



City of
LA HABRA

AGENDA

**LA HABRA
CITY COUNCIL**

**ADJOURNED REGULAR MEETING 5:30 P.M.
&
REGULAR MEETING 6:30 P.M.**

MONDAY, JULY 20, 2020

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

**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 July 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@lahabracalifornia.gov or by calling (562) 383-4030 no later than 5:15 p.m. on Monday, July 20, 2020.
2. Viewing the meeting live on Channel 3 and through the City of La Habra website at <http://www.lahabracalifornia.gov/356/Archived-Council-Meetings>, and click on "Watch Live" at 6:30 p.m.
3. Participating via Zoom during the meeting on an audio only conference call by dialing 1-669-900-9128 and entering Meeting ID: 856 1629 2154. 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. Before you Press *9, turn off other electronic devices and turn down background noise at your location to avoid interference with your call. 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.:

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 - Anticipated Litigation - Initiation of litigation pursuant to Government Code Section 54956.9(d)(2).

ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

- CALL TO ORDER:** Council Chamber
- INVOCATION:** City Attorney Jones
- PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Espinoza
- ROLL CALL:** Mayor Beamish
Mayor Pro Tem Espinoza
Councilmember Gomez
Councilmember Medrano
Councilmember Shaw

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS:

1. RECOGNITION OF PLANNING COMMISSIONER RAY FERNANDEZ FOR HIS SERVICE TO THE CITY OF LA HABRA
Presentation of Certificate of Recognition to Ray Fernandez for his service as a Planning Commissioner.

PUBLIC COMMENTS: When addressing the City Council, please complete a Speaker's Card before leaving the Council Chamber.

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. Speakers must limit their comments to three (3) minutes each. The total time period for public comment is 30 minutes. 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.

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. Members of the audience will have the opportunity to address Council on removed items at that time. Speakers must limit their comments to three (3) minutes each.

1. PLANNING COMMISSION MEETING MINUTES

Receive and file Planning Commission Meeting Minutes of:

- April 27, 2020
- May 11, 2020
- May 26, 2020

2. APPROVE DENIAL OF LIABILITY CLAIM OF CRISTA AND JOHN LANTZ FOR PROPERTY DAMAGE

Staff recommends that the claim of Crista and John Lantz be denied in order to set a definite six-month Statute of Limitations date.

3. APPROVE DENIAL OF LIABILITY CLAIM OF STATE FARM INSURANCE FOR PROPERTY DAMAGE

Staff recommends that the claim of State Farm Insurance be denied in order to set a definite six-month Statute of Limitations date.

4. APPROVE NOTICE OF COMPLETION FOR THE LA HABRA BOULEVARD REHABILITATION PROJECT BEACH BOULEVARD TO IDAHO STREET, PROJECT NO. 5-R-18

That the City Council approve the Notice of Completion for the La Habra Boulevard Rehabilitation Project Beach Boulevard to Idaho Street, Project No. 5-R-18; and authorize staff to submit the notice for recordation.

5. APPROVE AND AUTHORIZE CITY MANAGER TO EXECUTE AMENDMENT NO. 1 TO A CONTRACT WITH VIDEO VOICE DATA COMMUNICATIONS (VOLTAIC DIVISION) FOR THE CITY HALL CHARGING STATIONS PROJECT NO. 2-B-19 AND APPROVE AND ADOPT A REVISED SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM (CIP) AS PART OF MEASURE M2 ELIGIBILITY SUBMITTAL TO ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FISCAL YEAR 2020-2021

That the City Council:

A. Approve Amendment No. 1 to Agreement with Video Voice Data Communications (Voltaic Division) to modify the scope of work for City Project 2-B-19 to upgrade one of the two "Level II" chargers to a "Level III" charger and authorize staff to increase the purchase order to Video Voice Data Communications (Voltaic Division) by an additional \$37,227 to a new amount of \$142,169, which includes a 10 percent contingency.

B. Approve a motion to adopt the revised Measure M2 Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2020-2021 and authorize staff to submit the revised documents reflecting those changes to Orange County Transportation Authority (OCTA) to comply with the Measure M2 eligibility requirements for Fiscal Year 2020-2021, which includes an appropriation from Measure M2 Fair Share of \$61,469 to fully fund the revised project.

C. Approve the disencumbrance of \$26,235.50 from the General Capital Projects Fund, as these funds will no longer be necessary as a local match of funds for this project.

