

**MINUTES**  
**CITY COUNCIL OF THE CITY OF LA HABRA**

**ADJOURNED REGULAR MEETING**  
**&**  
**REGULAR JOINT MEETING WITH THE**  
**CITY OF LA HABRA HOUSING AUTHORITY**

**Monday, August 17, 2020**

**PRELIMINARY:** These Minutes to be considered for approval on March 15, 2021.

**ADJOURNED REGULAR MEETING 5:30 P.M.**

**CALL TO ORDER:** Mayor Beamish called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. (telephonically).

**COUNCILMEMBERS PRESENT:** Mayor Beamish  
Mayor Pro Tem Espinoza  
Councilmember Gomez  
Councilmember Medrano  
Councilmember Shaw

**COUNCILMEMBERS/DIRECTORS ABSENT:** None

**OTHER OFFICIALS PRESENT:** City Manager Sadro  
City Attorney Jones  
City Clerk Swindell

**ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:** None

**CLOSED SESSION:**

1. Conference with Real Property Negotiator per Government Code Section 54956.8 – Property: 1750 West Lambert Road, Space 58, City Negotiator: Jim Sadro, City Manager; Negotiating Party: Woung Chul Jo; Under Negotiation: Price and Terms of Payment.

Community & Economic Development Director Ho and Housing & Economic Development Manager Cole-Corona were present for this item.

**ADJOURNMENT:** The City Council reconvened at 5:48 p.m. There were no Closed Session announcements. Mayor Beamish adjourned the Adjourned Regular Meeting at 5:48 p.m.

**REGULAR MEETING & REGULAR JOINT MEETING 6:30 P.M.:**

**CALL TO ORDER:** Mayor/Director Beamish called the Regular Meeting of the City Council of the City of La Habra and the Regular Joint Meeting with the City of La Habra Housing Authority to order at 6:30 p.m. (telephonically).

**INVOCATION:** City Attorney/Legal Counsel Jones

**PLEDGE OF ALLEGIANCE:** Councilmember/Vice Chair Shaw

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

**COUNCILMEMBERS/DIRECTORS ABSENT:** None

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

**CLOSED SESSION ANNOUNCEMENT:** None

**PROCLAMATIONS/PRESENTATIONS:** None at this time.

**PUBLIC COMMENTS:**

Jennifer Kasabian submitted a public comment via email in opposition to the proposed rezoning of the Westridge Golf Course, its potential effect on the public's health and safety, and potential increase in traffic.

Art Narmy, La Habra resident, called in and spoke regarding the benefits of fireworks sales by surrounding cities' non-profit groups. He requested City Council consideration for legalizing safe and sane fireworks in the City.

Christine Cook, La Habra businessowner, called in and spoke stating that she was offended by a letter that she received last week from Rancho La Habra Homes regarding the potential rezoning of the Westridge Golf Club. She asked that City Council listen to the citizens and allow them to vote on the rezoning of the Westridge Golf Club during the November 3, 2020 election.

Maribel Lopez, La Habra resident, called in regarding Consent Item No. 4. Mayor Beamish explained that she may speak on the item when it is discussed separately after the Consent Calendar portion of the agenda.

**CONSENT CALENDAR:**

**CITY COUNCIL:**

City Manager Sadro asked those who are calling in to speak during Public Comments to mute your televisions or are watching the meeting on the internet to mute your computer.

Mayor Beamish requested that Item No. 4 be pulled from the Consent Calendar.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS 1 THROUGH 8; WITH THE EXCEPTION OF ITEM 4 WHICH WAS PULLED FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

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

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. COMMUNITY SERVICES COMMISSION MEETING MINUTES  
That the City Council approve the Community Services Commission Meeting Minutes of:
  - January 8, 2020
  - February 12, 2020
  - April 8, 2020
  - May 13, 2020
  - June 10, 2020

3. ADOPTION OF AN AMENDED CONFLICT OF INTEREST CODE

That the City Council:

APPROVE AND ADOPT **RESOLUTION NO. 5969** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING RESOLUTION NO. 5875 AND ADOPTING THE CONFLICT OF INTEREST CODE FOR THE CITY OF LA HABRA PURSUANT TO GOVERNMENT CODE SECTION 81000, ET SEQ., AS REQUIRED BY STATE LAW.

