

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

Monday, June 01, 2020

PRELIMINARY: These Minutes were approved on September 21, 2020.

ADJOURNED REGULAR MEETING 4:00 P.M.:

CALL TO ORDER: Mayor Beamish called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 4:04 p.m. in the Council Chamber, 100 East La Habra Boulevard, La Habra, California.

COUNCILMEMBERS PRESENT: Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Gomez
Councilmember Medrano
Councilmember Shaw

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Clerk Swindell

- 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.

Interviews were conducted with the following applicants: Natalie Mendez, Manuel Munoz, Richard Rojas, Yahtina Soto, Danitza Cardenas, and Lyndsey Lefebvre.

- III. **ADJOURNMENT:** The meeting was adjourned at 5:28 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Beamish called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the Council Chamber, located at 100 East La Habra Boulevard in La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Shaw

COUNCILMEMBERS PRESENT: Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Gomez
Councilmember Medrano
Councilmember Shaw

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT:

City Manager Sadro
City Attorney Jones
City Clerk Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None

I. PROCLAMATIONS/PRESENTATIONS: None at this time.

II. PUBLIC COMMENTS:

City Clerk Swindell indicated public comments in the Council Chamber would be limited to the Public Comments, Public Hearing, and Consideration portions of the City Council meeting. She stated that due to COVID-19, once comments were heard by the City Council, the public would immediately exit the Council Chamber with the option of viewing the remainder of the meeting in the City Hall Atrium; which had been set-up to accommodate those who wished to view the meeting onsite.

Demi Nelson, La Habra, submitted a public comment via email suggesting a budget decrease for police department funding, and an increase for Community Services and Community Development funding.

Mark Grippi, La Habra, spoke regarding Centers for Disease Control and Prevention (CDC) fatality rate for Coronavirus COVID-19, review of former epidemics and how they were handled, and the controversial debate about required face coverings due to the Coronavirus COVID-19 pandemic.

III. CONSENT CALENDAR:

Moved by Mayor Pro Tem Espinoza, seconded by Councilmember Gomez, 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 Beamish, Mayor Pro Tem Espinoza,
Councilmember Gomez, Councilmember Medrano, Councilmember Shaw

NOES: None

ABSENT: None

ABSTAIN: 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 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. 5946** 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. 5947** 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. 5948** 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. 5949** 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. 5950** 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. 5951** 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: None

Mayor Beamish requested that City Council hear Consideration Item No. VI.1 Consider and Analyze Recommendations Made by the Ad Hoc Fiscal Review Committee prior to the Public Hearing portion of the Agenda. City Council concurred.

V. PUBLIC HEARINGS:

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."

Community and Economic Development Director Ho presented the staff report.

City Council discussion included: recommendations made by the La Habra Planning Commission in 2018 was for two distribution facilities; confirmation that City Council increased the number of distribution facilities to four; verification that there were currently three applications in process for distribution facilities; statement that marijuana was a gateway drug; limit distribution facility licenses to three and revisit the issue in five years; federal government law regarding cannabis and the possibility that it may change in five years; establishment of a public policy for safety and quality-controlled use; clarification that cannabis testing laboratories would have no impact to neighborhoods, would guarantee a safe product, and would be revenue for the city; positive La Habra voting results for Proposition 64 in 2016; current city budget challenges and the need for additional revenue; reduction of cannabis distribution licenses would not stop the use of cannabis; concern regarding temptation of cannabis use by minors; confirmation that there had been no police or fire calls for service related to the existing distribution facility; confirmation that the Ad Hoc Fiscal Review Committee supported cannabis distribution facilities for a revenue source; opposition to walk-up retail cannabis stores; confirmation of the negative impacts to city employee

furlough hours; including police officers, productivity, and customer service levels if revenue had not been received by the existing distribution center; statement that home delivery and use of cannabis would continue; inquiry as to the number of police calls for service related to drug use and driving under the influence; question regarding money spent to battle the war on drug and if the existing distribution center had increased that number; confirmation that the cannabis distribution center(s) did not deliver to any businesses in the city; and noted that over time a decrease in the use of illegal drugs may be realized; stated that applications are not always approved; possible costs to the city if changes were made to the number of cannabis licenses with applications currently in process; and the negative perception by the public when the city changes rules in the middle of a process.

Mayor Beamish opened the public hearing at 6:56 p.m. Due to there being no public testimony the public hearing was closed.

