

100 East La Habra Boulevard, La Habra, California, 90631
WHEN ADDRESSING CITY COUNCIL PLEASE COMPLETE A SPEAKER'S CARD BEFORE
LEAVING THE COUNCIL CHAMBER



AGENDA

**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING 4:00 P.M.
&
REGULAR MEETING 6:30 P.M.**

MONDAY, JUNE 1, 2020

This meeting will be open to the public with the following parameters to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus:

1. Public comments may be submitted via email to cc@lahabraca.gov or by calling (562) 383-4030 no later than 5:15 p.m. on Monday, June 1, 2020.
2. Public attendance in the Council Chamber will be limited to comments during the Public Comment, Public Hearing, or Consideration portions of the City Council meeting. Once comments are heard by the City Council, the public must immediately exit the Council Chamber with the option of viewing the remainder of the meeting in the City Hall Atrium.
3. The City Hall atrium, located at 110 East La Habra Boulevard, La Habra, will be set-up to accommodate those who wish to view the meeting onsite.

Your patience with these changes is appreciated as the City adjusts to new ways of conducting business during the COVID-19 pandemic.

ADJOURNED REGULAR MEETING 4:00 P.M.:

CALL TO ORDER: City Council Chamber, 100 East La Habra Boulevard, La Habra, California.

- I. Conduct interviews for annual expiring terms and vacancies on the Planning Commission and the Community Services Commission, one unscheduled vacancy on the Community Services Commission, and two alternates each for the Planning Commission and the Community Services Commission.

II. ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Shaw

ROLL CALL: Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Gomez
Councilmember Medrano
Councilmember Shaw

CLOSED SESSION ANNOUNCEMENT:

- I. **PROCLAMATIONS/PRESENTATIONS:** None at this time.

II. PUBLIC COMMENTS:

This is the time for the public to address any item of interest to the public that is within the subject matter jurisdiction of the City NOT appearing on this Agenda. *If the public addresses anything OUTSIDE the subject matter jurisdiction of the City NOT appearing on this Agenda, they are subject to immediate disconnection from Public Comments. Speakers must limit their comments to three (3) minutes each.* The total time period for public comment is 30 minutes. (Note: Per Government Code Section 54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda).

III. CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Councilmember or member of the audience requests separate action or removal of an item. Removed items will be considered following the Consent Calendar portion of this agenda. Members of the audience will have the opportunity to address Council on removed items at that time. **Speakers must limit their comments to three (3) minutes each.**

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 May 18, 2020.
3. Approve and adopt State required resolutions pertaining to the November 3, 2020, General Municipal Election as follows:
 - a. APPROVE AND ADOPT **RESOLUTION NO. ____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD IN SAID CITY ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES AND FOR THE SUBMISSION OF A MEASURE OR MEASURES TO THE VOTERS.
 - b. APPROVE AND ADOPT **RESOLUTION NO. ____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION OF SAID CITY TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON SAID DATE PURSUANT TO SECTION 10403 OF THE ELECTIONS CODE.
 - c. APPROVE AND ADOPT **RESOLUTION NO. ____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020.
 - d. APPROVE AND ADOPT **RESOLUTION NO. ____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, SETTING PRIORITIES FOR FILING WRITTEN ARGUMENTS REGARDING A MEASURE OR MEASURES AND DIRECTING THE CITY ATTORNEY TO PREPARE AN IMPARTIAL ANALYSIS.
 - e. APPROVE AND ADOPT **RESOLUTION NO. ____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, PROVIDING FOR THE FILING OF REBUTTAL ARGUMENTS FOR A MEASURE OR MEASURES SUBMITTED AT MUNICIPAL ELECTIONS.
4. Receive and file the 2020 Local Agency Biennial Notice to Amend Conflict of Interest Code; direct staff to notice and report any public comments to City Council for consideration; and direct staff to prepare a revised code within 90 days for submittal to City Council for final approval and adoption.
5. Approve to appoint Ms. Sylvia Badillo as an at-large resident member to the General Plan Advisory Committee (GPAC).
6. Approve to vacate a portion of the northerly 248 feet of an existing 300 foot City of La Habra waterline easement located at 555 South Harbor Boulevard, Assessor's Parcel Number 298-161-03 and 298-161-11, as described in Exhibit "A" and Exhibit "B" (Attachment 1); and

- a. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING A SUMMARY VACATION TO ABANDON A PORTION OF THE NORTHERLY 248 FEET OF AN EXISTING 300 FOOT CITY OF LA HABRA EASEMENT LOCATED AT 555 SOUTH HARBOR BOULEVARD, ASSESSOR'S PARCEL NUMBERS 298-161-03 AND 298-161-11, AS DESCRIBED IN EXHIBIT "A" AND EXHIBIT "B".

