

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA
REGULAR MEETING

THURSDAY, APRIL 7, 1994

MINUTES APPROVED BY
LA HABRA CITY COUNCIL

4-21-94

PRELIMINARY: These Minutes will be considered for approval on April 21, 1994.

The City Council of the City of La Habra met in Regular Session in the City Council Chambers of the Administration Building, 201 E. La Habra Boulevard, La Habra, California on Thursday, April 7, 1994. Mayor Cheverton called the Meeting to order at 7:04 P.M.

COUNCILMEMBERS PRESENT: Flora, Anderson, Mahoney, Garcia, Cheverton
COUNCILMEMBERS ABSENT: None
OTHERS PRESENT: City Manager Risner
Deputy City Manager Kim
City Attorney Jones
City Clerk Apodaca

INVOCATION: Councilmember Mahoney

PLEDGE OF ALLEGIANCE: Councilmember Anderson

PROCLAMATIONS/PRESENTATIONS: May 5, 1994 - Annual Mayor's Prayer Breakfast

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April 17-23, 1994 - Week of the Young Child

April, 1994 - Homebuyer Education Month

Commendation to Retired Commissioners:

William Arthur - Traffic Commission
Charles Robertson - Community Services
Commission
Mary Lou Knudsen - Community Services
Commission

National Volunteer Week - April 17-23, 1994

Child Abuse Prevention Month - April, 1994

I. CONSENT CALENDAR

MOVED by Councilmember Flora, seconded by Mayor Pro Tem Garcia and CARRIED UNANIMOUSLY TO APPROVE CONSENT CALENDAR ITEMS I.1 THROUGH I.18.

Said motion carried by the following roll call vote:

AYES: COUNCILMEMBERS: FLORA, GARCIA, ANDERSON, MAHONEY, CHEVERTON
NOES: COUNCILMEMBERS: NONE
ABSENT: COUNCILMEMBERS: NONE
ABSTAIN: COUNCILMEMBERS: NONE

A. PROPOSED ITEMS

- 1. PROCEDURAL WAIVER: Waive reading in full of resolutions/ordinances and approval and adoption of same by reading title only.
- 2. Approval of City Council Minutes of March 17 and 24, 1994.
- 3. Receipt of minutes of standing Commissions:
 - a. Community Services - March 9, 1994.
 - b. Planning - - - - - February 28, 1994.
 - c. Traffic - - - - - March 14, 1994.
- 4. WATER WELL: Approval of authorization to advertise for proposals for rehabilitation of Water Well No. 2; authorization for City Manager to negotiate cost of necessary repairs with contractor, in accordance with 1993-94 Water Enterprise Maintenance and Operation Budget amount of \$64,250.00.
- 5. WEED ABATEMENT: Approve and adopt Resolution setting a public hearing for April 21, 1994 at 7:00 p.m. to hear objections to the removal and or destruction of weeds:

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142
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684
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770

RESOLUTION NO. 4251 ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA DECLARING AS A PUBLIC NUISANCE NOXIOUS OR DANGEROUS WEEDS LOCATED UPON CERTAIN PROPERTIES WITHIN THE CITY AND FIXING THE TIME AND DATE FOR HEARING OBJECTIONS TO THE REMOVAL AND OR DESTRUCTION OF SAID WEEDS.

424

- 6. CHILD DEVELOPMENT CENTER: Receive and file report relative to conceptual plans for Child Development Center at Portola Park.
- 7. PEDESTRIAN FACILITY APPLICATION: Approval of proposed Citywide Sidewalk Reconstruction Project for FY 1994-95 and authorization for City Manager to execute and submit SB 821 Pedestrian Facility Project Application to Orange County.

615
234

APPROVE AND ADOPT RESOLUTION NO. 4252 ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE APPLICATION FOR BICYCLE AND/OR PEDESTRIAN FUNDS AUTHORIZED UNDER SB 821.

630

- 8. NO STOPPING RESTRICTIONS: Approval and concurrence of Traffic Commission recommendations relative to request for "No Stopping" Restrictions on south side of La Habra Boulevard westerly of South Valencia Street:
 - A. THAT THE REQUEST FOR "NO STOPPING" RESTRICTIONS ON THE SOUTH SIDE OF LA HABRA BOULEVARD WESTERLY OF SOUTH VALENCIA STREET BE APPROVED; AND
 - B. THAT STOPPING, STANDING AND PARKING BE PROHIBITED AT ALL TIMES ON THE SOUTH SIDE OF LA HABRA BOULEVARD BETWEEN THE PROLONGATION OF THE WEST CURB OF SOUTH VALENCIA STREET AND 119 FEET WESTERLY OF THE PROLONGATION OF THE WEST CURB OF SOUTH VALENCIA STREET.