4. REMOVED FOR SEPARATE DISCUSSION. SEE BELOW.

5. APPROVE NOTICE OF COMPLETION FOR VARIOUS PARKING LOTS IMPROVEMENTS FISCAL YEAR 2019-2020, PROJECT NO. 4-P-19

That the City Council approve the Notice of Completion for Various Parking Lots Improvements Fiscal Year 2019-2020, Project 4-P-19, and authorize staff to submit the Notice of Completion for recordation.

6. APPROVE A RESOLUTION AUTHORIZING SUBMITTAL OF AN APPLICATION TO THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR PERMANENT LOCAL HOUSING ALLOCATION FUNDS AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE APPLICATION AND MAKE ANY SUBSEQUENT AMENDMENTS OR MODIFICATIONS, AS NECESSARY, RELATED TO THE APPLICATION

That the City Council:

- A. Authorize the submittal of an application to the State Department of Housing and Community Development for Permanent Local Housing Allocation Funds and authorize

the City Manager to execute the application and make any subsequent amendments or modifications, as necessary, related to the application; and

- B. APPROVE AND ADOPT **RESOLUTION NO. 5970** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING PROJECTS UTILIZING PERMANENT LOCAL HOUSING ALLOCATION FUNDS.
7. APPROVE A RESOLUTION AMENDING RESOLUTION NO. 5960 PERTAINING TO THE CITY'S SALARY SCHEDULE FOR EMPLOYEES AND ADDING A NEW CLASSIFICATION FOR THE LA HABRA PROFESSIONAL EMPLOYEES' GROUP

That the City Council:

- A. Approve the proposed salary schedule for the La Habra Professional Employees' Group, add a newly created position in the Community Services Department Employment and Training Division entitled "Employment and Training Program Coordinator", and approve the attached job description; and
  - B. APPROVE AND ADOPT **RESOLUTION NO. 5971** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 5960 PERTAINING TO A COMPENSATION PLAN FOR THE LA HABRA PROFESSIONAL EMPLOYEES' GROUP
8. WARRANTS: APPROVE NOS. 00126654 THROUGH 00126723 TOTALING \$469,281.63; and APPROVE WIRE TRANSFER DATES 8/28/2020 and 8/31/2020 for a total of \$1,140,584.09.

**CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:**

**CITY COUNCIL:**

4. REVIEW, APPROVAL, AND ADOPTION OF GOVERNING BODY PUBLIC MEETING POLICY

City Clerk Swindell presented the staff report.

City Manager Sadro indicated the following updates to the Governing Body Public Meeting Policy: policy applied to all City Commissions and Committees; that the meeting time conclusion of 10:30 p.m. may be extended by the Mayor/Chair or continued to another day; and Public Comments were limited to three-minutes per speaker and 30 minutes total for all agenda items; with the exception of Public Hearing items which staff recommends keeping at no time limit per speaker and no total time limit for public comments.

City Council discussion included: determination of proposed time limits by staff; assurance that public comments would stay within the scope of the subject matter; consistency with surrounding cities; potentially increasing public hearing public comments from three minutes to six minutes; the ability for City Council to legally cutoff speakers who may be filibustering or speaking redundantly; and whether the entire policy must be adopted by the City Council.

The City Attorney clarified public hearings include constitutional due process rights that must be addressed by the City Council who have a quasi-judicial role, and there must be flexibility in allowing the public a reasonable opportunity to speak longer than the allotted time limit should the comments further educate the City Council and not be redundant. He stated that the Mayor has the authority to cutoff speakers, however City Councilmembers can overrule the action with a majority vote.

