



## **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

**November 13, 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.

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

#### **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 the 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**

The City Council/Agency finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

- **EXISTING LITIGATION:**  
Govt. Code § 54956.9(a)

Allstar Fire Equipment Co. v City of Los Angeles, et al.  
Case No. LASC #BS115556

- **ANTICIPATED LITIGATION**  
Govt. Code § 54956.9(b)

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

Receipt of Claim pursuant to Tort Claims Act from Sabrina Somma threatening litigation (copy available for public inspection in City Clerk's office). Govt. Code § 54956.9b (3) (C)

## **OPENING CEREMONIES**

1. CALL MEETING TO ORDER
2. ROLL CALL
3. FLAG SALUTE
4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

PLEASE NOTE: 3-MINUTE TIME LIMIT PER SPEAKER

5. ADMINISTRATIVE REPORTS
  - CITY MANAGER'S REPORT
  - CITY ATTORNEY'S REPORT
  - COMMUNITY DEVELOPMENT REPORT
  - FIRE CHIEF'S REPORT
  - SHERIFF'S DEPARTMENT REPORT

### **CONSENT CALENDAR**

It is recommended that Items 6 through 15 be acted on by one motion of the City Council unless separate discussion and/or action on an item is requested by a Council Member.

6. APPROVAL OF WARRANTS REGISTER FOR OCTOBER 2008  
RECOMMENDATION: Approve.
7. MONTHLY TREASURER'S REPORT FOR OCTOBER 2008  
RECOMMENDATION: Approve.
8. CITY COUNCIL MINUTES Regular Meeting of October 16, 2008  
RECOMMENDATION: Approve.
9. AUTHORIZATION FOR PURCHASE OF HYBRID VEHICLE WITH AQMD AB2766 FUNDS (CONTINUED FROM OCTOBER 16, 2008)  
RECOMMENDATION: Continue the purchase of a Ford Escape Hybrid until December 11, 2008.
10. ANNUAL ROAD MAINTENANCE PROJECT (2008)  
RECOMMENDATION: Approve Notice of Completion for the construction of Annual Road Maintenance Project 2008.

11. NOTICE OF VACANCY - PUENTE HILLS LANDFILL NATIVE HABITAT PRESERVATION AUTHORITY CITIZENS TECHNICAL ADVISORY COMMITTEE

RECOMMENDATION: Receive and file, and direct Deputy City Clerk to advertise.

12. WASTE MANAGEMENT'S "WASTE WATCH" PROGRAM

RECOMMENDATION: A. Authorize participation in Waste Management's Waste Watch program; and  
B. Authorize the City Manager to schedule a Waste Watch training session, if desired.

13. PUBLIC WORKS DIVISION – USE OF CONTRACT LABOR IN LIEU OF SALARIED POSITIONS

RECOMMENDATION: Transfer the remaining salaries and benefits for all maintenance workers in the Public Works Division (approximately \$79,263) from accounts 01-25-00-9001 and 01-26-00-9002 to a contract labor account in the Public Works Division, 01-26-00-9050 (professional services-other).

14. ADOPTION OF A STATEMENT OF INVESTMENT POLICY AND DELEGATION OF INVESTMENT AUTHORITY

RESOLUTION NO. 2008-34: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS ADOPTING A STATEMENT OF INVESTMENT POLICY, DELEGATING INVESTMENT AUTHORITY TO THE CITY TREASURER, AND RESCINDING RESOLUTION NO. 2007-22, THE PRIOR ANNUAL DELEGATION OF SUCH AUTHORITY.

RECOMMENDATION: Adopt Resolution No. 2008-34.

15. MEASURE EXTENDING THE CITY'S APPROPRIATIONS LIMIT

RESOLUTION NO. 2008-32: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS SUBMITTING TO THE QUALIFIED ELECTORS OF THE CITY AT THE MARCH 3, 2009 GENERAL ELECTION AN ORDINANCE TEMPORARILY CHANGING THE CITY'S APPROPRIATIONS LIMIT PURSUANT TO ARTICLE XIII B OF THE CALIFORNIA CONSTITUTION

RECOMMENDATION: Adopt Resolution No. 2008-32.

**ADMINISTRATIVE ITEMS**

16. ORDINANCE AMENDING ARTICLE 7 (DEVELOPMENT CODE AND ZONING ORDINANCE) AND ARTICLE 12 (DEFINITIONS) OF THE MUNICIPAL CODE

ORDINANCE NO. 2008-\_\_: AN ORDINANCE OF THE LA HABRA HEIGHTS CITY COUNCIL AMENDING CERTAIN PORTIONS OF ARTICLE 7 AND 12 OF THE LA HABRA HEIGHTS MUNICIPAL CODE RELATING TO GRADING, HARDSCAPE, AND VIEWS

RECOMMENDATION: Adopt Ordinance 2008-\_\_.

17. DONATION FROM LA HABRA HEIGHTS IMPROVEMENT ASSOCIATION (LHHIA) FOR PARK IMPROVEMENTS – GAZEBO AND MARQUEE SIGN

RECOMMENDATION: Accept the donation from the LHHIA to cover the project management and direct costs for eradicating termites and making repairs to the gazebo and for replacing the marquee sign on Hacienda Road at The Park and waive building permit fees associated with this project.

18. HEARING ON REPORT AND ASSESSMENT FOR WEED ABATEMENT UNPAID WEED ABATEMENT EXPENSES

RESOLUTION NO. 2008-33: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA HEIGHTS CONFIRMING A REPORT OF COSTS INCURRED IN CONNECTION WITH THE CITY'S WEED ABATEMENT PROGRAM; CONFIRMING THE ASSESSMENTS AND LIENS SET FORTH IN SUCH REPORT; AND DIRECTING THAT SUCH ASSESSMENTS BE COLLECTED ON THE PROPERTY TAX ROLL.

RECOMMENDATION: Adopt the Resolution 2008-33.

19. UPDATE ON \$100,000 PROP A (KNABE) GRANT

- RECOMMENDATION:
- A. Authorize the City to use the \$100,000 Proposition A grant to develop a multi-use Trail at “The Park;”
  - B. Direct the City Manager, or her designee, to serve as the Project Lead; and
  - C. Direct the City Manager, or her designee, to hold one or more public meetings to gather community input into design and construction of a multi-use trail at The Park.

**CONTINUED ITEMS**

20. NOMINATIONS TO THE WILDLIFE CORRIDOR CONSERVATION AUTHORITY ADVISORY COMMITTEE (CONTINUED FROM OCTOBER 16, 2008)

- RECOMMENDATION: Appoint \_\_\_\_\_ and \_\_\_\_\_ to the Wildlife Corridor Conservation Authority Advisory Committee.

**CITY COUNCIL COMMENTS**

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

**ADJOURNMENT**