

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

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REGULAR MEETING 6:30 P.M.

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REGULAR JOINT MEETING WITH THE
LA HABRA UTILITY AUTHORITY

Monday, December 6, 2021

PRELIMINARY: These Minutes to be considered for approval on February 7, 2022.

ADJOURNED REGULAR MEETING 5:30 P.M.: Canceled

REGULAR MEETING & REGULAR JOINT MEETING 6:30 P.M.:

City Clerk/Secretary Swindell announced that Utility Authority Consent Calendar Item 1 was missing Exhibit "A" to agreement with Hazen and Sawyer, had provided each City Councilmember with a copy at the dais, and made copies that were available to the public.

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

INVOCATION: Assistant City Attorney/Legal Counsel Collins

PLEDGE OF ALLEGIANCE: Mayor/Chair Espinoza

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Espinoza
Mayor Pro Tem/Vice Chair Medrano
Councilmember/Director Gomez
Councilmember/Director Shaw

COUNCILMEMBERS/DIRECTORS ABSENT: Councilmember/Director Simonian
(excused absence)

OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
Assistant City Attorney/Legal Counsel Collins
City Clerk/Secretary Swindell
Assistant City Clerk Barone

CLOSED SESSION ANNOUNCEMENT: None

PROCLAMATIONS/PRESENTATIONS:

1. ORANGE COUNTY MOSQUITO AND VECTOR CONTROL DISTRICT AWARD TO THE CITY OF LA HABRA FOR THE SUPPORTIVE CITY AWARD 2021 “TIP, TOSS, TAKE ACTION CAMPAIGN!”

Mayor Espinoza invited Orange County Mosquito and Vector Control District Public Information Officer Heather Hyland to the podium to present a Supportive City Award to the City of La Habra.

PUBLIC COMMENTS: None

CONSENT CALENDAR:

Councilmember/Director Shaw stated that he would be abstaining on La Habra Utility Authority Item No. 3.

Moved by Councilmember/Director Gomez seconded by Mayor Pro Tem/Vice Chair Medrano and CARRIED (4-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 9; AND UTILITY AUTHORITY CONSENT CALENDAR ITEMS 1 THROUGH 3; WITH THE EXCEPTION OF COUNCILMEMBER/DIRECTOR SHAW ABSTAINING ON LA HABRA UTILITY AUTHORITY ITEM NO. 3.

Said motion CARRIED by the following roll call vote:

AYES: Mayor/Chair Espinoza, Mayor Pro Tem/Vice Chair Medrano,
Councilmember/Director Gomez, Councilmember/Director Shaw

NOES: NONE

ABSTAIN: Councilmember/Director Shaw (Utility Authority Item No. 3 only)

ABSENT: Councilmember/Director Simonian

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 15, 2021.

3. APPROVE DENIAL OF LIABILITY CLAIMS OF NINA DO, DANIEL TRAN, ETHAN TRAN, KHANH TRAN, AND LISA TRAN

That the City Council deny the claim of Nina Do, Daniel Tran, Ethan Tran, Khanh Tran, and Lisa Tran in order to set a definite six-month Statute of Limitations date.

4. APPROVE A THREE-YEAR MICROSOFT ENTERPRISE AGREEMENT FOR THE LICENSING RIGHTS AND SUPPORT OF MICROSOFT SOFTWARE PRODUCTS

That the City Council approve and authorize the City Manager to enter into a three-year Microsoft Enterprise Agreement (EA) in the amount of \$228,283.20 with SoftwareOne for Microsoft software office products.

5. APPROVE AN AGREEMENT WITH TROLLER MAYER ASSOCIATES, INC., FOR LANDSCAPE ARCHITECTURAL AND RELATED SERVICES FOR THE DESIGN OF A NEW PROPOSED CITY PARK AT THE FORMER WOMEN'S CLUBHOUSE SITE

That the City Council:

- A. Approve and authorize the City Manager to execute an agreement with Troller Mayer Associates, Inc., of Glendale, California, in the amount of \$132,010 to provide landscape architectural and related services for the design of a new proposed City park at the former Women's Clubhouse Site; and,
 - B. Approve and authorize staff to issue a purchase order to Troller Mayer Associates, Inc., of Glendale, California, in the amount of \$138,610, which includes a five percent (5%) contingency.
6. APPROVE THE CALIFORNIA STATE PRESCHOOL (CSPP) PROGRAM AMENDMENT 03 FOR FISCAL SCHOOL YEAR 2020-2021

That the City Council:

