



City of
LA HABRA

AGENDA

**LA HABRA
CITY COUNCIL**

ADJOURNED REGULAR MEETING 5:30 P.M

&

REGULAR MEETING 6:30 P.M.

&

**REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY**

MONDAY, AUGUST 16, 2021

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

The Regular Meeting of the City Council and the Regular Joint Meeting with the La Habra Utility Authority for August 16, 2021, will be conducted in person at the City of La Habra Council Chamber, located at 100 East La Habra Boulevard, La Habra, California, but with a limited number of the members of the public attending. If there are larger numbers of the public attending there will be overflow seating in the City Hall Atrium, located at 110 East La Habra Boulevard, La Habra, California. The wearing of masks is required for those entering this facility; including those who have been fully vaccinated, to curb the spread of the COVID-19 Delta variant.

The public is also encouraged to participate in the Regular Meeting of the City Council and Regular Joint Meeting with the La Habra Utility Authority by submitting written comments via email to cc@lahabraca.gov no later than 5:00 p.m. on Monday, August 16, 2021, or by viewing the meeting live on Channel 3 and through the City of La Habra website and clicking on "[Watch Live](#)" at 6:30 p.m.

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 - Anticipated Litigation: Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: (One Case).
2. Conference with Legal Counsel -- Existing Litigation, per Government Code Section 54956.9(d) (1): Shana Gaudreau, et.al. vs. City of La Habra, Superior Court Case No. 30-2019-01064083-CU- PO- CJC.
3. Conference with Real Property Negotiator per Government Code Section 54956.8 - Property: 951 South Beach Boulevard (APN 018-371-38); City Negotiator: Jim Sadro, City Manager; Negotiating Party: Fairfield 951 Beach, LLC; Under Negotiation: Price and Terms.

ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Simonian

ROLL CALL: Mayor/Chair Espinoza
Mayor Pro Tem/Vice Chair Medrano
Councilmember/Director Gomez
Councilmember/Director Shaw
Councilmember/Director Simonian

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS:

1. RECOGNITION OF THE FENNER FAMILY AS THE 2021 BEAUTIFICATION COMMITTEE DISTRICT 1 AWARD RECIPIENT

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.

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 OF THE CITY OF LA HABRA MEETING MINUTES

That the City Council approve City Council of the City of La Habra Meeting Minutes of August 2, 2021.

3. RECEIVE AND FILE PLANNING COMMISSION MEETING MINUTES

That the City Council receive and file the Planning Commission Meeting Minutes of:

- May 24, 2021
- June 28, 2021
- July 12, 2021

4. APPROVE THE SECOND READING AND ADOPTION OF ORDINANCE NO. 1836 REGARDING SHORT-TERM RESIDENTIAL RENTALS

That the City Council:

APPROVE THE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1836** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING TITLE 18 "ZONING" BY MODIFYING SECTION 18.04.030 "TERMS DEFINED" ADDING THE DEFINITION FOR "SHORT-TERM RESIDENTIAL RENTALS" AND SECTION 18.06.040, TABLE 18.06.040.A--LAND USE MATRIX, ADDING "SHORT- TERM RESIDENTIAL RENTALS" AS A PROHIBITED USE IN THE CITY OF LA HABRA.

5. APPROVE TO WAIVE FORMAL BIDDING PROCESS, AND APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH VIGILANT SOLUTIONS FOR THE PURCHASE OF AUTOMATED LICENSE PLATE READERS AND TWO VEHICLE-MOUNTED CAMERA SYSTEMS

That the City Council waive the formal bidding process per La Habra Municipal Code 4.20.070(e) Technology Exception, and approve and authorize the City Manager to execute an agreement with Vigilant Solutions for the purchase of fixed Automated License Plate Readers for the Euclid Street/Lambert Road intersection, in addition to two vehicle-mounted camera systems. The initial cost of \$92,441 would cover the program for five years. After the five-year period, the annual system cost would be \$7,050, would cover camera license keys, and would be funded through the Asset Seizure account.

6. APPROVE A LEASE AGREEMENT WITH THE LA HABRA ART ASSOCIATION FOR THEIR CONTINUED USE OF THE CITY FACILITY LOCATED AT 151 WEST LA HABRA BOULEVARD, ROOM 102

That the City Council approve and authorize the City Manager to execute a lease agreement with the La Habra Art Association for their continued use of the City facility located at 151 West La Habra Boulevard, Room 102.

7. APPROVE THE REAFFIRMATION OF A LOCAL EMERGENCY DECLARATION DUE TO THE COVID-19 PANDEMIC

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 THE EXISTENCE OF A LOCAL EMERGENCY.

