



City of
LA HABRA

AGENDA

**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED SPECIAL MEETING 4:30 P.M
&
REGULAR MEETING 6:30 P.M.
&
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, JUNE 5, 2023

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

The Regular Meeting of the City Council 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 for June 5, 2023, will be at the City of La Habra Council Chamber located at 100 East La Habra Boulevard, La Habra, California. The City Council Chamber will be open to the public at 6:00 p.m. and the meeting will start promptly at 6:30 p.m.

The public is encouraged to participate in the Regular Meeting of the City Council 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 by attending in person or submitting written comments via email to cc@lahabraca.gov no later than 5:00 p.m. on Monday, June 5, 2023. Written comments sent to the City by 5:00 p.m. on the day of the meeting will be printed and provided to the City Council prior to the meeting. The meeting can also be viewed live through the City of La Habra website at www.lahabraca.gov/356/Archived-Council-Videos by clicking on "Watch Live" at 6:30 p.m.

The City of La Habra live broadcasts and replays City Council Meetings on La Habra Cable Channel 3 and over the website at www.lahabraca.gov. Please note that in person attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

The City of La Habra makes every effort to comply with the Americans with Disabilities Act (ADA) in all respects. Should you need special assistance to participate in this meeting, please contact the City Clerk's Office at (562) 383-4030 or cc@lahabraca.gov prior to the meeting. Every effort will be made to provide reasonable accommodations.

ADJOURNED SPECIAL MEETING 4:30 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 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.
2. Conference with Legal Counsel Pending Litigation Pursuant to Government Code Section 54956.9(d)(1):
 - Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021-01179515-CU-WM-WJC
 - Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021-01221710-CU-BC-WJC
 - Californians for Homeownership v. City of La Habra; Orange County Superior Court, Case No. 30-2023-01325471-CU-WM-NJC
3. Public Employee Performance Evaluation pursuant to Government Code 54957(b). Title: Fire Chief.

ADJOURNMENT:

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

- CALL TO ORDER:** Council Chamber
- INVOCATION:** City Attorney/Legal Counsel Jones
- PLEDGE OF ALLEGIANCE:** Mayor/Director Gomez
- ROLL CALL:** Mayor/Director Gomez
Mayor Pro Tem/Director Nigsarian
Councilmember/Director Espinoza
Councilmember/Director Medrano
Councilmember/Director Simonian

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS: None at this time.

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 DENIAL OF LIABILITY CLAIM OF MS. DANIELLE MUNOZ**

That the City Council deny the claim of Ms. Danielle Munoz in order to set a definite six-month Statute of Limitations date.

3. **APPROVE DENIAL OF LIABILITY CLAIM OF MR. EDWARD GASPORRA**

That the City Council deny the claim of Mr. Edward Gasporra in order to set a definite six-month Statute of Limitations date.

4. **APPROVE DENIAL OF LIABILITY CLAIM OF MS. MICHELLE CASTANON**

That the City Council deny the claim of Ms. Michelle Castanon in order to set a definite six-month Statute of Limitations date.

5. **APPROVE DENIAL OF LIABILITY CLAIM OF MS. JUANA HED**

That the City Council deny the claim of Ms. Juana Hed in order to set a definite six-month Statute of Limitations date.

6. **APPROVE CALIFORNIA STATE PRESCHOOL (CSPP) PROGRAM CONTRACT, AMENDMENT 01 FOR SCHOOL YEAR 2022-2023**

That the City Council:

A. Approve and authorize the City Manager to accept Amendment 01 to Contract CSPP-2327 from the California State Department of Education, Child Development Services for the 2022-2023 School Year; and,

B. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE ACCEPTANCE OF LOCAL AGREEMENT NUMBER CSPP-2327 AMENDMENT 01, WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.

7. APPROVE GENERAL CHILD CARE (CCTR) PROGRAM CONTRACT, AMENDMENT 01 FOR 2022-2023 SCHOOL YEAR

That the City Council:

A. Approve and authorize the City Manager to accept Contract Amendment 01 to CCTR-2165 with the Department of Social Services for the 2022-2023 School Year; and,

B. APPROVE AND ADOPT RESOLUTION NO. _____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE ACCEPTANCE OF LOCAL AGREEMENT NO. CCTR-2165, WITH THE CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES.

8. APPROVE AGREEMENT WITH GREAT WESTERN INSTALLATIONS, INC. FOR PLAYGROUND SURFACE REPAIRS AT THE CHILD DEVELOPMENT CENTER (CDC) AND THE CLAIR BROWN CENTER (CBC)

That the City Council:

A. Approve the plans and specifications for the Child Development Playground Renovations for Playground Surface Repairs for the Child Development Center (CDC) located at 401 South Euclid Street and the Clair Brown Center (CBC) Located at 305 South Euclid Street;

B. Authorize the City Manager to execute an agreement with Great Western Installations, Inc. in the amount of \$87,750 and reject all other bids;

C. Approve an appropriation of \$18,698.16 from the California State Preschool Contract Fund and \$69,051.84 from the General Child Care Contract Fund to complete the necessary funding for this project; and,

D. Authorize the City Manager to execute an agreement with Great Western Installations, Inc. in the amount of \$87,750 and authorize staff to issue a purchase order to Great Western Installations, Inc. in the amount of \$87,750.