6. APPROVE AND AUTHORIZE CITY MANAGER TO ENTER INTO A 5-YEAR AGREEMENT WITH PRISCILA DAVILA & ASSOCIATES, INC., TO PROVIDE PROFESSIONAL CONSULTANT SERVICES FOR THE PREPARATION OF THE CITY'S ANNUAL ACTION PLAN, CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER), COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ADMINISTRATION TECHNICAL ASSISTANCE, AND CDBG LABOR COMPLIANCE FOR FISCAL YEARS 2020-2025

That the City Council approve and authorize the City Manager to enter into an agreement with Priscila Davila & Associates, Inc., to provide professional services related to the preparation of the City of La Habra's Annual Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), Community Development Block Grant (CDBG) administration technical assistance, and CDBG labor compliance for construction projects for a five-year term (Fiscal Years 2020-2025).

7. APPROVE AND AUTHORIZE CITY MANAGER TO ENTER INTO A FIVE-YEAR AGREEMENT WITH MDG ASSOCIATES INC., FOR ASSISTANCE WITH THE CITY OF LA HABRA COMMUNITY DEVELOPMENT BLOCK GRANT FUNDED RESIDENTIAL REHABILITATION PROGRAM FOR FISCAL YEARS 2020-2025

That the City Council approve and authorize the City Manager to enter into an agreement with MDG Associates Inc., to provide professional services related to the Residential Rehabilitation Program, including but not limited to initial inspections, development of bids and specification documents, construction bid estimates, and other technical assistance issues for the City of La Habra Residential Rehabilitation program for a five-year term (Fiscal year 2020-2025).

8. RATIFY A MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ORANGE HEALTH CARE AGENCY AND THE CITY OF LA HABRA AND THE CITY OF FULLERTON FOR THE PROVISION OF ALTERNATIVE HOUSING FOR COVID-19 RESPONSE SERVICES FOR HOMELESS INDIVIDUALS, AND RATIFY THE AGREEMENT BETWEEN THE CITY OF LA HABRA AND THE CITY OF FULLERTON FOR A QUARANTINE MOTEL SHELTER PROJECT WITH KINGDOM CAUSES INC. (DBA CITY NET)

That the City Council:

A. Ratify a Memorandum of Understanding (MOU) between the County of Orange Health Care Agency and the City of La Habra and the City of Fullerton for the Provision of Alternative Housing for COVID-19 Response Services for Homeless Individuals; and,

B. Ratify an Agreement between the cities of La Habra and Fullerton and Kingdom Causes Inc., (dba City Net) for the Quarantine Motel Shelter Project; and

C. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, RATIFYING THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ORANGE HEALTH CARE AGENCY AND THE CITY OF LA HABRA AND THE CITY OF FULLERTON FOR THE PROVISIONS OF ALTERNATIVE HOUSING FOR COVID-19 RESPONSE SERVICES FOR HOMELESS INDIVIDUALS AND RATIFYING THE AGREEMENT BETWEEN THE CITIES OF LA HABRA AND FULLERTON AND KINGDOM CAUSES, INC. (DBA CITY NET) FOR QUARANTINE MOTEL SHELTER PROJECT.

9. APPROVE AND ADOPT A RESOLUTION OF THE CITY COUNCIL TO RATIFY FOUR SIDE LETTERS OF AGREEMENT BETWEEN THE CITY OF LA HABRA AND THE LA HABRA POLICE ASSOCIATION (SWORN AND CIVILIAN), THE GENERAL SERVICES EMPLOYEE'S GROUP, AND THE MUNICIPAL EMPLOYEE'S ASSOCIATION FOR THE PERIOD OF JULY 1, 2020, THROUGH JUNE 30, 2021

That the City Council:

A. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING SIDE LETTERS OF AGREEMENT WITH REPRESENTED BARGAINING GROUPS THAT INCLUDE LA HABRA POLICE ASSOCIATION (SWORN AND CIVILIAN), THE GENERAL SERVICES EMPLOYEES GROUP (GENERAL), AND THE MUNICIPAL EMPLOYEES ASSOCIATION (MEA) RETROACTIVE TO JULY 4, 2020, TO INCLUDE UNPAID FURLOUGH HOURS FOR FISCAL YEAR 2020-2021.

B. Approve the temporary hiring freeze of a vacant Communications Operator position and two additional Police Officer positions in the Police Department's Fiscal Year 2020-2021 General Fund budget.

