



**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING 5:30 P.M.
&
REGULAR MEETING 6:30 P.M.
&
REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY
MONDAY, AUGUST 7, 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 La Habra Utility Authority for August 7, 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 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, August 7, 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 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 Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees and Police Civilian Employees.
2. Conference with Legal Counsel - Anticipated Litigation; Initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: (one case).
3. Conference with Legal Counsel Pending Litigation Pursuant to Government Code Section 54956(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.
4. Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021-01221710-CU-BC-WJC.
5. Conference with Legal Counsel Significant Exposure to Litigation Pursuant to Government Code Section 54956(d)(2) and (e)(1); One (1) Potential Case.

ADJOURNMENT:

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

CALL TO ORDER: Council Chamber

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Espinoza

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

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS:

1. RECOGNITION OF THE CANDELARIA FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT
2. RECOGNITION OF LA HABRA KEYSTONE ACHIEVERS, BOYS & GIRLS CLUB 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.

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 the City Council of the City of La Habra Meeting Minutes of July 17, 2023.

3. **RECEIVE AND FILE PLANNING COMMISSION OF THE CITY OF LA HABRA MEETING MINUTES**

That the City Council receive and file the Planning Commission of the City of La Habra meeting minutes of:

- January 23, 2023
- February 13, 2023
- March 13, 2023
- April 10, 2023
- April 24, 2023
- May 8, 2023
- June 12, 2023

4. **APPROVE DENIAL OF LIABILITY CLAIM OF MR. GEORGE MALDONADO**

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

5. **APPROVE DENIAL OF LIABILITY CLAIM OF MR. ALEXANDRO GONZALEZ**

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

6. **APPROVE DENIAL OF LIABILITY CLAIM OF INFINITY METALS INC.**

That the City Council deny the claim of Infinity Metals Inc. in order to set a definite six-month Statute of Limitations date.

7. APPROVE DENIAL OF LIABILITY CLAIM OF MS. CARMELA STUART

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

8. APPROVE THE U.S. DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT UNDER THE FISCAL YEAR 2022 SAFE STREETS AND ROADS FOR ALL (SS4A) GRANT PROGRAM, AUTHORIZE THE ALLOCATION OF CITY MATCHING FUNDS, AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE AGREEMENT

That the City Council:

A. Approve the U.S. Department of Transportation Grant Agreement Under the Fiscal Year 2022 Safe Streets and Roads For All (SS4A) Grant Program; and

B. Authorize the allocation of City matching funds; and

C. Approve and authorize the City Manager to execute the agreement.

9. APPROVE NOTICE OF COMPLETION TO ELECNOR BELCO ELECTRIC, INC. FOR THE HARBOR BOULEVARD AND ARBOLITA DRIVE TRAFFIC SIGNAL MODIFICATION, FY 2020-2021, CITY PROJECT NO. 1-TC-20

That the City Council approve the Notice of Completion to Elecnor Belco Electric, Inc. for the Harbor Boulevard and Arbolita Drive Traffic Signal Modification, FY 2020-2021, City Project No. 1-TC-20, and authorize staff to submit the notice for recordation.

10. APPROVE A RESOLUTION AND THE ISSUANCE OF A LIVE ENTERTAINMENT PERMIT FOR THE LA HABRA 300 BOWL AT 370 EAST WHITTIER BOULEVARD FOR A ONE-YEAR PERIOD

That the City Council:

A. Consider and approve the Live Entertainment Permit for the La Habra 300 Bowl at 370 East Whittier Boulevard for a one-year period, subject to conditions; and

B. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING THE LIVE ENTERTAINMENT PERMIT FOR 370 EAST WHITTIER BOULEVARD FOR A ONE-YEAR PERIOD, SUBJECT TO CONDITIONS.

