

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

Monday, December 07, 2020

PRELIMINARY: These Minutes to be considered for approval on April 5, 2021.

ADJOURNED REGULAR MEETING 5:30 P.M.: Cancelled.

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

CALL TO ORDER: Mayor/Director Beamish called the Regular Meeting of the City Council of the City of La Habra and Regular Joint Meeting with the Successor Agency to the Redevelopment Agency of the City of La Habra, La Habra Civic Improvement Authority, City of La Habra Housing Authority, and La Habra Utility Authority 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/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Medrano

COUNCILMEMBERS PRESENT: Mayor/Director Beamish
Mayor Pro Tem/Director Espinoza
Councilmember/Director Medrano

COUNCILMEMBERS ABSENT: Councilmember/Director Gomez (excused absence)
Councilmember/Director Shaw (excused absence)

OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
City Attorney/Legal Counsel Jones
City Clerk/Secretary Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None

PROCLAMATIONS/PRESENTATIONS:

1. PROCLAMATION IN RECOGNITION OF LA HABRA POLICE CORPORAL PAUL MCPHILLIPS ON HIS RETIREMENT

Police Chief Price presented a proclamation City plaque to La Habra Police Corporal Paul McPhillips on his retirement. Mayor Beamish thanked Corporal Paul McPhillips for his service to the City.

2. PROCLAMATION IN RECOGNITION OF LA HABRA POLICE SERGEANT RON HURST ON HIS RETIREMENT

Police Chief Price presented a proclamation and City plaque to La Habra Police Sergeant Ron Hurst on his retirement. Mayor Beamish thanked Sergeant Ron Hurst for his service to the City.

PUBLIC COMMENTS: None

CONSENT CALENDAR:

Moved by Councilmember/Director Medrano, seconded by Mayor Pro Tem/Director Espinoza, and CARRIED (3-0) TO APPROVE CONSENT CALENDAR ITEMS 1 THROUGH 12 WITH COUNCILMEMBER/DIRECTOR GOMEZ AND COUNCILMEMBER/DIRECTOR SHAW HAVING EXCUSED ABSENCES.

Said motion CARRIED by the following roll call vote:

AYES: Mayor/Director Beamish, Mayor Pro Tem/Director Espinoza,
Councilmember/Director Medrano

NOES: NONE

ABSENT: Councilmember/Director Gomez, Councilmember/Director Shaw

ABSTAIN: NONE

CITY COUNCIL:

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

That the City Council approve Minutes of November 16, 2020.

3. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1824** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADDING CHAPTER 2.58 ("CAMPAIGN CONTRIBUTION LIMITS") TO TITLE 2 ("ADMINISTRATION AND ORGANIZATION") OF THE LA HABRA MUNICIPAL CODE RELATING TO CAMPAIGN CONTRIBUTION LIMITS

4. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1825** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADDING CHAPTER 2.62 ("ELECTRONIC FILING OF CAMPAIGN DISCLOSURE DOCUMENTS") TO TITLE 2 ("ADMINISTRATION AND ORGANIZATION") OF THE LA HABRA MUNICIPAL CODE RELATING TO CAMPAIGN DISCLOSURE DOCUMENTS

5. APPROVE A RESOLUTION APPOINTING JERRY L. PRICE FOR POSITION OF INTERIM POLICE CHIEF UNDER GOVERNMENT CODE SECTION 21221(h) AND APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE EMPLOYMENT AGREEMENT

That the City Council:

- A. APPROVE AND ADOPT **RESOLUTION NO. 5978** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPOINTING JERRY L. PRICE FOR POSITION OF INTERIM POLICE CHIEF UNDER GOVERNMENT CODE SECTION 21221(h); and
 - B. Approve and authorize the City Manager to execute the employment agreement with Jerry L. Price for position of Interim Police Chief.
6. WARRANTS: APPROVE NOS. 00127843 THROUGH 00128134 TOTALING \$2,535,977.03; Approve Nos. 00127843 through 00128134 totaling \$2,535,977.03.

SUCCESSOR AGENCY:

7. APPROVE SUCCESSOR AGENCY MINUTES

That the Successor Agency to the Redevelopment Agency of the City of La Habra approve Minutes of:

- A. June 1, 2020
- B. June 15, 2020
- C. July 6, 2020
- D. July 20, 2020
- E. August 3, 2020
- F. August 17, 2020
- G. September 8, 2020
- H. September 21, 2020
- I. October 5, 2020
- J. October 19, 2020
- K. November 2, 2020
- L. November 16, 2020

CIVIC IMPROVEMENT AUTHORITY:

8. APPROVE CIVIC IMPROVEMENT AUTHORITY MINUTES

That the La Habra Civic Improvement Authority approve Minutes of:

- A. June 1, 2020
- B. June 15, 2020
- C. July 6, 2020
- D. July 20, 2020
- E. August 3, 2020
- F. August 17, 2020
- G. September 8, 2020
- H. September 21, 2020
- I. October 5, 2020
- J. October 19, 2020

K. November 2, 2020
L. November 16, 2020

HOUSING AUTHORITY:

9. APPROVE HOUSING AUTHORITY MINUTES

That the City of La Habra Housing Authority approve Minutes of November 16, 2020.

UTILITY AUTHORITY:

10. APPROVE UTILITY AUTHORITY MINUTES

That the La Habra Utility Authority approve Minutes of November 16, 2020.

11. APPROVE AGREEMENT FOR SHARING CONSULTANT COSTS WITH THE MUNICIPAL WATER DISTRICT OF ORANGE COUNTY FOR UPDATES TO THE LA HABRA 2015 URBAN WATER MANAGEMENT PLAN

That the La Habra Utility Authority:

- A. Approve and authorize the Executive Director to execute an agreement with the Municipal Water District of Orange County (MWDOC) for sharing consultant costs in the amount of \$44,240 for the Utility Authority's expenses related to updating the La Habra 2015 Urban Water Management Plan (UWMP); and
- B. Approve and authorize staff to issue a purchase order to the Municipal Water District of Orange County in the amount of \$44,240 for updates to the La Habra 2015 Urban Water Management Plan.

CITY COUNCIL, AGENCY & AUTHORITIES:

12. APPROVE ADOPTION OF ANNUAL INVESTMENT POLICY FOR CALENDAR YEAR 2021

That the City Council, Successor Agency to the Redevelopment of the City of La Habra, La Habra Civic Improvement Authority, City of La Habra Housing Authority, and La Habra Utility Authority review and adopt the City's Annual Investment Policy for implementation on January 1, 2021.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

PUBLIC HEARINGS:

Mayor Beamish stated that a public hearing item entitled: "Duly Noticed Public Hearing to Consider Zone Change 20-03 Amending Title 18 ("Zoning") of the La Habra Municipal Code by Adding Chapter 18.82 ("Inclusionary Housing Units")" was previously on the agenda for tonight's meeting. Based upon the Orange County Register newspaper deadlines, a legal ad was placed in the newspaper on Friday, November 27, 2020. However, the item was removed from the agenda, prior to posting, and continued to a date uncertain.

CITY COUNCIL:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER PLANNED UNIT DEVELOPMENT PRECISE PLAN 20-01 FOR A THREE-UNIT RESIDENTIAL CONDOMINIUM COMPLEX AT 508 SOUTH WALNUT STREET

Senior Planner Schaefer presented the staff report.

City Council discussion included: confirmation that the permitted density was three units; and confirmation that residents within 300-feet of the project received notification.

Mayor Beamish opened the public hearing at 6:52 p.m.

The applicant Ajit Soma, Coyote Creek Homes, LLC, thanked City Council for their consideration of the application during the COVID-19 pandemic. He also thanked City staff for their assistance with the project application.

The public hearing was closed at 6:54 p.m.

Moved by Mayor Beamish, Seconded by Mayor Pro Tem Espinoza, AND CARRIED (3-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1826** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 20-01 FOR THE CONSTRUCTION OF A THREE-UNIT RESIDENTIAL CONDOMINIUM COMPLEX AT 508 SOUTH WALNUT STREET, 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 Medrano
NOES: NONE
ABSENT: Councilmember Gomez, Councilmember Shaw
ABSTAIN: NONE

2. DULY NOTICED PUBLIC HEARING TO CONSIDER THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND AUTHORIZE STAFF TO SUBMIT THE REPORT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Specialist Louie presented the staff report.

There was no City Council discussion.

Mayor Beamish opened the public hearing at 7:00 p.m. There was no public testimony so the public hearing was closed.

Moved by Mayor Pro Tem Espinoza, Seconded by Councilmember Medrano, AND CARRIED (3-0) THAT THE CITY COUNCIL APPROVE THE 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER) AND AUTHORIZE STAFF TO SUBMIT THE CAPER TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

Said motion CARRIED by the following roll call vote:

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

3. DULY NOTICED PUBLIC HEARING TO RECONSIDER ZONE CHANGE 19-03 FOR AN ORDINANCE MODIFYING LA HABRA MUNICIPAL CODE TITLE 18 ("ZONING"), CHAPTER 18.22 ("COMMERCIAL CANNABIS ACTIVITY") TO ALLOW FOR COMMERCIAL NON-STOREFRONT RETAILER CANNABIS FACILITIES AND MODIFICATIONS TO EXISTING DEVELOPMENT STANDARDS

Community and Economic Development Deputy Director Jaramillo presented the staff report.

City Council discussion included effects from the passing of Measure W – City of La Habra Cannabis Business Tax/Regulation Ordinance of 2020 - at the General Municipal Election held on Tuesday, November 3, 2020; and confirmation that staff would bring an ordinance before the City Council in the next few months establishing the recommended tax levels for the each of the different functions of cannabis activity approved for operation in the City.

Mayor Beamish opened the public hearing at 7:02 p.m.

Tony De Simone, founder of Canna America, spoke in support of this item. He expressed that he hoped that City Council would consider cannabis opportunities in the City.

The public hearing was closed at 7:04 p.m.

City Attorney Jones stated that three affirmative votes of the City Council must be received in order for the ordinance to pass. He suggested that City Council move the item to a date certain if three affirmative votes could not be made.

City Council questions/comments included confirmation that voter approval for Measure W was a recommendation from the voters to City Council.

Assistant City Attorney Collins clarified that Measure W was an advisory measure.

Moved by Mayor Pro Tem Espinoza, Seconded by Mayor Beamish, AND CARRIED (3-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1827** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, COUNTY OF ORANGE, CALIFORNIA, RECONSIDERING AND APPROVING ZONE CHANGE 19-03 MODIFYING LA HABRA MUNICIPAL CODE TITLE 18 ("ZONING"), CHAPTER 18.22 ("COMMERCIAL CANNABIS ACTIVITY") TO ALLOW FOR COMMERCIAL NON-STOREFRONT RETAILER CANNABIS FACILITIES AND MODIFICATIONS TO EXISTING DEVELOPMENT STANDARDS.

Said motion CARRIED by the following roll call vote:

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

CONSIDERATION ITEMS:

CITY COUNCIL:

1. CONSIDER A RESOLUTION IN SUPPORT OF LOCAL CONTROL AND THE "CALIFORNIA CITIES FOR LOCAL CONTROL" COALITION

Assistant to the City Manager Ferrier presented the staff report.

There was no City Council discussion.

Mayor Beamish invited the public to testify at 7:09 p.m. There was no public testimony.

Mayor Beamish stated he requested that this item be placed on the agenda.

Moved by Mayor Beamish, Seconded by Councilmember Medrano, AND CARRIED (3-0) THAT THE CITY COUNCIL APPROVE AND ADOPT **RESOLUTION NO. 5979** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, EXPRESSING SUPPORT FOR ACTIONS TO FURTHER STRENGTHEN LOCAL DEMOCRACY, AUTHORITY, AND CONTROL AS RELATED TO LOCAL ZONING AND HOUSING ISSUES.

Said motion CARRIED by the following roll call vote:

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

MAYOR'S COMMUNITY CALENDAR:

Mayor Beamish made the following announcements:

- Blueprint for a Safer Economy.
- Wear a Mask and Slow the Spread of COVID-19.
- Two new Electric Vehicle Charging Stations are now available at City Hall.
- Community Blood Drives will be held on Wednesday, December 9, and Tuesday, December 29, 2020, at Veterans Memorial Hall.
- “La Habra Holiday Wishes” program donations are being accepted through December 11, 2020, in support of children and families in need during the holiday season.

COMMENTS FROM STAFF: None

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Medrano wished for everyone to remain safe during the COVID-19 pandemic. He thanked City staff for their hard work organizing City Council meetings. He recognized Mayor/Director Beamish for his service on City Council and to the community, and thanked Nancy Beamish.

Mayor Pro Tem/Director Espinoza thanked Mayor/Director Beamish for his service and guidance during his term on City Council. She spoke regarding the cancellation of City special events due to the COVID-19 pandemic. She informed the public regarding the current COVID-19 statistics, the importance of quarantining and to wear a mask. She offered her condolences to Community and Economic Development Director Ho on the recent passing of his father, and to City Manager Sadro on the recent loss of his father-in-law Robert “Bob” Miller.

ADJOURNMENT: Mayor/Director Beamish adjourned the City Council meeting in memory of Robert “Bob” Miller at 7:20 p.m., to Monday, December 21, 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. All other meetings were adjourned at 7:20 p.m.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk/Secretary