- A. Approve and authorize the City Manager to execute Contract CSPP-0343, Amendment 03 with the California Department of Education Child Development Services for the 2020-2021 Fiscal School Year; and
 - B. APPROVE AND ADOPT **RESOLUTION NO. 6034** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE EXECUTION OF LOCAL AGREEMENT NUMBER CSPP-0343, AMENDMENT 03 WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.
7. APPROVE AN AGREEMENT WITH TOTAL SECURITY SOLUTIONS FOR THE POLICE DEPARTMENT INSTALLATION OF LEVEL THREE BULLET RESISTANT WINDOWS, DOORS, AND LOBBY SECURITY IMPROVEMENTS, CITY PROJECT NO. 2-B-21

That the City Council:

- A. Approve and authorize the City Manager to execute an agreement with Total Security Solutions, Placentia, California, in the amount of \$237,267.00, for the Police Department installation of level three bullet resistant windows, and authorize staff issue a purchase order in the amount of \$260,993.70, which includes up to a 10% Project contingency; and
 - B. Appropriate \$130,496.85 from General Fund Facility Improvement reserves and \$130,496.85 from the Asset Seizure Fund to cover the cost of this project.
8. APPROVE THE PURCHASE OF A PROPERTY AT 106 EAST FIRST AVENUE, ASSESSOR'S PARCEL NUMBER 022-174-17, FOR \$999,900 AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS

That the City Council approve a Purchase and Sales Agreement between the City of La Habra and Mark E. Bryant and Tracy Shannon Bryant for the purchase of 106 East First Avenue, Assessor's Parcel Number 022-174-17 for \$999,900 and authorize the City Manager to execute all related documents.

9. WARRANTS: APPROVE NOS. 00132216 THROUGH 00132466 TOTALING \$2,568,847.08; AND APPROVE WIRE TRANSFER, DATED NOVEMBER 23, 2021, TOTALING \$517,910.16

Approve Nos. 00132216 through 00132466 totaling \$2,568,847.08; and approve Wire Transfer dated November 23, 2021, totaling \$517,910.16.

UTILITY AUTHORITY:

1. APPROVE LA HABRA UTILITY AUTHORITY MEETING MINUTES

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

- October 18, 2021
- November 1, 2021
- November 15, 2021

2. APPROVE AN AGREEMENT WITH HAZEN AND SAWYER TO CONDUCT A WATER QUALITY PILOT STUDY AT THE CITY'S IDAHO WATER WELL

That the Utility Authority:

- A. Approve to waive formal bid requirements per La Habra Municipal Code, Section 4.20.080 (B), when a service firm has established such a successful past history of work with the City that it is clearly in the public interest not to negotiate with any other source; and,
- B. Approve and authorize the Executive Director to execute an agreement with Hazen and Sawyer in an amount not to exceed \$36,564.26 to conduct a water quality treatment pilot study at the City's Idaho water well location.

3. APPROVE THE ISSUANCE OF A PURCHASE ORDER TO CORE & MAIN TO FURNISH VARIOUS SIZES OF WATER METERS AND REGISTERS IN VARIOUS SIZES FOR THE WATER METER REPLACEMENT PROGRAM

That the Utility Authority:

- A. Approve and authorize the Executive Director to issue a purchase order to Core & Main in an amount not to exceed \$431,790.23 for the purchase of water meters and registers in various sizes for the Authority's annual Water Meter Replacement Program; and,
- B. Approve the appropriation of \$431,790.23 from the Water Enterprise Fund Balance for the purchase of approximately 1,500 water meters and registers.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None

PUBLIC HEARINGS:

CITY COUNCIL:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE OF THE CITY OF LA HABRA, CALIFORNIA, REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 8.04 OF THE LA HABRA MUNICIPAL CODE RELATING TO SOLID WASTE RECYCLABLE MATERIALS AND ORGANIC WASTE RECYCLING REQUIREMENTS

Public Works Director Saykali presented the staff report.

City Council discussion included clarification that this step in the process was to educate the public about organic waste disposal, and confirmation that the enforcement element would occur in the future.

Mayor Espinoza invited the public to testify at 6:43 p.m. There was no public testimony.

Moved by Councilmember Gomez seconded by Mayor Pro Tem Medrano and CARRIED (4-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1838** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REPEALING IN ITS ENTIRETY CHAPTER 8.04 "GARBAGE AND RUBBISH COLLECTION AND DISPOSAL" OF TITLE 8 "HEALTH AND SAFETY" AND REPLACING IT WITH CHAPTER 8.04 "SOLID WASTE COLLECTION AND DISPOSAL" RELATING TO SOLID WASTE RECYCLABLE MATERIALS AND ORGANIC WASTE RECYCLING REQUIREMENTS, PER SENATE BILL 1383.

Said motion CARRIED by the following roll call vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: Councilmember Simonian

CITY COUNCIL & UTILITY AUTHORITY:

1. DULY NOTICED PUBLIC HEARING ON ADOPTION OF A RESOLUTION AMENDING THE MASTER FEE SCHEDULE OF FEES PERTAINING TO WATER AND SEWER USAGE, CONNECTIONS, AND FEES

Public Works Director Saykali presented the staff report. He noted that the State Water Resource Board just announced that they would not deliver any more water for the next two months from northern California to Southern California, which affects water rates. He stated that sewer rates were decreasing by approximately 10 percent based on the CIP for the next five years and on the fund balance in the Sewer Department.

City Manager/Executive Director Sadro spoke regarding the high staff turnover rate in the Water Department due to competition with other municipal water services and private water districts who

can pay higher salaries and benefits than the City, which continues to be a challenge associated with Public Works Department, Water Division employee retention.

City Council/Authority discussion included: clarification of the tiered water usage by customer class; water conservation enforcement and/or incentives for multi-family residential tenants; and confirmation that fee amendment public notices would be mailed to all La Habra residents.

Mayor/Chair Espinoza invited the public to testify at 6:59 p.m. There was no public testimony. Moved by Councilmember/Director Gomez seconded by Mayor Pro Tem/Vice Chair Medrano and CARRIED (3-1) THAT THE CITY COUNCIL AND UTILITY AUTHORITY:

- A. CONDUCT A PUBLIC HEARING ON A RESOLUTION AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO WATER AND SEWER USAGE, CONNECTIONS, AND FEES; AND,
- B. APPROVE AND ADOPT **RESOLUTION NO. 6035 & UA 2021-02** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AND THE LA HABRA UTILITY AUTHORITY AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO WATER AND SEWER USAGE, CONNECTIONS, AND FEES.

Said motion CARRIED by the following roll call vote:

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

CONSIDERATION ITEMS:

CITY COUNCIL:

- 1. CONSIDER A PURCHASE AND SALES AGREEMENT BETWEEN THE CITY OF LA HABRA AND BLUE B12, LLC, TRUSTEE OF MONEY MAKER TITLE HOLDING TRUST FOR THE PROPERTY LOCATED AT 205-211 SOUTH EUCLID STREET (ASSESSOR'S PARCEL NUMBERS 298-067-10 AND 298-067-11) FOR \$1,355,000 AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS

Housing & Economic Development Manager Cole-Corona presented the staff report.

City Council discussion included confirmation that the property purchase included the parking lot.

Mayor Espinoza invited the public to testify at 7:04 p.m. There was no public testimony.

Moved by Councilmember Gomez seconded by Mayor Pro Tem Medrano and CARRIED (4-0) THAT THE CITY COUNCIL:

- A. APPROVE A PURCHASE AND SALES AGREEMENT BETWEEN THE CITY OF LA HABRA AND BLUE B12, LLC, TRUSTEE OF MONEY MAKER TITLE HOLDING TRUST, FOR THE PURCHASE OF PROPERTY LOCATED AT 205-211 SOUTH EUCLID STREET (ASSESSOR'S PARCEL NUMBER 298-067-10 AND 298-067-11) IN THE AMOUNT OF \$1,355,000;
- B. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE PURCHASE AND SALES AGREEMENT AND ALL RELATED DOCUMENTS;
- C. APPROVE A STANDARD INDUSTRIAL/COMMERCIAL SINGLE-TENANT LEASE (LEASE) FOR A LEASE BACK TO THE SELLER FROM DECEMBER 21, 2021, TO DECEMBER 31, 2021, IN THE AMOUNT OF \$1,637.50 AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE LEASE;
- D. APPROVE THE APPROPRIATION OF \$1,370,000 FROM THE GENERAL FUND PROPERTY ACQUISITION RESERVE TO FUND THE PURCHASE OF 205-211 SOUTH EUCLID STREET, INCLUDING RELATED ESCROW AND CLOSING COST FEES; AND
- E. APPROVE AND ADOPT **RESOLUTION NO. 6036** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING THE PURCHASE OF 205-211 SOUTH EUCLID STREET FROM BLUE B12, LLC, TRUSTEE OF MONEY MAKER TITLE HOLDING TRUST.

The project was reviewed pursuant to California Environmental Quality Act (CEQA) and determined to be Categorically Exempted pursuant to Section 1506 (b)(3) "Review of Exemption of the California Environmental Quality Act Guidelines," because the purchase of the property will have no significant effect on the environment.

Said motion CARRIED by the following roll call vote:

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

- 2. CONSIDER A NOTICE OF PUBLIC PROTEST HEARING REGARDING PROPOSED REFUSE RATE ADJUSTMENTS RELATING TO SB 1383 REQUIREMENTS AND MULTI-FAMILY AND COMMERCIAL BULKY ITEM PROGRAM AND SCHEDULE A PUBLIC HEARING ON MONDAY, FEBRUARY 7, 2022, FOR PROPOSED RATE ADJUSTMENTS FOR THE CITY'S REFUSE FUND

City Manager Sadro indicated that staff was prepared to present the report tonight or City Council could act to set the proposed public protest hearing date and the staff report could be given at that time.

