

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

REGULAR MEETING 6:30 P.M.

Tuesday, January 16, 2024

ADJOURNED REGULAR MEETING 5:30 P.M.:

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

COUNCILMEMBERS ABSENT: Councilmember Simonian

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

Director of Community and Economic Development Kim, Planning Manager Lui, and Acting City Attorney Ginetta Giovinco with Richards Watson Gershon were present for all Closed Session items. Acting City Attorney Craig Steele with Richards Watson Gershon participated via telephone.

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

Kent Roberts, La Habra Heights resident, spoke.

Following Oral Communications From the Public for Closed Session Matters, Assistant City Attorney Collins and Councilmember Gomez recused themselves from all Closed Session Items and left the Closed Session Room at 5:49 p.m.

CLOSED SESSION:

1. Conference with Legal Counsel Pending Litigation Pursuant to Government Code Section 54956.9(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.
2. Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021- 01221710-CU-BC-WJC.

3. Californians for Home Ownership v. City of La Habra, Orange County Superior Court Case No. 30-2023- 01325471-CU-WM-NJC.
4. Conference with Legal Counsel Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2) and (e)(1); One (1) Potential Case.

ADJOURNMENT: The City Council reconvened at 6:21 p.m. There were no Closed Session announcements. Mayor Nigsarian adjourned the Adjourned Regular Meeting at 6:21 p.m.

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Mayor Nigsarian 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: Assistant City Attorney Collins

PLEDGE OF ALLEGIANCE: Mayor Nigsarian

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

COUNCILMEMBERS ABSENT: Councilmember Simonian (excused absence)

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

CLOSED SESSION ANNOUNCEMENT: None.

PROCLAMATIONS/PRESENTATIONS:

1. RECOGNITION OF THE LA HABRA GIRLS' SOFTBALL ASSOCIATION

The La Habra Girls' Softball Association was not present for this recognition.

PUBLIC COMMENTS:

City Clerk Barone announced one email public comment was received from Raul Riojas, La Habra resident, with copies provided at the dais for each City Councilmember.

Dennis Quinn, La Habra resident, spoke.

CONSENT CALENDAR:

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 8.

Said motion CARRIED by the following vote:

AYES: Mayor Nigsarian, Mayor Pro Tem Espinoza,
Councilmember Gomez, 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 DENIAL OF LIABILITY CLAIM OF MS. MARGARET GARCIA

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

3. APPROVE ISSUANCE OF A PURCHASE ORDER TO LONG BEACH BMW MOTORCYCLES, LONG BEACH, CALIFORNIA, IN THE AMOUNT OF \$78,907.34 FOR TWO NEW POLICE MOTORCYCLES

That the City Council:

A. Approve the purchase of two (2) new Police motorcycles to replace existing units utilizing the cooperative purchase provision of a competitively bid contract awarded by the Los Angeles County Sheriff's Department, contract order #PO-SH-23008318-1 as allowed by La Habra Municipal Code Section 4.20.070 (C); and,

B. Appropriate \$78,907.34 from the City's available unencumbered Fleet Replacement Fund balance for this purchase and authorize the City Manager to issue a purchase order in that amount to Long Beach BMW Motorcycles, Long Beach, California, for the purchase of two new Police motorcycles to replace existing units.

4. AWARD A CONTRACT TO Z&K CONSULTANTS, INC., FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR THE VISTA GRANDE PARK IMPROVEMENT PROJECT, CITY PROJECT NO. 1-P-22

That the City Council:

A. Approve and authorize the City Manager to execute a contract with Z&K Consultants, Inc. for Construction Management and Inspection Services for the Vista Grande Park Improvement Project, City Project No. 1-P- 22; and,

B. Authorize staff to issue a purchase order to Z&K Consultants, Inc. for Construction Management and Inspection Services for the Vista Grande Park Improvement Project, City Project No. 1-P-22, in an amount not to exceed \$734,569, which includes a 10 percent contingency.

5. APPROVE NOTICE OF COMPLETION FOR THE MONTWOOD PARK LIGHTING PROJECT FY22-23, CITY PROJECT NO. 3-P-22

That the City Council approve a Notice of Completion for the Montwood Park Lighting Project FY22-23, City Project No. 3-P-22, and authorize staff to submit the notice for recordation.

