



AGENDA

A REGULAR MEETING OF THE LA HABRA HEIGHTS CITY COUNCIL

1245 North Hacienda Road
La Habra Heights, California

6:00 p.m. Closed Session
7:30 p.m. Regular Business

June 12, 2008

The City of La Habra Heights complies with the Americans with Disabilities Act of 1990. If you require special assistance to attend or participate in this meeting, please call the City Clerk's office at (562) 694-6302 at least 48 hours prior to the meeting.

PUBLIC COMMENT PROCESS

The City Council will listen to the public on any item on the agenda or item of interest that is not on the agenda. The City Council cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda. If you wish to speak to the Council, please complete a Speaker's Card and present it before the agenda item is called. You will be called to the podium by name when it is your turn to speak to the Council. Should you need to provide written documentation to the City, please give the City Manager a minimum of seven (7) copies prior to the start of the meeting so the information can be distributed appropriately.

Public Comment For Items Not On The Agenda: A total of thirty minutes shall be devoted to audience participation after the Presentation's section of the agenda. Speakers will be called on in the order cards were received. If additional time is needed, the Mayor will allow for same at the end of the agenda.

Public Comment For Items On The Agenda: Persons wishing to speak on agenda items will be called at the time the agenda item is brought forward. Comments will generally be limited to three minutes per speaker. However, a shorter limit may be declared by the Mayor for agenda items for which many Speaker Cards have been submitted.

CLOSED SESSION

- **CONFERENCE WITH LEGAL COUNSEL**

A point has been reached where, in the opinion of the City Council on the advise of its legal counsel, based on the below described existing facts and circumstances, there is a significant exposure to litigation against the City Council.

ANTICIPATED LITIGATION

G.C. 54956.9B (3) (A)

Facts and circumstances that might result in litigation but which the City believes are not yet known to potential plaintiff or plaintiffs.

Two cases

OPENING CEREMONIES

1. CALL MEETING TO ORDER

2. ROLL CALL

3. FLAG SALUTE

4. PRESENTATIONS

- Certificate of Appreciation from Congressman Gary Miller – Immediate Past Mayor, Council Member Brian Bergman
- Certificate of Appreciation, Deputy James Bickel, L.A. County Sheriff
- Public Works Committee, Chairperson Jerry Shipman
- Emergency Preparedness Committee, Chairperson Kathy Sauble

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

PLEASE NOTE: 3-MINUTE TIME LIMIT PER SPEAKER

(ADDITIONAL TIME PROVIDED AT THE END OF REGULAR BUSINESS)

6. ADMINISTRATIVE REPORTS

- CITY MANAGER'S REPORT
- CITY ATTORNEY'S REPORT
- COMMUNITY DEVELOPMENT DIRECTOR'S REPORT
 - City Property located at Hacienda and West Road

- FIRE CHIEF'S REPORT
- SHERIFF'S DEPARTMENT REPORT

PUBLIC HEARING

7. 2124 SAPOTA - AN APPEAL TO A PLANNING COMMISSION DENIAL OF STANDARD MODIFICATION 2007-01, GRADING MODIFICATION 2007-01 AND TREE REMOVAL PERMIT 2007-01 (Former Municipal Code) - Continued from April 9, 2008

RECOMMENDATION: Pending testimony at the public hearing and deliberation of the City Council, it is recommended that City Council provide a decision under the Former Municipal Code.

8. CONFIRMING THE ASSESSMENT AND ORDERING THE LEVY FOR THE CITYWIDE STREET MAINTENANCE ASSESSMENT DISTRICT NO. 4 FOR FY 2008-2009

Mayor: Please open the Public Hearing to allow all interested persons to give oral or written testimony.

RECOMMENDATION: Close the Public Hearing and adopt Resolution 2008-15.

CONSENT CALENDAR

It is recommended that Items 9 through 19 be acted upon simultaneously by one motion of the City Council unless separate discussion and/or action on an item is requested by a Council Member or a member of the public.

9. APPROVAL OF WARRANTS REGISTER FOR MAY 2008

RECOMMENDATION: Approve

10. MONTHLY TREASURER'S REPORT FOR MAY 2008

RECOMMENDATION: Approve

11. CONTINUANCE OF THE FY 2007-2008 BUDGET FOR 60 DAYS

RESOLUTION 2008-13: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS CONTINUING THE 2007-2008 ANNUAL BUDGET

RECOMMENDATION: Adopt Resolution 2008-13 continuing the FY 2007-2008 Budget for 60 days.

12. ESTABLISHMENT OF THE 2008-2009 GANN LIMIT

RESOLUTION 2008-14: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ESTABLISHING THE APPROPRIATIONS LIMITS FOR FISCAL YEAR 2008-09 FOR THE CITY OF LA HABRA HEIGHTS IN ACCORDANCE WITH PROVISIONS OF DIVISION 9 OF TITLE 1 OF THE CALIFORNIA GOVERNMENT CODE (ANNUAL GANN LIMIT).

RECOMMENDATION: Adopt Resolution 2008-14 establishing the FY 2008-2009 Gann Limit at \$3,921,804.00.

13. ESTABLISHMENT OF THE SPECIAL FIRE TAX FOR 2008-2009

RESOLUTION 2008-16: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS ESTABLISHING TAX AMOUNTS WITH RESPECT TO THE SPECIAL TAX TO FUND FIRE PREVENTION AND PROTECTION SERVICES, AS WELL AS LIFE SAFETY SERVICES, INCLUDING PARAMEDIC AND EMERGENCY MEDICAL RESPONSE SERVICES DIRECTING THE IMPOSITION AND ADMINISTRATION OF THE SPECIAL TAX FOR FISCAL YEAR 2008-2009 AND TAKING CERTAIN RELATED ACTIONS.

RECOMMENDATION: Adopt Resolution 2008-16 establishing the FY 2008-2009 Special Fire Tax rates.

14. BUDGET SUB-COMMITTEE APPOINTMENTS

RECOMMENDATION: Appoint Council Members Millsap and Vipperman to serve as the Budget Sub-Committee.

15. AGREEMENT WITH DIEHL, EVANS AND CO. TO PERFORM ANNUAL AUDIT SERVICES FOR 2007-08; 2008-09; AND 2009-10

RECOMMENDATION: Approve the contract with Diehl Evans, LLP to provide auditing services for FY 2007-08 with an option for two additional years and grant permission to the City Manager to sign each yearly option based upon the continued satisfactory performance of the auditors.

16. PROPOSITION A LOCAL RETURN FUND EXCHANGE WITH CITY OF COMMERCE

RECOMMENDATION: Approve the Fund Trade Agreement with the City of Commerce.

17. COLANTUONO & LEVIN - RATE ADJUSTMENT

RECOMMENDATION: Approve the increase in rates paid to Colantuono & Levin, PC and authorize the Mayor to sign the amended and restated agreement for legal services between the City of La Habra Heights and Colantuono & Levin, PC.

18. MODIFICATION OF CITY'S INFORMATION TECHNOLOGY AGREEMENT WITH FIRSTLIGHT NETWORKING

RECOMMENDATION: Approve the Professional Services Agreement with Firstlight Networking, expiring December 31, 2008.

19. CITY COUNCIL MINUTES Regular Meeting of May 8, 2008

RECOMMENDATION: Approve

PARK MASTER PLAN

20. PRESENTATION REGARDING PARK MASTER PLAN COMMITTEE BY CHAIR FAITH GRIMM AND VICE-CHAIR PAM MCVICAR

RECOMMENDATION: Receive and File

21. PARK MASTER PLAN COMMITTEE RESTRUCTURE (CONTINUED FROM MAY 8, 2008)

RECOMMENDATION: Two approaches were discussed at the May 8, 2008 meeting:

(a) That the requirement of membership affiliation be removed from the Park Master Plan Committee and that the committee be allowed to designate the committee size and membership from among the remaining participants.

OR

(b) That the Park Master Plan Committee be re-organized reducing its number to _____, and that committee membership be distributed among the following community affiliations: (list the community group and number to be appointed from each).

AND

RECOMMENDATION: New motion added by Interim City Manager after May 12, 2008 Park Master Plan Committee Meeting:

(c) In order to budget for staff time and materials, invite the Park Master Plan Committee to submit a work plan to the City Council which describes the scope of their planning efforts and estimates the timeframe for completion.

CITY MANAGER

22. CITYWIDE POLICY ON CITIZEN COMMITTEES

RECOMMENDATION: (After discussion and audience input) Refer this matter back to the Interim City Manager to create City-wide policy on committees.

23. AUTHORIZE CONTRACT WITH PACIFIC CODE COMPLIANCE FOR PLANNER AND ELIMINATE TWO FULL-TIME POSITIONS

RECOMMENDATION: (a) Authorize the Interim City Manager to enter into the attached standard form city contract with Pacific Code Compliance for the services of a contract planner.

(b) Eliminate the positions of Community Development Director and Planner effective July 12, 2008 (30 days from this date).

CITY CLERK

24. 2009 GENERAL MUNICIPAL ELECTION VOTING EQUIPMENT AND ELECTION DATE OPTIONS

RECOMMENDATION: (a) Continue to use the punch card system for the 2009 General Municipal Election.

OR

(b) Authorize the purchase an Opti-Mark Ballot counter at a cost of \$16,000.

OR

(c) Direct the City Attorney to prepare the necessary ordinances to hold General Elections in April of odd-numbered years and direct the City Clerk to secure the rental of the Opti-Mark Ballot counter for April 2009.

CITY COUNCIL COMMENTS

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

ADJOURNMENT

Materials related to any items on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection on the City Clerk's Office at 1245 N. Hacienda Road La Habra Heights, CA 90631 during normal business hours.