Mayor Beamish invited the public to testify at 6:55 p.m.

Joe Foust, La Habra resident, submitted two public comments via email. One comment that the redline policy was not attached to this agenda item on the City website, and a comment in support of in-person public comments for public hearing items.

City Clerk Swindell clarified the redline attachment had been properly linked to the City Council Agenda Report, however the newly implemented agenda management system converted the document from a redline version to standard black and white, unbeknownst to staff. She stated the redline version was immediately re-uploaded and made available to the public early this morning.

Joe Foust, La Habra resident, called in to state that public hearings not be held on highly-sensitive matters such as Rancho La Habra due to current Coronavirus pandemic stay-at-home orders.

Christine Cook, La Habra resident, submitted a public comment via email regarding Consent Item No. 4 in support of allowing the public to speak during public hearings, specifically in anticipation of the Rancho La Habra public hearing.

Jim Lees, La Habra resident, called in and spoke in opposition to this item and its timing to be considered. He requested that this item be tabled until after the November 3, 2020, General Municipal Election and the public hearing on the proposed Rancho La Habra project.

Maribel Lopez, La Habra resident, called in and spoke in support of public hearing comments spoken freely without time or repetitive message restrictions, and requested that this item be postponed until 2021.

Mayor Beamish closed public testimony at 7:04 p.m.

City Council discussion included: support of meeting time limit of 10:30 p.m. knowing that the meeting could be extended or continued to another day; support of increasing public hearing public comments from three minutes to six minutes per individual and longer time limit of 15-minutes for the applicant and opponent(s); recommendation to table this item until after the Rancho La Habra public hearing; and concern with the public perception regarding this item.

Moved by Mayor Beamish, seconded by Councilmember Gomez, and CARRIED (4-1) THAT THE CITY COUNCIL APPROVE AND ADOPT THE GOVERNING BODY PUBLIC MEETING POLICY; EXCLUDING THE PUBLIC HEARING PUBLIC COMMENT SPEAKING TIME LIMITS.

Said motion CARRIED by the following roll call vote:

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

**PUBLIC HEARINGS:**

**CITY COUNCIL & HOUSING AUTHORITY:**

1. APPROVE RESOLUTIONS OF THE CITY COUNCIL AND THE LA HABRA HOUSING AUTHORITY AUTHORIZING THE DELIVERY AND SALE OF THE 2020 REFUNDING CERTIFICATES OF PARTICIPATION, SERIES A, AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH

City Manager/Executive Director Sadro introduced Director of Finance Shannon who presented the staff report.

Mayor/Director Beamish thanked Director of Finance Shannon and City Manager/Executive Director Sadro for their work and for the City's high bond rating.

Mayor/Director Beamish opened the public hearing at 7:20 p.m. There being no public testimony the public hearing was closed.

Moved by Councilmember Medrano, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5972** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING DELIVERY AND SALE OF NOT TO EXCEED \$13,000,000 PRINCIPAL AMOUNT, OF REFUNDING CERTIFICATES OF PARTICIPATION TO REFINANCE THE 2010 CERTIFICATES OF PARTICIPATION RELATING TO CERTAIN MOBILE HOME PARK PROJECTS, AND APPROVING RELATED DOCUMENTS AND MATTERS.

Said motion CARRIED by the following roll call vote:

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

Moved by Chair Medrano, seconded by Director Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 2020-02** ENTITLED: A RESOLUTION OF THE LA HABRA HOUSING AUTHORITY AUTHORIZING THE DELIVERY OF REFUNDING CERTIFICATES OF PARTICIPATION IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$13,000,000 TO REFINANCE 2010 CERTIFICATES OF PARTICIPATION RELATING TO CERTAIN MOBILE HOME PARK PROJECTS, AND APPROVING RELATED DOCUMENTS AND MATTERS.

