

## MINUTES

### CITY COUNCIL OF THE CITY OF LA HABRA ADJOURNED REGULAR MEETING

### & REGULAR MEETING

Monday, February 06, 2017

**APPROVED:** These Minutes were approved on March 6, 2017.

**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 Council Chambers, located at 201 East La Habra Boulevard in La Habra, California.

**INVOCATION:** City Attorney Jones

**PLEDGE OF ALLEGIANCE:** Councilmember Gomez

**COUNCILMEMBERS PRESENT:** Mayor Espinoza  
Mayor Pro Tem Shaw  
Councilmember Beamish  
Councilmember Blazey  
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. Presentation by California Domestic Water Company of their annual report.

Linda Noriega, Vice President/General Manager of California Domestic Water Company (Cal Domestic), presented the Cal Domestic Annual Review. She announced that Cal Domestic offered the City of La Habra a \$10,000 contribution towards drought resistant landscaping at the new City Hall location.

Council discussion included: previous low level and potential recovery levels of the groundwater basin table due to the recent rainfall and local reservoirs that will release water into the groundwater basin; confirmation that the source water that is pumped from the San Gabriel Groundwater Basin is contaminated, but is treated to meet regulatory standards; and

confirmation that the treatment of the contaminated water is not paid for by Cal Domestic shareholders.

## **II. PUBLIC COMMENTS:**

Christina Nielsen, a La Habra resident, spoke regarding Community Preservation matters. She expressed concerns regarding financial and other issues with which she and her family need assistance. Mayor Espinoza referred her to Community and Economic Development Director Ho.

Mayor Pro Tem Shaw left the dais at 6:54 p.m.

Charlene Martin, 2521 Greenbrier Lane, spoke regarding increased crime concerns and the need for additional police officers to patrol the City. Mayor Espinoza referred her to Police Chief Price.

Mayor Pro Tem Shaw returned to the dais at 6:57 p.m.

Amanda Morales, a volunteer advocate for Alzheimer's Orange County, spoke regarding the free programs and services available for Orange County residents suffering from Alzheimer's. The Alzheimer's Orange County 24-hour hotline number is (844) 435-7259.

## **III. CONSENT CALENDAR:**

Councilmember Beamish requested Item III.6 to be removed from the Consent Calendar for separate discussion.

Moved by Councilmember Beamish, seconded by Mayor Pro Tem Shaw, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS III.1 THROUGH III.10; WITH THE EXCEPTION OF ITEM III.6 WHICH WAS REMOVED FOR FURTHER DISCUSSION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Shaw, Councilmember Beamish,  
Councilmember Blazey, 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 City Council Minutes of January 17, 2017.
3. Receive and file Planning Commission Minutes of:
  - a. October 24, 2016

- b. November 14, 2016
  - c. December 12, 2016
4. Authorize City Manager to place the City's Property Insurance policy for all City properties with Travelers Insurance for the period of March 1, 2017, through March 1, 2018, with a \$5,000 deductible at an annual premium cost of \$84,548.
  5. Authorize City Manager to place the City's excess Workers' Compensation reinsurance with Safety National Casualty with a policy limit of \$25 million and a deductible of \$1,000,000 for all employees including police at an annual premium cost of \$119,591 for the period of March 20, 2017, through March 19, 2018.
  6. REMOVED FOR SEPARATE DISCUSSION - SEE BELOW.
  7. Authorize City Manager to approve Amendment No. 1 to the existing vehicle maintenance agreement providing vehicle maintenance and repair services to the City of La Habra Heights for the period of July 1, 2016, through June 30, 2019, that may be renewed for two additional one-year terms upon mutual agreement.
  8. Authorize City Manager to enter into a three-year agreement with B-Adair Consulting on an as-needed basis, in the amount of \$20,250 per year for a maximum amount not to exceed \$60,750 for preparation of the Annual Action Plan, Consolidated Annual Performance and Evaluation Report, and CDBG Administration for the Fiscal Years 2017-2018 through 2019-2020.
  9. Approve a resolution authorizing City Manager, Director of Finance, and Police Chief to serve as the City's "Authorized Agents" for this grant project; approve the Agreement to Transfer Funds for 2016 Emergency Management Performance Grant Program (EMPG); and authorize any of the designated "Authorized Agents" to execute Fiscal Year 2016 Emergency Management Performance Grant Assurances, Certifications, Terms and Conditions and Agreement to Transfer Funds for 2016 Emergency Management Performance Grant Program; and
    - a. APPROVE AND ADOPT **RESOLUTION NO. 5788** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING THE CITY MANAGER OR DIRECTOR OF FINANCE, OR POLICE CHIEF TO SERVE AS THE CITY'S AGENTS TO EXECUTE FOR AND ON BEHALF OF THE CITY OF LA HABRA ANY ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY
  10. WARRANTS: Approve Nos. 00109856 through 00110163 totaling \$4,131,371.61; and WIRE TRANSFER: Approve Wire Date 01/20/17 for a total of \$2,271,772.38.

