



City of
LA HABRA

AGENDA

**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, NOVEMBER 21, 2022**

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 November 21, 2022, 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 Council Chamber will be open for public seating and speakers when the Mayor opens public comment periods. Effective March 1, 2022, the wearing of masks is no longer required for those entering this facility.

The public is also encouraged to participate in the Regular Meeting of the City Council and the Regular Joint Meeting with the La Habra Utility Authority by submitting written comments via email to cc@lahabracal.gov no later than 5:00 p.m. on Monday, November 21, 2022, or by viewing the meeting live 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. Worker's Compensation Claim per Government Code Section 54956.95; Claimant: Jeff Swaim EAMS No. ADJ10752327 and EAMS No. ADJ10754833.
2. 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).

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/Chair Medrano

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

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS:

1. PROCLAIM NOVEMBER 2022 AS "FAMILY COURT AWARENESS MONTH" IN THE CITY OF LA HABRA
2. PRESENTATION BY THE ORANGE COUNTY TRANSPORTATION AUTHORITY (OCTA) REGARDING M2 STREETS AND ROADS PROGRAM MILESTONE
3. PRESENTATION BY THE CITY OF LA HABRA POLICE DEPARTMENT

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 November 7, 2022.

3. APPROVE A RESOLUTION REAFFIRMING THE REQUIRED FINDINGS TO CONTINUE TO ALLOW REMOTE CITY COUNCIL MEETINGS AS REQUIRED BY AB 361

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, MAKING THE LEGALLY REQUIRED FINDINGS TO CONTINUE TO AUTHORIZE THE CONDUCT OF REMOTE "TELEPHONIC" MEETINGS DURING THE STATE OF EMERGENCY.

4. APPROVE PLANS AND SPECIFICATIONS AND AWARD CONTRACT TO AMERICAN ASPHALT SOUTH, INC., FOR CONSTRUCTION OF ANNUAL RESIDENTIAL STREET REHABILITATION FISCAL YEAR 2019-2020 AND FISCAL YEAR 2021-2022

That the City Council:

A. Approve Plans and Specifications for Annual Residential Street Rehabilitation Fiscal Year 2019-2020 and Fiscal Year 2021-2022, City Project No. 1-R-20; and

B. Award a construction contract for Annual Residential Street Rehabilitation Fiscal Year 2019-2020 and Fiscal Year 2021-2022, City Project No. 1-R-20 to American Asphalt South Inc., of Riverside, California in the amount of \$598,427.50 and reject all other bids; and

C. Authorize the City Manager to execute an agreement with American Asphalt South, Inc., California in the amount of \$598,427.50 and authorize staff to issue a purchase order to American Asphalt South, Inc., of Riverside, California in the amount of \$718,113.00, which includes a 20 percent contingency.

5. CONSIDER APPROVAL OF AN AFFORDABLE HOUSING AGREEMENT WITH OLSON URBAN V - LA HABRA 3, LLC, A DELAWARE LIMITED LIABILITY COMPANY FOR RESTRICTION OF 12 UNITS TO BE MADE AVAILABLE TO MODERATE-INCOME HOUSEHOLDS THROUGH DENSITY BONUS FOR THE PROPERTY LOCATED AT 251-351 WEST IMPERIAL HIGHWAY

That the City Council approve an Affordable Housing Agreement with Olson Urban V-La Habra 3, LLC, a Delaware limited liability company (Developer).

6. APPROVE NOTICE OF COMPLETION FOR ANNUAL SIDEWALK AND ACCESS RAMP IMPROVEMENTS FY2020-2021, CITY PROJECT NO. 3-R-20

That the City Council approve the Notice of Completion for the Annual Sidewalk and Access Ramp Improvements, Fiscal Year 2020-2021, Project No. 3-R-20, and authorize staff to send the Notice of Completion for recordation.

7. ISSUE A PURCHASE ORDER TO NATIONAL AUTO FLEET GROUP, WATSONVILLE, CALIFORNIA, IN THE AMOUNT OF \$331,450.84 FOR SIX NEW POLICE PURSUIT VEHICLES AND ONE ADMINISTRATIVE POLICE VEHICLE

That the City Council:

A. Per La Habra Municipal Code Section 4.20.070 (C), utilize the cooperative purchase provision of a competitively bid contract awarded by Sourcewell, formally known as National Joint Powers Alliance (NJPA), master vehicle contract #091521-NAF for the purchase of seven new City Police vehicles to replace existing stock; and

B. Authorize the City Manager to issue a purchase order in the amount of \$331,450.84 from Fleet Replacement Fund to National Auto Fleet Group, Watsonville, California, for the purchase of six new Police Pursuit vehicles and one new police administration vehicle to replace existing stock.

