

CITY OF LA HABRA HEIGHTS

MINUTES OF A REGULAR MEETING OF THE LA HABRA HEIGHTS CITY COUNCIL

FEBRUARY 14, 2002

CLOSED SESSION

Since the City Council finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in litigation, the meeting was adjourned to a closed session at 6:35 with all Councilmembers present. Also present were City Manager Diaz and Assistant City Attorney Duran.

Public Employment

- Title: City Manager

Existing Litigation

- California Dump Truck Owners Association vs. Gray Davis et al.
- Eastburn vs. Regional Fire Protection Agency.
- Harvest Church vs. City of Concord

OPENING CEREMONIES

With all members of the City Council present, the meeting was reconvened in open session at 7:37 p.m. City Attorney Colantuono reported that the Council authorized joining the three amicus briefs sponsored by the League of California Cities as listed above under *Existing Litigation*. No actions were taken which requires reporting regarding *Public Employment*.

1. CALL MEETING TO ORDER

A regular meeting of the La Habra Heights City Council was called to order by Mayor Engelhardt at 7:45 p.m. on Thursday, February 14, 2002, at the Community Center, 1245 North Hacienda Road, La Habra Heights.

2. ROLL CALL

Councilmembers present were: Borrowe, Carroll, Engelhardt, Klein, and Millsap. Also present were Interim City Manager Diaz, City Attorney Colantuono, Planning Director Brady, Acting Fire Chief Nielsen, Senior Management Analyst Orchanian, City Engineer Milano, Deputy City Clerk Coulter, and Sheriff's Department Lieutenant Ault and Deputy Jim Bickle. Administrative Accountant Vernon joined the meeting later at 8:40 p.m.

3. FLAG SALUTE

The flag salute was led by City Engineer Dominic Milano.

4. PRESENTATION

Although Fire Chief Nelson was unable to attend this evening's meeting, Interim City Manager Diaz presented a Commendation for the Fire Chief's years of dedicated service to the La Habra Heights community.

PUBLIC COMMENTS ON MATTERS ON THE AGENDA AND NOT ON THE AGENDA

John Erickson, Cloister Drive spoke regarding the proposed trail head project at Powder Canyon, providing a brief scenario of the various opinions involved and people working together to reach an agreement. He thanked those who participated and a special recognition was given to Bob Henderson, Chairperson of the Puente Hills Native Habitat Preservation Authority.

Joe Gutierrez, Alta Loma, presented a Valentine's reading and asked Deputy City Clerk Brigitte Coulter if she would marry him. The Deputy City Clerk responded in the affirmative.

Kathy Sauble, Chairperson of Emergency Preparedness, explained the functions of the Committee and what being a member entails.

Edward Borrowe, City's liason to Industry Station Sheriff's Department, spoke on the need to recruit more residents to serve as La Habra Heights Volunteers On Patrol (VOP). He explained the duties of the VOP and the upcoming training academy.

Walt Ferrari, Sapota Drive, spoke regarding overgrown tree limbs which are hanging precariously low over the roadway. Additionally, he suggested the City have an ordinance to not allow overnight parking on City streets to cut down on potential late-night criminal activities.

Shelley Andros, Lamat Road, voiced appreciation for the City's new web site providing another means for people to be more publicly informed. Regarding the proposed Powder Canyon trailhead site, she said that she hopes this evening's decision will allow for a safe environment where kids can ride their horses and vehicles with horse trailers no longer need to park along busy streets.

FINANCIAL MATTERS

5. APPROVAL OF WARRANTS

The January warrants in the amount of \$798,837.45 were approved unanimously.

6. TREASURER'S REPORT FOR DECEMBER, 2001

The Treasurer's Report consisted of:

- Schedule of Cash & Investments
- Schedule of LAIF Investments
- Cash with Fiscal Accounts
- RKA Civil Engineers
- Law Firm of City Attorney
- Major Planning Projects
- District No. 1 Activities
- Fund Activity Report
- Budget Reports
- Backup Attachments

There being no objections, the Treasurer's Report was deemed received and filed.