Moved by Mayor Beamish, seconded by Councilmember Shaw, and FAILED (2-3) TO RETAIN THE CURRENT CITY LIMITS OF NO MORE THAN FOUR PERMITTED COMMERCIAL CANNABIS DISTRIBUTION FACILITY LICENSES AND FOUR PERMITTED CANNABIS TESTING LABORATORY LICENSES, AND ADD FOUR CANNABIS HOME DELIVERY LICENSES, AND MAKING MODIFICATIONS TO EXISTING DEVELOPMENT STANDARDS.

Said motion FAILED by the following roll call vote:

AYES: Mayor Beamish, Councilmember Shaw

NOES: Mayor Pro Tem Espinoza, Councilmember Gomez, Councilmember Medrano

ABSENT: NONE

ABSTAIN: NONE

City Attorney Jones explained that the current applicants had entered into the process and paid in good faith. He noted that if this item is approved the applicant could argue in two ways: unfair detrimental harm due to the good faith actions and that they have some level of entitlement, which was a matter of right, and that they should receive approval. He stated that although there was the potential for legal consequences if changes were made by City Council, the City could argue statutory authority of City Council acting as the legislative body for the community. He confirmed that the current law remains if there was a 2-2-1 vote on the proposed ordinance, and that a majority vote was required to approve the item. He explained that if the City Council continued this item and wanted to suspend taking applications the action would need to be to place the new item on an agenda by a 4/5th's vote and discuss the possibility of a stay of the ordinance that currently existed on the books. He noted that Community and Economic Development Director Ho could inform the potential applicant(s) that the ordinance was being considered by City Council and may impact their application(s) so that they are informed; which would limit the city's exposure.

Community and Economic Development Director Ho clarified that City Council had already approved two cannabis distributors in the city, Continuum which was already in operation, and Canna America which was already in the permitting/construction process. He stated that there was a third applicant Pinnacle, in the queue, development agreement negotiations were almost completed, and was scheduled to be heard by the Planning Commission in the next month.

Moved by Councilmember Medrano, seconded by Councilmember Gomez, and FAILED (2-3) TO APPROVE FIRST READING OF **ORDINANCE NO. XXXX** 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.

Substitute motion moved by Mayor Pro Tem Espinoza, seconded by Mayor Beamish, and FAILED (2-3) TO APPROVE THE FIRST READING OF AN ORDINANCE THAT WOULD INCLUDE REDUCING THE CURRENT COMMERCIAL CANNABIS DISTRIBUTION FACILITY LICENSES FROM FOUR TO THREE AND REDUCING CANNABIS TESTING LABORATORY LICENSES FROM FOUR TO ONE.

Councilmember Shaw left the dais at 7:41 p.m. He returned at 7:42 p.m.

RECESS: Mayor Beamish called for a recess at 7:44 p.m. The meeting reconvened at 7:45 p.m.

Said motion FAILED by the following roll call vote:

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

Moved by Councilmember Medrano, seconded by Councilmember Gomez, and FAILED (2-3) TO APPROVE FIRST READING OF **ORDINANCE NO. XXXX** 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.

Said motion FAILED by the following roll call vote:

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

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-1) TO CONTINUE THIS ITEM TO THE NEXT REGULAR CITY COUNCIL MEETING OF JUNE 15, 2020 AT 6:30 P.M.; AND DIRECT POLICE DEPARTMENT STAFF TO PROVIDE CITY COUNCIL WITH THE NUMBER OF CALLS RELATED TO DRUG USE AND DRIVING UNDER THE INFLUENCE (DUI); THE AMOUNT OF TIME AND EXPENDITURES COMBATTING THE WAR ON DRUGS, AND IF THERE HAD BEEN A REDUCTION IN THE WAR ON DRUGS SINCE THE OPENING OF THE CANNABIS DISTRIBUTION CENTER.

Said motion CARRIED by the following roll call vote:

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

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.

Associate Planner Lopez presented the staff report.

City Council discussion included: the current drop-off area for delivery trucks; removal of storage areas; confirmation that the parking area could facilitate curbside touchless pickup from online shoppers; and impacts to vehicle parking stalls.

Mayor Beamish left the dais at 6:51 p.m. He returned at 6:52 p.m.

Mayor Beamish opened the public hearing at 7:57 p.m. Due to there being no public testimony the public hearing was closed.

Councilmember Gomez complimented the Walmart Supercenter at 1000 East Imperial Highway, La Habra, on its curbside pick-up services.

Mayor Beamish reopened the public hearing at 7:59 p.m. for the applicant to speak.

Jacob Glaze, P.E., Kimley-Horn Project Engineer, the applicant, thanked City Council for hearing this item. He thanked staff for their work on this project.

Mayor Beamish reclosed the public hearing at 8:00 p.m.

Moved by Councilmember Gomez, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE FIRST READING OF **ORDINANCE NO. 1823** 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.

Said motion CARRIED by the following roll call vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

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.

Director of Finance Shannon presented the staff report.

Councilmember Gomez left the dais at 8:01 p.m.

City Council discussion included: confirmation of the Consumer Price Index (CPI) increase of 3.1 percent; approximate revenues to offset CPI increase and COVID-19 recovery costs; verification that the new fees would be effective on July 1, 2020; potential to use grant funding to offset fee increases.

Councilmember Gomez returned to the dais at 8:03 p.m.

City Manager Sadro stated that the number of permits, applications, and fees have decreased significantly since COVID-19, and that it would be difficult to determine the increased dollar amount received in the next year. He noted that fees were currently near or at 100 percent cost recovery for some of the fees so the general fund did not have to subsidize services. He stated that if City Council delayed the CPI increase, furloughs would need to increase or a cut to another part of the budget would have to be made.

Mayor Beamish opened the public hearing at 8:08 p.m. Due to there being no public testimony the public hearing was closed.

Moved by Mayor Pro Tem Espinoza, seconded by Mayor Beamish, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. 5952** 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.

Said motion CARRIED by the following roll call vote:

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

VI. CONSIDERATION ITEMS:

A. CITY COUNCIL:

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

Item VI.1 was heard prior to the Public Hearing portion of the meeting.

Assistant to the City Manager Ferrier presented the staff report.

City Council discussion included: Ad Hoc Fiscal Review Committee voting procedure; number of members on the committee; confirmation that a consensus of votes were made by committee members; discussions by committee members; and estimated revenue from motels/hotels in the city.

Mayor Beamish invited the public to testify at 7:48 p.m. There was no public testimony.

Moved by Mayor Beamish, seconded by Mayor Pro Tem Espinoza, and CARRIED UNANIMOUSLY (5-0) TO RECEIVE AND FILE THE AD HOC FISCAL REVIEW COMMITTEE REPORT AND DIRECT STAFF TO IMPLEMENT APPROVED REPORT ITEMS, AND BRING ITEMS BACK TO CITY COUNCIL THAT REQUIRE APPROVAL.

Said motion CARRIED by the following roll call vote:

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

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.

- a. Appoint one individual to the Planning Commission to fill one 4-year term expiring on March 31, 2024.

City Clerk Swindell opened the nominations to appoint one individual to the Planning Commission to fill one 4-year term expiring March 31, 2024. Councilmember Medrano nominated Michelle Bernier. There were no other nominations. Councilmember Medrano MOVED, seconded by Councilmember Gomez TO CLOSE NOMINATIONS AND CAST A UNANIMOUS BALLOT TO APPOINT MICHELLE BERNIER TO THE PLANNING COMMISSION TO FILL ONE 4-YEAR TERM EXPIRING ON MARCH 31, 2024.

Said motion CARRIED by the following roll call vote:

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

- b. Appoint one individual to the Planning Commission to fill one 4-year term expiring on March 31, 2024.

Councilmember Gomez confirmed that Ray Fernandez withdrew his application for this position.

City Clerk Swindell opened the nominations to appoint one individual to the Planning Commission to fill one 4-year term expiring March 31, 2024. Councilmember Shaw nominated Manuel Munoz. Mayor Beamish nominated Esther Rojas. There were no other nominations. Councilmember Medrano MOVED, seconded by Councilmember Shaw TO CLOSE NOMINATIONS.

Said motion CARRIED by the following roll call vote:

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

A roll call was taken and the vote was (3-2) TO APPOINT MANUEL MUNOZ TO THE PLANNING COMMISSION TO FILL ONE 4-YEAR TERM EXPIRING MARCH 31, 2024, as follows:

COUNCILMEMBER MEDRANO: Esther Rojas
COUNCILMEMBER SHAW: Manuel Munoz
COUNCILMEMBER GOMEZ: Manuel Munoz
MAYOR PRO TEM ESPINOZA: Manuel Munoz
MAYOR BEAMISH: Esther Rojas

- c. Appoint one individual as first alternate to the Planning Commission to fill an unscheduled vacancy should one occur.

City Clerk Swindell opened the nominations to appoint one individual as first alternate to the Planning Commission to fill an unscheduled vacancy should one occur. Councilmember Shaw nominated Gary Martinez. Councilmember Medrano nominated Esther Rojas. There were no other nominations. Mayor Beamish MOVED, seconded by Councilmember Shaw TO CLOSE NOMINATIONS.

Said motion CARRIED by the following roll call vote:

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

A roll call was taken and the vote was (3-2) TO APPOINT ESTHER ROJAS AS FIRST ALTERNATE TO THE PLANNING COMMISSION TO FILL AN UNSCHEDULED VACANCY SHOULD ONE OCCUR, as follows:

COUNCILMEMBER MEDRANO: Esther Rojas
COUNCILMEMBER SHAW: Gary Martinez
COUNCILMEMBER GOMEZ: Gary Martinez
MAYOR PRO TEM ESPINOZA: Esther Rojas
MAYOR BEAMISH: Esther Rojas

- d. Appoint one individual as second alternate to the Planning Commission to fill an unscheduled vacancy should one occur.

City Clerk Swindell opened the nominations to appoint one individual as second alternate to the Planning Commission to fill an unscheduled vacancy should one occur. Mayor Beamish nominated Gary Martinez. There were no other nominations. Councilmember Shaw MOVED, seconded by Mayor Beamish TO CLOSE NOMINATIONS AND CAST A UNANIMOUS BALLOT TO APPOINT GARY MARTINEZ AS SECOND ALTERNATE TO THE PLANNING COMMISSION TO FILL AN UNSCHEDULED VACANCY SHOULD ONE OCCUR.

Said motion CARRIED by the following roll call vote:

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

- a. Appoint one individual to the Community Services Commission to fill one 3-year term expiring March 31, 2023.

City Clerk Swindell opened the nominations to appoint one individual to the Community Services Commission to fill one 3-year term expiring March 31, 2023. Councilmember Gomez nominated Kathy Felix. Councilmember Medrano nominated Richard Rojas. Mayor Beamish nominated Marie Laveaga. There were no other nominations. Mayor Beamish MOVED, seconded by Councilmember Shaw TO CLOSE NOMINATIONS.

Said motion CARRIED by the following roll call vote:

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

A roll call was taken and the vote was (5-0) TO APPOINT MARIE LAVEAGA TO THE COMMUNITY SERVICES COMMISSION TO FILL ONE 3-YEAR TERM EXPIRING MARCH 31, 2023, as follows:

COUNCILMEMBER MEDRANO: Marie Laveaga
COUNCILMEMBER SHAW: Marie Laveaga
COUNCILMEMBER GOMEZ: Marie Laveaga
MAYOR PRO TEM ESPINOZA: Marie Laveaga
MAYOR BEAMISH: Marie Laveaga

b. Appoint one unscheduled vacancy with a term expiring March 31, 2022.

City Clerk Swindell opened the nominations to appoint one individual to the Community Services Commission to fill one unscheduled vacancy with a term expiring March 31, 2022. Councilmember Gomez nominated Kathy Felix. Councilmember Medrano nominated Richard Rojas. There were no other nominations. Mayor Beamish MOVED, seconded by Councilmember Medrano TO CLOSE NOMINATIONS.

Said motion CARRIED by the following roll call vote:

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

A roll call was taken and the vote was (3-2) TO APPOINT KATHY FELIX TO THE COMMUNITY SERVICES COMMISSION TO FILL ONE UNSCHEDULED VACANCY WITH A TERM EXPIRING MARCH 31, 2022, as follows:

COUNCILMEMBER MEDRANO: Richard Rojas
COUNCILMEMBER SHAW: Kathy Felix
COUNCILMEMBER GOMEZ: Kathy Felix
MAYOR PRO TEM ESPINOZA: Richard Rojas
MAYOR BEAMISH: Kathy Felix

- c. Appoint one individual as first alternate to the Community Services Commission to fill an unscheduled vacancy should one occur.

City Clerk Swindell opened the nominations to appoint one individual as first alternate to the Community Services Commission to fill an unscheduled vacancy should one occur. Councilmember Gomez nominated Richard Rojas. Councilmember Shaw nominated Danitza Cardenas. Mayor Beamish nominated Yahtina Soto. There were no other nominations. Councilmember Medrano MOVED, seconded by Councilmember Shaw TO CLOSE NOMINATIONS.

Said motion CARRIED by the following roll call vote:

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

A roll call was taken and the vote was (3-2) TO APPOINT RICHARD ROJAS AS FIRST ALTERNATE TO THE COMMUNITY SERVICES COMMISSION TO FILL AN UNSCHEDULED VACANCY SHOULD ONE OCCUR, as follows:

COUNCILMEMBER MEDRANO: Richard Rojas
COUNCILMEMBER SHAW: Danitza Cardenas
COUNCILMEMBER GOMEZ: Richard Rojas
MAYOR PRO TEM ESPINOZA: Richard Rojas
MAYOR BEAMISH: Yahtina Soto

- d. Appoint one individual as second alternate to the Community Services Commission to fill an unscheduled vacancy should one occur.