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

- III.6 Waive formal bid procedures per La Habra Municipal Code Section 4.20.070(E), acquisition of information technology hardware, and authorize the City Manager to enter into a five-year agreement with TASER International in the amount of \$375,970.56 and issue a purchase order to TASER International for \$191,593.48 for the initial purchase of

new body worn cameras, equipment and systems and the first year of service; and authorize the Police Chief to sign an agreement with TASER International for the use of their Digital Evidence System.

Police Chief Price responded to City Council's questions and concerns.

Council questions and discussion included: policy summary regarding when body cameras are turned on and off; retention of the videos; public records request requirements for video data; the location of the body cameras; and the maintenance of the cameras and the data stored in a cloud based system.

Mayor Espinoza invited the public to testify at 7:05 p.m. There was no testimony.

Moved by Councilmember Gomez, seconded by Councilmember Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE WAIVE FORMAL BID PROCEDURES PER LA HABRA MUNICIPAL CODE SECTION 4.20.070(E), ACQUISITION OF INFORMATION TECHNOLOGY HARDWARE, AND AUTHORIZE THE CITY MANAGER TO ENTER INTO A FIVE-YEAR AGREEMENT WITH TASER INTERNATIONAL IN THE AMOUNT OF \$375,970.56 AND ISSUE A PURCHASE ORDER TO TASER INTERNATIONAL FOR \$191,593.48 FOR THE INITIAL PURCHASE OF NEW BODY WORN CAMERAS, EQUIPMENT, AND SYSTEMS AND THE FIRST YEAR OF SERVICE; AND AUTHORIZE THE POLICE CHIEF TO SIGN THE AGREEMENT WITH TASER INTERNATIONAL FOR THE USE OF THEIR DIGITAL EVIDENCE SYSTEM.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

## **V. PUBLIC HEARINGS:**

1. Duly noticed public hearing to consider an ordinance approving Zone Change #16-01 for amendment to Title 18 Zoning Chapter 18.12.150 of the City of La Habra Municipal Code to continue to allow or ministerial approval of accessory dwelling units in single family and multifamily residential zones pursuant to the requirements of Senate Bill 1069 and Assembly Bill 2299.

Assistant Planner David Lopez presented the staff report.

Council discussion included: accessory dwelling parking requirements for off street parking; confirmation that parking standards for an accessory dwelling unit shall not be required in if requirements outlined in Exhibit A Section I.5 a through e are met; the City's new ability to regulate zoning requirements as it relates to accessory dwelling; the State of California's intent regarding the accessory dwelling parking regulations; and confirmation regarding the benefit of living near a transit center.

Mayor Espinoza opened the public hearing at 7:10 p.m. There was no testimony.

