

Get Involved

Did the City Rip You Off?

For much of its history, La Habra Heights has charged twice Los Angeles County levels for Building Permits, including, Electrical, Plumbing, and Mechanical.

In 2006, the City did a Fee Study which validated those charges.

In April 2008, the City Council adopted new Building Codes and Fees, following the Los Angeles County Code. That adoption lowered Building Permit Fees to Los Angeles County levels. However, the City continued charging the old permit rates. At the November 2009 City Council Meeting, the City Manager discussed the issue, and said that thousands of dollars of permit fee overcharges were being refunded.

It appears that the City is not actively reviewing records and refunding overcharges.

Residents who paid for Building, Electrical, Plumbing, Mechanical and Grading Permits subsequent to May 9, 2008 should check to see if they are entitled to an up to 50% refund of Permit Fees.

In light of the 2006 Study, the 2008 reduction in fees results in the residents subsidizing building, as the permit fees do not cover the costs of the City in providing the service.

“Half Price” Sale on Building Permits

As reported above, the City is charging half the amount it has historically charged for Building, Electrical, Plumbing, Mechanical and Grading Permits.

A Fee Study is underway to determine what the proper level of fees should be. The last study in 2006 supported charging double Los Angeles County fees. Overhead and the cost structure have not changed much, so that will likely be the result of the new Study. In the meantime, residents planning work may want to take advantage of the lower fees. Building permits allow for inspections to commence within 6 months of issuance. Check with City Hall. Planning Fees are unaffected and remain the same.

Response to Vipperman Political Mailer

Residents received a mailer from Karen Vipperman, wife of Mayor Howard Vipperman, regarding stories in our December issue. This publication stands behind the facts as stated in those stories.

In 2007, Mrs. Vipperman retained an attorney to go after the former City Manager and Fire Chief for comments or actions they made. She claimed they were incorrect and an attempt to create a political scandal, discredit a councilmen and slander her. Other than a letter to the City, no further action was taken, though the City Manager did resign several months later.

New Fire Chief Resigns After 6 Months

The resignation of Fire Chief Randy Rohrer was announced at the January 19th meeting of the Water District Board, confirming earlier reports.

The City Council and Staff would not address residents' questions regarding the rumored resignation at the January 14th Council meeting.

The City Council approved his one year contract, dated July 22nd, at the August 2009 Council meeting.

At the June 22, 2009 Council meeting, the City Manager asked for an increase in the Fire Chief salary from \$85,000 to \$120,000. She said she wanted someone who would be here for the next five years, and was negotiating with a candidate..

Fire Chief John Nielsen resigned December 16, 2008. Interim Chief Gary Turner did not want to continue, according to City Manager Shauna Clark.

Rohrer's resignation came just days after the ISO (Insurance Services Office) did a review of the Fire Department in order to update its rating of service.

In March 2007, the ISO rating for homes within 1000 feet of a hydrant declined from 3 to 5, on a scale from 1 to 10.

During the April 2007 agenda item discussion of the ISO rating and how to improve it, the City Council asked for monthly update reports.

After several months, the reports ceased and the focus of the Council changed to revising City Codes to allow more and easier development.

Since October 2007, there have been 11 City Council meetings with Code changes on the agenda, and none following up on ISO rating and community safety.

According to an informal quote from L.A. County, our volunteer Fire Department and training academy save the City over \$3 million per year.

If the academy and volunteers were replaced with a paid department, the annual fire tax would increase by at least \$1,500 per residence.

There have been repeated requests for the return of resident volunteers to help man vehicles and protect the community.

**More detail on all stories can be found at
www.LaHabraHeights.net**

Vipperman Slander Lawsuit Dismissed

According to L. A. County Superior Court, the Lawsuit by Mayor Vipperman was dismissed on December 30, 2009. Mayor Howard Vipperman had filed the lawsuit against several Heights residents, claiming slander, motivated by personal & political reasons, and other charges.

Exclusive Investigation!

Lawsuit against City Settles for \$375,000

Former Paramedic Coordinator Sabrina Somma filed a lawsuit against the City, former Fire Chief John Nielsen and others on November 17, 2008, with claims including sexual harassment, unlawful termination, and failure to pay wages.

Under the confidential Settlement Agreement, dated August 31, 2009, obtained under the Public Records Act, both parties release all claims with no admission of liability. The Settlement requires Somma to keep away from City operations. It states: “The City shall provide a neutral reference for Plaintiff that contains the dates of employment, her job title(s) and that she voluntarily left her employment, and that is all that will be disclosed to any inquiring prospective employers.”

In consideration of the Agreement, the City's insurance company (California Joint Powers Insurance Agency) issued payment of \$375,000. Documents available on www.LaHabraHeights.net

Councilman Questions Engineer's Contract

At the December City Council meeting, Councilmember Carl Westerhoff questioned the manner in which the City Engineer's design and oversight payment percentages were determined.

Westerhoff submitted a letter to the City Manager specifying his concerns. City Manager Shauna Clark prepared a 9 page brief answering charges and describing events.

At the January Council meeting, the City Engineer was accompanied by his Attorney, who spoke to the contents of the contract signed in 2006, and that actions by the City Engineer were consistent with his contract.

Councilmember Westerhoff made general comments but deferred follow-up until he had read and digested the City Manager's report.

A Founding Father Passes

Gene Beckman, on the first City Council, and one of the founding fathers of the City passed away on January 29th at age 82. Mr. Beckman's decades of service included working on the original General Plan and chairing the 2001 General Plan Advisory Committee. Mr. Beckman was featured in the 1999 documentary, “The Story of La Habra Heights”.

Hacienda Road Reopens “Early”?