7. WARRANTS: Approve Nos. 00125797 through 00125925 totaling \$2,622,308.57.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

V. PUBLIC HEARINGS:

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

1. Duly noticed public hearing to consider Zone Change 20-02 for an Ordinance modifying La Habra Municipal Code Title 18 ("Zoning"), chapter 18.22 ("Commercial Cannabis Activity") to reduce the number of permitted commercial cannabis distribution facilities, prohibit cannabis testing laboratories, and modifications to existing development standards. Pursuant to the provisions of the California Environmental Quality Act ("CEQA") staff has determined that the Ordinance is exempt pursuant to Business and Professions Code Section 26055(h), "Without limiting any other statutory exemption or categorical exemption, Division 13 (commencing with Public Resources Code Section 21000) does not apply to the adoption of an ordinance, rule, or regulation by a local jurisdiction that requires discretionary review and approval of permits, licenses, or other authorizations to engage in commercial cannabis activity the proposed modifications to Chapter 18.22. To qualify for this exemption, the discretionary review in any such law, ordinance, rule, or regulation shall include any applicable environmental review pursuant to Division 13 (commencing with Section 21000) of the Public Resources Code. This subdivision shall become inoperative to July 1, 2021."

Recommendation:

- a. Consistent with prior City Council action, staff recommends that the City retain its current limits of no more than four permitted commercial cannabis distribution facility licenses and four permitted cannabis testing laboratory licenses, with the option of reducing testing laboratory licenses from four to two, and making modifications to existing development standards; and alternatively consider the following ordinance
- b. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA, APPROVING ZONE CHANGE 20-02 MODIFYING LA HABRA MUNICIPAL CODE TITLE 18 ("ZONING"), CHAPTER 18.22 ("COMMERCIAL CANNABIS ACTIVITY") TO REDUCE THE NUMBER OF PERMITTED COMMERCIAL CANNABIS DISTRIBUTION FACILITIES, PROHIBIT CANNABIS TESTING LABORATORIES, AND MAKING MODIFICATIONS TO EXISTING DEVELOPMENT STANDARDS.

2. Duly noticed public hearing to consider a request for Planned Unit Development Precise Plan 18-02 for an addition at 1340 South Beach Boulevard, subject to the findings and conditions in the attached ordinance. This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15303(c), Class 3: "New Construction or Conversion of Small Structures" of the California Environmental Quality Act Guidelines. The project consists of an addition not exceeding 10,000 square feet.
 - a. APPROVE FIRST READING OF **ORDINANCE NO. ____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 18-02 FOR AN ADDITION AT 1340 SOUTH BEACH BOULEVARD, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS.

3. Duly noticed public hearing to consider and approve a resolution amending the City of La Habra Master Schedule of Fees pertaining to fees for general services, administrative services, community development services, building services, fire services, police services, ambulance services, public works services, utility services, and penalties for municipal code and vehicle code parking violations.
 - a. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA, AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES, AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS.

VI. CONSIDERATION ITEMS:

Any member of the audience may request to address the Council on any Consideration Item, prior to the City Council taking a final vote on the Item. The Mayor will invite interested persons to come forward to the podium and speak as each Item is called. **Speakers must limit their comments to three (3) minutes each.**

A. CITY COUNCIL:

1. Consider and analyze recommendations made by the Ad Hoc Fiscal Review Committee.

Recommendation:

 - a. Receive the Ad Hoc Fiscal Review Committee report and provide direction to staff.

2. Consider appointments for annual expiring terms on the Planning Commission and the Community Services Commission, one unscheduled vacancy on the Community Services Commission, and two alternates each for the Community Services Commission and the Planning Commission.

Recommendation:

 - a. Appoint two individuals to the Planning Commission to fill two 4-year terms expiring on March 31, 2024; and two alternates.

- b. Appoint one individual to the Community Services Commission to fill one 3-year term expiring March 31, 2023; one unscheduled vacancy with a term expiring March 31, 2022; and two alternates.
- 3. Consider to approve and authorize execution of an agreement for the office of City Manager with Mr. Jim Sadro for the term of July 1, 2020 through June 30, 2024.

Recommendation:

- a. Approve and authorize execution of an agreement for the office of City Manager with Mr. Jim Sadro for the term of July 1, 2020 through June 30, 2024.

VII. MAYOR'S COMMUNITY CALENDAR:

VIII. COMMENTS FROM STAFF:

IX. COMMENTS FROM COUNCILMEMBERS:

- X. ADJOURNMENT:** Adjourned to Monday, June 15, at 5:30 p.m. in the Council Closed Session Room 112c, 100 East La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber.

Except as otherwise provided by law, no action shall be taken on any item not appearing in the foregoing agenda. A copy of the full agenda packet is available for public review at the Office of the City Clerk during regular business hours, and on the City's webpage at <http://www.lahabraca.gov/>.

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 110 East La Habra Boulevard, La Habra, during normal business hours.

In accordance with the Federal Americans with Disabilities Act of 1990, should you require a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting due to a disability, please contact the City Clerk's Office at (562) 383-4030.

DECLARATION: This agenda was posted on the bulletin boards outside of the south entrance of City Hall and Council Chamber, where completely accessible to the public, at least 72 hours in advance of the City Council Meeting.

Laurie Swindell, CMC, City Clerk