City Clerk Swindell opened the nominations to appoint one individual as second alternate to the Community Services Commission to fill an unscheduled vacancy should one occur. Mayor Beamish nominated Yahtina Soto. Councilmember Shaw nominated Danitza Cardenas. There were no other nominations. Councilmember Medrano MOVED, seconded by Mayor Beamish TO CLOSE NOMINATIONS.

Said motion CARRIED by the following roll call vote:

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

A roll call was taken and the vote was (3-2) TO APPOINT YAHTINA SOTO AS SECOND ALTERNATE TO THE COMMUNITY SERVICES COMMISSION TO FILL AN UNSCHEDULED VACANCY SHOULD ONE OCCUR, as follows:

COUNCILMEMBER MEDRANO: Yahtina Soto
COUNCILMEMBER SHAW: Danitza Cardenas
COUNCILMEMBER GOMEZ: Danitza Cardenas
MAYOR PRO TEM ESPINOZA: Yahtina Soto
MAYOR BEAMISH: Yahtina Soto

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.

City Manager Sadro left the Council Chamber at 8:22 p.m.
City Attorney Jones presented the staff report.

Mayor Beamish and City Councilmembers spoke in support of this item and complimented City Manager Sadro on his leadership, positive guidance, and staying true to his word.

Mayor Beamish invited the public to testify at 8:24 p.m. There was no public testimony.

Moved by Mayor Beamish, seconded by Mayor Pro Tem Espinoza, and CARRIED UNANIMOUSLY (5-0) 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.

Said motion CARRIED by the following roll call vote:

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

City Manager Sadro returned to the Council Chamber at 8:28 p.m.

VII. MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- Coronavirus COVID-19 Informational Updates.
- California "4 Stage Roadmap" for Stay-at-Home Order. California has moved to early "Stage 2" as part of his roadmap to ease the "stay-at-home" order.
- City Facilities Open/Closures to the public during the COVID-19 "Shelter in Place" order. City Hall, the Police Department lobby, and Community Center front desk are open effective June 1, 2020. All other City facilities remain closed for the time being; however, City operations will continue and staff is available by phone and email.
- Reminder to complete the 2020 U.S. Census by mail, phone, or online.
- La Habra Community Survey for residents to provide service priorities in preparation for the Fiscal Year 2020-2021 City of La Habra Budget.

VIII. COMMENTS FROM STAFF: None

IX. COMMENTS FROM COUNCILMEMBERS:

Councilmember Medrano offered his condolences to the family of George Floyd, a black man, who died on May 25, 2020, as a result of a knee-to-neck restraint used by white Minneapolis, Minnesota Police Officer Derek Chauvin. Councilmember Medrano expressed his sadness that racism continued to rear its ugly head, and his objection to illegal and unethical actions. He spoke regarding continued public safety and open communication between the City of La Habra Police Department and residents, and offered his availability to all city residents.

Councilmember Shaw stated that today was the fourth anniversary of the passing of his father, Tim Shaw, Sr., and requested that the meeting be adjourned in his memory. He spoke regarding the Community Services Commission and Planning Commission interviews held by City Council on March 2, 2020, and today, and congratulated those who were appointed as commissioners and alternates.

Councilmember Gomez offered his condolences to Councilmember Shaw on the passing of his father. He congratulated all Class of 2020 graduates. He offered his apologies for not being able to attend the budget study session held on Thursday, May 28, 2020, as he had conflicting appointments. He expressed his appreciation to the La Habra Police Department, and the leadership of Chief Price, for their efforts with current community protests and the joint policing efforts with the Cities of Anaheim and Santa Ana.

Mayor Pro Tem Espinoza complimented the La Habra Police Department for their efforts with current community protests. She expressed her pride and gratitude with City of La Habra residents. She congratulated City Manager Sadro on his contract renewal. She expressed gratitude for City staff. She announced that she was a current California State University Fullerton graduate.

Mayor Beamish spoke regarding crises associated with the Coronavirus COVID-19 pandemic, and the May 25, 2020, death of George Floyd. He encouraged the public to continue the use of appropriate face coverings when out in public.

X. ADJOURNMENT: Mayor Beamish adjourned the City Council Meeting in memory of former La Habra United Methodist Church Pastor Doug Hodson, and in remembrance of the passing of Timothy Shaw, Sr. four years ago, at 8:42 p.m. to Monday, June 15, 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.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk