

MINUTES
CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING
&
REGULAR MEETING

Monday, May 03, 2021

PRELIMINARY: These Minutes to be considered for approval on May 17, 2021.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Espinoza called the Adjourned Regular Meeting of the City Council of the City of La Habra to order at 5:30 p.m. in the Closed Session Room 112c, located at 100 East La Habra Boulevard, La Habra, California.

COUNCILMEMBERS PRESENT: Mayor Espinoza
Mayor Pro Tem Medrano
Councilmember Gomez
Councilmember Shaw
Councilmember Simonian

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
Assistant City Attorney Collins
City Clerk Swindell

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS: None

CLOSED SESSION:

1. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees, Police Civilian Employees, La Habra Municipal Employees Association, General Services Employees, Professional Employees, and Management and Executive Management Groups.

Director of Human Resources Balderrama, Director of Finance Shannon, and Director of Public Works Saykali were present for this item.

ADJOURNMENT: The City Council reconvened at 6:23 p.m. There were no Closed Session announcements. Mayor Espinoza adjourned the Adjourned Regular Meeting at 6:23 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Espinoza called the Regular Meeting of the City Council of the City of La Habra to order at 6:30 p.m. in the City Council Chamber, located at 100 East La Habra Boulevard, La Habra, California.

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Simonian

COUNCILMEMBERS PRESENT: Mayor Espinoza
Mayor Pro Tem Medrano
Councilmember Gomez
Councilmember Shaw
Councilmember Simonian

COUNCILMEMBERS ABSENT: None

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None

PROCLAMATIONS/PRESENTATIONS:

1. PROCLAIM MAY 2021 AS OLDER AMERICANS MONTH IN THE CITY OF LA HABRA
La Habra Meals on Wheels representative Carmen Miller accepted the proclamation.
2. PROCLAIM MAY 2-8, 2021 AS PROFESSIONAL MUNICIPAL CLERKS WEEK IN THE CITY OF LA HABRA
City Clerk Swindell and Assistant City Clerk Barone accepted the proclamation.
3. PROCLAIM MAY 8, 2021 AS EARTH DAY/ARBOR DAY IN THE CITY OF LA HABRA
Public Works Director Saykali accepted the proclamation.
4. PROCLAIM MAY 16-22, 2021 AS NATIONAL PUBLIC WORKS WEEK IN THE CITY OF LA HABRA
Public Works Director Saykali accepted the proclamation.
5. PROCLAIM MAY 9-15 2021 AS NATIONAL POLICE WEEK IN THE CITY OF LA HABRA
Interim Chief of Police Foster accepted the proclamation.

PUBLIC COMMENTS: None.

CONSENT CALENDAR:

Councilmember Shaw stated that he would be abstaining on Item No. 9. He requested that Item No. 4 be pulled from the Consent Calendar.

Moved by Councilmember Simonian, seconded by Mayor Pro Tem Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CONSENT CALENDAR ITEMS 1 THROUGH 10; WITH THE EXCEPTION OF COUNCILMEMBER SHAW WHO ABSTAINED ON ITEM NO. 9 AND ITEM NO. 4 WHICH WAS PULLED FOR SEPARATE DISCUSSION.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Medrano,
Councilmember Gomez, Councilmember Shaw, Councilmember Simonian

NOES: NONE

ABSENT: NONE

ABSTAIN: Councilmember Shaw (Item No. 9 only)

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 MINUTES

That the City Council approve the City Council of the City of La Habra Minutes of March 15, 2021.

3. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO THE CITY'S WORKFORCE INNOVATION OPPORTUNITY ACT (WIOA) AGREEMENT FOR YOUTH PROGRAM SERVICES WITH THE COUNTY OF ORANGE, CONTRACT NO. MA-012-20011848

That the City Council approve and authorize the City Manager to execute the First Amendment to the Workforce Innovation Opportunity Act (WIOA) Agreement for Youth Program Services with the County of Orange, in the amount of \$2,180,915, so that the City of La Habra can continue as the sole provider of the County's "Ready, S.E.T. OC" Youth Employment Program for Fiscal Year 2021-2022.