8. APPROVE PLANS AND SPECIFICATIONS AND AWARD CONTRACT TO PALP, INC., DBA EXCEL PAVING COMPANY, FOR THE CONSTRUCTION OF THREE NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM (NTMP) PROJECTS

That the City Council:

A. Approve the Plans and Specifications for the Construction of NTMP Neighborhoods K, L, & M Traffic Management Plans, City Project No. 3-TC-19; Neighborhoods J, F, & N Traffic Management Plans, City Project No. 3-TC-20; and Neighborhoods E, A, & C Traffic Management Plans, City Project No. 4-TC-20;

B. Approve award of contract to PALP, Inc., dba Excel Paving Company of Long Beach, California, in the amount of \$497,820 for the Construction of NTMP Neighborhoods K, L, & M Traffic Management Plans, City Project 3-TC-19; Neighborhoods J, F, & N Traffic Management Plans, City Project 3-TC-20; and Neighborhoods E, A, & C Traffic Management Plans, City Project 4-TC-20;

C. Amend the adopted budget to exchange previously budgeted General Capital Projects funds with available unencumbered Traffic Impact Fee funds in the amount of \$336,740;

D. Appropriate \$210,862 in additional funding from available unencumbered Traffic Impact Fees for the Project to fully fund construction, construction management, and inspection services; and,

E. Authorize the City Manager to execute an Agreement with PALP, Inc., dba Excel Paving Company of Long Beach, California, in the amount of \$497,820, and authorize staff to issue a purchase order to PALP, Inc., dba Excel Paving Company of Long Beach, California, in the amount of \$547,602; which includes a ten percent (10%) contingency.

9. APPROVE AWARD OF CONTRACT TO AID BUILDERS, INC., FOR EAST BISHOP STORM DRAIN IMPROVEMENTS PROJECT, CITY PROJECT NO. 1-D-16

That the City Council:

A. Approve the Plans and Specifications for the East Bishop Storm Drain Improvements Project, City Project No. 1-D-16;

B. Award construction contract for the East Bishop Storm Drain Improvements Project, City Project No. 1-D-16 to AID Builders, Inc., of Los Alamitos, California, in the amount of \$1,778,657 and reject all other bids;

C. Authorize the City Manager to execute an agreement with AID Builders, Inc., of Los Alamitos, California, in the amount of \$2,134,388; which includes a 20 percent contingency; and,

D. Appropriate \$1,519,791 from the American Rescue Plan Act Fund (ARPA) to provide funding for the cost of construction, inspection, and materials testing for the East Bishop Storm Drain Improvements Project, City Project No. 1-D-16.

10. WARRANTS: APPROVE NOS. 00136490 THROUGH 00136680 TOTALING \$1,713,205.83

That the City Council approve Nos. 00136490 through 00136680 totaling \$1,713,205.83.

CITY COUNCIL & UTILITY AUTHORITY:

1. APPROVE AWARD OF CONTRACT TO GLENN CHAVEZ CONSTRUCTION, OF BREA, CALIFORNIA, FOR THE INSTALLATION OF THE HELI-HYDRANT PROJECT, CITY PROJECT NO. 1-W-23

That the City Council and Utility Authority:

A. Approve a construction contract with Glenn Chavez Construction, of Brea, California, for the installation of the Heli-Hydrant Project, City Project No. 1-W-23;

B. Approve and authorize the City Manager/Executive Director to execute an agreement with Glenn Chavez Construction, of Brea, California; and,

C. Authorize staff to issue a purchase order in the amount of \$250,000, to Glenn Chavez Construction, of Brea, California, which includes a 10 percent contingency.

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.

1. CONSIDER SETTING A DATE TO CONDUCT A PUBLIC HEARING TO CONSIDER AN AMENDMENT OF CHAPTER 9.22 ("FIREWORKS") OF SECTION 9.22.030 ("ENFORCEMENT") OF THE LA HABRA MUNICIPAL CODE (LHMC) RELATING TO FIREWORKS USE, DISCHARGE, POSSESSION, STORAGE AND SALE ON PRIVATE PROPERTY ALLOWING FOR ENFORCEMENT ACTION AGAINST SOCIAL HOSTS OF FIREWORKS BY INCREASING THE MAXIMUM FINE AMOUNT TO \$2,000

That the City Council consider setting a date to conduct a Public Hearing to consider an amendment of Chapter 9.22 ("Fireworks") of Section 9.22.030 ("Enforcement") of the La Habra Municipal Code (LHMC) that would double the maximum fine for the possession and/or use of fireworks from the current maximum of \$1,000 to a maximum of \$2,000.

COMMENTS FROM STAFF:

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

ADJOURNMENT: Adjourned to Monday, December 5, 2022, 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.lahabracaca.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
Assistant City Clerk/Secretary