



City of  
**LA HABRA**

AGENDA

---

**CITY COUNCIL OF THE CITY OF LA HABRA  
ADJOURNED REGULAR MEETING 5:30 P.M  
&  
REGULAR MEETING 6:30 P.M.  
MONDAY, APRIL 18, 2022**

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

---

The Regular Meeting of the City Council for April 18, 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 City Hall atrium 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 by submitting written comments via email to [cc@lahabraca.gov](mailto:cc@lahabraca.gov) no later than 5:00 p.m. on Monday, April 18, 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:** Council Chamber, Closed Session Room 112c

**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), Aguirre, et al. vs. City of La Habra, Orange County Superior Court Case No. 8:20-CV-01829 CJS ADS.
2. Conference with Legal Counsel: Existing Litigation Pursuant to Government Code Section 54956.9(d)(1), Gadreau, et al. vs. City of La Habra, Orange County Superior Court Case No. 30-2019-01064083-CU-PO-CJC.

**ADJOURNMENT:**

**REGULAR MEETING 6:30 P.M.:**

- |                              |   |
|------------------------------|---|
| <b>CALL TO ORDER:</b>        | Council Chamber   |
| <b>INVOCATION:</b>           | City Attorney Jones   |
| <b>PLEDGE OF ALLEGIANCE:</b> | Councilmember Nigsarian   |
| <b>ROLL CALL:</b>            | Mayor Medrano<br>Mayor Pro Tem Gomez<br>Councilmember Espinoza<br>Councilmember Nigsarian<br>Councilmember Simonian |

**CLOSED SESSION ANNOUNCEMENT:**

**PROCLAMATIONS/PRESENTATIONS:**

1. PROCLAIM MAY 5, 2022, AS A DAY SET APART FOR THE ANNUAL MAYOR'S PRAYER BREAKFAST IN RECOGNITION OF THE NATIONAL DAY OF PRAYER
2. PROCLAIM APRIL 2022 AS AUTISM ACCEPTANCE MONTH IN THE CITY OF LA HABRA
3. RECOGNITION OF DAVE AND CARMELLA GAYTAN FOR THEIR SERVICES TO THE LA HABRA COMMUNITY

**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 AGREEMENT WITH SOUTHERN CALIFORNIA EDISON FOR LED STREETLIGHT UPGRADES VIA THE SCHEDULE LS-1 OPTION E PROGRAM

That the City Council approve and authorize the City Manager to execute Schedule LS-1 Option E Energy Efficient Fixture Replacement Rate Agreement with Southern California Edison (SCE) Company to retrofit all SCE-owned streetlights in La Habra from High-Pressure Sodium Vapor (HPS) lamps to Light Emitting Diode (LED) Technology.

4. APPROVE PLANS AND SPECIFICATIONS AND AWARD CONTRACT TO EBS GENERAL ENGINEERING, INC., FOR ANNUAL ARTERIAL STREET REHABILITATION FISCAL YEAR 2019-2020 (FY 2019-2020), CITY PROJECT NO. 5-R-19

That the City Council:

A. Approve the Plans and Specifications for the Annual Arterial Street Rehabilitation Fiscal Year 2019-2020, City Project No. 5-R-19 ("Project");

B. Approve to award construction contract for the Annual Arterial Street Rehabilitation Fiscal Year 2019-2020, City Project No. 5-R-19 to EBS General Engineering, Inc., of Corona, California, in the amount of \$2,144,751 and reject all other bids;

C. Approve the re-allocation of \$1,481,122 of funding to complete this Project as described in the Fiscal Impact section of this report; and,

D. Approve and authorize the City Manager to execute an agreement with EBS General Engineering, Inc., of Corona, California, in the amount of \$2,144,751 and authorize staff to issue a purchase order to EBS General Engineering, Inc. of Corona, California, in the amount of \$2,573,701; which includes a twenty percent (20%) contingency.

5. WARRANTS: APPROVE NOS. 00133876 THROUGH 00134021 TOTALING \$1,750,743.40; AND APPROVE WIRE TRANSFERS DATED 4/29/22 TOTALING \$669,890.55

That the City Council approve Nos. 00133876 through 00134021 totaling \$1,750,743.40; and approve Wire Transfers dated 4/29/22, totaling \$669,890.55.

**CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:**

**PUBLIC HEARINGS:**

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.

1. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR ZONE CHANGE 22-01 FOR AMENDMENTS TO THE FOLLOWING CHAPTERS OF TITLE 18 ZONING OF THE LA HABRA MUNICIPAL CODE:
  - CHAPTER 18.04 DEFINITIONS, MODIFYING THE DEFINITION OF "FOOD TO GO RESTAURANT";
  - CHAPTER 18.06 ZONES ESTABLISHED - ZONING MAP BOUNDARIES AND LAND USES, ADDING "FOOD TO GO" AS A PERMITTED USE OUTRIGHT;
  - CHAPTER 18.08 GENERAL PROVISIONS, EXEMPTING THE CITY FROM THE PROVISIONS OF TITLE 18;
  - CHAPTER 18.12 SPECIAL DEVELOPMENT STANDARDS, MODIFYING THE OUTDOOR SEATING REQUIREMENTS FOR RESTAURANTS;
  - CHAPTER 18.14 OFF-STREET PARKING REQUIREMENTS, MODIFYING THE PARKING STANDARDS FOR "FOOD TO GO" RESTAURANTS TO BE CONSISTENT WITH ITS DEFINITION; AND
  - CHAPTER 18.80 AFFORDABLE HOUSING INCENTIVES, MODIFYING THE STANDARDS AND TEXT FOR CONSISTENCY WITH STATE LAW.

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, APPROVING ZONE CHANGE 22-01 TO AMEND THE FOLLOWING CHAPTERS OF TITLE 18 ZONING: CHAPTER 18.04 DEFINITIONS, MODIFYING THE DEFINITION OF "FOOD TO GO RESTAURANT", CHAPTER 18.06 ZONES ESTABLISHED - ZONING MAP BOUNDARIES AND LAND USES, ADDING "FOOD TO GO" AS A PERMITTED USE OUTRIGHT, CHAPTER 18.08 GENERAL PROVISIONS, EXEMPTING THE CITY FROM THE PROVISIONS OF TITLE 18, CHAPTER 18.12 SPECIAL DEVELOPMENT STANDARDS, MODIFYING THE OUTDOOR SEATING REQUIREMENTS FOR RESTAURANTS, CHAPTER 18.14 OFF-STREET PARKING REQUIREMENTS, MODIFYING THE PARKING STANDARDS FOR "FOOD TO GO" RESTAURANTS TO BE CONSISTENT WITH ITS DEFINITION, AND CHAPTER 18.80 AFFORDABLE HOUSING INCENTIVES MODIFYING THE STANDARDS AND TEXT FOR CONSISTENCY WITH STATE LAW AS PER EXHIBITS "A" THROUGH "F."

This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be exempt pursuant to Section 15061(b)(3) of the CEQA guidelines which covers activities with no possibility of having a significant effect on the environment.

2. DULY NOTICED PUBLIC HEARING TO CONSIDER AMENDING CHAPTER 2.28 (COMMUNITY SERVICES COMMISSION) OF THE LA HABRA MUNICIPAL CODE

That the City Council:

A. 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 2.28 (COMMUNITY SERVICES COMMISSION) OF THE LA HABRA MUNICIPAL CODE REGARDING THE COMMUNITY SERVICES COMMISSION; and

B. Approve proposed terms for recently appointed Commissioners.

3. DULY NOTICED PUBLIC HEARING TO CONSIDER THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM APPROVAL OF THE FISCAL YEAR 2022-2023 ANNUAL ACTION PLAN

That the City Council:

A. Receive public comments; and

B. Consider and approve the Fiscal Year 2022-2023 Annual Action Plan for the City of La Habra Community Development Block Grant Program; and,

C. Approve and authorize the City Manager to execute the City of La Habra's 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 \$640,000 and \$384,000 in carryover funds. Staff will proportionally adjust the amount of funding for each proposed project based on the final actual CDBG allocation.

4. DULY NOTICED PUBLIC HEARING TO CONSIDER ADOPTION OF A MILITARY EQUIPMENT USE URGENCY ORDINANCE AND POLICY

That the City Council **APPROVE AND ADOPT URGENCY ORDINANCE NO. \_\_\_\_\_** ENTITLED: AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING A MILITARY EQUIPMENT POLICY OF THE CITY OF LA HABRA, CALIFORNIA, GOVERNING THE USE OF MILITARY EQUIPMENT AND DECLARING IT AN URGENCY MEASURE TO TAKE EFFECT IMMEDIATELY UPON ADOPTION.

**CONSIDERATION ITEMS:** None at this time.

**MAYOR'S COMMUNITY CALENDAR:**

**COMMENTS FROM STAFF:**

**COMMENTS FROM COUNCILMEMBERS:**

**ADJOURNMENT:** Adjourned to Monday, May 2, 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.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.

Laurie Swindell, CMC, City Clerk