



City of
LA HABRA

AGENDA

**LA HABRA
CITY COUNCIL
ADJOURNED REGULAR MEETING 5:30 P.M.
&
REGULAR MEETING 6:30 P.M.**

MONDAY, APRIL 5, 2021

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

The Regular Meeting of the City Council for April 5, 2021, will be conducted in person at the City of La Habra Council Chamber, located at 100 East La Habra Boulevard, La Habra, California. The City Hall atrium will be open for limited seating for the public to ensure proper social distancing and the wearing of masks or appropriate face covering is required.

Please be advised that in order to ensure the health and safety of the public by limiting contact that could spread the COVID-19 pandemic, the Council Chamber will be open for one speaker at a time during the Regular Meeting of the City Council meeting when the Mayor opens public comment periods. Staff will be available to assist those who wish to speak. We encourage the public to also participate in the Regular Meeting of the City Council by submitting written comments via email to cc@lahabracal.gov no later than 5:00 p.m. on Monday, April 5, 2021.

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.:

CALL TO ORDER: Council Chamber, Closed Session Room 112c

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

CLOSED SESSION:

1. Conference with Legal Counsel - Existing Litigation Pursuant to Government Code Section 54956.9(d)(1), Lennar Homes, et al. v. City of La Habra, et al., Orange County Superior Court Case No. 30-2021-01179615-CU-WM-CJC-ROA#4.

ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Medrano

ROLL CALL: Mayor Espinoza
Mayor Pro Tem Medrano
Councilmember Gomez
Councilmember Shaw
Councilmember Simonian

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS:

1. PROCLAIM APRIL 2021 AS FAIR HOUSING MONTH IN THE CITY OF LA HABRA
2. PROCLAIM APRIL 2021 AS SEXUAL ASSAULT AWARENESS MONTH IN THE CITY OF LA HABRA
3. PROCLAIM APRIL 11-17, 2021 NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK IN THE CITY OF LA HABRA
4. PROCLAIM APRIL 11-17, 2021 AS NATIONAL ANIMAL CONTROL OFFICER APPRECIATION WEEK IN THE CITY OF LA HABRA
5. PROCLAIM APRIL 2021 AS DMV/DONATE LIFE MONTH IN THE CITY OF LA HABRA
6. RECOGNITION OF CHIEF OF POLICE JERRY PRICE FOR HIS SERVICE TO THE CITY OF LA HABRA

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

General Public Comments shall be received at the beginning of the governing body meeting and limited to three (3) minutes per individual, with a total time limit of 30 minutes for all public comments, unless otherwise modified by the Mayor or Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

The general Public Comment portion of the meeting allows the public to address any item of City business not appearing on the scheduled agenda. Per Government Code Section 54954.3(a), such comments shall not be responded to by the governing body during the meeting.

CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Councilmember, City staff member, 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. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per item that has been removed for separate discussion, unless otherwise modified by the Mayor. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

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 La Habra City Council Minutes of:

- November 2, 2020
- December 7, 2020
- December 21, 2020
- January 19, 2021
- March 1, 2021

3. REAFFIRMATION OF LOCAL EMERGENCY DECLARATION DUE TO COVID-19

That the City Council:

A. Receive this 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 A LOCAL EMERGENCY DUE TO COVID-19.

4. APPROVE THE CITY'S EARTHQUAKE INSURANCE POLICY RENEWAL FOR A ONE-YEAR TERM FROM APRIL 19, 2021, THROUGH APRIL 19, 2022

That the City Council authorize the City Manager to place the City's primary earthquake policy with Landmark American Insurance Company at a policy limit of \$5 million and assign excess coverage of \$70.69 million to Everest Indemnity, QBE Specialty Insurance, and General Security Insurance for a one-year term from April 19, 2021, through April 19, 2022.

5. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE CLINICAL AFFILIATION AGREEMENT WITH CALIFORNIA STATE UNIVERSITY, FULLERTON FOR A THREE-YEAR TERM

That the City Council approve and authorize the City Manager to execute the agreement with California State University, Fullerton (CSUF), which would allow CSUF students to complete their practicum in support of Community Services Department programs at the City of La Habra for a three-year term.