9. APPROVE LAND LEASE AGREEMENT WITH THE ORANGE COUNTY HEAD START FOR THE CONTINUED USE OF CITY PROPERTY LOCATED AT 1060 WEST LAMBERT ROAD FOR HEAD START OPERATIONS

That the City Council approve and authorize the City Manager to execute a five-year lease extension with the Orange County Head Start for the use of the City-owned property at 1060 West Lambert Road to provide Head Start classes.

10. APPROVE PARCEL MAP NO. 2022-131 AT 777 SOUTH BEACH BOULEVARD, AS SUBMITTED, AND ACCEPT THE DEDICATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES ON BEACH BOULEVARD AND ALL VEHICULAR ACCESS RIGHTS TO LAMBERT ROAD AND BEACH BOULEVARD EXCEPT AT APPROVED ACCESS LOCATIONS

That the City Council approve Parcel Map No. 2022-131 at 777 South Beach Boulevard, as submitted, and accept the dedication for public street and public utility purposes on Beach Boulevard and all vehicular access rights to Lambert Road and Beach Boulevard except at approved access locations.

11. APPROVE AWARD OF CONTRACT TO CALIFORNIA CUSTOM ELECTRIC FOR THE MONTWOOD PARK LIGHTING PROJECT, CITY PROJECT NO. 3-P-22

That the City Council

A. Approve Plans and Specifications for Montwood Park Lighting Project, City Project No. 3-P-22;

B. Award a construction contract for Montwood Park Lighting Project, City Project No. 3-P-22 (Project), to California Custom Electric of Corona, California, in the amount of \$54,413; and,

C. Authorize the City Manager to execute an Agreement with California Custom Electric of Corona, California in the amount of \$54,413 and authorize staff to issue a purchase order to California Custom Electric of Corona, California in the amount of \$65,000, which includes an approximate 20 percent contingency.

12. APPROVE AGREEMENTS FOR ON-CALL PROFESSIONAL ENGINEERING, CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES FOR FISCAL YEAR 2023-2024 THROUGH FISCAL YEAR 2025-2026

That the City Council:

A. Approve and authorize the City Manager to execute agreements with (1) JMDiaz, Inc., (2) KOA Corporation, (3) Willdan Engineering for On-Call Professional Engineering, Construction Management, and Inspection Services for Fiscal Year 2023-2024 through Fiscal Year 2025-2026; and,

B. Authorize staff to issue purchase orders to (1) JMDiaz, Inc., (2) KOA Corporation, (3) Willdan Engineering, for Fiscal Year 2023-2024 through Fiscal Year 2025-2026, for a not-to-exceed amount of \$450,000 per consultant, per fiscal year.

13. APPROVE AGREEMENTS WITH TRUE NORTH COMPLIANCE SERVICES, INC., TRANSTECH ENGINEERING, AND VCA CODE TO PROVIDE PROFESSIONAL BUILDING PLAN CHECK, GRADING PLAN CHECK AND BUILDING INSPECTION SERVICES

That the City Council approve and authorize the City Manager to enter into three, three-year agreements with True North Compliance Services, Inc., Transtech Engineering, and VCA Code, to provide professional building plan check, grading plan check, and building inspection services on an as-needed basis.

14. WARRANTS: APPROVE NOS. 00139024 THROUGH 00139342 TOTALING \$2,601,408.22

That the City Council approve Nos. 00139024 through 00139342 totaling \$2,601,408.22.

SUCCESSOR AGENCY:

1. APPROVE A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA, CALIFORNIA, DECLARING PROPERTY COMMONLY KNOWN AS A PORTION OF THE LA HABRA MARKET PLACE SHOPPING CENTER PARKING LOT, APN 018-381-64, AS EXEMPT SURPLUS LAND

That the Successor Agency:

A. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA, CALIFORNIA, DECLARING PROPERTY COMMONLY KNOWN AS A PORTION OF THE LA HABRA MARKET PLACE PARKING LOT, APN 018-381-64 AS EXEMPT SURPLUS LAND;

B. Authorize staff to submit a copy of the Resolution to the California Department of Housing and Community Development for review; and,

C. Authorize staff to prepare and release advertisements and associated public notices soliciting proposals from interested parties for the disposition of the property.

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.

CITY COUNCIL PUBLIC HEARING ITEM:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER RESOLUTIONS OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES, AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS

That the City Council:

A. APPROVE AND ADOPT RESOLUTION NO. _____ ENTITLED A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS; and,

B. APPROVE AND ADOPT RESOLUTION NO. _____ ENTITLED A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA EXTENDING REDUCED RATES FOR SOLID WASTE SANITATION FEES AND SOLID WASTE FRANCHISE FEES.

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, AGENCY & AUTHORITIES CONSIDERATION ITEM:

1. RECEIVE AND FILE THE FISCAL YEAR 2023-2024 PROPOSED BUDGET PRESENTATION

That the City Council receive and file the Proposed Fiscal Year 2023-2024 (FY23-24) Budget Presentation and direct staff regarding any revisions.

2. STATUS UPDATE ON FIRE SERVICES AGREEMENT NEGOTIATIONS WITH THE LOS ANGELES COUNTY FIRE DEPARTMENT

That the City Council receive and file this report on the status of fire services agreement negotiations with the Los Angeles County Fire Department, and provide direction to staff regarding terms and conditions.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

ADJOURNMENT: Adjourned to Monday, June 19, 2023, at 5:30 p.m. in the City 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.

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.

Rhonda J. Barone, CMC
City Clerk/Secretary