7. FINANCIAL REPORT FOR CITYWIDE ROADWAY ASSESSMENT DISTRICT 1 BY NBS GOVERNMENT FINANCE GROUP

A summary of financial activities for Assessment District I was presented by Administrative Accountant Vernon. He stated that at its November 27, 1995 meeting, the La Habra Heights City Council approved Resolution No. 95-51 declaring its intention to order improvements for the Citywide Roadway Maintenance District No. 1. Sources of funds to finance the installation, construction and reconstruction of roadways for District 1 were noted as: \$3,940,000 - limited obligation improvement bonds, \$1.5 million - pre-bond payoffs, \$3.9 million - bond proceeds, \$127,000 - accrued investment income, and \$782,000 - interest earnings from LAIF Account. Total cash proceeds - \$6.4 million.

An apparent deficit of \$26,000+ could change following the receipt of all revenues and expenditures incurred for District 1. The remaining balances in the construction fund will be determined after the City's audit for Fiscal year 2001-02 has been completed.

Administrative Accountant Vernon then introduced Pablo Perez, Senior Consultant with NBS Government Finance Group who are the administrators for the Assessment District for the City of La Habra Heights.

Pablo Perez commented regarding the approximate \$26,000+ deficit, noting there is a fund balance in the bank construction account of approximately \$25,000+. He indicated that NBS will look at all the numbers, and he thought that possibly the net effect may be near zero.

Mr. Perez continued stating that since the project for District 1 is near completion, he wished to discuss the financial status of the District and what is anticipated for the next few years. The following financial topics were presented and discussed: current debt service schedule; variance between billing collections and payables; delinquency rates; summary of bond issuance amounts; recap of bank holdings; recap of last year's levy; levy summary for last two years; excerpts of the Streets and Highway Code regarding surplus funds; and reserve fund analysis.

He concluded that the City's Assessment District 1 is in excellent financial health compared to many other districts NBS administers (approximately 600 districts). Delinquency rates are low and reserve funds are fully funded. He concluded that he does not foresee any problems.

Several questions were posed by the Council pertaining to the budget for the project and final costs. City Engineer Milano explained that the 1995 construction budget for \$4.4 million was mostly for hard construction; i.e., asphalt and pothole removals, and did not include photography, monumentation, surveys, roadside clearance, etc. Bond issuance and construction estimates were never increased for inflation. Approximately 155,000 square feet of roadway improvements were added to the project. Total cost was approximately \$5 million, noting that an additional \$600,000 was spent over the 6-year period of construction.

Reference was made to (page 3 of the report) the "*Excess (Deficit) of Revenues over Expenditures*," in particular, the differences between the City's records and the audit reports. Administrative Accountant Vernon said that he will research the \$43,347 deficit and see where the auditors had found the additional expense.

8. FY 2001-02 MID-YEAR BUDGET REVIEW

A presentation was given by Administrative Accountant Vernon discussing the previously proposed budget figures with actual revenues and expenditures for July 2001 through December 2001. In conclusion, he said that staff will perform further analysis to determine any potential shortfalls.

STANDARD MOTIONS

9. APPROVAL OF MINUTES: Minutes of a Regular City Council Meeting of February 8, 2001 and a Regular City Council Meeting of January 10, 2002.

The minutes for February 8, 2001 and January 10, 2002 were approved unanimously.

CONSENT CALENDAR

10. It was recommended that items 10a through 10h be acted upon simultaneously by one motion of the City Council unless separate discussion and/or action was requested by a Councilmember or a member of the audience.

Items 10a, 10b, 10d, and 10g were pulled for separate discussion.

10c. **HEIGHTS CHRISTIAN SCHOOL PROJECT**

Status report for the Heights Christian School.

RECOMMENDATION: RECEIVE AND FILE

10e. **AMICUS BRIEF SUPPORT**

Consideration of a request for an Amicus support in reference to the following cases:

- California Dump Truck Owners Association vs. Gray Davis et al.
- Eastburn vs. Regional Fire Protection Agency.
- Harvest Church vs. City of Concord

Please note: No action was required for item 10e since Council took action during closed session. (See statement following *Opening Ceremonies* - page 1.)

10f. **REQUEST TO FILE NOTICE OF COMPLETION**

A recommendation of acceptance of work performed by Valley Slurry Seal Company completing the City's Phase III Re-bid Slurry Seal project.

