

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

&

REGULAR MEETING 6:30 P.M.

Monday, July 17, 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 Espinoza
Councilmember Medrano

COUNCILMEMBERS ABSENT: Councilmember Simonian (excused absence)

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

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, Human Resources Manager Coelho-LaFreniere, and Liebert Cassidy Whitmore Attorney Laura Drottz Kalty were present for this item.

2. Conference with Legal Counsel - Existing Litigation (Subdivision (a) of Government Code Section 54956.9) Coyote Village HOA v. City of La Habra.

Director of Public Works Saykali, Deputy Director of Public Works/City Engineer Mendoza, and Deputy City Attorney Gary Kranker were present for this item.

ADJOURNMENT: The City Council reconvened at 6:10 p.m. There were no Closed Session announcements. Mayor Gomez adjourned the Adjourned Regular Meeting at 6:10 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Gomez 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: Mayor Pro Tem Nigsarian

COUNCILMEMBERS PRESENT: Mayor Gomez
Mayor Pro Tem Nigsarian
Councilmember Espinoza
Councilmember Medrano

COUNCILMEMBERS ABSENT: Councilmember Simonian (excused absence)

OTHER OFFICIALS PRESENT: City Manager Sadro
City Attorney Jones
City Clerk Barone
Assistant City Clerk Lopez
Management Analyst II Hurt
Administrative Aide I Delgado

CLOSED SESSION ANNOUNCEMENT: None.

PROCLAMATIONS/PRESENTATIONS:

1. RECOGNITION OF MEALS ON WHEELS (OC) VOLUNTEERS EVELYN MILLER AND MATT GERDES

Mayor Gomez and City Council presented Meals on Wheels (OC) volunteers Evelyn Miller and Matt Gerdes with a certificate of recognition.

Meals on Wheels (OC) representative Jennifer Bush spoke regarding the program and volunteerism of Evelyn Miller and Matt Gerdes.

2. RECOGNITION OF THE VALENCIA FAMILY AS THE 2023 RESIDENTIAL BEAUTIFICATION AWARD RECIPIENT

Mayor Gomez and City Council presented the Valencia Family with a yard sign and certificate of recognition.

PUBLIC COMMENTS:

City Clerk Barone stated two email public comments were received. She indicated one was received with supporting documentation from "Sincerely Concerned Citizens" with regard to traffic concerns in La Habra near the area of East 3rd Avenue; with the second public comment received by Dr. P. Susan Pritchard in support of Consent Calendar Items 7 and 8.

Frances Rhoba, La Habra resident, spoke regarding traffic concerns on East Francis Avenue.

Linnette Falcon introduced herself as the new Chair of the La Habra Chamber of Commerce.

Randy Adam, La Habra resident, spoke regarding new trash cans that prevent spillage.

Mayor Gomez welcomed newly hired Assistant City Clerk Kenia Lopez.

CONSENT CALENDAR:

Moved by Mayor Pro Tem Nigsarian, seconded by Councilmember Medrano, and CARRIED (4-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 14.

Said motion CARRIED by the following vote:

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

- April 17, 2023
- May 1, 2023
- May 15, 2023
- June 5, 2023
- June 19, 2023
- July 3, 2023

3. APPROVE DENIAL OF LIABILITY CLAIM OF MS. HYUN KYUNG CHUNG

That the City Council deny the claim of Ms. Hyun Kyung Chung in order to set a definite six-month Statute of Limitations date.

4. APPROVE DENIAL OF LIABILITY CLAIM OF MS. LUCRECIA DE LA ROSA

That the City Council deny the claim of Ms. Lucrecia De La Rosa in order to set a definite six-month Statute of Limitations date.

5. APPROVE DENIAL OF LIABILITY CLAIM OF HAICHANG LU AND YANKUN ZHANG

That the City Council deny the claim of Haichang Lu and Yankun Zhang in order to set a definite six-month Statute of Limitations date.

6. APPROVE DENIAL OF LIABILITY CLAIM OF MS. GRETTA BOYD

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

7. ACCEPTANCE OF FUNDING FOR THE CITY OF LA HABRA STATE PRESCHOOL PROGRAM 2023-2024 FISCAL SCHOOL YEAR

That the City Council:

A. Approve and authorize the City Manager to execute and submit the CSPP-3337 contract with the California Department of Education Early Learning and Care Division for the 2023-2024 Fiscal School Year; and,

B. APPROVE AND ADOPT **RESOLUTION NO. 6118** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE ACCEPTANCE OF LOCAL AGREEMENT NO. CSPP-3337 WITH THE STATE DEPARTMENT OF EDUCATION.

