

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING

Monday, May 17, 2021

PRELIMINARY: These Minutes to be considered for approval on June 7, 2021.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Espinoza called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. in the Closed Session Room 112c, located at 100 East La Habra Boulevard, La Habra, California.

COUNCILMEMBERS PRESENT: Mayor Espinoza
Mayor Pro Tem Medrano
Councilmember Gomez
Councilmember Shaw
Councilmember Simonian (present via telephone)

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Swindell

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS: None

CLOSED SESSION:

1. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees, Police Civilian Employees, La Habra Municipal Employees Association, General Services Employees, Professional Employees, and Management and Executive Management Groups.

Director of Finance Shannon and Director of Human Resources Balderrama were present for this item.

ADJOURNMENT: The City Council reconvened at 6:00 p.m. There were no Closed Session announcements. Mayor Espinoza adjourned the Adjourned Regular Meeting at 6:00 p.m.

REGULAR MEETING 6:30 P.M.:

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

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Espinoza

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

COUNCILMEMBERS ABSENT: Councilmember Simonian (excused absence)

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None

PROCLAMATIONS/PRESENTATIONS:

1. LA HABRA CITY SCHOOL DISTRICT PRESENTATION REGARDING EARLY DEVELOPMENT INDEX (EDI)

La Habra City School District Early Learning Coordinator Debbye Viveros gave a brief PowerPoint presentation regarding the Early Development Index (EDI).

Council discussion included appreciation to Debbye Viveros, Teresa Egan, Director of Community Services Fujio, and community partner St. Jude Hospital; and confirmation that on slide number 13 that the blank sections on the map meant there was not enough data.

PUBLIC COMMENTS: None

CONSENT CALENDAR:

Mayor Pro Tem Medrano requested that Item No. 5 be pulled from the Consent Calendar for separate discussion.

Councilmember Shaw stated that he would be abstaining on Item No. 6 because he lived near the project.

Moved by Councilmember Gomez, seconded by Mayor Pro Tem Medrano, and CARRIED (4-0) TO APPROVE CONSENT CALENDAR ITEMS 1 THROUGH 9; WITH THE EXCEPTION OF ITEM NO. 5 WHICH WAS PULLED FOR SEPARATE DISCUSSION AND COUNCILMEMBER SHAW ABSTAINING ON ITEM NO. 6.

Said motion CARRIED by the following roll call vote:

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

NOES: None

ABSTAIN: Councilmember Shaw (Item No. 6 only)

ABSENT: Councilmember Simonian

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 OF THE CITY OF LA HABRA MINUTES

That the City Council approve City Council of the City of La Habra Minutes of:

- October 19, 2020
- October 20, 2020
- October 21, 2020
- April 5, 2021
- April 8, 2021
- April 19, 2021
- May 3, 2021

3. APPROVE ADOPTION OF "VEHICLE MILES TRAVELED" (VMT) AND VMT THRESHOLD UPDATES UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

That the City Council:

APPROVE AND ADOPT **RESOLUTION NO. 5995** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING "VEHICLE MILES TRAVELED" THRESHOLDS OF SIGNIFICANCE FOR PURPOSES OF ANALYZING TRANSPORTATION IMPACTS UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

4. APPROVE THE REAFFIRMATION OF LOCAL EMERGENCY DECLARATION DUE TO COVID-19

That the City Council:

A. RECEIVE THIS REPORT; AND

B. APPROVE AND ADOPT **RESOLUTION NO. 5996** 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 A LOCAL EMERGENCY.

5. REMOVED FOR SEPARATE DISCUSSION AND APPROVED. SEE BELOW.
6. APPROVE NOTICE OF COMPLETION FOR THE LA HABRA SPLASH PADS AT BRIO PARK AND OESTE PARK, CITY PROJECT NO. 3-P-19

That the City Council approve the Notice of Completion for the La Habra Splash Pads at Brio Park and Oeste Park, City Project No. 3-P-19; and authorize staff to send for recordation.

7. APPROVE AND AUTHORIZE THE CITY MANAGER TO ISSUE A PURCHASE ORDER TO PERFORMANCE FORD, WEST COVINA, CALIFORNIA, IN THE AMOUNT OF \$352,876.44 FOR THE PURCHASE OF TEN NEW SERVICE VEHICLES FOR THE CITY'S FLEET

That the City Council:

- A. Waive formal bid procedures per La Habra Municipal Code Section 4.20.070 (C) allowing for the use of cooperative purchase programs to utilize the Los Angeles County purchase order for the purchase of ten new Ford service vehicles from Performance Ford; and
- B. Authorize the City Manager to issue a purchase order to Performance Ford, West Covina, California, in the amount of \$352,876.44, utilizing adopted Fiscal Year 2020-2021 budgeted funds for vehicle purchases, for the purchase of ten new Ford service vehicles to include:
 - One new 2019 Ford F-250 Standard Cab Pickup Truck
 - Three new 2020 Ford F-250 Standard Cab Pickup Trucks
 - Four new 2020 Ford F-250 Standard Cab Utility Service Body Trucks
 - Two new 2020 Ford F-450 Standard Cab Heavy-Duty Chassis Only Trucks (will be used for future dump bed bodies to be installed at a later date)

