

**MINUTES**  
**CITY COUNCIL OF THE CITY OF LA HABRA**  
**ADJOURNED REGULAR MEETING**  
**&**  
**REGULAR MEETING**

**Monday, August 19, 2013**

**APPROVED:** These Minutes were approved on September 16, 2013.

**ADJOURNED REGULAR MEETING:** Cancelled

**REGULAR MEETING:**

**CALL TO ORDER:** Mayor Espinoza called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the City Council Chambers, located at 201 E. La Habra Boulevard, La Habra, California.

**INVOCATION:** Deputy City Attorney Duarte

**PLEDGE OF ALLEGIANCE:** Councilmember Blazey  
**COUNCILMEMBERS PRESENT:** Mayor Espinoza, Mayor Pro Tem Beamish,  
Councilmember Gomez, Councilmember Blazey,  
Councilmember Shaw

**COUNCILMEMBERS ABSENT:** None

**OTHER OFFICIALS PRESENT:** Director of Finance and Administrative Services Sadro  
Deputy City Attorney Duarte  
Deputy City Clerk Swindell

**CLOSED SESSION ANNOUNCEMENT:** None

**I. PROCLAMATIONS/PRESENTATIONS:**

- a. Beautification Award Michael Cota, 341 S. Marian Street. Mr. Cota was not present to accept award.
- b. Beautification Award Eddie Poindexter, 637 Hazel Street. Mr. Poindexter was not present to accept award.
- c. Beautification Award CVS Pharmacy, 1111 S. Harbor Boulevard. A CVS representative was not present to accept award.
- d. Recognition of those who assisted with the "Wall that Heals."

Community Services Director Failla recognized the following people: Bob and Bobolene Pope; Ed Molina; Pastor Mike Murphy from the Church of Christ; Deputy City Attorney Tom Duarte for City Attorney Richard Jones from Jones and Mayer; John D'Angelo from D'Angelo and Company; Cheryl Cooley; Ernestine Zapien; Kim Praster; Elaine Friesen; from the American Legion Post 267 Niles Stewart, Mike Lindsey, and Jim Lozano; Recreation Manager David DeLeon, Chuck Morse, and Raul Luna who thanked the following: Los Angeles County Fire Department; La Habra Chamber of Commerce, La Habra Police Department's Officer Dave Morrison, Jennifer Southern, Sergeant Jim Tigner, and the Police Chaplains; La Habra Police Explorers, City staff, Mayor Espinoza, Mayor Pro Tem Beamish, Councilmember Gomez, Councilmember Blazey, and Councilmember Shaw, Community Services Director Sal Failla, Recreation Manager David DeLeon, Recreational Specialist Melissa Flores, Program Coordinator Katie Elmore, Recreation Specialist Bernard Nolen, and Karlee Marshall.

e. Orange County Transportation Authority Measure M2 Update.

Councilmember Shaw introduced Andrea West with the Government Relations Department of the Orange County Transportation Authority (OCTA). Councilmember Shaw gave an update of OCTA projects and services. He stated that the Children's Museum's bus, "Buster the Bus," will be renovated in September 2013.

f. Presentation by Southern California Gas Company - "Pipeline Safety."

Public Affairs Manager Tina Javid gave the presentation.

## II. PUBLIC COMMENTS:

La Habra Chamber of Commerce President/CEO Mark Sturdevant, 321 E. La Habra Boulevard, stated the Awards and Installation Luncheon was held. He thanked City Council for hiring hard working and dedicated staff in the Community Services Department.

Maureen Masuda, 802 E. Greenwood Avenue, stated she is a medical marijuana patient turned activist. She read excerpts from Dr. Sanjay Gupta statement from a CNN broadcast. She expressed her lack of rights, and explained the manner in which her parent raised her to think and act on issues.

Mayor Pro Tem Beamish stated that Mayor Espinoza and he toured the La Habra Cares Medical Marijuana Dispensary and had a discussion with the owners. He asked staff to bring this matter forward through a public hearing in approximately 6 weeks and explained the process. He emphasized to not infer that council either supports or opposes this issue, and that they cannot debate the issue at this time.

Deanna Maes, 450 Rye Circle, asked City Council to consider and educate themselves on the patients and people that have been helped by medical marijuana.

Gloria Williams, 360 E. Erna Avenue, Apt. J, spoke regarding the traffic and speeding on Erna Avenue. She suggested closing the street with a "Not a Through Street" sign. She stated that City trucks and school buses are speeding. Councilmember Gomez referred her to Chief Price and Director of Finance and Administrative Services Sadro.

