

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

**Monday, December 18, 2017**

**APPROVED:** These Minutes were approved on January 16, 2018.

**ADJOURNED REGULAR MEETING:**

**CALL TO ORDER:** Mayor Shaw called the Adjourned Regular Meeting of the La Habra City Council to order at 5:32 p.m. in the Council Chambers, Closed Session Room 112c, located at 100 East La Habra Boulevard in La Habra, California.

**COUNCILMEMBERS PRESENT:** Mayor Shaw  
Mayor Pro Tem Blazey  
Councilmember Beamish  
Councilmember Espinoza  
Councilmember Gomez

**COUNCILMEMBERS ABSENT:** None

**OTHER OFFICIALS PRESENT:** City Manager Sadro  
City Attorney Jones  
City Clerk Mason

**I. ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:**  
None

**II. CLOSED SESSION:**

- a. Conference with Real Property Negotiator per Government Code Section 54956.8 - Property: 210 S. Euclid Street, 212 S. Euclid Street, and 216 S. Euclid Street; City negotiator: Jim Sadro, City Manager; Negotiating Parties: Gordon T and Deborah Y Quan and Jack M. Sussoev Jr property owners; Under Negotiation: price and terms of payment.

Director of Community and Economic Development Ho and Housing and Economic Development Manager Cole-Corona were present for this item.

**III. ADJOURNMENT:** City Council reconvened from Closed Session at 5:44 p.m. There were no Closed Session announcements. Mayor Shaw adjourned the Adjourned Regular Meeting of the City Council at 5:44 p.m.

**REGULAR MEETING:**

**CALL TO ORDER:** Mayor Shaw 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 Chamber, located at 100 East La Habra Boulevard in La Habra, California.

**INVOCATION:** City Attorney Jones

**PLEDGE OF ALLEGIANCE:** Mayor Shaw

**COUNCILMEMBERS PRESENT:** Mayor Shaw  
Mayor Pro Tem Blazey  
Councilmember Beamish  
Councilmember Espinoza  
Councilmember Gomez

**COUNCILMEMBERS ABSENT:** None

**OTHER OFFICIALS PRESENT:** City Manager Sadro  
City Attorney Jones  
City Clerk Mason  
Deputy City Clerk Swindell

**CLOSED SESSION ANNOUNCEMENT:** None

**I. PROCLAMATIONS/PRESENTATIONS:**

- a. Recognition of Social Services Manager Josie Anderson for her 18 years of dedicated service to the City of La Habra.

Mayor Shaw invited Council and Community Services Director Failla forward to join him to congratulate Josie on her retirement. Mayor Shaw thanked Josie Anderson for his service and wished her the best on her retirement. Mayor Shaw invited the following representatives forward to recognize and make presentations:

- President/Chief Executive Officer Sturdevant of La Habra Chamber of Commerce;
- Young Kim; and
- La Habra Heights Councilmember Jane Williams.

- b. Recognitions of La Habra Police Lieutenant Melesio (Mel) Ruiz for his 30 years of dedicated service to the City of La Habra.

Mayor Shaw invited Police Chief Price forward to assist in recognizing La Habra Police Lieutenant Ruiz. Police Chief Price noted the highlights of Lieutenant Ruiz's career and congratulated him on his retirement. Mayor Shaw thanked Lieutenant Ruiz for his service and wished him the best on his retirement. Mayor Shaw invited the following representatives forward to recognize and make presentations:

- Young Kim; and
- President/Chief Executive Officer Sturdevant of La Habra Chamber of Commerce.

Lieutenant Mel Ruiz thanked Chief Price, former Police Chief Meehan, his co-workers, his friends, his family, and all those who supported him throughout his career.

- b. Recognition of 2017 Annual Holiday Decorating Contest - "Light Up the Season" Award Winners.

