

# MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

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Monday, October 2, 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  
Councilmember Simonian

**COUNCILMEMBERS ABSENT:** NONE

**OTHER OFFICIALS PRESENT:** City Manager Sadro  
City Attorney Jones  
City Clerk Barone

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

## **CLOSED SESSION:**

1. Conference with Legal Counsel - Anticipated Litigation; Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (one case).
2. Conference with Legal Counsel Pending Litigation Pursuant to Government Code Section 54956(d)(1); Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021-01179515- CU-WM-WJC.
3. Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021- 01221710-CU-BC-WJC.
4. Conference with Legal Counsel Significant Exposure to Litigation Pursuant to Government Code Section 54956(d)(2) and (e)(1); One (1) Potential Case.

Closed Session Items 2, 3, 4 were discussed prior to Closed Session Item 1.

Mayor Gomez and City Attorney Jones recused themselves from Closed Session Items 2, 3, and 4, and left the Closed Session Room at 5:32 p.m.

Acting City Attorney Craig Steele with Richards Watson Gershon and Planning Manager Lui were also present for Closed Session Items 2, 3, 4. Acting City Attorney Ginetta Giovinco with Richards Watson Gershon participated via telephone.

Mayor Gomez and City Attorney Jones returned to the Closed Session Room at 6:13 p.m.

Assistant City Attorney Collins, Chief of Police Foster, Director of Public Work Saykali, and Code Enforcement Supervisor Bastreri were also present for Closed Session Item 1.

**ADJOURNMENT:** The City Council reconvened at 6:25 p.m. There were no Closed Session announcements. Mayor Gomez adjourned the Adjourned Regular Meeting at 6:25 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:** Councilmember Medrano

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

**COUNCILMEMBERS ABSENT:** NONE

**OTHER OFFICIALS PRESENT:** City Manager Sadro  
City Attorney Jones  
City Clerk Barone  
Management Analyst II Hurt  
Assistant City Clerk Lopez

**CLOSED SESSION ANNOUNCEMENT:** None.

**PROCLAMATIONS/PRESENTATIONS:**

1. PROCLAIM OCTOBER 22-28, 2023 AS "CHILDHOOD LEAD POISONING PREVENTION WEEK" IN THE CITY OF LA HABRA

Mayor Gomez and the City Council presented CLPPP Environmental Professional Lauren Gatica and CLPPP Public Health Nurse Keri Lien with the proclamation.

2. PRESENTATION BY CITY OF HOPE ORANGE COUNTY

City of Hope Orange County representatives Lisa O'Neil Hill and Uresha Bhakta provided a presentation.

**PUBLIC COMMENTS:**

On behalf of American Legion Post 267, Teresa Kempker and Carrie Surich spoke regarding the Veteran's Day event to be held on Saturday, November 11, 2023, at the La Habra Community Center.

**CONSENT CALENDAR:**

Moved by Councilmember Medrano, seconded by Councilmember Simonian, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 12.

Said motion CARRIED by the following vote:

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

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 September 18, 2023.

3. APPROVE DENIAL OF LIABILITY CLAIM OF LINK LOGISTICS

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

4. APPROVE DENIAL OF LIABILITY CLAIM OF MR. ANTHONY GARCIA

That the City Council deny the claim of Mr. Anthony Garcia in order to set a definite six-month Statute of Limitations date.

5. APPROVE DENIAL OF LIABILITY CLAIM OF STATE FARM MUTUAL AUTO INSURANCE CO.

That the City Council deny the claim of State Farm Mutual Auto Insurance Co. in order to set a definite six- month Statute of Limitations date.

6. APPROVE DENIAL OF LIABILITY CLAIM OF MR. VICENTE VENTURA ESTRADA

That the City Council deny the claim of Mr. Vicente Ventura Estrada in order to set a definite six-month Statute of Limitations date.

7. APPROVE DENIAL OF LIABILITY CLAIM OF MR. CELESTINO GIL

That the City Council deny the claim of Mr. Celestino Gil in order to set a definite six-month Statute of Limitations date.

8. APPROVE THE PURCHASE OF DELL COMPUTERS NETWORK VIRTUALIZATION EQUIPMENT

That the City Council approve and authorize the City Manager to execute a purchase order in the amount of \$197,523.23 with Dell Computers for the purchase of one Dell EMC PowerStore 500T storage device (\$150,661.93), one Dell PowerEdge R660 file server (\$31,016.58) and one Dell PowerSwitch S5244 switching device (\$15,844.72).