6. RECEIVE AND FILE SUPPLEMENTAL REPORT AND APPROVE THE SECOND READING AND ADOPTION OF ORDINANCE NO. 1833

That City Council:

A. Receive and file this report; and

B. APPROVE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1833** ENTITLED: AN ORDINANCE OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 20-03 AMENDING TITLE 18 ("ZONING") OF THE LA HABRA MUNICIPAL CODE (LHMC) BY ADDING CHAPTER 18.82 ("INCLUSIONARY HOUSING UNITS") AS PER EXHIBIT "A".

7. RECEIVE AND FILE TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2020

That the City Council receive and file the Treasurer's Investment Report for the quarter ending December 31, 2020.

8. APPROVE AND AUTHORIZE EXECUTION OF AMENDMENT NO. 1 TO COOPERATIVE AGREEMENT NO. C-6-1415 WITH THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) FOR PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS EXTENDING THE LA HABRA SPECIAL EVENT SHUTTLE SERVICES (PROJECT NO. 16-OCTA-CBT-3835) FOR 33 MONTHS UNTIL DECEMBER 31, 2023

That the City Council approve Amendment No. 1 to Cooperative Agreement No. C-6-1415 with the Orange County Transportation Authority (OCTA) for Project V Community-Based Transit/Circulators extending the La Habra Special Event Shuttle Services (Project No. 16-OCTA-CBT-3835) for 33 months until December 31, 2023.

9. APPROVE AND ADOPT A RESOLUTION APPROVING A REQUEST TO PURSUE A PROJECT DELAY FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) MEASURE M2 CALIFORNIA TRANSPORTATION FUNDING PROGRAM (CTFP) FUNDS FOR THE LA HABRA SPECIAL EVENT SHUTTLE PROJECT AS PART OF THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS PROGRAM

That City Council:

A. Approve and authorize the Director of Community Services to request a 24-month Project delay of funding and the implementation of the Initial Marketing (MARK) and ongoing maintenance and support (O&M) portions of the project from OCTA for the La Habra Community Special Event Shuttle Project, Project V Community Based Transit/Circulators Program; and

B. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA APPROVING A REQUEST TO PURSUE A PROJECT DELAY FROM THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) MEASURE M2 CALIFORNIA TRANSPORTATION FUNDING PROGRAM (CTFP) FUNDS FOR THE LA HABRA SPECIAL EVENT SHUTTLE PROJECT AS PART OF THE PROJECT V COMMUNITY-BASED TRANSIT/CIRCULATORS PROGRAM.

10. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE PROPOSED MASTER JOINT USE AGREEMENT WITH THE LA HABRA CITY SCHOOL DISTRICT

That the City Council approve and authorize the City Manager to execute the proposed Master Joint Use Agreement with the La Habra City School District.

11. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DR. TERESA EGAN FOR CHILD DEVELOPMENT TASK FORCE CONSULTANT SERVICES

That City Council approve and authorize the City Manager to execute an agreement with Dr. Teresa Egan for professional consulting services related to the La Habra Childhood Development Program's methodology and staff development, on-site assessment and curriculum development, and strategic planning at a rate of not to exceed \$5,000 per month to improve program operations.

12. WARRANTS: APPROVE NOS. 00129227 THROUGH 00129458 TOTALING \$3,492,767.95

Approve Nos. 00129227 through 00129458 totaling \$3,492,767.95.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

PUBLIC HEARINGS:

Public comments shall be limited to five (5) minutes per individual, with a total time limit of 60 minutes for all public comments, for each individual Public Hearing item on the agenda, unless otherwise modified by the Mayor or Chair. Comments must be kept brief, non-repetitive, and professional in nature.

1. DULY NOTICED PUBLIC MEETING TO CONSIDER THE FIRST READING OF AN ORDINANCE ADDING CHAPTER 5.58 ("CANNABIS BUSINESS TAX") TO TITLE 5 OF THE LA HABRA MUNICIPAL CODE

That the City Council APPROVE THE FIRST READING OF **ORDINANCE NO. _____** 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.

CONSIDERATION ITEMS:

Any member of the audience may request to address the La Habra City Council on any Consideration Item, prior to the La Habra City Council taking a final vote on the item. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per Consideration Item, unless otherwise modified by the Mayor or Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

1. CONSIDER REPEALING ORDINANCE NO. 1317 PROHIBITING FIREWORKS AND DEVELOPING REGULATIONS FOR THE SALE AND ENFORCEMENT OF FIREWORKS CITY-WIDE

That the City Council receive and file this report and take no action regarding the current prohibition of fireworks in La Habra.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS:

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.lahabracea.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