Hacienda Rd. reopened about 5:30 p.m. January 29th, two days earlier than the last deadline and three months later than originally planned.



Delays resulted from utility relocation, change orders, design changes, soil nail failures and weather. While many residents enjoyed four months of peace and quiet, others suffered from diverted commuter traffic and turnarounds, particularly on Ardsheal Dr.

Other recent Hacienda Rd. closures, in 2001 and 2008, turned non-resident traffic around at City Hall and the Buddhist temple, preventing the problems seen over the past few months.

In 2008, the Public Works Committee, working with the Sheriff's Dept., City Staff, and the Emergency Preparedness Committee, produced a detailed Hacienda Rd. closure plan, with the objective of preventing commuter traffic from diverting onto City streets.

However, the City Council eliminated the Public Works and Emergency Preparedness Committees.

Lane closures will continue, as several projects are unfinished. The road will likely need to be closed again for slurry sealing.

20 Story Tall Power Lines Buzz Off Residents

During discussions at the January Council meeting, City Officials offered little opposition to, and it appeared that they accepted as inevitable, the 550 kilovolt power lines and 20 story tall towers, to be built on the north and northeastern borders of the City. Residents have publicly voiced concerns that the towers will reduce property values, ruin views and create constant noise.

Efforts to stop the towers stalled after the October 2009 Council meeting when Councilmember Stan Carroll asked and pleaded with Mayor Vipperman to write a letter to the Public Utilities Commission on behalf of the City regarding the towers. The Mayor refused, saying, “I'm the Mayor and I'll write the letters I want.” Vipperman said he didn't want to put his signature on something he had not researched.

Our Analysis: Redevelopment of the Heights



La Habra Heights was founded as a rural residential community.

The General Plan describes development that will blend with the setting, minimize alteration of the natural terrain, provide privacy, encourage the keeping of animals, and limit impervious coverage.

Recent code changes will facilitate the change to a community of Urban Estates.

Over a two year period, code changes were pushed through over the almost unanimous objection of residents. Meetings were held where residents were turned away. Another meeting occurred in January of 2008 that had first class mailed notices to developers and builders to find out what changes they wanted, but residents were afforded no such special notice.

The code changes were sent back to square one due to improper noticing of meetings and failure to follow state law.

Touted as being necessary because people could not build, not one example of someone unable to build under the then existing code was brought forward. At the same time the City Council was saying the codes changes were needed because no one could build, the City Manager reported that so many applications were in process that they needed more planning department staff.

One code change exempts driveways over 35 feet long from the hardscape and grading limits. Another exempts swimming pools from hardscape limits. Yet another exempts private roads, driveways, or other access from hardscape and grading limits.

Rationales were used to justify each change, such as “encouraging people to build back further from the street”, “swimming pools store water”, and “eliminating hardships for those on private roads, or with easements on their properties.”



The exemptions are clear violations of the plain language of the General Plan, which calls for limits on impervious coverage (hardscape) and minimization of grading. The General Plan is not self enforcing. Violations must be challenged, in court if necessary, by residents. The actual result of the changes is to allow more grading, building and subdivisions. For many lots, more grading & hardscape is now allowed than under the prior city code, the original city code, or under even the county code.

Rather than removing a hardship, those on private roads and beneficiaries of easements now will be burdened with more development, more concrete, and less privacy.

It is up to the residents to determine what their city will be. If residents want a city of urban estates, more concrete, less natural terrain, and more runoff; then the changes are good.

Urban Estates have infiltrated parts of the Heights, become precedent for the future and may deny future residents participation in the rural experience. Are Hillside Condos poised to come in under the guise of “affordable housing”?

The tenor of the current City Council majority is clear, from the selection of a planning commissioner who is the President of the Building Industry Association of Southern California, to another who owned a building supply company, as well as the attempt to abolish the alternate Planning Commissioner position.

Pressures to allow over-development are always present. Successive generations of residents have stepped up to prevent the loss of the rural environment on their watch.

What will our legacy be?

Editorial Cartoon, courtesy of www.TheAvocadoExpress.com



“THREE AMIGOS, OR THREE BANDITOS?”

TheAvocadoExpress.com ©2009



Mayor Proposes ‘Big Brother’ Tactics With Aerial Surveillance

At the December City Council meeting, Mayor Howard Vipperman had an item put on the agenda to consider contracting for helicopter surveillance of the City. He said purposes could include Code Enforcement, aerial photography, and monitoring of other events in the City. The part-time service would be beyond existing Sheriff’s Dept. and L.A. County Fire services. No other Council members were interested in moving the proposal forward.

Fire Dorms Bid Opening

On January 28th, bids were opened for new dorms for the firefighters. Bids ranged from \$249,209 to \$939,250, and will likely go to the City Council for award at the February meeting.

Fire fighters quarters have been an issue for at least 10 years.

New Development Creates Drainage Problems

Neighbors to new and recent building projects have objected to uncontrolled and damaging runoff at recent Planning Commission and City Council meetings.

Federal, State, and City laws require runoff to be controlled on site, with water leaving most projects to have no more velocity than prior to the project. On site retention of the first 3/4” of each rain storm is required and additional runoff must be distributed over the lot so it is not concentrated. Most new construction cannot outlet water onto City streets.

Recent Public Records requests have found that not one new house project, of those reviewed, has the required storm water management plans.

A developer of a current project relocated a running stream 15 feet closer to the road. The January storms found the road overrun by water just below the relocated stream.

A Planning Commissioner stated, that in his opinion, it is up to existing residents to protect themselves against runoff.

Recent Code changes allowing more grading and hardscape on lots will result in additional runoff and erosion.