8. APPROVAL OF FUNDING FROM THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES FOR THE CITY OF LA HABRA'S GENERAL CHILD CARE PROGRAM FOR THE 2023-2024 FISCAL SCHOOL YEAR

That the City Council:

A. Approve and authorize the City Manager to execute and submit the CCTR-2183 contract with the California Department of Social Services for the 2023-2024 Fiscal School Year; and,

B. APPROVE AND ADOPT **RESOLUTION NO. 6119** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE ACCEPTANCE OF LOCAL AGREEMENT NO. 2183, WITH THE CALIFORNIA DEPARTMENT OF SOCIAL SERVICES.

9. APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DISABILITY ACCESS CONSULTANTS, LLC, FOR THE AMERICANS WITH DISABILITIES ACT (ADA) ACCESSIBILITY ASSESSMENT SURVEY FISCAL YEAR 2023

That the City Council:

A. Approve and authorize the City Manager to execute an agreement in the amount of \$217,700 with Disability Access Consultants, LLC, for the ADA Accessibility Assessment Survey FY 2023; and,

B. Authorize staff to issue purchase order in an amount not to exceed \$250,000 to Disability Access Consultants, LLC.

10. APPROVE REQUEST FOR A "STOP" SIGN AT NORTH FONDA STREET AND ESSEX DRIVE

That the City Council APPROVE AND ADOPT **RESOLUTION NO. 6120** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, DESIGNATING THE EASTBOUND AND WESTBOUND APPROACHES FOR THE INTERSECTION OF NORTH FONDA STREET AND ESSEX DRIVE AS A TWO-WAY STOP INTERSECTION.

11. APPROVE AN AGREEMENT WITH CORNERSTONE COMMUNICATIONS FOR CONTINUED PUBLIC OUTREACH AND COMMUNITY NEWSLETTER

That the City Council approve and authorize the City Manager to execute a professional services agreement with Cornerstone Communications for continued public outreach and the production and distribution of a community newsletter.

12. APPROVE NOTICE OF COMPLETION TO SANCON TECHNOLOGIES FOR ANNUAL SEWER REHABILITATION PROGRAM, MAIN SEWER LINING FY 2021-2022 AND FY 2022-2023, CITY PROJECT NO. 1-S-23

That the City Council approve the Notice of Completion to Sancon Technologies, Inc. for the Annual Sewer Rehabilitation Program Main Sewer Lining, FY 2021-2022 and FY 2022-2023, City Project No. 1-S-23, and authorize staff to submit the notice for recordation.

13. APPROVE NOTICE OF COMPLETION FOR THE CIVIC CENTER PROJECT, PROJECT NO. 01-14- 052

That the City Council approve the Notice of Completion for Civic Center Project including the constructions and improvements of the City Hall Building, Police Station, Veterans Hall, Old Settlers Museum, Community Center, City Project 01-14-052, and authorize staff to submit the notice for recordation.

14. WARRANTS: APPROVE NOS. 00139472 THROUGH 00139881 TOTALING \$2,855,075.98; AND APPROVE WIRE TRANSFER DATED 07/31/23 TOTALING \$3,886,995.04

That the City Council approve Nos. 00139472 through 00139881 totaling \$2,855,075.98; and approve Wire Transfer dated 07/31/23, totaling \$3,886,995.04.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

PUBLIC HEARINGS:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR ZONE CHANGE 23-01 TO AMEND TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE RELATING TO 24-HOUR GENERAL RETAIL USES AND PERSONAL SERVICES AND THEIR HOURS OF OPERATION

Director of Community Development Kim presented the staff report.

City Council discussion included: opposition to business owner penalties should Zone Change 23-01 be amended; and support of local businesses.

Mayor Gomez opened the public hearing at 6:53 p.m.

On behalf of various 7-11 Franchise Business Owners, Jatinder Jhaj spoke regarding this item.

Mayor Gomez closed the public hearing at 6:55 p.m.

Moved by Councilmember Medrano, Seconded by Mayor Pro Tem Nigsarian, AND CARRIED (4-0) that the City Council take no further action on Zone Change 23-01 and direct staff to withdraw this application from further review.