RECOMMENDATION: AUTHORIZE TO FILE NOTICE

10h. **WEED ABATEMENT DISCING AND HANDWORK ON PROPERTIES OWNED BY THE PUENTE HILLS NATIVE HABITAT PRESERVATION AUTHORITY - AUTHORIZATION TO RECEIVE FORMAL BIDS**

Consideration for approval of plans and specifications and solicit bids to complete the annual brush clearance on properties owned by the Habitat Authority.

RECOMMENDATION: AUTHORIZATION TO BID

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Councilmember Millsap to approve staff's recommendations for agenda items 10c, 10f, and 10h. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

CONSENT CALENDAR (Continued)

10a. REQUEST TO SUPPORT SONORA HIGH SCHOOL GRAD NITE

Consideration of donating \$300 to Sonora High School Grad Nite to assist with scholarships for students unable to pay the full ticket cost and also to help with transportation costs.

RECOMMENDATION: APPROVE DONATION

Stephanie Bowman and Kim Robertson with the Sonora High School Grad Nite Committee discussed the importance of the drug-and-alcohol-free event which allows the kids to have a good time and celebrate Grad Nite in a safe, controlled environment.

A motion was offered by Councilmember Klein, which was seconded by Mayor Pro Tem Carroll to approve the \$300 donation to Sonora High School's Grad Nite. Additionally, a \$300-donation was to also to be set aside for La Habra High School's Grad Nite event. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

10b. TWO WEED ABATEMENT RESOLUTIONS FOR THE CITY'S IMPROVED AND UNIMPROVED PARCELS:

- A RESOLUTION OF THE CITY OF LA HABRA HEIGHTS DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF, CERTAIN PRIVATE PROPERTY IN THE CITY ARE A PUBLIC NUISANCE AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF

Consideration of a Resolution starting the 2002 weed abatement cycle for unimproved lands in the City. The program is conducted under contract by the Los Angeles County Department of Agriculture.

and

- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS DECLARING THAT WEEDS GROWING UPON AND IN FRONT OF, AND BRUSH, RUBBISH, REFUSE, AND DIRT UPON AND IN FRONT OF IMPROVED, DEVELOPED AND OTHER PROPERTIES IN THE CITY ARE A PUBLIC NUISANCE, AND DECLARING ITS INTENTION TO PROVIDE FOR THE ABATEMENT THEREOF

Consideration of a Resolution starting the 2002 weed abatement cycle for improved lands in the City. The program is conducted by the City.

RECOMMENDATION: ADOPT RESOLUTIONS 02-03 and 02-04

Inquiries were made as to L. A. County doing weed abatement in the City since the Council (last September) took action to re-assume weed abatement services for unimproved parcels previously handled by the County. Acting Fire Chief Nielsen responded that the County was not notified prior to the November 30th deadline.

Discussion continued as to the lack of service provided by the County and that many parcels were never cleared last year. Acting Fire Chief Nielsen indicated that he would follow up with County officials if properties are not cleared in a timely manner. If the County continues not to respond, the City will then clear the properties.

The question arose as to whether the City could bill for unimproved parcels. The City Attorney responded that the County currently holds the contract for clearing the unimproved parcels. However, he opined this could be worked out with the County, and he noted that a resolution would be drafted for the March 14, 2002 Council meeting.

A motion was offered by Councilmember Klein which was seconded by Mayor Pro Tem Carroll to adopt Resolution Nos. 02-03 and 02-04 regarding weed abatement for improved and unimproved parcels. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

10d. APPOINTMENT TO THE EMERGENCY PREPAREDNESS COMMITTEE

Consideration of applications for the La Habra Heights Emergency Preparedness Committee:

RECOMMENDATION: APPROVE APPOINTMENTS

Kathy Sauble, Chairperson stated that the purpose of the Emergency Preparedness Committee is to educate residents how to be prepared for various disasters; and that residents not only know how to help themselves, but also be aware of others in need. She concluded that no special skills are required to be a member.

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Councilmember Millsap to approve the appointment of Carrie Vena. (It was noted that applicants Jack Kremer and Dyanna Heiss are already members.) The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

10g. AMERICAN DISABILITY ACT (ADA) RESTROOMS FACILITY AT CITY HALL - AUTHORIZATION TO RECEIVE FORMAL BIDS AND AWARD CONTRACT TO THE LOWEST RESPONSIBLE BIDDER

Request for authorization to proceed with the bidding process for plans and specifications pertaining to the installation of a City Hall

ADA Restroom Facility and authorization to award contract to the lowest responsible bidder.

