



City of
LA HABRA

AGENDA

**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
ADJOURNED REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY 5:30 P.M
&
REGULAR MEETING 6:30 P.M.
MONDAY, FEBRUARY 6, 2023**

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

The Regular Meeting of the City Council for February 6, 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 by attending in person or submitting written comments via email to cc@lahabraca.gov no later than 5:00 p.m. on Monday, February 6, 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 & ADJOURNED REGULAR JOINT MEETING WITH THE LA HABRA UTILITY AUTHORITY 5:30 P.M.:

CALL TO ORDER: Council Chamber, Closed Session Room 112c

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

CLOSED SESSION:

City Council

1. 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.

2. Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021-01221710-CU-BC-WJC.

3. Conference with Legal Counsel Significant Exposure to Litigation Pursuant to Government Code Section 54956(d)(2) and (e)(1); One (1) Potential Case.

City Council & Utility Authority:

1. Conference with Real Property Negotiator Per Government Code Section 54956.8; California Domestic Water Company Acquisition of Common Stock; Agency Negotiator - City Manager.

ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Nigsarian

ROLL CALL: Mayor Gomez
Mayor Pro Tem Nigsarian
Councilmember Espinoza
Councilmember Medrano
Councilmember 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.

1. **PROCEDURAL WAIVER:** Waive reading in full of resolutions and ordinances and approval and adoption of same by reading title only.

2. **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.**

3. **APPROVE THE PURCHASE OF THE FARO 3D LASER TRAFFIC ACCIDENT RECONSTRUCTION SYSTEM**

That the City Council:
A. Approve and authorize the City Manager to purchase the FARO 3D laser traffic accident reconstruction system, pursuant to the sole source provision of La Habra Municipal Code section 4.20.070(B); and,
B. Approve an appropriation of \$52,404.28 from the City's Traffic Safety Fund for this purchase.

4. **APPROVE AMENDMENT NO. 2 WITH WEST COAST ARBORISTS FOR A THREE AND ONE-HALF PERCENT (3.5%) INCREASE FOR TREE MAINTENANCE SERVICES**

That the City Council authorize the City Manager to execute Amendment No. 2 with West Coast Arborists, Anaheim, California, to provide a three and one-half percent (3.5%) increase in annual contract costs for citywide tree maintenance services.

5. **APPROVE ISSUANCE OF A PURCHASE ORDER TO EMERGENCY VEHICLE GROUP INC, ANAHEIM, CALIFORNIA, IN THE AMOUNT OF \$197,870.41 FOR ONE (1) 2023 FORD E-350 ROAD RESCUE TYPE III AMBULANCE**

That the City Council:
A. Waive formal bid procedures per La Habra Municipal Code Section 4.20.070 (C) and utilize the cooperative purchase provision of the contract awarded by Sourcewell, formerly known as National Joint Powers Alliance (NJPA), master vehicle contract # RFP 110921, for the purchase of one (1) 2023 Ford E-350 Road Rescue Type III Ambulance; and,
B. Authorize the City Manager to issue a purchase order in the amount of \$197,870.41 from the City's Fleet Replacement Fund to Emergency Vehicle Group Inc., Anaheim, California, for the purchase of one (1) 2023 Ford E-350 Road Rescue Type III Ambulance.

6. APPROVE REQUEST TO INITIATE ZONE CHANGE 23-01 TO AMEND TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE (LHMC OR "CODE") BY ADDING A "GENERAL RETAIL" DEFINITION AND ESTABLISHING LIMITATIONS ON THE HOURS OF OPERATION FOR GENERAL RETAIL USES

That the City Council direct staff to initiate Zone Change 23-01 related to amendments to Title 18 (Zoning) of the La Habra Municipal Code (LHMC or "Code") related to general retail uses and their hours of operation.

7. APPROVE THE REALLOCATION OF AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FROM THE CITY'S DINE AND SHOP LOCAL INCENTIVE AND BILL ASSISTANCE PROGRAMS TO THE SMALL BUSINESS ASSISTANCE PROGRAM

That the City Council consider and approve:

A. Revising the ARPA appropriation for the Dine and Shop Local Incentive Program to \$11,500;

B. Reallocating \$190,000 of ARPA funds from the Dine and Shop Local Incentive Program to the Small Business Assistance Program;

C. Reallocating \$80,000 of ARPA funds from the Bill Assistance Program to the Small Business Assistance Program; and,

D. Reallocating \$18,500 from the Dine and Shop Local Incentive Program's administrative fees to the Small Business and Bill Assistance Programs for additional administrative fees.

8. WARRANTS: APPROVE NOS. 00137489 THROUGH 00137796 TOTALING \$2,831,179.93; AND APPROVE WIRE TRANSFERS DATED 1/27/23, TOTALING \$951,740.94

That the City Council approve Nos. 00137489 through 00137796 totaling \$2,831,179.93; and approve Wire Transfers dated 1/27/23, totaling \$951,740.94.

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. STATE OF THE CITY EVENT COST ESTIMATE

That the City Council:

A. Receive and file this report; and,

B. Provide direction to staff and, if necessary, approve an initial budget of \$7,500 for the planning and presentation of the 2023 State of the City address.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS:

ADJOURNMENT: Adjourned to Tuesday, February 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.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
Acting City Clerk