It was the consensus of the City Council to have the staff report presented during the public protest hearing to be held on Monday, February 7, 2022.

There was no City Council discussion.

Mayor Espinoza invited the public to testify at 7:08 p.m. There was no public testimony.

Moved by Mayor Pro Tem Medrano seconded by Councilmember Gomez and CARRIED (4-0)
THAT THE CITY COUNCIL:

- A. SCHEDULE A PUBLIC HEARING ON PROPOSED RATE ADJUSTMENTS FOR COMMERCIAL AND MULTI-FAMILY REFUSE RATES CHARGED BY CR&R TO BE HELD ON MONDAY, FEBRUARY 7, 2022; AND
- B. DIRECT STAFF TO PREPARE AND MAIL NOTICES TO ALL LA HABRA COMMERCIAL AND MULTI-FAMILY PROPERTY OWNERS REGARDING THE SCHEDULING OF A PUBLIC HEARING ON MONDAY, FEBRUARY 7, 2022, TO CONSIDER THE PROPOSED RATE ADJUSTMENTS FOR THE CITY'S REFUSE FUND.

Said motion CARRIED by the following roll call vote:

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

MAYOR'S COMMUNITY CALENDAR:

Mayor Espinoza made the following announcements:

- La Habra Vaccination Clinic on an intermittent basis at various locations.
- La Habra Holiday Giving Campaign donations accepted at the La Habra Community Center through December 15, 2021.
- Light Up the Season Home Decorating Contest nominations accepted through December 15, 2021.
- California Christmas Concert "Keepin' the Summer Alive" at the La Habra Marketplace on Saturday, December 11, 2021.
- La Habra Children's Museum "New Year's Noon" party on Friday, December 31, 2021.
- La Habra City Hall Winter Holiday Closure from Wednesday, December 22, 2021, through Sunday, January 2, 2022 with City Hall reopening to the public at 7:30 a.m. on Monday, January 3, 2022.

COMMENTS FROM STAFF:

City Manager Sadro complimented Community Services, Public Works, and Police Department staff on the success of the Tamale Festival.

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Gomez welcomed Sonora High School students attending tonight's meeting. He requested the meeting be adjourned in memory of Dr. Jack Gregg. He thanked Mayor Espinoza and VCC: The Gary Center for their participation in the drive-thru holiday giveaway. He complimented Community Services staff on the success of the Tamale Festival and Tree Lighting, and thanked Mayor Pro Tem Medrano for his KTLA 5 News public service announcement on the event. He thanked Public Works staff and CR&R for the Fall Compost Giveaway event.

Councilmember/Director Shaw indicated he was unable to attend this year's Tamale Festival. He stated that he attended the La Habra Police Association Awards and Christmas Banquet. He attended the Manufactured Housing Education Trust luncheon where he won a \$500 raffle that would be given to the Community Resource Care Center (CRCC). He received confirmation that the \$70 million Pension Obligation Bond approved by City Council on November 15, 2021, would not be issued until January 2022, that bond counsel's recommendation regarding the sale of the bond had not changed, but if the bond market changed significantly, staff would bring the item back to City Council with a recommendation.

Mayor Pro Tem/Vice Chair Medrano concurred with Councilmember/Director Shaw regarding stock market fluctuation and its potential impacts on the Pension Obligation Bond. He stated that he attended the Boys and Girls Club Annual Christmas Breakfast held at Señor Campos, and thanked the La Habra Host Lion's Club for providing Santa Claus. He stated that he also attended the Tamale Festival; and noted his KTLA 5 News public service announcement. He thanked Community Services, Public Works, La Habra Police Department, and the Los Angeles County Fire Department for their hard work with the Tamale Festival, the Tree Lighting ceremony, and the fireworks display. He stated that he participated in a toy drive hosted by the Los Angeles County Sheriff's Department. He announced that the Northgate Market Tree Lighting would be held on Tuesday, December 7, 2021.

Mayor/Chair Espinoza thanked Mayor Pro Tem Medrano for his KTLA 5 News public service announcement regarding the Tamale Festival., and thanked City staff for the success of this year's event. She thanked fellow Councilmembers for attending community events.

ADJOURNMENT: Mayor/Chair Espinoza adjourned the meeting at 7:29 p.m. in memory of Dr. Jack Gregg to Monday, December 20, 2021, 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.

Respectfully submitted,

Laurie Swindell, CMC
City Clerk/Secretary