

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

REGULAR MEETING 6:30 P.M.

Tuesday, February 20, 2024

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

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: City Attorney Jones

PLEDGE OF ALLEGIANCE: Councilmember Gomez

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

COUNCILMEMBERS ABSENT: NONE

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

CLOSED SESSION ANNOUNCEMENT: None.

PROCLAMATIONS/PRESENTATIONS:

1. PRESENTATION BY THE CITY OF LA HABRA PUBLIC WORKS DEPARTMENT

Public Works Director Saykali, Principal Engineer An, and Traffic Engineer Plotnik provided a PowerPoint presentation.

City Manager Sadro spoke regarding proposed City projects with funding and/or staff constraints.

Councilmember Gomez and Councilmember Simonian asked questions regarding street striping, future installation of a new traffic signal on Walnut Street and Imperial Highway, and turnaround time for pothole repairs.

Public Works Director Saykali and Traffic Engineer Plotnik responded.

City Council thanked the Public Works Department for their proactivity and responsiveness to the road concerns following the recent rainstorms.

PUBLIC COMMENTS:

Zach Price, La Habra businessowner, spoke.

Max Oldenburg, La Habra resident, spoke.

Councilmember Gomez made a motion to direct staff to review for reconsideration skate park helmet requirements, and conduct a study regarding the potential to allow persons to ride scooters in the skate park. Second by Councilmember Medrano.

CONSENT CALENDAR:

Moved by Councilmember Medrano, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 9.

Said motion CARRIED by the following vote:

AYES: Mayor Nigsarian, Mayor Pro Tem Espinoza,
Councilmember Gomez, 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 February 5, 2024.

3. APPROVE DENIAL OF LIABILITY CLAIM OF MR. DANNY LOPEZ

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

4. 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. If approved, the term of the policy will be from March 1, 2024, through March 1, 2025, with a \$5,000 deductible at an annual premium cost of \$137,588.

5. APPROVE THE CITY'S EXCESS WORKERS' COMPENSATION INSURANCE POLICY RENEWAL FOR A ONE-YEAR TERM FROM MARCH 20, 2024, THROUGH MARCH 20, 2025

That the City Council authorize the City Manager to renew the City's excess Workers' Compensation reinsurance policy with Safety National Casualty with a policy limit of \$50 million and a Self-Insured Retention (SIR), or deductible, of \$1 million per claim for all employees at an annual premium cost of \$230,709 for the period of March 20, 2024, through March 20, 2025.

6. APPROVE NOTICE OF COMPLETION FOR THE CORONA PARK SHADE STRUCTURE PROJECT AT 735 5TH AVENUE, CITY PROJECT NO. 1-P-23

That the City Council approve the Notice of Completion for the Corona Park Shade Structure Project at 735 5th Avenue, City Project No. 1-P-23, and authorize staff to submit the Notice of Completion for recordation.

7. APPROVE AWARD OF CONSTRUCTION CONTRACT TO MDJ MANAGEMENT, LLC, FOR THE CHILDREN'S MUSEUM ROOF & HVAC IMPROVEMENTS, CITY PROJECT NO. 8-B-23

That the City Council:

- A. Approve to waive the competitive bidding process per La Habra Municipal Code Section 4.20.070 (C) "Exceptions to bidding requirement for purchase of goods and services"; and
- B. Award a contract to MDJ Management, LLC. for the Children's Museum Roof and HVAC Improvements, City Project No. 8-B-23; and
- C. Authorize the City Manager to execute an agreement with MDJ Management, LLC., and authorize staff to issue a purchase order to MDJ Management, LLC, in the amount of \$1,226,328, which includes a 20 percent (20%) contingency; and,
- D. Allocate an additional \$726,328 from the Facility Improvement Reserve to fully fund the Children's Museum Roof and HVAC Improvements, City Project No. 8-B-23.

8. APPROVE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) GOVERNING BOARD RESOLUTION FOR FEDERAL GRANT YEARS (FYS) 2023, 2024, AND 2025

That the City Council:

- A. Approve and adopt a resolution authorizing the City Manager, Director of Finance and Chief of Police to serve as the City's "Authorized Agents" for the Emergency Management Performance Grant (EMPG) project as follows: APPROVE AND ADOPT **RESOLUTION NO. CC 2024-03** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, AUTHORIZING THE CITY MANAGER, OR DIRECTOR OF FINANCE, OR CHIEF OF POLICE TO SERVE AS THE CITY'S AUTHORIZED AGENTS TO EXECUTE FOR AND ON BEHALF OF THE CITY OF LA HABRA ANY ACTIONS NECESSARY FOR THE PURPOSE OF OBTAINING FEDERAL FINANCIAL ASSISTANCE PROVIDED BY THE FEDERAL DEPARTMENT OF HOMELAND SECURITY FOR THE EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG) FOR FEDERAL GRANT YEAR 2023, FEDERAL GRANT YEAR 2024, AND FEDERAL GRANT YEAR 2025; and,
- B. Approve and authorize any of the designated Authorized Agents to execute EMPG related Grant Assurances, Certification, Terms and Conditions, and Agreements to transfer funds for Federal Grant Years 2023, 2024, and 2025.

9. WARRANTS: APPROVE NOS. 00142664 THROUGH 00142858 TOTALING \$1,802,789.92

That the City Council approve Nos. 00142664 through 00142858 totaling \$1,802,789.92.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

PUBLIC HEARINGS: None at this time.

CONSIDERATION ITEMS:

1. CONSIDER OPTIONS TO FILL AN EXPECTED VACANCY ON THE CITY COUNCIL

City Clerk Barone presented the staff report.

City Council discussion included: potential impacts on legal matters voted on by the City Council should the seat be left vacant; concerns with tie votes; ballot designation restrictions for the upcoming General Municipal Election; filling the expected vacancy through a transparent process; should the seat remain vacant, impacts on City Council decision making when a City Councilmember recuses due to a conflict of interest; the process to fill the expected vacancy through an application and interview process; and the application filing period and number of applications received in the 2022 unexpected vacancy process.

Mayor Nigsarian invited the public to testify at 7:10 p.m.

City Clerk Barone stated email public comments from La Habra residents Peter Cruz and Gabby were received prior to the meeting, with copies provided to each City Councilmember.

The following La Habra residents spoke:

Carrie Surich
Jeff Bernier
Michelle Bernier

Mayor Nigsarian closed public testimony at 7:15 p.m.

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) TO DIRECTED STAFF TO ADVERTISE TO FILL AN EXPECTED VACANCY ON THE CITY COUNCIL BY APPOINTMENT THROUGH AN APPLICATION AND INTERVIEW PROCESS TO INCLUDE RECEIPT OF APPLICATIONS BY THE CITY CLERK'S OFFICE FROM FEBRUARY 22, 2024, THROUGH MARCH 7, 2024, AT 6:00 P.M.; THE CITY CLERK IS TO SCHEDULE A SPECIAL CITY COUNCIL MEETING FOR CONDUCTING CANDIDATE INTERVIEWS WITH THE MEETING OPEN TO THE PUBLIC AND RECORDED; INTERVIEW ORDER OF CANDIDATES TO BE DETERMINED BY LOTTERY DRAW; APPLICATION TO INCLUDE A SUPPLEMENTAL ESSAY NOT TO EXCEED 1½ PAGES; AND EACH CITY COUNCILMEMBER WHO PARTICIPATES IN THE INTERVIEW PROCESS MAY SELECT UP TO THREE CANDIDATES TO BE INTERVIEWED.

Said motion CARRIED by the following vote:

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

MAYOR'S COMMUNITY CALENDAR:

Mayor Nigsarian announced upcoming community events and activities.

COMMENTS FROM STAFF: None.

COMMENTS FROM COUNCILMEMBERS:

Mayor Pro Tem Espinoza

- Thanked Public Works staff for their presentation.
- Announced Orange County Sanitation District is hosting a free Wastewater 101 Citizen Academy (virtual) from March 7 until April 24, 2024.
- Attended the Senior Dance held on February 18, 2024.

Mayor Nigsarian

- Attended La Habra resident Warren Nolan's 107th birthday celebration held on February 10, 2024.
- Attended the Senior Dance held on February 18, 2024.

Councilmember Gomez

- Attended the Senior Dance held on February 18, 2024.
- Congratulated the La Habra High School Boys' Basketball Team for their upcoming CIF Championship game to be held on February 24, 2024.
- Thanked the Public Works Department for all their work during the recent rainstorms.
- Requested the meeting be adjourned in memory of La Habra resident Delia Sanchez.

Councilmember Medrano

- Thanked the Public Works, Police, and Fire Departments for all their work during the recent rainstorms.
- Announced sand bags are available for La Habra residents at Fire Station 192.
- Congratulated the La Habra High School Boys' Basketball Team on their upcoming CIF Championship game to be held on February 24, 2024.
- Attended the La Habra High School Girls' Softball Opening Night held on February 17, 2024.

Councilmember Simonian

- Thanked the Public Works Department for all their work during the recent rainstorms.
- Attended the La Habra High School Girls' Softball Opening Night held on February 17, 2024.
- Thanked the City Councilmembers and La Habra residents for all of their support.

ADJOURNMENT: Mayor Nigsarian adjourned the meeting in memory of Delia Sanchez at 7:42 p.m. to Monday, March 4, 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 _____.