

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  
&  
REGULAR MEETING  
& REGULAR JOINT MEETING WITH THE  
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF LA HABRA,  
LA HABRA CIVIC IMPROVEMENT AUTHORITY,  
CITY OF LA HABRA HOUSING AUTHORITY, AND  
LA HABRA UTILITY AUTHORITY**

**MONDAY, JUNE 15, 2020  
6:30 P.M.**

The Regular Meeting of the City Council for June 15, 2020, will be open to the public, but 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. Participate by submitting an email to [cc@lahabraca.gov](mailto:cc@lahabraca.gov) or by calling (562) 383-4030 no later than 5:15 p.m. on Monday, June 15, 2020.
2. Participate by attending the meeting where there will be chairs set up for the public in the City Hall atrium, located at 110 East La Habra Boulevard, La Habra, California. There will be staff to escort those who would like to speak to the Council Chamber during the Public Comment, Public Hearing, or Consideration portions of the City Council meeting. Once you have spoken you will have the option to either go back to the City Hall atrium to view the remainder of the meeting or you may leave the meeting.

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 5:30 P.M.:** Cancelled

**REGULAR MEETING & REGULAR JOINT MEETING 6:30 P.M.:**

- CALL TO ORDER:** Council Chamber
- INVOCATION:** City Attorney/Legal Counsel Jones
- PLEDGE OF ALLEGIANCE:** Mayor/Director Beamish
- ROLL CALL:** Mayor/Director Beamish  
Mayor Pro Tem/Director Espinoza  
Councilmember/Director Gomez  
Councilmember/Director Medrano  
Councilmember/Director Shaw

**CLOSED SESSION ANNOUNCEMENT:**

**I. PROCLAMATIONS/PRESENTATIONS:**

- a. Proclaim July 2020 as Parks and Recreation month in the City of La Habra.
- b. Certificates of Appreciation to the Youth Committee.

**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. CITY COUNCIL, AGENCY & AUTHORITIES:**

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 28, 2020.

3. Receive and file Planning Commission Minutes of:
  - a. January 13, 2020
  - b. January 27, 2020
  - c. February 10, 2020
  - d. April 13, 2020
4. Approve denial of claim for Shannon Makowsky for Property Damage.
5. Approve denial of claim for Rogelio Aldana for Property Damage.
6. APPROVE SECOND READING AND ADOPTION 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.
7. Approve and adopt a resolution amending the City's Ticket Distribution Policy; and
  - a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING RESOLUTION NO. 5774 BY ADOPTING CERTAIN REVISIONS TO ITS POLICY FOR THE DISTRIBUTION OF TICKETS AND/OR PASSES TO CONFORM TO SECTION 18944.1 OF TITLE 2 OF THE CALIFORNIA CODE OF REGULATIONS.
8. Receive and file Treasurer's Investment Report for the Quarter ending March 31, 2020.
9. Approve and authorize City Manager to execute the Workforce Innovation and Opportunity Act (WIOA) Youth Program Services cost reimbursement agreement with the County of Orange in the amount of \$2,600,000 for the City of La Habra to be approved as the sole provider of the County's "Ready, Set, OC" Youth Employment Program for Fiscal Year 2020-2021.
10. Approve and authorize City Manager to enter into three-year agreements with True North Compliance Services, Inc. and Interwest Consultant Group, Inc. to provide professional building plan check, grading plan check, and building inspection services on an as-needed basis.
11. Approve and authorize City Manager to enter into a five-year agreement with John L. Hunter & Associates, Inc. of Buena Park, California, in the annual amount of \$99,980, and not to exceed \$499,900 over the five-year term of the agreement, to provide professional consultant services for the City of La Habra's Municipal Separate Storm Sewer System (MS4) National Pollutant Discharge Elimination System (NPDES) program for Fiscal Year 2020-2021 through Fiscal Year 2024-2025; and authorize staff to issue a purchase order to John L. Hunter & Associates, Inc. for Fiscal Year 2020-2021 through Fiscal Year 2024-2025, in the amount of \$99,980 for each year of the agreement.
12. Approve and adopt the Measure M2 Seven-Year Capital Improvement Program (CIP), for Fiscal Year 2020-2021 and an update of the Local Signal Synchronization Plan (LSSP); authorize staff to submit the required documents to Orange County Transportation Authority (OCTA) to comply with Measure M2 eligibility requirements for Fiscal Year 2020-2021; and adopt a resolution concerning the Update of the Local Signal Synchronization Plan (LSSP) for the Measure M2 Program.