11. APPROVE RESOLUTIONS ADOPTING MEMORANDUMS OF UNDERSTANDING WITH LA HABRA POLICE ASSOCIATION SWORN AND CIVILIAN, AND APPROVE A RESOLUTION AMENDING RESOLUTION 6115 PERTAINING TO COMPENSATION FOR EXEMPT POLICE MANAGEMENT

That the City Council:

A. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING MEMORANDUMS OF UNDERSTANDING BETWEEN THE CITY OF LA HABRA AND THE LA HABRA POLICE ASSOCIATION SWORN AND CIVILIAN PERSONNEL; and

B. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING RESOLUTION NO. 6115 PERTAINING TO A COMPENSATION PLAN FOR POLICE MANAGEMENT EMPLOYEES; and

C. Approve an appropriation of funds from the Fiscal Year 2022-2023 adopted budget for the first year cost of one-time lump sum pay adjustments for the stated employee groups.

12. WARRANTS: APPROVE NOS. 00139882 THROUGH 00140230 TOTALING \$5,059,919.02; AND APPROVE WIRE TRANSFERS DATED 7/31/23, TOTALING \$1,396,200.00

That the City Council approve Nos.00139882 through 00140230 totaling \$5,059,919.02; and approve Wire Transfer dated 7/31/23, totaling \$1,396,200.00.

CITY COUNCIL & UTILITY AUTHORITY:

1. APPROVE REJECTION OF BIDS FOR OC-4 REHABILITATION, CITY PROJECT NO. 2-W-23

That the City Council and Utility Authority reject all bids for OC-4 Rehabilitation, City Project No. 2-W-23.

2. APPROVE AWARD OF CONTRACT TO LUCAS BUILDERS, INC., FOR EUCLID WATER MAIN REPLACEMENT CITY PROJECT 1-W-21

That the City Council and Utility Authority:

A. Approve the Plans and Specifications for Euclid Water Main Replacement, City Project No. 1-W-21; and

B. Award a construction contract for the Euclid Water Main Replacement, City Project No. 1-W-21, to Lucas Builders, Inc., of La Habra, California, in the amount of \$1,372,662 and reject all other bids; and

C. Authorize the City Manager/Executive Director to execute an agreement with Lucas Builders, Inc., of La Habra, California, in the amount of \$1,372,662, and authorize staff to issue a purchase order to Lucas Builders, Inc of La Habra, California, in the amount of \$1,650,795; which includes a twenty percent (20%) contingency.

UTILITY AUTHORITY:

1. APPROVE CITY OF LA HABRA UTILITY AUTHORITY MEETING MINUTES

That the City of La Habra Utility Authority approve the Utility Authority Meeting Minutes of:

- February 21, 2023
- March 6, 2023
- March 20, 2023
- April 3, 2023
- April 17, 2023
- May 1, 2023
- May 15, 2023
- June 5, 2023
- June 19, 2023
- July 3, 2023
- July 17, 2023

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:

1. CONDUCT A DULY NOTICED PUBLIC HEARING ON ADOPTION OF A RESOLUTION AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO REFUSE COLLECTION FEES

That the City Council:

A. Conduct a duly noticed public hearing on a resolution amending the Master Schedule of Fees pertaining to refuse collection fees; and

B. ADOPT AND APPROVE RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO REGULATED REFUSE COLLECTION FEES CHARGED BY CR&R TO ITS CUSTOMERS.

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 AMENDMENT TO THE REWARD FUND PROGRAM BY ELIMINATING THE ESTABLISHED BOARD OF DIRECTORS TO A NEW STREAMLINED PROCESS TO FACILITATE A QUICKER RESPONSE TO SERIOUS CRIMES AGAINST PERSONS OR PROPERTY

That the City Council:

A. Consider and approve staff recommendations for improvements to the Reward Fund Program; and

B. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, DISBANDING THE LA HABRA REWARD FUND COMMITTEE AND ESTABLISHING A PROCEDURE FOR THE CITY OF LA HABRA TO PROVIDE REWARDS FOR INFORMATION LEADING TO FELONY ARRESTS.

2. CONSIDER THE DESIGNATION OF VOTING DELEGATE AND ALTERNATES TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE

That the City Council designate a voting delegate and up to two (2) alternate voting delegates to attend the League of California Cities (Cal Cities) Annual Conference in Sacramento, September 20-22, 2023.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

ADJOURNMENT: Adjourned to Monday, August 21, 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