- APPROVE AND ADOPT RESOLUTION NO. 4253 ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES ON LA HABRA BOULEVARD. 630
9. BUS LOADING ZONE: Approval and concurrence of Traffic Commission recommendation relative to request for School Bus Loading Zone at 510 North Bedford Street: 650
670
- A. DENY THE REQUEST FOR A SCHOOL BUS LOADING ZONE AT 510 NORTH BEDFORD STREET.
10. LOADING ZONE: Approval and concurrence of Traffic Commission recommendations relative to request for Yellow Loading Zone in front of Casa Del North Apartments at 1001 North Harbor Boulevard:
- A. THAT THE REQUEST FOR A YELLOW LOADING ZONE IN FRONT OF CASA DEL NORTH APARTMENTS AT 1001 NORTH HARBOR BOULEVARD BE APPROVED; AND
- B. THAT A YELLOW LOADING ZONE BE ESTABLISHED ON THE WEST SIDE OF HARBOR BOULEVARD BETWEEN 399 FEET SOUTHERLY OF THE PROLONGATION OF THE SOUTH CURB OF BROOKDALE AVENUE AND 440 FEET SOUTHERLY OF THE PROLONGATION OF THE SOUTH CURB OF BROOKDALE AVENUE. 650
- APPROVE AND ADOPT RESOLUTION NO. 4254 ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ESTABLISHING A LOADING ZONE ON HARBOR BOULEVARD.
11. TRAFFIC SIGNAL: Approval and concurrence of Traffic Commission recommendations relative to request for traffic signal at Idaho Street and Olive Tree Drive: 640
536
- A. THAT THE REQUEST FOR A TRAFFIC SIGNAL AT IDAHO STREET AND OLIVE TREE DRIVE BE APPROVED; AND
- B. THAT THE PROPOSED TRAFFIC SIGNAL AT IDAHO STREET AND OLIVE TREE DRIVE BE INCLUDED IN NEXT FISCAL YEAR 1994-95 CAPITAL IMPROVEMENT PROGRAM. THE PRELIMINARY COST ESTIMATE FOR THIS NEW TRAFFIC SIGNAL IS \$100,000.00.
12. Receive and file report regarding Bi-Annual Free Cleanup Day scheduled for Saturday, April 16, 1994. 755
13. CDBG YEAR XIX CONTRACTS: Approval of proposed Year XIX Contracts with County of Orange for Housing and Community Development Block Grant Funds; authorization for Mayor and City Clerk to execute Contract Nos. C41514, C41516, C41327, C41328, C41329, C41330, C41331, and C41332. 210
14. ENTERTAINMENT PERMITS: Approval of annual renewal of Entertainment Permits subject to all Fire/Police conditions: 542
- a. La Habra Family Fun Center, 1180 S. Idaho Street, #F, La Habra.
- b. El Cholo, 840 East Whittier Boulevard, La Habra.
- c. The Cat & Custard Cup, 800 East Whittier Boulevard, La Habra.

- 542 15. ENTERTAINMENT PERMIT: Approval of deferring consideration of renewal of Entertainment Permit for The Casbah, 632 E. Whittier Boulevard, La Habra, to April 21, 1994 at 7:00 P.M. at request of applicant.
- 542 16. CLAIM: Approval of rejection of claim filed by David Crone for lost wages and referral of claim to Phoenix Company, the City's parking citation contractor.
- 242 17. CABLE RATES: Receive and file report relative to cable television rates.
18. WARRANTS: Approve Nos. 56684 - 56936 = \$2865183.43.

II. PUBLIC HEARINGS

- 318 1. Duly noticed public hearing to consider a request by City of La Habra to
890 amend the La Habra Municipal Code Chapter 18.10 (Special Development Standards), 18.12 (R1A), 18.14 (R1B), 18.16 (R1C), and 18.18 (R-2, R-2A, R-3, R-4) to allow for 8 foot high block walls along the rear and side property line for residential lots whose rear or side yards abut directly onto a minimum of a four lane highway.