8. APPROVE NOTICE OF COMPLETION AND CHANGE ORDERS NO. 1 AND NO. 2 WITH GRANVILLE CONTRACTING & MANAGEMENT, INC. FOR THE COMMUNITY CENTER PARKING LOT DEMOLITION OF STRUCTURES LOCATED AT 115 AND 121 NORTH EUCLID STREET, PROJECT NO. 1-D-20

That the City Council:

A. Approve the Notice of Completion for the Community Center Parking Lot Demolition of Structures located at 115 and 121 North Euclid Street, City Project No. 1-D-20; and authorize staff to submit for recordation;

B. Approve Construction Change Orders No. 1 and No. 2 with Granville Contracting & Management Inc., of Brea, California, for the Community Center Parking Lot Demolition of Structures located at 115 and 121 North Euclid Street, City Project No. 1-D-20; and

C. Allocate an additional \$78,972 of Community Development Block Grant (CDBG) Funds to cover the cost of this construction contract and return \$69,009 of General Capital Project Funds to Phase 2 of this project for the design and construction of the parking lot.

9. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT FOR THE DELEGATION OF EARLY HEAD START PROGRAM OPERATIONS FOR FISCAL YEAR 2021-2022 WITH ORANGE COUNTY HEAD START, INC. (OCHS)

That the City Council approve and authorize the City Manager to execute an agreement for the Delegation of Early Head Start Program Operations for Fiscal Year 2021-2022 with Orange County Head Start, Inc. (OCHS) authorizing the City to provide Early Head Start developmental services for 50 infant/toddlers aged 0 to 3 years old and/or pregnant mothers-to-be living in La Habra in a Home-Based setting.

10. WARRANTS: APPROVE NOS. 00131031 THROUGH 00131173 TOTALING \$941,597.75; AND APPROVE WIRE TRANSFER DATED AUGUST 31, 2021, TOTALING \$457,671.20

Approve No. 00131031 through 00131173 totaling \$941,597.75; and Approve Wire Transfer dated August 31, 2021, totaling \$457,671.20.

CITY COUNCIL & UTILITY AUTHORITY:

1. APPROVE TO WAIVE FORMAL BID REQUIREMENTS, APPROPRIATE \$43,000 FROM THE UTILITY AUTHORITY WATER FUND BALANCE, AUTHORIZE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH STETSON ENGINEERS, INC. AND ISSUE A PURCHASE ORDER TO STETSON ENGINEERS, INC. TO PREPARE THE GROUNDWATER SUSTAINABILITY MANAGEMENT ACT FIVE-YEAR MANDATORY UPDATE

That the City Council and Utility Authority:

- A. Waive formal bid requirements per La Habra Municipal Code, Section 4.20.080 (B) when a service firm has established such a successful past history of work with the City that it is clearly in the public interest not to negotiate with any other source;
- B. Authorize the appropriation of \$43,000 from the Utility Authority Water Fund balance to fund the cost of this agreement; and
- C. Authorize the City Manager/Executive Director to execute a professional services agreement with Stetson Engineers, Inc. and issue a purchase order in the amount of \$43,000 to prepare the Groundwater Sustainability Act five-year mandatory update.

UTILITY AUTHORITY:

1. APPROVE LA HABRA UTILITY AUTHORITY MEETING MINUTES

That the Utility Authority approve the La Habra Utility Authority Meeting Minutes of August 2, 2021.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

PUBLIC HEARINGS: None at this time.

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.

CITY COUNCIL:

1. CONSIDER AND REVIEW THE 2021-2029 DRAFT HOUSING ELEMENT (6TH CYCLE) AND AUTHORIZE STAFF TO FORWARD THE DRAFT HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD) FOR REVIEW AND COMMENT

That the City Council approve the 2021-2029 Draft Housing Element (6th Cycle) and authorize staff to forward the Draft Housing Element to the California Department of Housing and Community Development (HCD) for review and comment.

CEQA:

This project is exempt from the California Environmental Quality Act pursuant to section 15061(b)(3) of the CEQA guidelines.

2. CONSIDER TO APPROVE AND AUTHORIZE EXECUTION OF AN EMPLOYMENT AGREEMENT FOR THE OFFICE OF THE CITY MANAGER

That the City Council:

A. Approve and authorize execution of an employment agreement for the office of City Manager with Mr. Jim Sadro, which will remain in effect unless amended or terminated by mutual agreement of both parties; and

B. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING RESOLUTION NO. 6006 PERTAINING TO A COMPENSATION PLAN FOR EXECUTIVE MANAGEMENT EMPLOYEES

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

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.lahabracalifornia.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