Moved by Councilmember Gomez, seconded by Councilmember Blazey, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1777** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 16-01 FOR AMENDMENTS TO TITLE 18 ZONING CHAPTER 18.12.150 OF THE CITY OF LA HABRA MUNICIPAL CODE TO CONTINUE TO ALLOW FOR MINISTERIAL APPROVAL OF ACCESSORY DWELLING UNITS IN SINGLE FAMILY AND MULTIFAMILY RESIDENTIAL ZONES PURSUANT TO THE REQUIREMENTS OF SENATE BILL 1069 AND ASSEMBLY BILL 2299, AS PER EXHIBIT A.

Said motion CARRIED by the following roll call vote:

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

**VI. CONSIDERATION ITEMS:** None at this time.

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

Mayor Espinoza made the following announcements:

- Applications are being accepted for positions on the Planning Commission, Community Services Commission, and the Beautification Committee. The deadline to apply is February 23.
- La Habra 5K Run/Walk - Saturday, March 11, starting at 8:00 a.m., with activities before the event for children.

**VIII. COMMENTS FROM STAFF:** None

**IX. COMMENTS FROM COUNCILMEMBERS:**

Councilmember Gomez thanked the La Habra Police Department, the Los Angeles County Fire Department and the La Habra Public Works Department for their assistance to the community during the recent rain storms. He congratulated City Employee of the Year and City Manager Award winners, and all other staff members who received awards at the Annual La Habra Awards Banquet. He expressed that this could be the last City Council meeting held in this building, built in 1969, and he reminisced about the history and decisions made in the Council Chamber.

Councilmember Blazey expressed that, in addition to feeling bitter sweet about the move to the new City Hall, he will not miss the duct tape holding the Council Chamber carpet together. He gave thanks to Planning Manager Roy Ramsland, Public Works Director Elias Saykali, and all the staff members who have made contributions to the new City Hall buildings.

Councilmember Beamish stated that he enjoyed the Super Bowl game.

Mayor Pro Tem Shaw expressed that it is a bitter sweet moment to move to the new City Hall buildings. He stated that he attended the City of Buena Park State of the City Address. He noted that he had to miss the last Council meeting due to a commitment. He announced that he

was named Chairman to the Orange County Transportation Authority (OCTA) Transit Committee. He noted that the committee will be addressing the declining number of people riding OCTA buses. He announced that he was named to the Board of Directors for the Association of California Cities Orange County (ACCOC), and will be the Chairman of the Legislation Committee where he will be advocating for Orange County cities at the state and federal levels.

Mayor Espinoza announced that this is the last Council meeting to be held in this Council Chamber, and that the next meeting will take place in the new City Council building. She let the community know that they can view pictures of the new City Hall on the City of La Habra web site. She congratulated Planning Manager Roy Ramsland and City staff members who were involved in the new City Hall project. She stated that she would be adjourning the meeting in memory of Eloise Velasquez, who passed away on December 15, 2016. She noted that Eloise was born in 1943, was married to Nick Velasquez for 57 years. She added that they had 6 children, who gave them dozens of grandchildren and great grandchildren. She stated that it was with great sadness that she would be adjourning the meeting also in memory of City Attorney Martin J. "Marty" Mayer, partner in the law firm of Jones and Mayer, who unexpectedly passed away on January 30. He was born and raised in Brooklyn, New York, and was a graduate of the City University of New York and St. John's University School of Law. He began his professional career serving as a New York City Deputy Public Defender. He was honored in 2005 with the "Governor's Lifetime Achievement Award for Excellence in Peace Officer Training," a recognition that is awarded on behalf of the Governor of California and POST. In 2011, Marty was selected as one of Southern California's "Super Lawyers" in the areas of Government Law, Employment Law, and Police Litigation. Marty was a longtime friend and advocate of La Habra, working alongside his partner and fellow City Attorney Dick Jones, as well as every attorney and staff member at the firm, serving our community for years with great pride and distinction. Marty will be missed by all who knew him and we offer our deepest condolences to his family, friends, and everyone at Jones & Mayer.

**X. ADJOURNMENT:** Mayor Espinoza adjourned the meeting, in memory of Eloise Velasquez and Martin J. "Marty" Meyer, at 7:19 p.m.

Respectfully submitted,

Tamara D. Mason, MMC  
City Clerk