Deputy City Manager Kim stated the proposed ordinance is presented as a mitigation measure for the reduction of traffic noise upon residential properties. Ms. Kim stated the ordinance would allow for a maximum of an 8 foot high wall to be built along or within 10 feet of the rear or side property line when the back yard or side yard of the residential property abuts a minimum 4-lane highway. She stated if a drive approach exist adjacent to the 4-lane highway, a Zone Variance would be required due to visibility concerns. Ms. Kim added the Planning Commission unanimously recommended approval of the ordinance.

Mayor Cheverton opened the public hearing.

Becky Maffucci, 1341 Rockinghorse Lane, La Habra, indicated support of the ordinance. However, she indicated an acoustical man she hired stated a wall higher than 8 feet may be needed to abate the noise, but his reports were not complete at this time. She queried the process should she desire a wall higher than 8 feet.

Mayor Cheverton stated she could apply for a variance through the Planning Commission.

Councilmember Mahoney noted a need for uniformity in the City, adding he cannot support a variance for a 10 foot wall, but can support an 8 foot wall. He noted he has a 10 foot wall in his rear yard and does not care for it.

Ms. Kim noted the ordinance is not site specific and applies to all applicable residential properties.

There being no one else wishing to speak, the public hearing was declared closed.

Councilmember Mahoney MOVED FIRST READING OF ORDINANCE NO. 1477 ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING TITLE 18 OF THE LA HABRA MUNICIPAL CODE BY AMENDING CHAPTERS 18.10 (SPECIAL DEVELOPMENT STANDARDS); 18.12 (R-1A, ONE-FAMILY DWELLING ZONE); 18.14 (R1-B, ONE-FAMILY DWELLING); 18.16 (R1-C, ONE-FAMILY DWELLING); 18.18 (R-2, R-2A, R-3, R-4, MULTIPLE-FAMILY ZONES) TO ALLOW FOR 8 FOOT HIGH BLOCK WALLS ALONG THE REAR OR SIDE PROPERTY LINE OR WITHIN 10 FEET OF THE REAR OR SIDE PROPERTY LINE FOR RESIDENTIAL LOTS WHOSE REAR YARDS ABUT DIRECTLY ONTO A MINIMUM OF A FOUR LANE HIGHWAY WHERE NO DRIVE APPROACH EXISTS THROUGH THAT SETBACK AREA. (SECOND READING TO BE HELD APRIL 21, 1994) 318
890

III. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: NONE

IV. CONSIDERATIONS

Mayor Pro Tem Garcia removed himself from the dais during consideration of Item IV.1 AND IV.2 due to his employment with Chevron.

1. Consideration of selection of Keith Foster & Associates as golf course architect for West Hills project, pursuant to Section 5.1.1 of Development Agreement between City of La Habra and Pacific Coast Homes (La Habra Hills Phase 2). 220

Don Means, Pacific Coast Homes, Project Manager, spoke in support of Keith Foster & Associates.

MOVED by Councilmember Flora, seconded by Councilmember Mahoney and CARRIED 4-0 (GARCIA ABSTAINED) TO SELECT KEITH FOSTER & ASSOCIATES AS THE GOLF COURSE ARCHITECT FOR THE WEST HILLS PROJECT, LA HABRA HILLS PHASE 2.

2. Consideration of naming of new La Habra Hills Community Park. 480

Deputy City Manager Kim stated the Community Services Commission has recommended the park be named "Vista Del Valle" which means "View of the Valley, and the Planning Commission has recommended "Vista De La Habra" which means "View of La Habra." She stated both names are appropriate in terms of tradition and the topography of the site.

Mayor Pro Tem Garcia returned to the dais. City Attorney Jones stated Mr. Garcia can participate in this item because the land is no longer owned by Chevron and has been dedicated to the City of La Habra and the item is solely a City matter.

MOVED by Councilmember Flora, seconded by Councilmember Anderson, and CARRIED UNANIMOUSLY 5-0 TO NAME THE NEW LA HABRA HILLS COMMUNITY PARK "VISTA DEL VALLE" WHICH MEANS "VIEW OF THE VALLEY."

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3. Consideration of request by Lion's Club to rename El Centro Park to El Centro-Lions Park; consideration of proposed Application for Naming of Public Facilities developed by Community Services Commission.