8. APPROVE AWARD OF CONTRACTS FOR SENIOR MOBILITY TRANSPORTATION SERVICES FOR THE CITY OF LA HABRA

That the City Council authorize the City Manager to execute agreements with:

- A. Yellow Cab to operate the La Habra Senior Mobility Transportation Program On-demand (Dial-a-Ride) Service for a term of four years from June 1, 2021, to May 31, 2025 at a cost not to exceed \$60,000 per year, with the cost of the four-year term not to exceed \$240,000; and
- B. Parking Concepts dba Transportation Concepts to operate the La Habra Senior Mobility Transportation Program Shuttle for a term of four years from June 1, 2021, to May 31, 2025 at a cost not to exceed \$125,000 per year, with the cost of the four-year term not to exceed \$500,000.

9. WARRANTS: APPROVE NOS. 00129823 THROUGH 00130012 TOTALING \$2,201,896.79

Approve Nos. 00129823 through 00130012 totaling \$2,201,896.79.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

5. APPROVE AUTHORIZATION FOR THE ISSUANCE OF A PURCHASE ORDER TO NEXTECH SYSTEMS, INC., IRVINE, CALIFORNIA, IN THE AMOUNT OF \$39,296.50 FOR THE PURCHASE OF TRAFFIC SENSORS WITH THREE YEARS OF CELLULAR SERVICE AND THREE YEARS OF ANNUAL MAINTENANCE

Traffic Engineer Plotnik presented the staff report.

City Council discussion included: clarification that the project would give both a cost-savings and an improvement of traffic flow.

Mayor Espinoza invited the public to testify at 6:52 p.m. There was no public testimony.

Moved by Mayor Pro Tem Medrano, seconded by Councilmember Shaw, and CARRIED (4-0) THAT THE CITY COUNCIL:

- A. WAIVE FORMAL BID PROCEDURES PER LA HABRA MUNICIPAL CODE SECTION 4.20.070 (E) AND UTILIZE COOPERATIVE AGREEMENT NO. 174-46022 WITH THE CITY OF FULLERTON FOR THE GILBERT STREET/IDAHO STREET CORRIDOR PROJECT REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM (RTSSP); AND
- B. APPROVE AND AUTHORIZE CITY MANAGER TO ISSUE A PURCHASE ORDER IN THE AMOUNT OF \$39,296.50 FROM THE GILBERT STREET/IDAHO STREET RTSSP FUND AS A PORTION OF THE LOCAL MATCH TO BE APPLIED TOWARDS THE TOTAL PROJECT COST TO NEXTECH SYSTEMS, INC., IRVINE, CALIFORNIA, WHICH WILL INCLUDE THE PURCHASE OF FIVE BLUETOAD BLUETOOTH SENSORS, THREE YEARS OF CELLULAR SERVICE FOR SYSTEM CONNECTIVITY, AND THREE YEARS OF ANNUAL MAINTENANCE COSTS.

Said motion CARRIED (4-0) by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Councilmember Simonian

PUBLIC HEARINGS:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER ZONE CHANGE 21-02 FOR AMENDMENTS TO TITLE 18 ZONING, INCLUDING MODIFICATION OF SECTION 18.04.030 "TERMS DEFINED"; MODIFICATION OF TABLE 18.06.040(A) (LAND USE MATRIX); REPLACEMENT OF SECTION 18.12.150 "ACCESSORY DWELLING UNITS"; MODIFICATION OF SECTION 18.30 "SPECIAL NEEDS HOUSING"; AND MODIFICATION OF SECTION 18.52.040.B "APPLICABILITY" AS PER EXHIBITS "A," "B," "C," "D," AND "E"

Senior Planner Schaefer presented the staff report.

City Council discussion included: confirmation of the number of accessory dwelling units built, or in the process of being built in the City since January 2020; correction to Exhibit A, Section F.2.b of the proposed ordinance; and verification that most accessory dwelling units would qualify towards the City's Regional Housing Needs Assessment (RHNA) requirements.

