



**City of La Habra Heights
Regular Meeting of the La Habra Heights City Council
March 10, 2011**

Call to order - Closed Session

1. **Call Meeting to Order** - At 6:35 p.m., Mayor Layne Baroldi called the Regular City Council Meeting to order and adjourned into closed session.
2. **Roll Call**

Present: Mayor Layne Baroldi, Mayor Pro-Tem Brian Bergman, Council Members Stan Carroll, Howard Vipperman and Carl Westerhoff.

Also Present: Sandra Levin, City Attorney, and Shauna Clark, City Manager.

Closed Session

- A. **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.
 1. **Initiation of Litigation**
G.C. § 54956.9(c)
Two Cases

At 7:09 p.m., City Manager Clark was excused from closed session.

At 7:37 p.m., City Council returned from closed session.

Statement from Closed Session: No reportable actions.

Opening Ceremonies

1. **Call Meeting to Order** – At 7:47 p.m., Mayor Baroldi called the Regular Meeting to order.

2. Roll Call

Present: Mayor Layne Baroldi, Mayor Pro-Tem Brian Bergman, Council Members Stan Carroll, Howard Vipperman, and Carl Westerhoff.

Also Present: Sandra Levin, City Attorney; Shauna Clark, City Manager; Gabriella Yap, Assistant to the City Manager; Gary Dominguez, Fire Chief; Lt. John McBride, Los Angeles County Sheriff's Department; Katherine Laufenburger, City Planner; and Grace Andres, Deputy City Clerk.

3. Flag Salute

4. Presentations - None

5. Public Comments

6. Administrative Reports

A. City Manager's Report

Action: Moved (Bergman), seconded (Westerhoff) and voted unanimously to redact the names of the public record request report in the City Manager's report.

- B. City Attorney's Report**
- C. Community Development Report**
- D. Fire Chief's Report**
- E. Sheriff's Department Report**

Consent Calendar

Action: Moved (Bergman), seconded (Vipperman) and voted unanimously to approve items 8-11.

8. Treasurer's Report for January 2011 - Approve.

9. City Council Minutes: Regular Meeting of February 10, 2011 - Approve.

10. T.D. Grogan Hacienda Park Playground Equipment and Installation: Notice of Completion - Approve

11. Mariposa Landscapes, Inc. Hacienda Park Improvements Project 2010-05: Notice of Completion - Approve

Consent Calendar – Items pulled for hearing

7. Warrant Register for February 2011

Action: Moved (Carroll), seconded (Bergman) and voted unanimously to approve the Warrant Register for February 2011.

12. Amend Municipal Code to Include Rules of Decorum

Ordinance 2011-___: An Ordinance of the City of La Habra Heights amending Chapter 2.5.30 of the Municipal Code to Establish Rules of Decorum during public meetings.

Action: Moved (Westerhoff), seconded (Baroldi) and voted unanimously to table this item unless issue of decorum needs to be revisited.

----- **End of Consent Calendar** -----

Public Hearings

13. 2011 Annual Weed Abatement Program – Public Hearing

Mayor Baroldi opened the public hearing to receive testimony.

Mayor Baroldi closed the public hearing.

Action: Moved (Vipperman), seconded (Westerhoff) and voted unanimously to authorize the Fire Department to initiate inspections and proceed with weed abatement as necessary.

Recess: At 9:06 p.m., Mayor Baroldi called a recess.

Recess: At 9:21 p.m., Mayor Baroldi reconvened the meeting.

**14. Appeal of Planning Commission decision regarding Standards Modification
File No. PRJ 2010-10**

Resolution 2011-02: A Resolution of the City Council of the City of La Habra Heights approving Standards Modification (PRJ 2010-10) for a proposed single-family home located at 1508 Coban Road.

Council Member Vipperman recused himself and left the dais.

Mayor Baroldi opened the public hearing to receive testimony.

Mayor Baroldi closed the public hearing.

Action: Moved (Westerhoff), seconded (Carroll) and voted 3-1 (opposed Bergman and recused Vipperman) to adopt Resolution No. 2011-02 with the findings contained therein upholding the Planning Commission's decision to uphold the administrative decision for an approval of Standards Modification PRJ 2010-10 to facilitate the construction of a single-family home at 1508 Coban Road, subject to the conditions of approval contained within the resolution.

Council Member Vipperman rejoined the meeting.

Recess: At 10:51 p.m., Mayor Baroldi called a recess.

Recess: At 11:02 p.m., Mayor Baroldi reconvened the meeting.

----- End of Public Hearings -----

Planning Items

15. Recommendation from the Planning Commission regarding view preservation

Action: Moved (Westerhoff), seconded (Baroldi) and voted 4-1 (opposed Carroll) to direct the planning commission study ways to implement Land Use Policy 53 and recommend their findings to the City Council.

16. Update Of Local California Environmental Quality Act (CEQA) Guidelines To Incorporate Requirements For Green House Gas Emissions.

Resolution 2011-03: A Resolution of the City Council of the City of La Habra Heights regarding Zoning Code Amendment (ZCA) 2010-01.

Action: Moved (Baroldi), seconded (Carroll) and voted unanimously to adopt Resolution 2011-03.

----- End of Planning Items -----

Administrative Items

17. Fiscal Year 2009-2010 Annual Financial Audit – Diehl, Evans and Company, LLP

Action: Moved (Carroll), seconded (Vipperman) and voted unanimously to receive and file 2009-2010 annual audit for the City of La Habra Heights, completed by Diehl, Evans and Company, LLP.

18. 2010-2011 Mid-Year Budget Presentation

Action: Moved (Vipperman), seconded (Westerhoff) and voted unanimously to adopt the 2010-11 Mid-year budget with the revisions stated herein.

19. Habitat Authority Board Membership

Action: Moved (Vipperman), seconded (Baroldi) and voted unanimously to direct the City Manager to prepare a letter to be signed by all members of the Council and sent to the three entities that created the Habitat Authority requesting an amendment to the joint powers authority agreement to create a seat on the board for a member of the La Habra Heights City Council.

20. Extensions for Waste Management and Haul Away Agreements

Action: Moved (Carroll), seconded (Baroldi) and voted unanimously to direct the City Attorney to prepare and authorize the City Manager to sign a three month extension of the current agreements with Waste Management and Haul Away, which includes two possible three-month extensions to allow the staff additional time to review and analyze information. Mayor Pro Tem Bergman will continue to serve on the committee along with Layne Baroldi as a volunteer.

----- **End of Administrative Items** -----

21. Public Comments

22. City Council Comments

Adjournment – At 12:22 a.m. on March 11, 2011, Mayor Baroldi adjourned the meeting.

Attest:



Grace Andres, Deputy City Clerk