RECOMMENDATION: AUTHORIZATION TO BID AND AWARD CONTRACT

Senior Management Assistant Orchanian presented a staff report explaining the funding process for the ADA project and that the City was required to spend \$93,073 of the \$134,101 of the ADA project allocation by March 31, 2002. Due to the time restraint, authorization is requested for staff to proceed with the bid process and award contract to the lowest responsible contractor.

Discussion ensued regarding previous consideration of the City's bathroom facility. City Manager Diaz reported that the City's original plan for an ADA restroom facility was to build a new bathroom between City Hall and the Building/Planning office. However upon further consideration, it was determined less costly to remodel the current old bathroom adjacent to the Building/Planning office. Mayor Engelhardt pointed out that Planning staff wanted the old bathroom site converted to a file storage area. City Manager Diaz agreed that this had been discussed, but felt other accommodations could be made for storage.

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Councilmember Klein to accept staff's recommendations and authorize to proceed to bid and award contract to the lowest responsible bidder. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

PUBLIC HEARINGS

None

OLD BUSINESS

11. **POWDER CANYON EQUESTRIAN CENTER**

City Manager Diaz presented staff's analysis regarding modification of the previously approved plan for the horse ring and adjacent parking area. He affirmed that the City Council can approve minor alterations to the approved plan and Resolution No. 00-35, Section 6 references authorization. Staff believes interchanging the parking and riding-ring area is within substantial conformance of the original plans, and this evening's proposal is a minor alteration. Regarding recently raised issues/concerns about the development and its operations, he noted that most of the issues are covered under agreements and

State and City codes. City Manager Diaz continued by discussing issues pertaining to the City's authority for operations related to the project.

It was noted that a letter regarding this matter had been received from resident Michael Cole and made part of the City's record.

Bob Henderson, Chairperson of the Puente Hills Native Habitat Preservation Authority, said that the Preservation Authority is the applicant on the project. He believes that no modification are needed since the items are covered under the CUP process. Continuing he discussed the following issues: hours of operation; Fire Marshal's authority in an emergency; entry point on Fullerton Road; signage; grading plans; blue line streams; authority of Department of Fish and Game; landscape and plantings; maintenance of the facility; and servicing the port-a-potties.

Mr. Henderson continued that the reference to "*properly maintained*" covers many issues, and the City would always have the authority to revoke the CUP. Regarding parking accommodations, the current proposal allows 8 horse trailers and 8 regular car stalls. He said he would not be against limiting further improvements without the City's prior approval, and explained that there are no plans to have an entertainment facility, bleachers, or horse shows. The intent is only to have a warm-up and cool-down area for the horses and a safe place for people to park their cars and horse trailers.

A motion was offered by Mayor Engelhardt, which was seconded by Councilmember Borrowe that the Council finds the requested changes to the project to be in substantial conformance with the approved plan; and in order to provide the City a stronger position in discussion with the Preservation Authority, the previously-noted *Good-Neighbor Understanding* be specified in writing.

The Council asked for more clarification, and Mayor Engelhardt reported the following requirements: the Fire Chief has the authority to close the facility in the event of an emergency; the facility's entryway will not be changed; the grading plan will be designed to protect the blue line stream and subject to approval by the Department of Fish and Game; the equestrian ring will be vegetated within one year to screen the facilities from Fullerton Road; proper maintenance will include removing horse manure; the site is to be kept clean of trash and debris; and port-a-potties to be concealed as much as possible and serviced once a week.

Mayor Pro Tem Carroll and Councilmember Klein were opposed to the Mayor's suggestions noting that such specific regulations are too restrictive and places an undue burden on the City and the Authority. It was noted any procedural change would require Council's approval and that every perceivable situation cannot be anticipated.

There was consensus amongst the Council to send a letter/memo to the Habitat Authority stating the City's understanding of the *Good Neighbor Policy*. Councilmember Klein suggested the usage of "such as" to point out examples. Mayor Pro Tem Carroll suggested that the City Manager be authorized to draft and mail the transmittal without further input from the Council.

Mayor Engelhardt was asked to repeat her motion. She stated her understanding was that the Council accepts the City Attorney's recommendation regarding a good neighbor letter and staff's recommendation to make a finding that this proposal is consistent with the applicant's existing entitlement. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

Regarding Mayor Pro Tem Carroll's offer of a motion to waive the City's fee, City Attorney Colantuono responded that there is no fee since the CUP is not being amended.

12. AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS IMPOSING A TEMPORARY MORATORIUM ON APPROVAL AND DEVELOPMENT OF SPECIFIC USES ON SPECIFIED PARCELS IN THE CITY OF THE LA HABRA HEIGHTS AND DECLARING THE URGENCY THEREOF

(Continued from the January 10, 2002 Council meeting.)

City Manager Diaz presented the staff report with a recommendation for approval of an urgency ordinance for a 45-day temporary moratorium. If approved, staff may advertise, notify property owners, and conduct a public hearing within 45 days. Following the hearing, the moratorium maybe extended for the balance of the year.

City Attorney Colantuono provided the following scenario: Two months ago, GPAC recommended that major environmental changes be avoided during the General Plan update process and suggested a temporary moratorium be imposed on new development for government properties and also large, undeveloped parcels. Council reviewed this and requested further recommendations from GPAC. Last month a proposed ordinance was presented which also included properties requiring a specific plan prior to development. The Council felt this was too narrow of a moratorium, and tonight's draft ordinance is the result of further consideration and input from GPAC. Regarding the selected parcels (public owned properties and large, undeveloped properties) he explained that any existing permits that have been issued on those properties, may continue to be processed.

Planning Director Brady presented an overview of the staff report's parcel map noting that blue identifies specific plan properties, pink identifies non-residential developments, and yellow identifies public properties.

Regarding the rationale for parcel selection, Gene Beckman, Chairperson of GPAC, stated that the basis for the designations is to allow the City time to study various issues relating to the specifically identified parcels and ensure that development does not take place which may be inconsistent with whatever is proposed. The parcels were selected because they are large, undeveloped sites; publicly owned properties; or are institutional uses with the potential to affect the development and use of adjacent residential properties.

Following general discussion, there seemed to be agreement that the parcels for the City's Park property should be excluded.

Peter Kim, representing Sam Sung Church, stated that a CUP application was submitted in 1996; per City's advice, the application was changed to a specific plan in 2000; and many documents were required. Mr. Kim presented a letter to the Council in response to the temporary moratorium. He continued stating the church expansion plan includes construction of non-commercial buildings: sanctuary, library, and a gymnasium. The new facility and parking space will be made available to La Habra Heights residents.

The General Plan amendment will include new requirements pertaining to subdivision and land uses not applicable to the Sam Sung project. The Church requests removal of its project from the moratorium review list. He concluded that much work has been completed costing a great deal of money; i.e., fault investigation and traffic studies.

City Attorney Colantuono indicated that this is a moratorium on approval, not on making applications and applications being processed.

Mohamed Seirafi, Canarias Drive, Hacienda Heights, provided background on his La Habra Heights property and stated that a plan was submitted about a year ago. The plan was reviewed in November. Upon nearing completion, a letter was received from the City regarding a hearing for a specific plan for this property. He questioned the legality of a specific plan for one house. Mr. Seirafi asked that the City allow him to build his house and have access to his home.

Michael Lewis, with Lewis and Company, 2149 Garvey Avenue, North Hall, West Covina, stated that he and his client object to the inclusion of Mr. Seirafi's property in the moratorium. Mr. Seirafi filed plans last October to build a house on 38 acres, and City staff asked for many plan changes.

The building of this home, Mr. Lewis opined, does not threaten the public health and safety. A moratorium for a single-family residence seems to imply certain ongoing collusion in the effort to deny Mr. Seirafi the use of his property. Furthermore, Mr. Seirafi is the only residential property with a pending application included in this moratorium. This, he said, could amount to a taking of his property rights, his property value, and a violation of his civil rights. Mr. Lewis asked that the City exclude the property from the moratorium; at minimum exclude his application for a single-family residence so that he can proceed to develop his home.

Bob Henderson, Chairperson of the Puente Hills Native Habitat Preservation Authority discussed the two-year development for a wildlife under crossing on property near Harbor Boulevard. He noted that the funding is currently becoming available. To provide more safety for the animals and drivers on Harbor Boulevard, the Habitat would like to proceed and complete the project. Additionally, he requested that Section 2a be revised to read "...related to the development of a wildlife underpass and preservation of a wildlife corridor..."