Said motion CARRIED by the following vote:

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

CONSIDERATION ITEMS:

1. CONSIDER APPROVAL AND AUTHORIZATION FOR THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIG INC. FOR CONSULTANT SERVICES TO PREPARE AN UPDATE TO THE LA HABRA BOULEVARD SPECIFIC PLAN

Director of Community Development Kim presented the staff report.

Mayor Gomez invited the public to testify at 7:01 p.m. There was no public testimony.

City Council discussion included: the history of the planned development of La Habra Boulevard; potential Chamber of Commerce and business opportunities on La Habra Boulevard; and the needed redevelopment of La Habra Boulevard.

Moved by Mayor Gomez, Seconded by Councilmember Medrano, AND CARRIED (4-0) THAT THE CITY COUNCIL APPROVE AND AUTHORIZE THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MIG INC., IN AN AMOUNT NOT TO EXCEED \$849,998, TO PREPARE A COMPREHENSIVE UPDATE TO THE LA HABRA BOULEVARD SPECIFIC PLAN.

Said motion CARRIED by the following vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: Councilmember Simonian

2. CONSIDER THE INITIATION OF ZONE CHANGE 23-02 TO AMEND TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE BY ADDING A PUBLIC ART PROGRAM REQUIREMENT, OR AN IN LIEU FEE OPTION, FOR LARGER DEVELOPMENT PROJECTS

Director of Community Development Kim presented the staff report.

There was no City Council discussion.

Mayor Gomez invited the public to testify at 7:07 p.m.

Michelle Bernier, La Habra resident, spoke.

Mayor Gomez closed public testimony at 7:08 p.m.

Moved by Mayor Pro Tem Nigsarian, Seconded by Councilmember Espinoza, AND CARRIED (4-0) THAT THE CITY COUNCIL DIRECT STAFF TO INITIATE ZONE CHANGE 23-02 RELATED TO AMENDMENTS TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE (LHMC OR "CODE") RELATED TO ART IN PUBLIC PLACES.

Said motion CARRIED by the following vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: Councilmember Simonian

MAYOR'S COMMUNITY CALENDAR:

Mayor Gomez made the following announcements:

- Movies in the Park on July 21, 2023, at Portola Park
- National Night Out on August 1, 2023, at Portola Park
- Concerts in the Park on July 20, 2023, at Portola Park.
- Red Cross Blood Drive on August 2, 2023, at the La Habra Community Center.
- La Habra Host Lions – Pasta Fest on August 12, 2023, at the La Habra Community Center.
- Kids Night Out on August 25, 2023, at the La Habra Community Center.
- Planning Commission and Community Services Commission meetings held.
- Current job openings with the City of La Habra.
- Reminder of water conservation efforts.

COMMENTS FROM STAFF:

City Manager Sadro offered his condolences to the families of Dave McCauley and Bruce Martin.

COMMENTS FROM COUNCILMEMBERS:

Councilmember Espinoza stated Senator Tom Umberg's Office secured \$2 million in funding towards the development of Vista Grande Park. She spoke regarding the recent passing of Bruce Martin and Dave McCauley.

Mayor Pro Tem Nigsarian spoke regarding the recent passing of Dave McCauley and Bruce Martin. He requested the meeting be adjourned in memory of Terry Lynn Huntley.

Councilmember Medrano spoke regarding the California State Legislator's decision regarding human trafficking. He spoke regarding his attendance to the 4th of July Celebration; and thanked the Community Services Department and Police Department for the success of this year's Concerts in the Park. He spoke regarding the recent passing of Dave McCauley and Bruce Martin.

Mayor Gomez commended Management Analyst II Hurt on the recent edition of "La Habra Life." He thanked the Community Services Department staff for their hard work with the 4th of July Celebration and Concerts in the Park. He spoke regarding the recent closure of the Splash Pads at Brio Park. He spoke regarding the recent passing of Dave McCauley and Bruce Martin; and requested the meeting be adjourned in memory of Bruce Martin, Terry Lynn Huntley, and Dave McCauley.

ADJOURNMENT: Mayor Gomez adjourned the meeting in memory of Bruce Martin, Dave McCauley, and Terry Lynn Huntley at 7:31 p.m. to Monday, August 7, 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
City Clerk

These Minutes were approved on: _____

DRAFT