Mayor Shaw invited the Beautification Committee to assist with the presentations to recognize the 2017 Annual Light Up the Season Award Winners as follows:

- The Kindig Family – 511 Martinez Drive
- The Sanchez Family – 700 Pinehurst Street
- The Prutsman Family – 701 El Camino Drive
- The Martinez Family – 1160 Hacienda Road
- The Thomas Family – 860 Kirby Drive
- The Dias Family – 315 E. Second Avenue (unable to attend)
- The Guerrero Family – 321 Grace Avenue (unable to attend)

Councilmember Gomez left the dais at 6:53 p.m. and returned at 6:56 p.m.

- c. North Orange County Cities Energy Partnership Gold Award and Cool Planet Honorable Mention Award presentation.

Project Manager Jake Anderson from The Energy Coalition and Nola Hastings from The Climate Registry gave a brief PowerPoint presentation. Mayor Shaw accepted the North Orange County Cities Energy Partnership Gold Award and the Cool Planet Honorable Mention Award on behalf of the City.

**II. PUBLIC COMMENTS:** None

**III. CONSENT CALENDAR:**

Moved by Councilmember Beamish, seconded by Councilmember Espinoza, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.7.

Said motion CARRIED by the following roll call vote:

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

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 a resolution approving the Live Entertainment Permit for 370 East Whittier Boulevard for a one-year period; and
  - a. APPROVE AND ADOPT **RESOLUTION NO. 5826** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE LIVE ENTERTAINMENT PERMIT FOR 370 EAST WHITTIER BOULEVARD FOR A ONE YEAR PERIOD, SUBJECT TO CONDITIONS.

3. Approve and authorize the City Manager to execute the First Amendment to the cooperative agreement with Community SeniorServ for transportation services for the Fiscal Year 2017-2018 senior nutrition program.
4. Waive formal bid procedures per La Habra Municipal Code (LHMC) Section 4.20.070 (B) and authorize City Manager to execute purchase order with Motorola Solutions for the purchase of 164 portable handheld radios and accessories, 105 single-unit radio chargers, 15 six-unit radio chargers, four (4) consoles, and eleven (11) consolettes in an amount not to exceed \$1,430,096.54; and authorize City Manager to execute the Equipment Lease-Purchase Agreement between the City and Motorola Solutions, Inc.
5. APPROVE AND ADOPT **RESOLUTION NO. 5827** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CONCERNING MEASURE M2 EXPENDITURE REPORT FROM JULY 1, 2016, TO JUNE 30, 2017, PURSUANT TO ORDINANCE NO. 3 OF THE ORANGE COUNTY TRANSPORTATION AUTHORITY'S RENEWED MEASURE M FAIR SHARE AND COMPETITIVE PROGRAM FUNDS.
6. Review and adopt the proposed Investment Policy for implementation on January 1, 2018.
7. WARRANTS: Approve Nos. 00114332 through 00114527 totaling \$647,020.80.

**IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None**

**V. PUBLIC HEARINGS:**

1. Duly noticed public hearing to Consider Zone Change 17-01 for the placement of a Pre-Zone of C-2 (Commercial) onto the properties addressed as 2331 to 2371 and 2601 West Whittier Boulevard.

City Attorney Jones noted a conflict of interest due to the item relating to the annexation and Cal Domestic, which he sits on the board.

Deputy Community and Economic Director Jaramillo presented the staff report. He stated that on November 6, 2017, the City Council directed staff to submit an application to the Orange County Local Agency Formation Commission to annex the remaining six County Islands into the City of La Habra. He clarified that as part of that application, consistency between the City's La Habra General Plan and Zoning Code is required. He noted that all parcels to be annexed are residential and have zoning and General Plan 2035 land use designations that are consistent with that designation; with the exception of the two commercial lots located at 2331 to 2371 and 2601 West Whittier Boulevard. He stated that the proposed action would place the C-2 commercial zoning designation on the properties; which would be consistent with County of Orange's designation of C-2 and the City's General Plan land use designation of Corridor Mixed Use 1 and Commercial Highway. He stated that upon completion of this process, staff will submit the annexation application to the Local Agency Formation Commission (LAFCO) in January 2018.