10. APPROVE AN INCREASE IN THE CITY OF LA HABRA SELF-INSURED RETENTION (SIR) FOR GENERAL LIABILITY COVERAGE FROM \$300,000 TO \$500,000

That the City Council approve and authorize the City Manager to increase the City's Self-Insurance Retention (SIR), or deductible, for General Liability coverage from the current amount of \$300,000 to \$500,000 for the policy term of July 1, 2020, through July 1, 2021, with the option of lowering the SIR back to \$300,000 during the next policy term year.

11. WARRANTS: APPROVE NOS. 00126007 THROUGH 00126477 TOTALING \$3,354,794.60

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

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. HOLD A PUBLIC HEARING TO CONSIDER THE PROPOSED SUBSTANTIAL AMENDMENT TO THE CITY OF LA HABRA'S COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM ANNUAL ACTION PLAN FOR FISCAL YEAR 2020-2021
That the City Council:
 - A. Approve the proposed substantial amendment to the City of La Habra Community Development Block Grant (CDBG) Program Annual Action Plan for Fiscal Year 2020-2021.
 - B. APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUBSTANTIAL AMENDMENT TO THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2020-2021.

2. HOLD A PUBLIC HEARING TO CONSIDER THE PROPOSED SUBSTANTIAL AMENDMENT TO THE 2019 COMMUNITY DEVELOPMENT BLOCK GRANT COVID-19 (CDBG-CV) ACTION PLAN TO INCLUDE A NEW PROJECT
That the City Council consider and approve the substantial amendment to the Community Development Block Grant-Coronavirus (CDBG-CV) Action Plan to fund a new "parklet" concept project for La Habra Blvd. in downtown La Habra.

CONSIDERATION ITEMS:

Any member of the audience 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 come forward to the podium and speak as each Item is called. Speakers must limit their comments to three (3) minutes each.

1. CONSIDER APPROVAL OF COMMUNITY DEVELOPMENT BLOCK GRANT-CORONAVIRUS (CDBG-CV) PROGRAM GUIDELINES
That the City Council:
 - A. Approve the following Community Development Block Grant-Coronavirus (CDBG-CV) program guidelines:
 1. La Habra Community Employment Center.
 2. Micro-Business Stabilization Program.
 3. Emergency Residential Rental Assistance Program.
 - B. Approve and authorize staff to make minor changes and adjustments to program guidelines, as necessary, to reflect future potential guidance from the U.S. Department of Housing and Urban Development (HUD) to ensure programs are operated in manner that is compliant with HUD guidelines.
 - C. Approve and authorize staff to use other potential sources of funds for these programs, such as CARES Act funding, that may be less restrictive, if available.
 - D. Approve and authorize staff to release program applications when guidance from HUD for the use of CDBG-CV funds is released, or earlier if other sources of eligible funding are identified and approved by Council.

2. CONSIDER AMENDMENT OF RESOLUTION NO. 5948 REGARDING CANDIDATES STATEMENTS WORD COUNT SUBMITTED TO VOTERS AT THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020

That the City Council:

A. Receive this report and consider;

B. APPROVAL AND ADOPTION OF **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING RESOLUTION NO. 5948 TO ALLOW CANDIDATE STATEMENTS FOR THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, TO BE INCREASED FROM A MAXIMUM OF 200 WORDS TO 400 WORDS.

3. CONSIDER INITIATION OF PROCEEDINGS TO REFINANCE THE OUTSTANDING CITY OF LA HABRA 2010 REFUNDING CERTIFICATES OF PARTICIPATION, SERIES A (PARK LA HABRA AND VIEWPARK REFINANCING PROJECT)

That the City Council:

APPROVE AND ADOPT **RESOLUTION NO. _____** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING THE INITIATION OF PROCEEDINGS TO REFINANCE THE OUTSTANDING 2010 REFUNDING CERTIFICATES OF PARTICIPATION, SERIES A, (PARK LA HABRA AND VIEWPARK REFINANCING PROJECT), AUTHORIZING THE ENGAGEMENT OF PROFESSIONAL SERVICES AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH.

MAYOR'S COMMUNITY CALENDAR:

1. MAYOR'S COMMUNITY CALENDAR

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS:

ADJOURNMENT: Adjourned to Monday, August 3, 2020, at 5:30 p.m. in the City Council Chamber 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 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, California, 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