Cindy Wargo, 316 E. Erna Avenue, inquired about speed bumps or closing the street for the speeding issue on Erna Avenue. She asked if there was a noise ordinance because ice cream trucks go by frequently. Councilmember Gomez stated there were no funds for speed bumps. He referred her to Chief Price. Mayor Pro Tem Beamish referred her to Community Development Director Haack.

Eric Trinidad, La Habra Cares Medical Marijuana Dispensary, 401 W. Imperial Highway, requested to play recordings of two patients with whom he recently spoke. Councilmember Gomez requested Eric Trinidad to speak at the upcoming public hearing to be scheduled.

Attorney Damian Nassiri, representing the collective Patients Association for the Chronically Ill, doing business as La Habra Cares Medical Marijuana Dispensary, implored the City Council to listen to patients. Councilmember Gomez stated the City Council is committed to listening and looking at the issue with an open mind. He stated that a lawsuit has been filed to get the City Council's attention. Mayor Pro Tem Beamish stated the City Council has requested that this issue be open to a public discussion, through a public hearing, to be scheduled prior to the end of the moratorium on medical marijuana dispensaries.

#### **IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:**

#### **III. CONSENT CALENDAR:**

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE CONSENT CALENDAR ITEMS III.A.1 THROUGH III.A.5.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Beamish, Councilmember Gomez, Councilmember Blazey, Councilmember Shaw

NOES: None

ABSTAIN: None

ABSENT: None

#### **A PROPOSED ITEMS:**

1. PROCEDURAL WAIVER: Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.
2. Approve staff's recommendations regarding a request for "No Stopping" restrictions for La Bonita Park at 1440 West Whittier Boulevard; and adopt a resolution prohibiting stopping, standing, and parking at all times on the south side of Whittier Boulevard, east of Corto Way; as follows:
  - a. APPROVE AND ADOPT **RESOLUTION NO. 5596** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA PROHIBITING STOPPING, STANDING AND PARKING AT ALL TIMES ON WHITTIER BOULEVARD.
3. Approve establishment of the newly created position of Assistant City Manager/Director of Finance and Administrative Services at Range 377 in the Executive Management

Group; authorize the change to be made on the Executive Salary Schedule; and appropriate \$20,700 from the General Fund Operating Reserve to fund the additional salary and benefit costs of the new position.

4. Approve City Council Minutes of:
  - a. June 3, 2013
  - b. July 1, 2013
  - c. August 5, 2013
5. WARRANTS: Approve Nos. 00092505 through 00092644 totaling \$1,010,417.24.

**V. PUBLIC HEARINGS:** None at this time.

**VI. CONSIDERATION ITEMS:**

1. Consider designating a voting delegate and alternate for the League of California Cities Annual Conference Meeting to be held September 20th in Sacramento, and consider providing voting direction on two League resolutions to be considered at the conference.

Assistant to the City Manager Ferrier presented the staff report. He reviewed the following two resolutions to be considered by member cities during the League of California Cities conference: Water Bond Funds and Public Safety Realignment. He stated that support for both resolutions is consistent with the City's adopted FY2013-14 Legislative Platform.

Mayor Espinoza invited the public to testify. There was no public testimony.

Council discussion included: confirmation that an appointment of an alternate was not needed; expressed concerns regarding the water bond funds resolution and opposed the state adding any activity to the bond not directly relating to water projects; clarification that changes to the League's resolutions cannot be made unless taken up by the committee; reviewed the possibility of amending the resolution from the floor; direct staff to research the process for amending the resolution to include Council's concerns; confirmation time would not allow staff to return the item with additional information for Council's further consideration; suggested Mayor Espinoza and Councilmember Shaw meet with staff to review available options for possibly amending water bond fund resolution to include Council's concerns.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Beamish, and CARRIED UNANIMOUSLY 5-0 TO APPROVE MAYOR ESPINOZA AS VOTING DELEGATE FOR THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE MEETING TO BE HELD SEPTEMBER 20TH IN SACRAMENTO.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Beamish, Councilmember Gomez,  
Councilmember Blazey, Councilmember Shaw  
NOES: None  
ABSTAIN: None  
ABSENT: None

Moved by Councilmember Gomez, seconded by Councilmember Shaw, and CARRIED 4-1 TO DIRECT DELEGATE TO MEET WITH STAFF TO REVIEW AVAILABLE OPTIONS FOR POSSIBLY AMENDING WATER BOND FUND RESOLUTION TO INCLUDE COUNCIL'S CONCERNS.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Councilmember Gomez, Councilmember Blazey,  
Councilmember Shaw

NOES: Mayor Pro Tem Beamish

ABSTAIN: None

ABSENT: None

2. Consider an agreement with the City of Brea for a total cost share of \$24,504, which includes a 15% contingency, for professional consulting services for a preliminary implementation plan to consolidate police dispatch operations.