Council discussion included: confirmation zone change is for consistency with the La Habra General Plan 2035 designation and to continue the commercial designation the County has on the property; confirmation that 2501 West Whittier Boulevard does have a Planned Unit Development (PUD) overlay zone and 2601 Whittier Boulevard does not have a PUD overlay

zone; and clarification that 2501 West Whittier is not part of this agenda item and that the property owner may apply to have the overlay zone be removed from his property.

Mayor Shaw opened the public hearing at 7:10 p.m.

Thomas Clements, 23 Palermo Walk, Long Beach, spoke regarding having the overlay zone on his property, located at 2501 West Whittier Boulevard. He stated that the overlay zone restricts the use of and has a negative effect on his property. He noted that the subject property, 2601 West Whittier Boulevard, had the identical use as his property, but was not required to have the same overlay zone. He indicated that he would like the overlay zone to be removed from his property. He spoke in opposition to the \$5,000 fee to consider removing the overlay zone from his property. Mayor Shaw referred Mr. Clements to Deputy Director of Community and Economic Development Jaramillo.

City Manager Sadro noted that 2501 West Whittier Boulevard is not an address involved in this item regarding County Islands to be annexed into La Habra, and suggested having Mr. Clements speak with the Community Development Department staff regarding his concerns.

Mayor Shaw closed the public hearing at 7:15 p.m.

Moved by Mayor Shaw, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1789** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 17-01 FOR THE PLACEMENT OF A PRE-ZONE OF C-2 (COMMERCIAL) ONTO THE PROPERTIES ADDRESSED AS 2331 TO 2371 AND 2601 WEST WHITTIER BOULEVARD AND MAKING THE APPROPRIATE FINDINGS.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

## **VI. CONSIDERATION:**

1. Consider the status update report on Cannabis Activities: Commercial Distribution Facilities and provide staff with direction on the proposed ordinance.

Deputy Director of Community and Economic Development Jaramillo presented the staff report assisted by Police Chief Price and Police Lieutenant Henderson. Deputy Director of Community and Economic Development Jaramillo explained staff's systematic approach to evaluate each type of cannabis activity separately and report to Council. He indicated that staff has been conducting site visits to facilities that are currently licensed and in operation, and have been discussing challenges and impacts of these operations with staff from some of those cities. He described the purpose of the ordinance, and recommended that the ordinance be restricted to allow only up to two Commercial Cannabis Distribution facilities at this time. He explained that the State regulators advise local governments to proceed slowly since it is easier to allow for additional licenses versus eliminating or reducing the number of licenses once issued. He stated that two consulting firms, HDL and MGO, were interviewed for possible assistance in development of regulation standards for commercial cannabis activities, review of and ranking

of commercial cannabis applications, background investigations, and review of financial terms of a development agreement. He concluded that staff would incorporate Council's directions into the working draft. He stated that once properly reviewed, the final draft would be forwarded to the Planning Commission for hearings.

Chief Price expressed his concerns regarding cannabis and stated that it is still illegal under Federal law. He noted that he was pleased after his review of the report regarding the site visit to the West Sacramento cannabis distribution site. He stated that he believes distribution sites would not have the negative impacts, as would dispensaries or local storefront sales. He indicated that dispensaries and local storefront sales may have unintended negative consequences. He indicated that he is supportive of City Council's direction regarding cannabis. He introduced Lieutenant Henderson to discuss the cannabis distribution site in West Sacramento.

Police Lieutenant Henderson described his discussion with the Assistant Chief of Police and City management staff of the City of West Sacramento regarding the cannabis distribution center that was established in the City of West Sacramento two years ago. He reported that there were no negative impacts and no increase in service calls relating to the cannabis distribution center. He stated that there was a noted decrease in crime in the area around the cannabis distribution center. He noted that the distribution center was located in an industrial area with an existing low crime rate, and had the addition of security cameras and armed security guards at the site. He described the distribution center building as a nondescript tilt up design with a secured entryway as in a high security courthouse. He indicated that should Council use the City of West Sacramento as a best practice example and approve distribution centers in the City of La Habra, he would not foresee any negative impacts.