- a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CONCERNING THE UPDATE OF THE LOCAL SIGNAL SYNCHRONIZATION PLAN (LSSP) FOR THE MEASURE M (M2) PROGRAM.
13. Approve to receive the report, adopt the attached resolution, and reaffirm the local emergency that was declared on March 16, 2020, related to COVID-19.
- a. 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.
14. Approve and authorize City Manager to submit an application for grant funds to the State of California Department of Housing and Community Development (HCD) for an amount of up to \$300,000 for Local Early Action Planning (LEAP) Grant Program funds.
- a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING APPLICATION FOR AND RECEIPT OF LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS.
15. Approve and authorize City Manager to execute a professional service agreement (PSA) with the consulting firm of the Lew Edwards Group, not to exceed \$28,750, to conduct a community satisfaction survey and continuing public outreach.
16. Approve and authorize the Chief of Police to execute a Memorandum of Agreement between the City of La Habra (City) and the Orange County Auto Theft TaskForce (OCATT) for the La Habra Police Department's participation in the OCATT program during Fiscal Year 2020-2021.
17. Approve a resolution authorizing submittal of an application to the State Department of Housing and Community Development for Permanent Local Housing Allocation Funds; and authorize City Manager to execute the application and make any subsequent amendments or modifications related to the application.
- a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AUTHORIZING PROJECTS UTILIZING PERMANENT LOCAL HOUSING ALLOCATION (PLHA) FUNDS.
18. WARRANTS: Approve Nos. 00125926 through 00126076 totaling \$619,441.56; and WIRE TRANSFER: Approve Wire Date 6/29/2020 for a total of \$414,000.00.
19. Approve and adopt the appropriate resolutions, and authorize the City Manager to execute the CCTR-0159 and CSPP-0343 Contracts with the California Department of Education (CDE) Early Learning and Care Division for the 2020-2021 Fiscal School Year.
- a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENT NO. CCTR-0159, WITH THE CALIFORNIA DEPARTMENT OF EDUCATION.

- b. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENT NO. CSPP-0343, WITH THE CALIFORNIA DEPARTMENT OF EDUCATION.
20. Approve and authorize City Manager to execute a Subrecipient Agreement with the County of Orange for Coronavirus Relief Funds related to eligible expenses incurred by the City.
21. Consider and approve a Memorandum of Understanding (MOU) between the City of La Habra and the La Habra Professional Employees' Group for the period of July 1, 2020 through December 31, 2020; and
- a. APPROVE AND ADOPT **RESOLUTION NO. \_\_\_\_\_** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA REPEALING AND REPLACING RESOLUTION NO. 5905 PERTAINING TO A COMPENSATION PLAN FOR THE LA HABRA PROFESSIONAL EMPLOYEES' GROUP.

**B. SUCCESSOR AGENCY:**

1. Approve Successor Agency Minutes of:
- a. March 16, 2020
  - b. April 6, 2020
  - c. April 20, 2020
  - d. May 4, 2020
  - e. May 18, 2020

**C. CIVIC IMPROVEMENT AUTHORITY:**

1. Approve Civic Improvement Authority Minutes of:
- a. March 16, 2020
  - b. April 6, 2020
  - c. April 20, 2020
  - d. May 4, 2020
  - e. May 18, 2020

**D. HOUSING AUTHORITY:**

1. Approve City of La Habra Housing Authority Minutes of May 18, 2020.

**E. UTILITY AUTHORITY:**

1. Approve Utility Authority Minutes of:
- a. March 16, 2020
  - b. April 6, 2020
  - c. April 20, 2020
  - d. May 4, 2020
  - e. May 18, 2020

**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.

**A. CITY COUNCIL, AGENCY & AUTHORITIES:**

1. Duly noticed joint public hearing to consider the adoption of the Fiscal Year 2020-2021 Municipal Budget and relating resolutions; and consider a resolution establishing the Appropriation Limit for Fiscal Year commencing July 1, 2020 and ending June 30, 2021, pursuant to Article XIII B of the Constitution of the State of California.

Recommendation:

- a. Adoption of 2020-2021 **Allocation Plan (Municipal Budget)**: APPROVE AND ADOPT **RESOLUTION NO.** \_\_\_\_\_ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021, MAKING APPROPRIATIONS FOR THE CONDUCT OF CITY OF LA HABRA GOVERNMENT, ESTABLISHING POLICIES FOR THE ADMINISTRATION OF THE ADOPTED BUDGET, AND FOR OTHER BUDGET RELATED PURPOSES.
- b. Adoption of 2020-2021 **Successor Agency to the La Habra Redevelopment Agency** Budget: APPROVE AND ADOPT **RESOLUTION NO.** \_\_\_\_\_ ENTITLED: A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021.
- c. Adoption of 2020-2021 **City of La Habra Housing Authority** Budget: APPROVE AND ADOPT **RESOLUTION NO.** \_\_\_\_\_ ENTITLED: A RESOLUTION OF THE CITY OF LA HABRA HOUSING AUTHORITY ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021.
- d. Adoption of 2020-2021 **La Habra Utility Authority** Budget: APPROVE AND ADOPT **RESOLUTION NO.** \_\_\_\_\_ ENTITLED: A RESOLUTION OF THE UTILITY AUTHORITY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021.
- e. Adoption of 2020-2021 **La Habra Civic Improvement Authority** Budget: APPROVE AND ADOPT **RESOLUTION NO.** \_\_\_\_\_ ENTITLED: A RESOLUTION OF THE CIVIC IMPROVEMENT AUTHORITY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021.
- f. Establishment of an Appropriation Limit (Proceeds of Taxes): APPROVE AND ADOPT **RESOLUTION NO.** \_\_\_\_\_ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ESTABLISHING THE APPROPRIATION LIMIT IN ACCORDANCE WITH ARTICLE XIII B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA FOR THE FISCAL YEAR COMMENCING JULY 1, 2020, AND ENDING JUNE 30, 2021, AND AMENDING RESOLUTION NO. 5907.

**B. CITY COUNCIL:**

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.” **(Continued from June 1, 2020)**

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.

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

**VII. MAYOR’S COMMUNITY CALENDAR:**

**VIII. COMMENTS FROM STAFF:**

**IX. COMMENTS FROM COUNCILMEMBERS:**

**X. ADJOURNMENT:**

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.lahabracca.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.

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Laurie Swindell, CMC, City Clerk/Secretary