



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, MARCH 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 March 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 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, March 21, 2022, or by viewing the meeting live on Channel 3 and 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:

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

CLOSED SESSION:

- 1. Conference with Legal Counsel - Pending Litigation Pursuant to Government Code Section 54956.9(d)(1): Lennar Homes of California, Inc., et al. v. City of La Habra, et al., Orange County Superior Court Case Numbers 30-2021-01179515 and 30-2021-01221710.

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 Pro Tem/Vice Chair Gomez
- 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 APRIL 2022 AS FAIR HOUSING MONTH IN THE CITY OF LA HABRA
- 2. RECOGNITION OF THE TABELLO FAMILY, 1461 SIERRA VISTA DRIVE, AS THE 2022 DISTRICT 1 BEAUTIFICATION COMMITTEE AWARD RECIPIENT
- 3. RECOGNITION OF OUTGOING COMMUNITY SERVICES COMMISSIONER KATHY FELIX
- 4. RECOGNITION OF OUTGOING BEAUTIFICATION COMMITTEE MEMBERS GRACIELA GARCIA AND MANUEL MUNOZ

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:

- January 3, 2022
- February 7, 2022
- February 10, 2022
- February 22, 2022
- March 7, 2022

3. APPROVE DENIAL OF LIABILITY CLAIM OF MERCURY INSURANCE FOR PROPERTY DAMAGE

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

4. APPROVE DENIAL OF LIABILITY CLAIM OF FEDERICO VARGAS FOR PROPERTY DAMAGE

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

5. RECEIVE AND FILE THE ANNUAL REPORT ON THE IMPLEMENTATION OF THE CITY OF LA HABRA GENERAL PLAN FOR CALENDAR YEAR 2021

That the City Council receive and file the Annual Report on the implementation of the City of La Habra General Plan for calendar year 2021 and authorize the Director of Community and Economic Development to forward the document to the Governor's Office of Planning and Research and the Department of Housing and Community Development per Government Code Section 65400.

6. APPROVE AMENDMENT NO. 3 TO AGREEMENT WITH NATIONWIDE ENVIRONMENTAL SERVICES FOR CITY OF LA HABRA STREET SWEEPING SERVICES

That the City Council approve and authorize the City Manager to execute Amendment No. 3 with Nationwide Environmental Services, Inc., for contract street sweeping services.

7. 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 \$175,265.42 with Dell Computers, Inc. (Dell), for the purchase of a Dell PowerEdge R650 server (\$38,023.34) and a PowerStore 500T Storage Area Network (SAN) equipment (\$137,242.08).

8. APPROVE AND AUTHORIZE THE MAYOR TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE BETWEEN TAPESTRY COMMUNITY HOMEOWNERS ASSOCIATION AND THE CITY OF LA HABRA

That the City Council:

A. Approve and authorize the Mayor to execute a settlement agreement and release between Tapestry Community Homeowners Association and the City of La Habra in the amount of \$190,416 for water service overcharges; and,

B. Approve and authorize staff to issue a check in the amount of \$190,416 from the Water Enterprise Fund to the Tapestry Community Homeowners Association.

9. 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.

10. RECEIVE AND FILE THE TREASURER'S INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2021

That the City Council receive and file the Treasurer's Investment Report for the Quarter Ending December 31, 2021.

11. WARRANTS: APPROVE NOS. 00133549 THROUGH 00133669 TOTALING \$1,808,252.67; AND WIRE TRANSFERS: APPROVE WIRE TRANSFERS DATED 03/31/2022, TOTALING 327,265.59

Approve Nos. 00133549 through 00133669 totaling \$1,808,252.67; and approve Wire Transfer dated 3/31/2022, totaling \$327,265.59.

CITY COUNCIL & UTILITY AUTHORITY:

1. APPROVE AND AUTHORIZE THE CITY MANAGER/EXECUTIVE DIRECTOR TO EXECUTE AN AGREEMENT WITH DAVID EVANS AND ASSOCIATES, INC., FOR DESIGN OF THE HACIENDA PUMP STATION AND RESTROOM PROJECT

That the City Council and Utility Authority:

A. Approve and authorize the City Manager/Executive Director to execute an agreement with David Evans and Associates, Inc., of Tustin, California; and

B. Approve and authorize staff to issue a purchase order in the amount of \$565,000, which includes a twenty percent (20%) contingency to provide design of the Hacienda Pump Station and Restroom Project, and issue a purchase order to David Evans and Associates, Inc.

UTILITY AUTHORITY:

1. APPROVE CITY OF LA HABRA UTILITY AUTHORITY MINUTES

That the City of La Habra Utility Authority approve the Utility Authority Meeting Minutes of:

- December 6, 2021
- December 20, 2021
- January 3, 2022
- January 18, 2022
- February 7, 2022
- February 22, 2022
- March 7, 2022

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 THE REVISED DRAFT 2021-2029 HOUSING ELEMENT

That the City Council review, approve and authorize staff to forward the City's Revised Draft 2021-2029 Housing Element to the California Department of Housing and Community Development (HCD) for review and certification.

2. CONSIDER THE FISCAL YEAR 2021-2022 MID-YEAR BUDGET UPDATE

That the City Council receive and file the Fiscal Year 2021-2022 (FY2021-22) Mid-Year Budget Update.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

ADJOURNMENT: Adjourned to Monday, April 4, 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.

Laurie Swindell, CMC, City Clerk/Secretary