Said motion CARRIED by the following roll call vote:

AYES: Chair Medrano, Vice Chair Shaw,  
Director Espinoza, Director Gomez, Director Beamish  
NOES: NONE  
ABSENT: NONE  
ABSTAIN: NONE

**CONSIDERATION ITEMS:**

**CITY COUNCIL:**

1. CONSIDER A REQUEST TO ADOPT A RESOLUTION IN OPPOSITION OF PROPOSITION 15

Assistant to the City Manager Ferrier presented the staff report.

City Council discussion included: confirmation that the Proposition 15 citizen-based initiative was certified to be placed on the November 3, 2020 ballot in October of, 2018 and recertified on May 22, 2020; confirmation that the La Habra Area Chamber of Commerce had not yet taken a position on Proposition 15; verification there was no penalty in postponing this item; potential negative effects to local and small businesses, as well as cost increases to goods and services in the city if Proposition 15 passed and property taxes on commercial property were increased; and lack of benefit of Proposition 15 to the city.

Mayor Beamish invited the public to testify at 7:30 p.m.

Marie Laveaga, La Area Chamber of Commerce President/CEO, called in to request postponement of this item until the La Habra Area Chamber of Commerce had an opportunity to further discuss.

Christine Cook, La Habra resident, called in to speak in favor of opposition to Proposition 15.

Mayor Beamish closed public testimony at 7:38 p.m.

Moved by Councilmember Shaw, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5973** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, OPPOSING PROPOSITION 15 ON THE NOVEMBER 3, 2020, BALLOT AND AFFIRMATION OF SUPPORT FOR PROPOSITION 13 FOR ALL PROPERTY OWNERS.

Said motion CARRIED by the following roll call vote:

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

**MAYOR'S COMMUNITY CALENDAR:**

Mayor Beamish made the following announcements:

- Coronavirus COVID-19 Informational Updates.
- Wear a Mask and Slow the Spread of COVID-19.
- City Facilities Closures to the public during the COVID-19 "Shelter in Place" order. City operations would continue and staff was available by phone and email.
- Reminder to complete the 2020 U.S. Census by mail, phone, or online.
- "Join the Conversation" La Habra Community Survey for residents to provide service priorities as part of its community-focused budget and planning process.

**COMMENTS FROM STAFF:** None

**COMMENTS FROM COUNCILMEMBERS/DIRECTORS:**

Councilmember/Director Gomez commented regarding Craig Cook's loss of his companion monkey Minnie.

Councilmember/Vice Chair Shaw spoke in support of the sale of safe and sane fireworks due to COVID-19 physical distancing guidelines and the likelihood of the City not hosting a 4<sup>th</sup> of July Fireworks Celebration. He asked that City Council consider the legalization of safe and sane fireworks on a future agenda. Mayor Beamish concurred. He requested that a future City Council discussion include revisions to the Governing Body Public Meeting policy that required permission from Councilmembers to place an item on the agenda. Mayor Beamish concurred.

Councilmember/Chair Medrano thanked City staff for their hard work. He thanked Director of Finance Shannon, the Finance Department, and City Manager Sadro for their work with the city's high bond rating.

Mayor/Director Beamish thanked City staff and first responders for their hard work. He commented on the anticipation of holding City Council meetings publicly, and directed staff to prepare for in-person attendance for the upcoming public hearing regarding Measure X: Citizen's Initiative for the Preservation of Open Space in La Habra.

**ADJOURNMENT:** Mayor/Director Beamish announced that the City Council meeting of Tuesday, September 8, 2020 was cancelled (Monday, September 7, 2020 is Labor Day Holiday). He adjourned the City Council Meeting of the City of La Habra at 7:57 p.m. The City of La Habra Housing Authority Meeting was adjourned at 7:57 p.m.

Respectfully submitted,

Laurie Swindell, CMC  
City Clerk/Secretary