9. APPROVE NOTICE OF COMPLETION FOR ANNUAL RESIDENTIAL STREET REHABILITATION, FISCAL YEAR 2019-2020 AND FISCAL YEAR 2021-2022, CITY PROJECT NO. 1- R-20

That the City Council approve Notice of Completion for the Annual Residential Street Rehabilitation, Fiscal Year 2019-2020 and Fiscal Year 2021-2022, City Project 1-R-20, and authorize staff to submit the notice for recordation.

10. APPROVE TRACT MAP NO. 19155 AS SUBMITTED, AND ACCEPT THE DEDICATIONS FOR PUBLIC STREET PURPOSES

That the City Council approve Tract Map No. 19155 at 331-351 South Cypress Street and 316 South Aldrich Street, as submitted, and accept the dedications for public street purposes as shown on said map.

11. APPROVE RECOMMENDED AMENDMENTS TO THE GOVERNANCE DOCUMENT OF THE INTEGRATED LAW AND JUSTICE AGENCY FOR ORANGE COUNTY (ILJAO), JOINT POWERS AUTHORITY

That the City Council approve and authorize the City Manager to execute the recommended amendments to the Governance Document of the Integrated Law and Justice Agency for Orange County (ILJAO) Joint Powers Authority.

12. WARRANTS: APPROVE NOS. 00140853 THROUGH 00141008 TOTALING \$1,190,455.13; AND APPROVE WIRE TRANSFERS DATED 9/29/23, TOTALING \$838,956.17

That the City Council approve Nos. 00140853 through 00141008 totaling \$1,190,455.13; and approve Wire Transfer dated 9/29/23, totaling \$838,956.17.

**CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:** None.

**PUBLIC HEARINGS:**

1. DULY NOTICED PUBLIC HEARING TO CONSIDER PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 FOR THE REQUEST TO CONSTRUCT A 3,875 SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY

Senior Planner Quiroz presented the staff report.

Mayor Gomez opened the public hearing at 6:54 p.m.

Catherine Badame, La Habra resident, spoke regarding this item.

Kam Patel, La Quinta Inn & Suites, spoke regarding this item.

The applicant Parag Patel spoke regarding this item.

The public hearing was closed at 6:57 p.m.

City Council discussion included: control of competing business interests in the City; and business development regulations.

Moved by Councilmember Simonian, seconded by Mayor Pro Tem Nigsarian, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1850** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 FOR THE CONSTRUCTION OF A 3,875 SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS, AND MAKE A DETERMINATION THAT THE REQUEST IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURE S" AND SECTION 15061(B)(2) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

Said motion CARRIED by the following vote:

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

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

**MAYOR'S COMMUNITY CALENDAR:**

Mayor Gomez announced upcoming community events and activities.

**COMMENTS FROM STAFF:** None.

**COMMENTS FROM COUNCILMEMBERS:**

Councilmember Medrano spoke regarding his attendance to the La Habra High School Homecoming football game held on Friday, September 29, 2023, and KTLA 5 News coverage. He spoke regarding the Corn Festival hosted by the La Habra Host Lions Club on October 13-15, 2023. He thanked the La Habra Host Lions Club for their community support.

Mayor Pro Tem Nigsarian spoke regarding upcoming La Habra Depot Theatre productions, and La Habra Children's Museum exhibits.

Councilmember Espinoza spoke regarding the success of Love La Habra held on Saturday, September 23, 2023, and thanked all volunteers for their hard work. She spoke regarding the La Habra High School Homecoming football game held on Friday, September 29, 2023, and KTLA 5 News coverage.

Mayor Gomez spoke regarding the success of Love La Habra held on Saturday, September 23, 2023, and thanked all volunteers for their hard work and Chick-fil-A for their community support. He spoke regarding the 2023 Inner Coastal Cleanup held on Saturday, September 23, 2023. He spoke regarding his attendance to the La Habra High School Homecoming football game and dance held on Friday, September 29, 2023, and KTLA 5 News coverage.

**ADJOURNMENT:** Mayor Gomez adjourned the meeting at 7:15 p.m. to Monday, October 16, 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: \_\_\_\_\_.