Chief Price presented the staff report.

Mayor Espinoza invited the public to testify. There was no public testimony.

Council discussion included: expressed concerns regarding loss of jobs; concern that dispatchers will be unfamiliar with La Habra; confirmation it is prudent to look at all aspects of consolidating police dispatch operations through this study; confirmation that nothing is being approved regarding dispatch services at this time; confirmation the cost of the dispatch consoles is \$3.5 million; confirmation goal is to consolidate positions through retirement and attrition; confirmation a decision needs to be made due to funds being impacted in the Fiscal Year 2014-2015 budget; supported moving forward with the study to identify potential benefits and cost savings.

Councilmember Gomez suggested the need for more input from employees, dispatchers, and the community before moving forward.

Moved by Councilmember Blazey, seconded by Mayor Pro Tem Beamish, and CARRIED 4-1 TO AUTHORIZE CITY MANAGER TO EXECUTE AGREEMENT WITH THE CITY OF BREA FOR A TOTAL COST SHARE OF \$24,504; WHICH INCLUDES A 15% CONTINGENCY, FOR PROFESSIONAL CONSULTING SERVICES FOR A PRELIMINARY IMPLEMENTATION PLAN TO CONSOLIDATE POLICE DISPATCH OPERATIONS.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Beamish, Councilmember Blazey,  
Councilmember Shaw

NOES: Councilmember Gomez

ABSTAIN: None

ABSENT: None

## **VII. MAYOR'S COMMUNITY CALENDAR:**

**VIII. COMMENTS FROM STAFF: None**

**IX. COMMENTS FROM COUNCILMEMBERS:**

Councilmember Shaw congratulated those who were sworn in as the new Board of Directors for the La Habra Chamber of Commerce. He stated that he attended the La Habra Chamber of Commerce Awards and Installation luncheon. He congratulated Dr. Joyce Brooks as the new Board President. He stated that he and the City Council attended the Habitat for Humanity groundbreaking on La Habra Boulevard. He stated the City Council toured the La Habra Police Station to see the completed renovation. He announced that he and his wife Shannon welcomed their son Jason David Shaw into the family on Saturday, August 10<sup>th</sup>, and stated that both Jason and Shannon were doing well.

Councilmember Blazey congratulated Councilmember Shaw and his wife Shannon on the birth of their son Jason David Shaw.

Councilmember Gomez congratulated Councilmember Shaw on the birth of his son. He congratulated new Assistant City Manager Sadro.

Mayor Pro Tem Beamish congratulated Councilmember Shaw on the birth of his son. He commented that the new Chair of the La Habra Chamber of Commerce, Dr. Joyce Brooks, gave a speech with a lot of vision and inspiration at the Award and Installation Luncheon.

Mayor Espinoza congratulated all the outgoing Board of Directors for the La Habra Chamber of Commerce for the outstanding job they have done. She recognized that those who received awards deserved them for all of their work and commitment to the community. She stated that she attended the La Habra Police Department renovation tour. She stated she attended the Habitat for Humanity groundbreaking. She stated she attended the Freedom House Congregation Backpack Giveaway at the new Brio Park. She announced that she will adjourn the meeting in memory of Henry Sanchez Magana who passed away on August 9, 2013. She added that services will be held at Our Lady of Guadalupe Church. She stated that Mr. Magana was born on July 5, 1935, in Santa Ana, California. She added that he met his future wife, Linda Magdaleno at Orange County Hospital where they both worked. She stated they married in 1954 and remained married for 59 years. She commented that the couple lived in La Habra for over 50 years and were blessed with 11 children, 27 grandchildren, and 20 great-grandchildren.

**X. ADJOURNMENT:** Mayor Espinoza adjourned the meeting in memory of Henry Sanchez Magana at 7:52 p.m.

Respectfully submitted,

Laurie Swindell  
Deputy City Clerk