

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING & REGULAR MEETING 6:30 P.M. & REGULAR JOINT MEETING WITH THE LA HABRA UTILITY AUTHORITY

Tuesday, February 21, 2023

PRELIMINARY: These Minutes to be considered for approval on March 20, 2023.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Gomez 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 Gomez
Mayor Pro Tem Nigsarian
Councilmember Medrano
Councilmember Simonian

COUNCILMEMBERS ABSENT: Councilmember Espinoza (excused absence)

OTHER OFFICIALS PRESENT: City Manager Sadro
Acting City Clerk Barone

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS: None.

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.

Director of Community and Economic Development Kim and Planning Manager Lui were present for this item. Acting City Attorney Craig Steele with Richards Watson Gershon was present via telephone for this item.

ADJOURNMENT: The City Council reconvened at 5:48 p.m. There were no Closed Session announcements. Mayor Gomez adjourned the Adjourned Regular Meeting at 5:48 p.m.

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

CALL TO ORDER: Mayor/Chair Gomez called the Regular Meeting of the City Council of the City of La Habra & 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: Councilmember/Director Medrano

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Gomez
Mayor Pro Tem/Vice Chair Nigsarian
Councilmember/Director Medrano
Councilmember/Director Simonian

COUNCILMEMBERS/DIRECTORS ABSENT: Councilmember/Director Espinoza (excused absence)
OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
Assistant City Attorney/Legal Counsel Collins
Acting City Clerk/Secretary Barone
Management Analyst II Hurt
Administrative Clerk De Santos

CLOSED SESSION ANNOUNCEMENT: None.

PROCLAMATIONS/PRESENTATIONS:

1. RECOGNITION OF THE BROOM FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT

Mayor Gomez and City Council recognized and presented the Broom Family with a Certificate of Recognition.

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

Mayor Gomez and City Council recognized presented the De La Rosa Family with a Certificate of Recognition.

3. RECOGNITION OF THE JIMENEZ FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT

Mayor Gomez and City Council recognized and presented the Jimenez Family with a Certificate of Recognition.

PUBLIC COMMENTS:

Acting City Clerk Barone stated email public comments were received from Dr. Susan Pritchard, La Habra resident, with copies provided at the dais for each City Councilmember.

On behalf of several audience members, La Habra businessowner Zach Price spoke in opposition to the enforcement of skateboard helmet rules at La Bonita Skatepark.

CONSENT CALENDAR:

Moved by Councilmember/Director Simonian, seconded by Mayor Pro Tem/Vice Chair Nigsarian, and CARRIED (4-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 12; AND UTILITY AUTHORITY ITEMS 1 AND 2.

Said motion CARRIED by the following vote:

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

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. 6098** 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. 6099** 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. 6100** 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. 2023-01** 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: None.

PUBLIC HEARINGS:

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

City Manager Sadro stated this item has been pulled from the agenda.

CONSIDERATION ITEMS:

CITY COUNCIL & UTILITY AUTHORITY:

Assistant City Attorney/Legal Counsel Collins recused himself from this item and left the dais at 6:47 p.m.

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

Director of Public Works Saykali presented the staff report.

City Council/Authority discussion included: why California Domestic Water Company (CDWC) is selling the shares; and which agency is the largest CDWC stock shareholder.

Mayor/Chair Gomez invited the public to testify at 6:53 p.m. There was no public testimony.

Moved by Mayor Pro Tem/Vice Chair Nigsarian, Seconded by Councilmember/Director Medrano, AND CARRIED (4-0) 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.

Said motion CARRIED by the following vote:

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

Assistant City Attorney/Legal Counsel Collins returned to the dais at 6:54 p.m.

MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- Current job openings with the City of La Habra.
- 2023 La Habra Races to be held on Saturday, March 11, 2023, at the La Habra Marketplace.
- Senior Dances to be held on Sunday, March 19, 2023, from 2:00 p.m. to 4:30 p.m. at the La Habra Community Center.
- Kids Night Out – Lucky Charms to be held on Friday, March 24, 2023, from 6:00 p.m. to 10:30 p.m. at the La Habra Community Center.
- Egg Night to be held on Friday, April 7, 2023, at La Bonita Park from 7:00 p.m. to 8:00 p.m.
- Spring Family Eggstravaganza to be held on Saturday, April 8, 2023, at La Bonita Park from 8:00 a.m. – Noon.
- Planning Commission and Community Services Commission meetings held.
- Water conservation efforts are still in effect with lawn irrigation prohibited between the hours of 10:00 a.m. to 4:00 p.m., as is the washing of hard surfaces such as sidewalks and driveways.

COMMENTS FROM STAFF:

None.

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Councilmember/Director Medrano spoke regarding his, Mayor Gomez, Councilmember Espinoza, and Councilmember Simonian's attendance to the L3 Collective Wellness Center grand opening. He stated he attended the City of Whittier Police Officer Boyer Memorial.

Mayor Pro Tem/Vice Chair Nigsarian stated he attended the Brea Library grand re-opening as part of his Orange County Library Advisory Board involvement. He spoke regarding serving as a judge for the Imperial Middle School Spelling Bee. He stated he attended the Community Services Department Valentine's Day Dance held on Sunday, February 19, 2023, at the La Habra Community Center, and thanked the La Habra Host Lions Club for their event support. He spoke regarding the final publication of the La Habra Journal, and thanked the newspaper founding editors Steve and Jane Williams for the nearly 30-year publication.

Mayor/Chair Gomez requested the meeting be adjourned in memory of Our Lady of Guadalupe first grade teacher Francine Kubasek; Our Lady of Guadalupe music teacher Deborah Schlatter Lopez, and former La Habra resident Frank Mejia.

ADJOURNMENT: Mayor/Chair Gomez adjourned the meeting in memory of Francine Kubasek, Deborah Schlatter, and Frank Mejia at 7:03 p.m. to Monday, March 6, 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.

Respectfully submitted,

Rhonda J. Barone, CMC
Acting City Clerk