Deputy City Manager Kim reported on split recommendations of the Planning Commission and Community Services Commission. She stated the Planning Commission held a public hearing on the request pursuant to the guidelines adopted by the Council. She added the Planning Commission is recommending denial of the request due to setting precedence for naming a public facility after community organizations since every organization, agency or non-profit group has made some significant contribution. Ms. Kim indicated the Community Services Commission, after receiving additional written justification for the request from the Lions Club, is recommending that El Centro Park be renamed El Centro-Lions Park.

John Hastings, President of the Host Lions Club, submitted letters from the La Habra Elk's Lodge and La Habra Rotary Club in favor of renaming the park due to the Lions Club's contributions to El Centro Park in the past years.

Councilmembers made note of the significant contributions made by the Lions Club to El Centro Park and hoped other service groups will come forward to assist with other parks in the City.

MOVED by Councilmember Flora, seconded by Councilmember Anderson and CARRIED UNANIMOUSLY TO RENAME EL CENTRO PARK TO "EL CENTRO-LIONS PARK."

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4. Determination of policy relative to participation in El Toro Reuse Planning Authority (ETRPA) and possible appointment of delegate to said Authority.

MOVED by Councilmember Mahoney, seconded by Mayor Pro Tem Garcia and CARRIED UNANIMOUSLY TO APPOINT COUNCILMEMBER ANDERSON AS A CITY REPRESENTATIVE TO THE EL TORO REUSE PLANNING AUTHORITY WITHOUT VOTING PRIVILEGES OR OFFICIAL COMMITMENT BY THE CITY TO OFFICIALLY PARTICIPATE IN THE AUTHORITY AT THIS TIME.

RECESS: The Mayor called a recess at 7:50 p.m.. The City Council reconvened at 7:55 p.m.

CONVENE: The City Council convened to the Regular Meeting of the Redevelopment Agency of the City of La Habra at 7:55 p.m. and then to the Regular Meeting of the La Habra Housing Authority at 8:11 p.m.

RECONVENE: The City Council reconvened for public comments at 8:16 p.m.

PUBLIC COMMENTS:

Barbara Coulson, 230 Lydia Street, La Habra, questioned why there is no public access channel on cable TV.

Zona Neighbors, 1341 N. Orange, La Habra, discussed City of La Habra cable rates compared to those of City of Brea.

Dwight Finney, La Habra resident, queried the status of the anti-blight ordinance the City is developing; he asked why one of the ordinances from other cities that he submitted to the City of La Habra could not be adopted and implemented quickly, since they were working in other cities.

City Manager Risner responded that a draft ordinance will be considered by the Planning Commission very soon.

Dorothy Rush, 270 E. Grace Avenue, La Habra, stated push cart vending still occurs in her neighborhood and she has been giving vendors informational flyers from the police department.

Mark Handler, Ward Street, La Habra, submitted flyers regarding the Graffiti Wipe Out and Park Cleanup program scheduled for April 23rd; he also requested the City Council impose a condition on the Casbah entertainment permit which would require a trash can and cigarette container outside the business; he added the patrons are littering in front of the business.

COMMENTS FROM COUNCILMEMBERS:

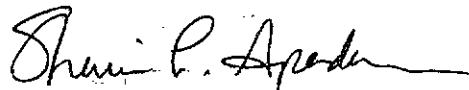
MAHONEY: stated he appreciates the people who attend the Council Meetings and bring problems to the attention of the Council, adding that vigilance is important.

CHEVERTON: noted the Mayor's Prayer Breakfast is May 5th; requested the Council agendize consideration of a resolution of support for the Westminster Citizens and Taxpayers Against the City Council Recall effort. During discussion, the other Councilmembers expressed a desire to not get involved in the matter, and Mayor Cheverton withdrew his request.

CLOSED SESSION: Pursuant to Government Code Section 54957.6, Personnel Matters and Meet and Confer. THE CLOSED SESSION WAS NOT HELD. 120

ADJOURNMENT: Mayor Cheverton adjourned the Meeting at 9:55 p.m. to April 21, 1994 at 5:30 p.m. for a joint meeting with the La Habra Area Chamber of Commerce followed by the Regular Council Meeting.

Respectfully submitted,



Sharie L. Apodaca
City Clerk