4. REMOVED FOR SEPARATE DISCUSSION AND APPROVED. SEE BELOW.

5. APPROVE AND AUTHORIZE AN APPROPRIATION OF FUNDS FROM THE CITY'S GENERAL CAPITAL PROJECTS FUND FOR ADDITIONAL "ON CALL" PUBLIC WORKS INSPECTION SERVICES WITH ONWARD ENGINEERING

That the City Council approve and authorize an appropriation of funds for additional "On Call" Public Works Inspection services with Onward Engineering in the amount of \$74,000 from the City's General Capital Projects Fund as a result of cost savings associated with the Russell Storm Drain project.

6. APPROVE AWARD OF CONTRACT TO HARDY & HARPER, INC. FOR ANNUAL RESIDENTIAL STREET REHABILITATION AND SLURRY SEAL PROJECT, FISCAL YEAR 2020-2021, CITY PROJECT NO. 4-R-20

That the City Council:

A. Approve the Plans and Specifications for the Annual Residential Street Rehabilitation and Slurry Seal Project, Fiscal Year 2020-2021, City Project No. 4-R-20; and

- B. Award construction contract for the Annual Residential Street Rehabilitation and Slurry Seal Project, Fiscal Year 2020-2021, City Project No. 4-R-20 to Hardy and Harper, Inc., of Lake Forest, California, in the amount of \$593,000 and reject all other bids; and
- C. Approve and authorize the City Manager to execute an agreement with and open a purchase order for Hardy and Harper, Inc., of Lake Forest, California, in the amount of \$652,300, which includes a 10 percent contingency.

7. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AFFILIATION AGREEMENT WITH THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, ON BEHALF OF UNIVERSITY OF CALIFORNIA, IRVINE (UCI) DEPARTMENT OF OPHTHALMOLOGY FOR THE 2021-2022 SCHOOL YEAR

That the City Council approve and authorize the City Manager to execute an Affiliation Agreement with the Regents of the University of California, on behalf of the University of California, Irvine (UCI) Department of Ophthalmology to provide vision care for the children enrolled in the Child Development Division programs and provide further assessments for those who fail the annual vision screening for the 2021-2022 School Year.

8. APPROVE AMENDMENT NO. 1 FOR A THREE-YEAR EXTENSION TO JUNE 30, 2024, FOR THE PROFESSIONAL SERVICES AGREEMENT WITH G4S SECURE SOLUTIONS (USA), INC. FOR JAILER SERVICES

That the City Council waive formal bid procedures per La Habra Municipal Code Section 4.20.080 (B) and approve and authorize the City Manager to execute Amendment No. 1 for a three-year extension to June 30, 2024, for the Professional Services Agreement with G4S Secure Solutions (USA), Inc. for jailer services.

9. APPROVE RESOLUTIONS REGARDING APPEALS OF THE ACTIONS BY THE PLANNING COMMISSION FOR APPROVAL OF ZONE VARIANCE 21-01 TO REDUCE THE MINIMUM LOT SIZE FROM 7,200 SQUARE FEET TO 6,192 SQUARE FEET, AND TO DENY ZONE VARIANCE 20-01 TO REDUCE THE REAR YARD SETBACK REQUIREMENT FROM 25 FEET TO 6 FEET FOR A SINGLE-FAMILY HOME AT 161 WEST HIDDEN LANE

That the City Council:

- A. APPROVE AND ADOPT **RESOLUTION NO. 5993** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION APPROVAL OF ZONE VARIANCE 21-01 TO REDUCE THE MINIMUM LOT SIZE FROM 7,200 SQUARE FEET TO 6,192 SQUARE FEET FOR THE CONSTRUCTION OF A SINGLE-FAMILY HOME AT 161 WEST HIDDEN LANE, AS PER THE APPROVED PLANS, MAKING THE APPROPRIATE FINDINGS, AND SUBJECT TO CONDITIONS; and
- B. APPROVE AND ADOPT **RESOLUTION NO. 5994** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, UPHOLDING THE PLANNING COMMISSION DENIAL OF ZONE VARIANCE 20-01 TO REDUCE THE REAR YARD SETBACK REQUIREMENT FROM 25 FEET TO 6 FEET, FOR A SINGLE-FAMILY HOME AT 161 WEST HIDDEN LANE.

CEQA: This project was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and determined to be Categorically Exempt pursuant to Section 15303, Class 3 (a) New Construction or Conversion of Small Structures of the California Environmental Quality Act Guidelines.