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

Moved by Mayor Espinoza, Seconded by Mayor Pro Tem Medrano, AND CARRIED (4-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1835** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 21-02 FOR AMENDMENTS TO TITLE 18 "ZONING," INCLUDING MODIFICATION OF SECTION 18.04.030 "TERMS DEFINED," MODIFICATION OF TABLE 18.06.040(A) "LAND USE MATRIX," REPLACEMENT OF SECTION 18.12.150 "ACCESSORY

DWELLING UNITS," MODIFICATION OF SECTION 18.30 "SPECIAL NEEDS HOUSING," AND MODIFICATION OF SECTION 18.52.040.B AS PER EXHIBITS "A," "B," "C," "D" AND "E"; WITH THE CORRECTION TO EXHIBIT A, SECTION F.2.b OF THE ORDINANCE BE CORRECTED TO READ, "PROVIDED AN ADU COMPLIES WITH THE HEIGHT AND ADU SETBACK STANDARDS FOR THE ZONING DISTRICT IN WHICH IT IS LOCATED, FAR AND SITE COVERAGE STANDARDS DO NOT APPLY TO AN ADU THAT IS PROPOSED TO BE LESS THAN 800 SQUARE FEET."

Said motion CARRIED (4-0) by the following roll call vote:

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

2. DULY NOTICED PUBLIC HEARING TO RECEIVE AND FILE A SUPPLEMENTAL AGENDA REPORT AND APPROVE THE SECOND READING AND ADOPTION OF AN ORDINANCE ADDING CHAPTER 5.58 ("CANNABIS BUSINESS TAX") TO TITLE 5 OF THE LA HABRA MUNICIPAL CODE

Director of Finance Shannon presented the staff report. He indicated that he and Deputy Director Jaramillo were available to answer questions.

There was no City Council discussion.

Mayor Espinoza opened the public hearing at 7:04 p.m. There being no public testimony the public hearing was closed.

Moved by Councilmember Gomez THAT THE CITY COUNCIL:

- A. RECEIVE AND FILE THE SUPPLEMENTAL AGENDA REPORT; AND
- B. APPROVE THE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1834** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADDING CHAPTER 5.58 ("CANNABIS BUSINESS TAX") TO TITLE 5 OF THE LA HABRA MUNICIPAL CODE.

Substitute motion made by Councilmember Shaw THAT THE CITY COUNCIL:

- A. RECEIVE AND FILE THE SUPPLEMENTAL AGENDA REPORT; AND
- B. APPROVE THE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1834** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADDING CHAPTER 5.58 ("CANNABIS BUSINESS TAX") TO TITLE 5 OF THE LA HABRA MUNICIPAL CODE; WITH AN AMENDMENT TO THE CANNABIS DISTRIBUTION TAX FROM 1.125 PERCENT TO ONE (1) PERCENT.

Substitute motion failed due to lack of a second.

Original motion made by Councilmember Gomez, was seconded by Mayor Pro Tem Medrano.

Said motion CARRIED (3-1) by the following roll call vote:

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

NOES: Councilmember Shaw

ABSTAIN: None

ABSENT: Councilmember Simonian

CONSIDERATION ITEMS: None at this time.

MAYOR'S COMMUNITY CALENDAR:

Mayor Espinoza made the following announcements:

- Blueprint for a Safer Economy.
- COVID-19 Vaccination Distribution.
- La Habra COVID-19 Vaccination Clinic every Friday at the La Habra Community Center.
- Free COVID-19 testing on Tuesdays and Thursdays, 9:00 a.m. – 3:00 p.m., at the La Habra Community Center.
- Wear a Mask and Slow the Spread of COVID-19.
- Community Blood Drive will be held on Tuesday, May 25, 2021, at La Habra Veterans Hall.

COMMENTS FROM STAFF:

City Manager Sadro expressed best wishes to Director of Community and Economic Development Director Ho on his departure from the City and on his new endeavors as Director of Community Development for the City of Alhambra, California, and that he would be missed.

COMMENTS FROM COUNCILMEMBERS:

Councilmember Gomez thanked Director of Community and Economic Development Director Ho for his service to the City. He spoke regarding the recognition dinner "Two on the Town" hosted, and congratulated City Attorney Jones on his Hall of Fame award and former Chief of Police Price on his Lifetime Legacy award presented to them at the recognition dinner. He requested a City tile be purchased in memory of the first Latino Associate Justice of the California Supreme Court Cruz Reynoso, and requested the meeting be adjourned in his memory. He indicated that plans were being made for a Cruz Reynoso memorial display at the La Habra Old Settlers Historical Museum with an unveiling during the Corn Festival.

Mayor Espinoza concurred with the recognition for Cruz Reynoso, and suggested a memorial plaque be placed near the neighborhood where he grew up in La Habra, California. She recognized Director of Community and Economic Development Ho for his service to the City.

Mayor Pro Tem Medrano concurred with the recognition for Cruz Reynoso. He thanked Director of Community and Economic Development Director Ho for his service to the City and that he would be missed.

Councilmember Shaw thanked Director of Community and Economic Development Director Ho for his service to the City and that he would be missed.

ADJOURNMENT: Mayor Espinoza adjourned the City Council meeting in memory of Cruz Reynoso at 7:20 p.m., to Monday, June 7, 2021, 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