated that the only issue would be the ability of the responder to receive communication from dispatch if received through cell systems, but not if received through a radio system. He noted that the Mobile

Digital Computer (MDC) computer systems in the police and fire vehicles receive information via satellite; which direct them to the locations and not affected by power outages.

- Scott Wilson stated that the safety issue is not a concern. He spoke in opposition to potential changes in sidewalks, streetlights, and sewer systems.
- Martha Leonard, 9312 Gordon Avenue, spoke in opposition to the annexation, increased cost of trash services, overnight parking restrictions, and requested that the newly annexed island areas be a rural designation.
- Ron Woodward, 1272 North Palm Street.
- Christine DeMille, noted that in a catastrophic event, emergency responders are sent to a quadrant, not a specific address.
- Kurt Tietze, 9452 Randall Avenue, Los Angeles City Fire Department Engineer, explained that firefighters are trained to use flat maps to locate addresses.
- Richard Thompson, 9082 Sharon Way, noted an additional cost to the change in addresses are passports.
- Noran Toran, 1182 Turndale Road, stated that Global Positioning Systems (GPS) takes time to update and recognize a new address. She expressed concern regarding fire hydrant flow in her area.

Nick Patapoff, 10032 Vecino Lane, asked who he could speak with regarding the increase in trash services. Mayor Gomez referred him to Public Works Director Saykali.

Hector Ramirez, 1231 North Citrus Drive, spoke regarding the cost to tie into the City's sewer system if their septic system failed.

Cindy Cherone, 9311 Randall Avenue, inquired as to why they were not surveyed regarding annexation as were previous former county island areas. She asked if they could be surveyed regarding sidewalks, streetlights, and sewers.

Deputy Director of Community and Economic Development Jaramillo explained that in most recently annexed island areas, if improvements were needed, the City would ask the property owner to deed the necessary portion of land to the City, or take the area by eminent domain. He clarified that a survey was conducted regarding the annexation in 2006, and that this item would be approached using an official ballot or survey to measure the amount of support for potential future improvements. He explained state law requirements for connecting to the City's sewer system. He noted the City would assist residents by supplying names of companies that conduct sewer improvement work.

Mayor Gomez closed public comments at 7:19 p.m.

Moved by Mayor Pro Tem Beamish, seconded by Mayor Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO RECEIVE AND FILE THE STATUS UPDATE REPORT ON THE COUNTY ISLAND COMMUNITY MEETINGS.

Said motion CARRIED by the following roll call vote:

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

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED (3-1) TO APPROVE LEAVING ADDRESSES AS THEY ARE CURRENTLY IN THE LAST SIX ANNEXED COUNTY ISLANDS.

Said motion CARRIED by the following roll call vote:

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

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Espinoza, and CARRIED (4-0) TO APPROVE TO NOT PROCEED WITH THE INSTALLATION OF NEW SIDEWALKS IN THE LAST SIX ANNEXED COUNTY ISLANDS.

Said motion CARRIED by the following roll call vote:

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

Councilmember Medrano stated that he has a conflict regarding the installation of streetlights and left the dais at 7:34 p.m.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Shaw, and CARRIED (3-0) TO APPROVE TO NOT PROCEED WITH THE INSTALLATION OF NEW STREET LIGHTS IN THE LAST SIX ANNEXED COUNTY ISLANDS.

Said motion CARRIED by the following roll call vote:

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

Councilmember Medrano returned to the dais at 7:35 p.m.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED (4-0) TO APPROVE NOT TO PROCEED WITH THE INSTALLATION OF NEW SEWER LINES IN THE LAST SIX ANNEXED COUNTY ISLANDS.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: Mayor Gomez

ABSENT: NONE

Moved by Mayor Pro Tem Beamish, seconded by Mayor Gomez, and CARRIED (4-0) TO APPROVE A PETITION PROCESS FOR NEIGHBORS/NEIGHBORHOODS IN THE LAST SIX ANNEXED COUNTY ISLANDS WHO WOULD LIKE TO REQUEST SIDEWALK, STREETLIGHT, AND SEWER LINE IMPROVEMENTS UTILIZING THE EXISTING VOTING SYSTEM USED FOR THE NEIGHBORHOOD TRAFFIC MANAGEMENT PLAN (NTMP).

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: Mayor Gomez

ABSENT: NONE

Deputy City Attorney Collins stated that if a Councilmember seconds a motion, that if they abstain the validity of the vote is not affected.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE DIRECT STAFF TO RETURN TO COUNCIL WITH A REPORT FOR POSSIBLE MUNICIPAL CODE CHANGES REGARDING CITYWIDE GAP CLOSURES FOR IMPROVEMENTS TO SIDEWALKS, STREETLIGHTS, AND SEWER LINE INSTALLATION TO A DATE TO BE DETERMINED.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

2. Consider expiring terms of the Planning Commission and Community Services Commission, and one vacant "Citizen-At-Large" seat on the La Habra Rewards Fund Committee; and provide staff direction.

- a. Re-appointment of the eligible/interested Commissioners; and/or
- b. Authorize staff to advertise some or all of the expiring term positions on the Planning Commission and Community Services Commission, to solicit applications from interested members of the community, and schedule interviews; and
- c. Appoint one vacant "Member of the public" position to an indefinite term and either confirm and continue with the current Committee member, or appoint two new "member(s) of the public," who are interested in serving, to fill both Citizen-At-Large seats and serve on the La Habra Rewards Fund Committee.

Mayor Gomez invited the public to testify at 7:42 p.m. There was no public testimony.

Moved by Mayor Pro Tem Beamish, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE TO AUTHORIZE STAFF TO ADVERTISE ALL OF THE EXPIRING TERM POSITIONS ON THE PLANNING COMMISSION AND THE COMMUNITY SERVICES COMMISSION TO SOLICIT APPLICATIONS FROM INTERESTED MEMBERS OF THE COMMUNITY AND SCHEDULE INTERVIEWS.

Said motion CARRIED by the following roll call vote:

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

Mayor Pro Tem Beamish nominated Ron Woodward to fill the vacant "Citizen at Large" seat on the La Habra Rewards Fund Committee. There were no other nominations.

Moved by Councilmember Shaw, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY (5-0) TO CLOSE NOMINATION AND CAST A UNANIMOUS BALLOT TO APPROVE APPOINTING RON WOODWARD TO FILL THE VACANT "CITIZEN AT LARGE" SEAT ON THE LA HABRA REWARDS FUND COMMITTEE.

Said motion CARRIED by the following roll call vote:

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

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor/Director Gomez made the following announcements:

- La Habra Children's Museum Meet Daniel Tiger event - Saturday, January 26, from 10:00 a.m. – 3:00 p.m.

- La Habra Children’s Museum “Paint and Sip” Valentine Tea Party - Saturday, February 9 from 11:00 a.m. – 12:30 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.”

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Medrano reported that he attended the League of California Cities New Mayor/Councilmember Academy in Sacramento where he took classes on Ethics, Budget, and Getting Along with Councilmembers. He added that he was able to meet with Assemblyman Phillip Chen and State Senator Ling Ling Chang to express concerns regarding homelessness, traffic, PERS unfunded pension liabilities, and bike trail funding. He extended an invitation to Council to participate in “Coffee with Jose.”

Mayor Gomez/Director thanked Councilmember Medrano for hosting “Coffee with Jose.”

Mayor Pro Tem/Director Beamish stated that the last county islands had been annexed into the City of La Habra. He expressed support of City staff and confirmed that City Council sets policy for the City.

X. ADJOURNMENT: Mayor/Director Gomez adjourned the City Council Meeting at 7:48 p.m. to Monday, February 4, 2019, 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.

Respectfully submitted,

Laurie Swindell, CMC
Interim City Clerk/Secretary