Council discussion included: confirmation that the cannabis distribution center in the City of West Sacramento use unmarked fortified vans with GPS trackers, cameras, and remote stopping systems driven by teamster members to distribute throughout the State of California; expressed support of Police Chief Price's apprehension regarding cannabis; confirmation that the use of cannabis is now a legal activity in the State of California; Los Angeles Times article regarding Colorado Springs, Colorado not allowing cannabis, their loss of revenue, and how they are changing their view; support of the City of La Habra's measured approach to cannabis; potential revenues to the City; City's approach to protect the public and bring the City into compliance with the State; concern for children in La Habra; clarification regarding the urgency interim ordinance versus the draft ordinance to establish regulations for cannabis distribution facilities; purpose for proposing to allow only up to two Commercial Cannabis Distribution facilities at this time; and review of staff's proposed work schedule regarding evaluating cannabis distribution facilities, cannabis testing facilities, and cannabis medical dispensary facilities-home deliveries and reporting to Council.

Mayor Shaw invited the public to testify at 7:38 p.m. There was no public testimony.

Moved by Mayor Shaw, seconded by Councilmember Beamish, and CARRIED (3-2) TO RECEIVE AND FILE THIS CANNABIS ACTIVITIES COMMERCIAL DISTRIBUTION FACILITIES REPORT, AND DIRECT STAFF TO PROCEED AND OBTAIN INPUT FROM THE PLANNING COMMISSION AND BRING BACK TO CITY COUNCIL IN FEBRUARY 2018.

Said motion CARRIED by the following roll call vote:

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

NOES: Councilmember Espinoza, Councilmember Gomez  
ABSTAIN: NONE  
ABSENT: NONE

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

Mayor Shaw made the following announcements:

- The La Habra City Hall and the La Habra Community Center will be closed during the winter holidays, closing from December 25, 2017, through January 1, 2018, reopening to the public on Tuesday, January 2, 2018. The closure will have no effect on Public Safety and Public Works operations.
- SoCal PBS children's show character Daniel Tiger - Saturday, January 13, 2018, from 10:00 a.m. to 2:00 p.m. at the La Habra Children's Museum.

**VIII. COMMENTS FROM STAFF:**

City Manager Sadro, on behalf of City staff, wished City Council a Merry Christmas and thanked them for their leadership in 2017. He stated that 2017 was a busy year and that he looks forward to many projects in 2018.

**IX. COMMENTS FROM COUNCILMEMBERS:**

Councilmember Gomez congratulated City staff on the "Operation Santa" event. He wished everyone a Merry Christmas. He requested that the meeting be adjourned in memory of Cliff Nieman, who was born on September 10, 1948, passed away on December 11, 2017, and was a wonderful father and family man.

Councilmember Espinoza congratulated City staff on the "Operation Santa" event. She requested that Council consider a tile in front of City Hall recognizing the contributions of Mr. Scott Ward for the fireworks displays he has provided for many years at the 4<sup>th</sup> of July celebration. Councilmember Beamish agreed with the request to add it to a future Council agenda. She wished everyone a Merry Christmas.

Mayor Pro Tem Blazey wished everyone a Merry Christmas and Happy New Year. He congratulated Josie Anderson on another "Operation Santa" event. He announced there will be one more paper copy released of the "La Habra Journal" and wished Jay Seidel and his staff the best of luck as they enter the age of digital format.

Councilmember Beamish wished everyone a Merry Christmas and Happy New Year. He spoke regarding the impact Steve and Josie Anderson had on the City of La Habra and noted they will be missed.

Mayor Shaw stated that Josie Anderson and Lieutenant Ruiz have been with the City for many years and have made the City of La Habra a better place. He thanked Josie Anderson and City staff on the "Operation Santa" event and noted how it assists so many families. He announced that he and his wife Shannon will be welcoming their sixth son into the world before the new year.

**X. ADJOURNMENT:** Mayor Shaw adjourned the meeting in memory of Cliff Nieman at 7:48 p.m.

Respectfully submitted,

Tamara D. Mason, MMC  
City Clerk