



**LA HABRA  
CITY COUNCIL**

**ADJOURNED REGULAR MEETING  
&  
REGULAR MEETING 6:30 P.M.  
MONDAY, AUGUST 3, 2020**

COUNCIL CHAMBER  
100 EAST LA HABRA BOULEVARD  
LA HABRA, CALIFORNIA 90631

**PUBLIC ADVISORY:  
THE COUNCIL CHAMBER  
WILL NOT BE OPEN TO THE PUBLIC**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the Regular Meeting of the City Council for August 3, 2020, will be conducted telephonically through Zoom and broadcast live on the City's website. Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting. Councilmembers will be participating telephonically and will not be physically present in the Council Chamber.

In accordance with Executive Order N-25-20, guidance from the California Department of Public Health on gatherings, and in an effort to slow the spread of COVID-19 and to ensure the health and safety of our community, remote public participation can be done by:

1. Submitting an email to [cc@lahabracalifornia.gov](mailto:cc@lahabracalifornia.gov) or by calling (562) 383-4030 no later than 5:15 p.m. on Monday, August 3, 2020.
2. Viewing the meeting live on Channel 3 and through the City of La Habra website at <http://www.lahabracalifornia.gov/356/Archived-Council-Meetings>, and click on "Watch Live" at 6:30 p.m.
3. Participating via Zoom during the meeting on an audio only conference call by dialing 1-669-900-9128 and entering Meeting ID: 859 5900 3582. Please note, you will enter the meeting muted, but if you want to comment during the public comment portions of the agenda, press \*9, at the appropriate time indicated by the Mayor during the meeting, and your call will be selected from the meeting cue. Before you Press \*9, turn off other electronic devices and turn down background noise at your location to avoid interference with your call. Please note that speakers must limit their comments to three minutes each and that the total time period for public comment is 30 minutes.

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: 6:30 P.M.

**CALL TO ORDER:** Council Chamber

**INVOCATION:** City Attorney Jones

**PLEDGE OF ALLEGIANCE:** Councilmember Gomez

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

**PROCLAMATIONS/PRESENTATIONS:** None

**PUBLIC COMMENTS:** When addressing the City Council, please complete a Speaker's Card before leaving the Council Chamber.

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. Speakers must limit their comments to three (3) minutes each. The total time period for public comment is 30 minutes. 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.

### 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 City Council on removed items at that time. Speakers must limit their comments to three (3) minutes each.

**PROCEDURAL WAIVER:** Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.

1. CITYCOUNCIL MEETING MINUTES  
That the City Council approve the Special Meeting Minutes of June 25, 2020.
2. APPROVE DENIAL OF LIABILITY CLAIM OF MR. WILLIAM SCOTTEN FOR PROPERTY DAMAGE  
That the City Council approve the claim of Mr. William Scotten be denied in order to set a definite six-month Statute of Limitations date.
3. RESPONSE TO ORANGE COUNTY GRAND JURY REPORT ENTITLED: "PROTECTING THOSE WHO PROTECT AND SERVE"  
That the City Council approve and authorize the Police Chief to submit the City of La Habra Police Department's response to the 2019-2020 Orange County Grand Jury report entitled: "Protecting Those Who Protect and Serve."
4. REAFFIRMATION OF LOCAL EMERGENCY DECLARATION  
That the City Council:
  - A. Receive the report; and
  - B. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REAFFIRMING RESOLUTION NO. 5934, WHICH RATIFIED THE DIRECTOR OF EMERGENCY SERVICES' DECLARATION OF THE EXISTENCE OF A LOCAL EMERGENCY

5. WARRANTS: APPROVE NOS. 00126478 THROUGH 00126653 TOTALING \$5,617,803.82  
That the City Council approve Warrant Nos. 00126478 through 00126653 totaling \$5,617,803.82.

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

**PUBLIC HEARINGS:** None

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.

**CONSIDERATION ITEMS:**

Any member of the audience may request to address the City 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.

1. STORM DRAIN MASTER PLAN REPORT  
That the City Council receive and file the Storm Drain Master Plan report.
  
2. CONSIDERATION OF A CITYBALLOT MEASURE TO AUTHORIZE THE CITYCOUNCIL TO ADOPT AN ORDINANCE ESTABLISHING A GROSS RECEIPTS TAX ON COMMERCIAL CANNABIS BUSINESS ACTIVITYIN AN AMOUNT NOT TO EXCEED SIX (6) PERCENT, AND AUTHORIZING FOUR LICENSES FOR NON-STOREFRONT (DELIVERYONLY) RETAIL CANNABIS BUSINESSES WITHIN THE CITY  
Staff requests City Council provide direction on whether to place a ballot measure on the November 3, 2020, General Municipal Election authorizing a cannabis business tax on all types of commercial cannabis businesses that are currently or subsequently approved by the City Council to operate in the City of La Habra, and authorizing up to four licenses for non-storefront (delivery only) retail cannabis business, and if direction to proceed is given, to then:
  - A. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITYCOUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 3, 2020 FOR THE SUBMISSION OF A BALLOT MEASURE RELATING TO THE CANNABIS BUSINESS TAX AND REGULATION MEASURE; and
  - B. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITYCOUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ORANGE TO CONSOLIDATE THE CANNABIS BUSINESS TAX AND REGULATION MEASURE WITH THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020 PURSUANT TO CALIFORNIA ELECTIONS CODE SECTION 10403; and
  - C. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITYCOUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, SUBMITTING TO THE VOTERS AT THE NOVEMBER 3, 2020 GENERAL MUNICIPAL ELECTION A CANNABIS BUSINESS TAX AND REGULATION MEASURE AND TAKING CERTAIN RELATED ACTIONS including the following Exhibit "A."  
  
APPROVE FIRST READING OF **ORDINANCE NO. \_\_\_\_\_** ENTITLED: AN ORDINANCE OF THE PEOPLE OF THE CITY OF LA HABRA, CALIFORNIA, AUTHORIZING A CANNABIS GROSS RECEIPTS BUSINESS TAX AND REGULATION MEASURE, AND AUTHORIZING FOUR NON-STOREFRONT (DELIVERY ONLY) RETAIL CANNABIS LICENSES
  
3. DESIGNATION OF VOTING DELEGATE AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE  
That the City Council designate a voting delegate and up to two alternate voting delegates to attend the League of California Cities (LOCC) Annual Conference which, due to the COVID-19 pandemic, will be a virtual on-line only event this year, occurring on October 7 through October 9, 2020.

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

1. MAYOR'S COMMUNITYCALENDAR

## **COMMENTS FROM STAFF:**

## **COMMENTS FROM COUNCILMEMBERS:**

**ADJOURNMENT:** Adjourned to Monday, August 17, 2020, 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.lahabracalifornia.gov/>.

Materials related to an item on this Agenda submitted to the City Council/Authority/Agency 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 least ninety-six (96) hours in advance of the meeting at (562) 383-4030.

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

\_\_\_\_\_  
Laurie Swindell, CMC, City Clerk