



**LA HABRA
CITY COUNCIL**

**ADJOURNED REGULAR MEETING 5:30 P.M.
&
REGULAR MEETING 6:30 P.M.
MONDAY, FEBRUARY 1, 2021**

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

**PUBLIC ADVISORY: THE COUNCIL CHAMBER
WILL NOT BE OPEN TO THE PUBLIC**

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, the Regular Meeting of the City Council for Monday, February 1, 2021, will be conducted telephonically through Zoom and broadcast live on the City's website.

Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Council Chamber will not be open for the meeting.

Councilmembers will be participating telephonically and will not be physically present in the Council Chamber. In accordance with Executive Order N-25-20, guidance from the California Department of Public Health on gatherings, and in an effort to slow the spread of COVID-19 and to ensure the health and safety of our community, remote public participation can be done by:

1. Submitting an email to cc@lahabraca.gov or by calling (562) 383-4030 no later than 5:00 p.m. on Monday, February 1, 2021.
2. Viewing the meeting live on Channel 3 and through the City of La Habra website at <http://www.lahabraca.gov/356/Archived-Council-Meetings>, and click on "Watch Live" at 6:30 p.m.
3. Participating via Zoom during the meeting on an audio only conference call by dialing 1-669-900-9128 and entering Meeting ID: 816 7245 3860, and when prompted type in the Passcode 812169.

Please note, you will enter the meeting muted, but if you want to comment during the public comment portions of the agenda, press *9, at the appropriate time indicated by the Mayor during the meeting, and your call will be selected from the meeting cue. Before you Press *9, turn off other electronic devices and turn down background noise at your location to avoid interference with your call. Please note that speakers must limit their comments to three minutes each and that the total time period for public comment is 30 minutes.

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.
2. Conference with Legal Counsel - Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4), One (1) potential case.

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: None

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 SECOND READING AND ADOPTION OF **ORDINANCE NO. 1828** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 20-05 FOR AMENDMENTS TO TITLE 18 ("ZONING"), CHAPTER 18.62 ("WIRELESS COMMUNICATION FACILITIES") TO THE LA HABRA MUNICIPAL CODE (LHMC), AS PER EXHIBIT "A"
3. APPROVE THE QUALITY RATING AND IMPROVEMENT (QRIS) BLOCK GRANT SERVICE AGREEMENT NO. 51091 FOR THE 2020-2021 SCHOOL YEAR WITH THE ORANGE COUNTY DEPARTMENT OF EDUCATION

That the City Council approve and authorize the City Manager to execute the Quality Rating and Improvement System (QRIS) Block Grant Service Agreement No. 51091 for the 2020-2021 school year with the Orange County Department of Education for continuous quality improvements for the State Preschool Program and direct staff to appropriate the grant funds for the Child Development training budget.

4. WARRANTS: APPROVE NOS. 00128578 THROUGH 00128683 TOTALING \$1,423,414.13 That the City Council approve Nos. 00128578 through 00128683 totaling \$1,423,414.13.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

PUBLIC HEARINGS:

Public comments shall be unlimited per individual, and there is no limit to the total amount of time available for public comments for each Public Hearing item on the agenda. Comments must be kept brief, non-repetitive, and professional in nature.

1. DULY NOTICED PUBLIC HEARING TO CONSIDER DEVELOPMENT AGREEMENT 20-01 FOR A CANNABIS DISTRIBUTION OPERATION WITHIN AN EXISTING INDUSTRIAL BUILDING AT 536 WEST MOUNTAIN VIEW AVENUE

That the City Council:

APPROVE THE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING DEVELOPMENT AGREEMENT 20-01 BETWEEN THE CITY OF LA HABRA AND PINNACLE WELLNESS GROUP, LLC, FOR A CANNABIS DISTRIBUTION FACILITY AT 536 WEST MOUNTAIN VIEW AVENUE, AS PER ATTACHMENT "A"

California Environmental Quality Act

This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorical Exempt pursuant to Section 15301(a), Class 1: Existing Facilities of the California Environmental Quality Act Guidelines. The project consists of a tenant improvement.

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 EXPIRING TERMS AND VACANCIES ON THE PLANNING COMMISSION, COMMUNITY SERVICES COMMISSION, AND BEAUTIFICATION COMMITTEE; AND PROVIDE STAFF DIRECTION

That the City Council direct staff to:

- A. Re-appointment eligible/interested Community Services Commissioners, and advertise the recruitments and schedule interviews for one scheduled vacancy on the Planning Commission and one scheduled vacancy on the Beautification Committee; and the one unscheduled vacancy on the Community Services Commission; or
- B. Advertise the recruitments and schedule interviews for the expiring terms, and the scheduled and unscheduled vacancies on the Planning Commission, Community Services Commission, and Beautification Committee; or
- C. Postpone the annual Commission recruitment and appointment process until March 2022, and extend any expiring terms by one year due to the current restrictions associated with the Coronavirus (COVID-19) pandemic.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCIL MEMBERS:

ADJOURNMENT: Adjourned to Tuesday, February 16, 2021 at 5:30 p.m. in the City Council Closed Session Room 112c, City Council Chamber, 100 East La Habra Boulevard, followed by the Regular Meeting at 6:30 p.m. in the City Council Chamber.

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.lahabraca.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