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Mayor Engelhardt to waive further reading and adopt Ordinance No. 242-U with the following amendments: the City's Park property be removed from Exhibit A and Section 2a be revised with language suggested by Mr. Henderson. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

The City Attorney presented the title of the Ordinance No. 242-U as previously noted.

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Councilmember Millsap that a notice be mailed to owners of the properties listed. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

13. APPOINTMENT TO THE PUENTE HILLS LANDFILL NATIVE HABITAT PRESERVATION AUTHORITY - ADVISORY COMMITTEE

(Continued from the January 10, 2002 Council meeting.)

A motion was offered by Councilmember Klein, which was seconded by Mayor Pro Tem Carroll to re-appoint Steve Garcia to the Authority's Advisory Committee. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Councilmember Millsap to appoint John Erickson to the Authority's Advisory Committee. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

14. BUILDING AND GRADING PERMIT AND CONSTRUCTION PROCESS

The City Council decided to hold a joint study session with the Planning Commission to discuss these issues.

Staff was directed to determine an appropriate meeting date. It was noted that said special meeting will be televised.

NEW BUSINESS

15. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS AUTHORIZING THE CALIFORNIA DEPARTMENT OF JUSTICE TO READ NEW HIRE FINGERPRINT CARDS

City Manager Diaz presented a brief staff report and recommendation to adopt a Resolution for the fingerprint-card background-check requests for new employees and provide the City information as to criminal history if any exists.

City Attorney added this would authorize staff to use the State's resources on a contractual basis to screen new employees at a minimal cost.

Acting Fire Chief Nielsen added that this would simplify background investigations.

A motion was offered by Mayor Pro Tem Carroll which was seconded by Councilmember Millsap to adopt Resolution No. 02-05. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None

ABSENT: None

16. REGARDING THE CITY'S GENERAL PLAN ADVISORY COMMITTEE (GPAC) AND THE ANNUAL FILING OF CONFLICT OF INTEREST FORMS

A motion was offered by Mayor Pro Tem Carroll which was seconded by Councilmember Klein to require GPAC Members to file Statements of Economic Interest 700 Forms and that the listing for Appendix A of the City's Conflict of Interest Resolution be amended to include the General Plan Advisory Committee. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

17. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS APPROVING THE SAN GABRIEL AND LOS ANGELES RIVERS WATERSHED AND OPEN SPACE PLAN

Senior Management Analyst Orchanian presented the staff report indicating that the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy requests the City to support the San Gabriel and Los Angeles Rivers Watershed. Funding for this region will be secured should Measure 40 on the March 2002 ballot be approved by the voters.

City Attorney Colantuono provided some background information as to the creation of the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy. The statute which created the agency added two legislative devices to preserve local autonomy: 1) cities have to sign off on a plan to participate (via adoption of resolution), and 2) the Conservancy cannot perform improvements within the City without the City's prior consent. He noted that the Conservancy does not have the power of eminent domain.

A motion was offered by Mayor Pro Tem Carroll, which was seconded by Councilmember Millsap to adopt Resolution No. 02-06. The motion was approved as follows:

AYES: Borrowe, Carroll, Engelhardt, Klein, and Millsap
NOES: None
ABSENT: None

ADMINISTRATIVE REPORTS

18. CITY MANAGER'S REPORT

19. CITY ATTORNEY'S REPORT

20. CITY ENGINEER'S REPORT

- The City Engineer presented an update report regarding the drainage improvements on El Cajonita Drive. (Continued from the January 10, 2002 meeting.)

21. FIRE CHIEF'S REPORT

22. SHERIFF'S DEPARTMENT REPORT

23. COMMISSION/COMMITTEE REPORTS

Senior Management Analyst Orchanian reported on the Parks and Recreation Commission's proposed La Habra Heights Residents Basketball event.

City Manager Diaz suggested that this be considered as a City-sponsored event and that Residents Basketball be advertised on the marquee at The Park at no cost to the Committee. The City Council agreed to the request.

CITY COUNCIL COMMENTS

CONTINUED PUBLIC COMMENTS ON ITEMS ON THE AGENDA AND NOT ON THE AGENDA

ADJOURNMENT

Mayor Engelhardt adjourned the City Council meeting at 11:55 p.m.

ATTEST:

Interim City Clerk Diaz