



**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
TUESDAY, FEBRUARY 21, 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 February 21, 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 Tuesday, February 21, 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 Legal Counsel - Significant Exposure to Litigation Pursuant to Government Code Section 54956.9\(d\)\(2\); Threat of litigation made by Matt Gelfand in email dated February 13, 2023 to City Attorney Richard Jones.](#)

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 BROOM FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT
2. RECOGNITION OF THE DE LA ROSA FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT
3. RECOGNITION OF THE JIMENEZ FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT

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 21, 2022
- December 19, 2022
- January 2, 2023
- January 17, 2023
- February 6, 2023

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 DENIAL OF LIABILITY CLAIM OF MS. TINA DUARTE

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

5. APPROVE COMMUNITY SERVICES COMMISSION MEETING MINUTES

That the City Council approve the Community Services Commission meeting minutes of:

- July 13, 2022
- September 14, 2022
- October 12, 2022
- December 14, 2022

6. APPROVE GENERAL CHILD CARE PROGRAM CONTINUED FUNDING APPLICATION FOR FISCAL YEAR 2023-2024

That the City Council:

A. Approve and authorize the City Manager to execute the Continued Funding Application for the General Child Care (CCTR) for Fiscal Year 2023-2024 with the California Department of Social Services; and,

B. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE SUBMISSION OF A GENERAL CHILD CARE PROGRAM (CCTR) CONTINUED FUNDING APPLICATION WITH THE CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES.

7. APPROVE CALIFORNIA STATE PRESCHOOL PROGRAM CONTINUED FUNDING APPLICATION FOR FISCAL YEAR 2023-2024

That the City Council:

A. Approve and authorize the City Manager to execute and submit the State Pre-School Program (CSPP) Continued Funding Application for Fiscal Year 2023-2024 with the California Department of Education, Early Education and Support Division; and,

B. APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE SUBMISSION OF A CONTINUED FUNDING APPLICATION FOR CALIFORNIA STATE PRESCHOOL SERVICES WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.

8. APPROVE THE CITY'S PROPERTY INSURANCE POLICY RENEWAL FOR A ONE-YEAR TERM

That the City Council authorize the City Manager to renew the City's property insurance policy for all City owned properties with Travelers Property Casualty Company of America for all City-owned properties. If approved, the term of the policy will be from March 1, 2023, through March 1, 2024, with a \$5,000 deductible at an annual premium cost of \$124,081.

9. APPROVE ISSUANCE OF A PURCHASE ORDER TO WILLDAN ENGINEERING, ANAHEIM, CALIFORNIA, IN AN AMOUNT NOT TO EXCEED \$100,000 FOR THE INSPECTION SERVICES FOR THE EAST BISHOP STORM DRAIN IMPROVEMENT PROJECT

That the City Council

A. Approve and authorize the City Manager to execute an agreement with Willdan Engineering to provide inspection services for the East Bishop Storm Drain Improvement Project, City Project No. 1-D-16; and,

B. Authorize staff to issue a purchase order in the amount of \$100,000 to Willdan Engineering, which includes a twenty percent (20%) contingency.

10. APPROVE THE PURCHASE OF NETWORK FIREWALL EQUIPMENT FROM ALTAWARE, INC.

That the City Council:

A. Approve and authorize the City Manager to execute a purchase order in the amount of \$96,115.00 with Altaware, Inc. for the purchase of two Palo Alto Network Firewalls PA1420; and,

B. Approve an additional \$11,115 budget appropriation from the IT Replacement fund balance to cover the full cost of this purchase.

11. APPROVE THE PURCHASE OF NETWORK VIRTUALIZATION EQUIPMENT FROM DELL COMPUTERS, INC.

That the City Council approve and authorize the City Manager to execute a purchase order in the amount of \$182,187.50 with Dell Computers, Inc. for the purchase of one Dell EMC PowerStore 500 Storage unit and one PowerEdge R650 server.

12. WARRANTS: APPROVE NOS. 00137797 THROUGH 00138000 TOTALING \$1,916,489.74

That the City Council approve Nos. 00137797 through 00138000 totaling \$1,916,489.74.

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:

- September 19, 2022
- October 3, 2022
- October 17, 2022
- November 7, 2022
- November 21, 2022
- December 5, 2022
- December 19, 2022
- January 2, 2023
- January 17, 2023
- February 6, 2023

2. APPROVE A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY AUTHORIZING THE APPLICATION FOR GRANT FUNDS FROM THE URBAN COMMUNITY DROUGHT RELIEF GRANT PROGRAM

That the Utility Authority APPROVE AND ADOPT RESOLUTION NO. ____ ENTITLED: A RESOLUTION OF THE LA HABRA UTILITY AUTHORITY OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING THE GRANT APPLICATION, ACCEPTANCE, AND EXECUTION FOR THE WATER PIPELINE REPLACEMENT PROJECT AND PILOT WELL.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

PUBLIC HEARINGS:

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| 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. |
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CITY COUNCIL:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER AN INCREASE IN THE MAXIMUM FINE FOR THE POSSESSION AND USE OF ILLEGAL FIREWORKS FROM \$1,000 TO \$2,500

That the City Council consider and approve the first reading of ORDINANCE NO. ____ ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AMENDING CHAPTER 9.22 OF TITLE 9 OF THE CITY OF LA HABRA MUNICIPAL CODE RELATING TO FIREWORK USE, DISCHARGE, POSSESSION, STORAGE AND SALE ON PRIVATE PROPERTY.

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 & UTILITY AUTHORITY:

1. CONSIDER THE PURCHASE OF ADDITIONAL SHARES OF CALIFORNIA DOMESTIC WATER COMPANY (CDWC) COMMON STOCK

That the City Council and Utility Authority authorize the City Manager/Executive Director to execute an agreement with California Domestic Water Company (CDWC) for the purchase of 125 shares of common stock currently owned by CDWC in an amount not to exceed \$15,250 per share, for a total estimated cost of \$1,906,250.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

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.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
Acting City Clerk/Secretary