6. APPROVE COOPERATIVE AGREEMENT NO. 2023-1 WITH THE CITY OF BREA FOR THE LAMBERT ROAD CORRIDOR PROJECT, REGIONAL TRAFFIC SIGNAL SYNCHRONIZATION PROGRAM, CITY PROJECT NO. 7-TC-20

That the City Council approve Cooperative Agreement No. 2023-1 with the City of Brea for the Lambert Road Corridor Project, Regional Traffic Signal Synchronization Program, City Project No. 7-TC-20.

7. APPROVAL OF AN APPLICATION FOR SPECIFIED GRANT FUNDS FROM THE STATE OF CALIFORNIA BUDGET ACT 2023/24 FOR THE VISTA GRANDE PARK DEVELOPMENT PROJECT

That the City Council APPROVE AND ADOPT **RESOLUTION NO. CC 2024-02** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA APPROVING APPLICATION(S) FOR SPECIFIED GRANT FUNDS FROM THE BUDGET ACT OF 2023, SEC. 19.561. (b) (75) \$2,000,000 FOR THE CITY OF LA HABRA FOR THE VISTA GRANDE PARK DEVELOPMENT PROJECT.

8. WARRANTS: APPROVE NOS. 00142091 THROUGH 00142414 TOTALING \$4,320,224.05; AND APPROVE WIRE TRANSFERS DATED 1/31/24, TOTALING \$935,931.36

That the City Council approve Nos. 00142091 through 00142414 totaling \$4,320,224.05; and approve Wire Transfer dated 1/31/24, totaling \$935,931.36.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

PUBLIC HEARINGS:

1. CITY-INITIATED GENERAL PLAN AMENDMENT (GPA) 23-01 TO:
 - A. AMEND CHAPTER 2 (COMMUNITY DEVELOPMENT) AND APPENDIX C (GLOSSARY OF TERMS) TO PROVIDE CONSISTENCY WITH THE HOUSING ELEMENT;
 - B. AMEND CHAPTER 7 (COMMUNITY SAFETY) AND ADD NEW APPENDICES D (CLIMATE CHANGE VULNERABILITIES ASSESSMENT) AND E (HEALTH AND ENVIRONMENTAL JUSTICE ASSESSMENT) TO COMPLY WITH GOVERNMENT CODE SECTION 65302(G) AND SENATE BILL 1000 (2016) RELATED TO WILDFIRE AND EMERGENCY PREPAREDNESS, CLIMATE CHANGE ADAPTATION, AND ENVIRONMENTAL JUSTICE; AND,

- C. AMEND CHAPTER 8 (IMPLEMENTATION MANUAL) TO INCLUDE THE NEW POLICIES AND ADD NEW PROGRAMS AS PART OF THE UPDATES TO CHAPTER 2 (COMMUNITY DEVELOPMENT) AND CHAPTER 7 (COMMUNITY SAFETY).

Senior Planner Quiroz presented the staff report.

There was no City Council discussion.

Mayor Nigsarian opened the public hearing at 6:43 p.m. There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) THAT THE CITY COUNCIL APPROVE AND ADOPT **RESOLUTION NO. CC 2024-01** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT 23-01 TO: (1) AMEND CHAPTER 2 (COMMUNITY DEVELOPMENT) AND APPENDIX C (GLOSSARY OF TERMS) TO PROVIDE CONSISTENCY WITH THE HOUSING ELEMENT; (2) AMEND CHAPTER 7 (COMMUNITY SAFETY) AND ADD NEW APPENDICES D (CLIMATE CHANGE VULNERABILITY ASSESSMENT) AND E (HEALTH AND ENVIRONMENTAL EQUITY ASSESSMENT) TO COMPLY WITH GOVERNMENT CODE SECTION 65302(G) AND SENATE BILL 1000 (2016) RELATED TO WILDFIRE AND EMERGENCY PREPAREDNESS, CLIMATE CHANGE ADAPTATION, AND ENVIRONMENTAL JUSTICE; AND (3) AMEND CHAPTER 8 (IMPLEMENTATION MANUAL) TO INCLUDE THE NEW POLICIES AND ADD NEW PROGRAMS AS PART OF THE UPDATES TO CHAPTER 2 (DEVELOPMENT) AND CHAPTER 7 (COMMUNITY SAFETY); AND MAKING A DETERMINATION THAT GENERAL PLAN AMENDMENT 23-01 IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

Said motion CARRIED by the following vote:

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

CONSIDERATION ITEMS:

1. CONSIDER EXPIRING TERMS AND VACANCIES ON THE PLANNING COMMISSION, COMMUNITY SERVICES COMMISSION, AND BEAUTIFICATION COMMITTEE AND PROVIDE DIRECTION TO STAFF

City Clerk Barone presented the staff report.

City Council discussion included potential dissolution of the Beautification Committee and assigning its responsibilities to the Community Services Commission.

City Manager Sadro spoke regarding the staff recommendation in the City Council Agenda Report for the potential dissolution of the Beautification Committee and assigning its responsibilities to the Community Services Commission.

Councilmember Medrano motioned for staff to bring back an item for City Council consideration on April 1, 2024, to dissolve the Beautification Committee and assign its responsibilities to the Community Services Commission. Seconded by Mayor Nigsarian.

Councilmember Gomez requested the April 1, 2024, City Council Agenda Report include attendance records of the Beautification Committee members.

Mayor Nigsarian invited the public to testify at 6:52 p.m. There was no public testimony.

Moved by Mayor Nigsarian, seconded by Councilmember Medrano, and CARRIED (4-0) THAT THE CITY COUNCIL APPROVE TO DIRECT STAFF TO ADVERTISE VACANCIES ON THE PLANNING COMMISSION, COMMUNITY SERVICES COMMISSION, AND BEAUTIFICATION COMMITTEE THAT WILL OCCUR DUE TO EXPIRING TERMS OR RESIGNATIONS, AND SCHEDULE INTERVIEWS WITH ELIGIBLE CANDIDATES.

Said motion CARRIED by the following vote:

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

MAYOR'S COMMUNITY CALENDAR:

Mayor Nigsarian announced upcoming community events and activities.

COMMENTS FROM STAFF:

City Manager Sadro congratulated newly appointed Mayor Nigsarian on his first full meeting as Mayor, and welcomed City Council back from the holidays.

COMMENTS FROM COUNCILMEMBERS:

Mayor Pro Tem Espinoza

- Spoke regarding a resolution request she received from Global Hope 365, and motioned that the resolution be placed on a future City Council Agenda for consideration. Seconded by Councilmember Gomez.
- Spoke regarding her attendance to the Southern California Association of Governments (SCAG) meeting held on January 4, 2024; the grand opening of IL Gatto Trattoria; Orange County Council of Governments (OCCOG) meeting held on January 11, 2024; California Cities Orange County Board of Directors meeting held on January 12, 2024; and The Tubman Till Foundation's Dr. Martin Luther King Jr. event held on January 15, 2024.
- Requested the meeting be adjourned in memory of Frank Morales.

Councilmember Medrano

- Congratulated newly appointed Mayor Nigsarian on his first full meeting as Mayor.
- Announced the upcoming Commission Recruitment and encouraged residents to apply.
- Thanked City staff for their service to the City of La Habra in 2023.
- Thanked La Habra Police Officers for their service in commemoration of National Law Enforcement Appreciation Day held on January 9, 2024.

Councilmember Gomez

- Requested the meeting be adjourned in recognition of the anniversary of the passing of former La Habra City Councilmember Steve Anderson.
- Spoke regarding the 20th Anniversary of Lucy's Bakery; the grand reopening of Boyo's Party Supply, and the grand opening of IL Gatto Trattoria.
- Thanked the Community Services Commissioners and Planning Commissioners for participation in recent ribbon cutting ceremonies.
- Congratulated newly appointed Mayor Nigsarian on his first full meeting as Mayor.

Mayor Nigsarian

- Wished everyone a Happy New Year.
- Encouraged resident participation in the Community Feedback Survey.
- Spoke regarding the grand opening of IL Gatto Trattoria.

ADJOURNMENT: Mayor Nigsarian adjourned the meeting in memory of Frank Morales and in recognition of the anniversary of the passing of former La Habra City Councilmember Steve Anderson at 7:05 p.m. to Monday, February 5, 2024, 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 _____.