10. WARRANTS: APPROVE NOS. 00129619 THROUGH 00129822 TOTALING \$2,469,210.46

Approve Nos. 00129619 through 00129822 totaling \$2,469,210.46.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

4. APPROVE AWARD OF CONTRACT TO GRANVILLE CONTRACTING AND MANAGEMENT, INC., FOR COMMUNITY CENTER PARKING LOT DEMOLITION OF STRUCTURES AT 115 AND 121 NORTH EUCLID STREET, PROJECT NO. 1-D-20

City Council did not request the staff report to be presented. Public Works Director Saykali did indicate that the project was initially bid and cancelled due to lack of completion of Appendix C by bidders, and was subsequently re-bid with one of the bidders failing to complete Appendix C so was deemed unresponsive. He stated that UBD, Inc. filed a formal letter of protest listing a multitude of reasons that the bid proposal submitted by Granville Contracting and Management, Inc. should be deemed non-responsive. He stated that staff consulted with the City Attorney who deemed the irregularities to be minor, and permitted staff to move forward with award of contract to Granville Contracting and Management, Inc.

City Council discussion included: clarification of the formal letter of protest received by UBD, Inc., and irregularities in the project bid proposals.

Moved by Councilmember Shaw, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL:

- A. APPROVE PLANS AND SPECIFICATIONS FOR COMMUNITY CENTER PARKING LOT DEMOLITION OF 115 AND 121 NORTH EUCLID STREET, PROJECT NO. 1-D-20; AND
- A. AWARD A CONTRACT FOR THE COMMUNITY CENTER PARKING LOT DEMOLITION OF 115 AND 121 NORTH EUCLID STREET, CITY PROJECT NO. 1-D-20 TO GRANVILLE CONTRACTING AND MANAGEMENT, INC., OF BREA, CALIFORNIA, IN THE AMOUNT OF \$108,190 AND REJECT ALL OTHER BIDS; AND
- B. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH GRANVILLE CONTRACTING AND MANAGEMENT, INC. OF BREA, CALIFORNIA, IN THE AMOUNT OF \$119,009.00, WHICH INCLUDES A 10 PERCENT CONTINGENCY.

Said motion CARRIED by the following roll call vote:

AYES: Mayor Espinoza, Mayor Pro Tem Medrano,
Councilmember Gomez, Councilmember Shaw, Councilmember Simonian
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

PUBLIC HEARINGS: None at this time.

CONSIDERATION ITEMS: None at this time.

MAYOR'S COMMUNITY CALENDAR:

Mayor Espinoza made the following announcements:

- Blueprint for a Safer Economy.
- COVID-19 Vaccination Distribution.
- La Habra COVID-19 Vaccination Clinic every Friday at the La Habra Community Center.
- Free COVID-19 testing on Tuesdays and Thursdays, 9:00 a.m. – 3:00 p.m., at the La Habra Community Center.
- Wear a Mask and Slow the Spread of COVID-19.
- Community Blood Drives will be held on Wednesday, May 5, 2021, and Tuesday, May 25, 2021, at La Habra Veterans Hall.

COMMENTS FROM STAFF:

City Manager Sadro wished Councilmember Shaw a Happy Birthday.

COMMENTS FROM COUNCILMEMBERS:

Councilmember Gomez thanked Interim Chief of Police Foster and the La Habra Police Department staff for recently conducting a Driving Under the Influence (DUI) checkpoint. He complimented Director of Community Services Fujio and the Child Development staff for the murals painted on the Child Care Program building. He congratulated Irene Simonian, spouse of Councilmember Simonian, on her Good Day LA feature on her store in Little Tokyo in Los Angeles. He thanked the Community Services Department for the Essential Community Volunteers event held on Wednesday, April 28, 2021.

Mayor Pro Tem Medrano thanked the Community Services Department for organizing the Essential Community Volunteers event held on Wednesday, April 28, 2021 and thanked community volunteers for their service. He acknowledged and thanked tonight's proclamation recipients. He thanked the Fullerton Joint Union High School District reinstating sports programs the upcoming graduation ceremonies, and their diligence in following COVID-19 guidelines.

Mayor Espinoza thanked the Community Services Department for organizing the Essential Community Volunteers event held on Wednesday, April 28, 2021, and thanked community volunteers for their service.

ADJOURNMENT: Mayor Espinoza adjourned the City Council meeting at 6:52 p.m., to Monday, May 17, 2021, at 5:30 p.m. in the 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.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk