

AGENDA



**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING**

**MONDAY, APRIL 20, 2020
6:30 P.M.**

**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 April 20, 2020 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@lahabracal.gov or by calling (562) 383-4030 no later than 5:15 p.m. on Monday, April 20, 2020.
2. Viewing the meeting live on Channel 3 and through the City of La Habra website at <http://www.lahabracal.gov/356/Archived-Council-Meetings> at 6:30 p.m.
3. Participating via Zoom during the meeting on an audio only conference call by dialing **1-253-215-8782** and entering **Meeting ID: 370-253-996**. 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. Once you hear that you are unmuted, that is the time to make your public comments. 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.: Canceled

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber (telephonically)

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Beamish

ROLL CALL: Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Medrano
Councilmember Shaw
Councilmember Gomez

CLOSED SESSION ANNOUNCEMENT:

I. PROCLAMATIONS/PRESENTATIONS:

- a. Proclaim April 25, 2020, as "Earth Day/Arbor Day" in the City of La Habra.

II. PUBLIC COMMENTS:

This is the time for the public to address any item of interest to the public that is within the subject matter jurisdiction of the City NOT appearing on this Agenda. If the public addresses anything OUTSIDE the subject matter jurisdiction of the City NOT appearing on this Agenda, they are subject to immediate disconnection from Public Comments. Speakers must limit their comments to three (3) minutes each. The total time period for public comment is 30 minutes. (Note: Per Government Code Section 54954.3(a), the City Council cannot take action or express a consensus of approval or disapproval on any public comments regarding matters which do not appear on the printed agenda).

III. CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Councilmember 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. The public will have the opportunity to address City Council on removed items at that time. **Speakers must limit their comments to three (3) minutes each.**

A. PROPOSED ITEMS:

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 Minutes of April 6, 2020.
3. Approve denial of claim for Douglas Williams for Bodily Injury.

4. Approve to waive the formal bid procedures and award construction contract for the Russell Street Storm Drain Improvement from Valley Home Avenue to Roanoke Street, City Project No. 3-D-19 to Precision Pipeline, Inc., of Santa Fe Springs, California, in the amount of \$118,898 and reject all other bids; and authorize City Manager to execute an agreement with Precision Pipeline, Inc. of Santa Fe Springs, California in the amount of \$118,898; and authorize staff to issue a purchase order to Precision Pipeline, Inc., of Santa Fe Springs, California, in the amount of \$130,787, which includes a 10 percent contingency.
5. Approve and adopt a resolution identifying a List of Projects for Fiscal Year 2020-2021 funded by SB 1: The Road Repair and Accountability Act of 2017.
 - a. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2020-2021 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.
6. Approve and authorize City Manager to execute Amendment No. 1 with Tetra Tech BAS, Inc., of Diamond Bar, California to extend the term for professional engineering services for the design of the Vista Grand Park project.
7. Approve and authorize the City Manager to execute the KaBOOM! Community Partner Agreement for the El Centro "Lions" Park playground installation project.
8. WARRANTS: Approve Nos. 00125412 through 00125554 totaling \$569,742.40; and WIRE TRANSFER: Approve Wire Date April 29, 2020, for a total of \$674,182.50.

IV. CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

V. PUBLIC HEARINGS:

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

1. Duly noticed public hearing to consider an ordinance authorizing the transfer of a pipeline franchise from Matrix Pipeline, LP (Matrix) to RMX Resources, LLC (RMX) to operate and maintain pipelines and appurtenances for the transportation of petroleum, oil, gas, gasoline, water, and other like substances in the City of La Habra; and authorize the Mayor to execute the Assignment and Assumption of Pipeline Franchise Agreement by and between the City of La Habra, Matrix Pipeline, LP, and RMX Resources, LLC.

Recommendation:

- a. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA AUTHORIZING THE TRANSFER OF A PIPELINE FRANCHISE TO RMX RESOURCES, LLC TO OPERATE AND MAINTAIN CERTAIN PIPELINES AND APPURTENANCES FOR THE TRANSPORTATION OF PETROLEUM, OIL, GAS, GASOLINE, WATER, AND OTHER LIKE SUBSTANCES IN THE CITY OF LA HABRA.

2. Duly noticed public hearing to consider approval of the Community Development Block Grant (CDBG) Program approval of the 2020-2024 Consolidated Plan, the Fiscal Year 2020-2021 Annual Action Plan, and the 2020-2024 Regional Analysis of Impediments to Fair Housing Choice.

Recommendation:

- a. Receive public comments;
 - b. Consider and approve the 2020-2024 Consolidated Plan for the City of La Habra Community Development Block Grant (CDBG) Program and authorize City Manager to submit the Consolidated Plan to the U.S. Department of Housing and Urban Development;
 - c. Consider and approve the Fiscal Year 2020-2021 Annual Action Plan for the City of La Habra Community Development Block Grant Program;
 - d. Authorize City Manager to execute the City of La Habra annual application and certifications and submit the Annual Action Plan to the U.S. Department of Housing and Urban Development for its Community Development Block Grant funding approval/agreement in the amount of \$680,282, plus \$465,585 of prior year carryover funds; and
 - e. Consider and approve the 2020-2024 Regional Analysis of Impediments to Fair Housing Choice and authorize the City Manager to submit the Regional Analysis of Impediments to Fair Housing Choice to the U.S. Department of Housing and Urban Development.
3. Duly noticed public hearing to consider Environmental Impact Report 18-01 (SCH# 2019060214); General Plan Amendment 18-02; Zone Change 18-06; Planned Unit Development Master Plan 19-01; and Development Agreement 18-04 for the construction of a 58-unit residential condominium complex at 104-118 East Electric Avenue. A Notice of Availability (NOA) for the Draft Environmental Impact Report was prepared pursuant to Section 15072 of the California Environmental Quality Act (CEQA) Guidelines. The NOA was circulated for public review and comment on January 23, 2020 for a 45-day review period ending on March 9, 2020. Copies of the reports were made available at the Community Development public counter at City Hall, on the City website, and at the La Habra Branch of the Orange County Library system.

Recommendation:

- a. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT 18-01 (SCH #2019060214) "VOLARA TOWNHOMES" FOR A 58-UNIT RESIDENTIAL CONDOMINIUM PROJECT FOR THE PROPERTIES AT 104-118 EAST ELECTRIC AVENUE, HERETO ATTACHED AS EXHIBIT "A" AND WHICH INCLUDES THE DRAFT EIR, RESPONSE TO COMMENTS, THE MITIGATION MONITORING AND REPORTING PROGRAM, AND THE STATEMENT OF FINDINGS OF FACT.
- b. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING GENERAL PLAN AMENDMENT 18-02 CHANGING THE LAND USE DESIGNATION FROM "LIGHT INDUSTRIAL" TO "RESIDENTIAL MULTI-FAMILY 1" FOR THE PROPERTY AT 118 EAST ELECTRIC AVENUE, AS PER EXHIBIT "A."

- c. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING ZONE CHANGE 18-06 APPLYING THE R-4 “MULTIPLE FAMILY DWELLING” ZONE TO 118 EAST ELECTRIC AVENUE AND APPLYING THE PLANNED UNIT DEVELOPMENT (PUD) OVERLAY ZONE FOR THE PROPERTIES AT 104-118 EAST ELECTRIC AVENUE, AS PER EXHIBIT “A.”
- d. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING PLANNED UNIT DEVELOPMENT MASTER PLAN 19-01 FOR THE PROPERTIES AT 104-118 EAST ELECTRIC AVENUE, MAKING THE APPROPRIATE FINDINGS, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS.
- e. APPROVE FIRST READING OF **ORDINANCE NO. _____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING DEVELOPMENT AGREEMENT 18-04 WITH BONANNI DEVELOPMENT FOR THE DEVELOPMENT OF A 58-UNIT RESIDENTIAL CONDOMINIUM PROJECT AT 104-118 EAST ELECTRIC AVENUE, AS PER ATTACHMENT “A.”

VI. CONSIDERATION ITEMS:

Any member of the public may request to address the City Council on any Consideration Item, prior to the City Council taking a final vote on the Item. The Mayor will invite interested persons to speak as each Item is called. **Speakers must limit their comments to three (3) minutes each.**

- 1. Consider the City of La Habra proposed Fiscal Year 2020-2021 Legislative Platform.

Recommendation:
a. Adopt the City of La Habra proposed Fiscal Year 2020-2021 Legislative Platform and authorize staff to prepare letters of support or opposition to legislative bills for the Mayor’s signature as needed and in accordance with the Legislative Platform.
- 2. Consider appointment of three at-large residents to the General Plan Advisory Committee (GPAC).

Recommendation:
a. That Mayor Pro Tem Espinoza, Councilmember Gomez, and Councilmember Medrano each select one at-large resident member to be appointed to the City’s General Plan Advisory Committee (GPAC) for approval by City Council.

VII. MAYOR’S COMMUNITY CALENDAR:

VIII. COMMENTS FROM STAFF:

IX. COMMENTS FROM COUNCILMEMBERS:

- X. **ADJOURNMENT:** Adjourned to Monday, May 4, 2020, at 5:30 p.m. in the 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 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 (562) 383-4030.

DECLARATION: This agenda was posted on the bulletin boards outside of the south entrance of City Hall and Council Chamber, where completely accessible to the public, at least 72 hours in advance of the City Council Meeting.

Laurie Swindell, CMC, City Clerk