

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING 5:30 P.M.
&
REGULAR MEETING 6:30 P.M.
&
REGULAR JOINT MEETING WITH THE
SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
OF THE CITY OF LA HABRA,
LA HABRA CIVIC IMPROVEMENT AUTHORITY,
CITY OF LA HABRA HOUSING AUTHORITY,
AND LA HABRA UTILITY AUTHORITY

Monday, June 3, 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
Councilmember Surich

COUNCILMEMBERS ABSENT: NONE

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

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

CLOSED SESSION:

1. Conference with Legal Counsel -- Existing Litigation, Government Code Section 54956.9(d)(1): Yefry Mendez, et al vs. City of La Habra, Superior Court Case No. 30-2023-01328161-CU-PO-CJC.

Deputy Director of Human Resources Lucy Coelho-LaFreniere and Senior Human Resources/Risk Management Analyst Rocio De Los Palos were also present for this item. Acting City Attorney Justin F. Spearman with Bordin Semmer LLP participated via telephone.

ADJOURNMENT: The City Council reconvened at 5:40 p.m. There were no Closed Session announcements. Mayor Nigsarian adjourned the Adjourned Regular Meeting at 5:40 p.m.

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

CALL TO ORDER: Mayor/Director Nigsarian called the Regular Meeting of the City Council of the City of La Habra and Regular Joint Meeting with the Successor Agency to the Redevelopment Agency of the City of La Habra, La Habra Civic Improvement Authority, City of La Habra Housing Authority, and 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.

Mayor/Director Nigsarian announced the Consideration Item would be held prior to the Public Hearing Item.

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Councilmember/Director Surich

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Director Nigsarian
Mayor Pro Tem/Director Espinoza
Councilmember/Director Gomez
Councilmember/Director Medrano
Councilmember/Director Surich

COUNCILMEMBERS/DIRECTORS ABSENT: NONE

OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
City Attorney/Legal Counsel Jones
Assistant City Manager Yap
Management Analyst II Hurt
City Clerk/Secretary Barone
Assistant City Clerk Lopez

CLOSED SESSION ANNOUNCEMENT: None.

PROCLAMATIONS/PRESENTATIONS: None at this time.

PUBLIC COMMENTS:

Pam Purcell, La Habra resident, spoke.

Seferino Castillo, La Habra resident, spoke.

Doug Guimond, La Habra resident, spoke.

CONSENT CALENDAR:

Moved by Councilmember/Director Medrano, seconded by Councilmember/Director Surich, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 9; SUCCESSOR AGENCY ITEM 1, CIVIC IMPROVEMENT AUTHORITY ITEM 1, HOUSING AUTHORITY ITEM 1, AND UTILITY AUTHORITY ITEM 1.

Said motion CARRIED by the following vote:

AYES: Mayor/Director Nigsarian, Mayor Pro Tem/Director Espinoza,
Councilmember/Director Gomez, Councilmember/Director Medrano,
Councilmember/Director Surich

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 Regular Meeting Minutes of:

- May 6, 2024 (Special Meeting)
- May 6, 2024
- May 20, 2024

3. CALLING OF NOVEMBER 5, 2024, GENERAL MUNICIPAL ELECTION

That the City Council approve and adopt State required resolutions pertaining to the November 5, 2024, General Municipal Election as follows:

- A. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-08** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION ON TUESDAY, NOVEMBER 5, 2024, FOR THE PURPOSE OF ELECTING THREE MEMBERS OF THE CITY COUNCIL;
- B. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-09** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, REQUESTING THE ORANGE COUNTY BOARD OF SUPERVISORS TO CONSOLIDATE THE CITY'S TUESDAY, NOVEMBER 5, 2024, GENERAL MUNICIPAL ELECTION WITH OTHER ELECTIONS ADMINISTERED BY THE COUNTY REGISTRAR OF VOTERS ON THAT DATE; AND,
- C. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-10** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING REGULATIONS RELATING TO CANDIDATE STATEMENTS OF CANDIDATES FOR ELECTIVE OFFICE AT THE TUESDAY, NOVEMBER 5, 2024, GENERAL MUNICIPAL ELECTION.

4. APPROVE DENIAL OF LIABILITY CLAIM OF MR. JOHN HAMO

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

5. APPROVE CONFLICT OF INTEREST CODE - BIENNIAL NOTICE OF REQUIRED AMENDMENTS

That the City Council:

- A. Receive and file the 2024 Local Agency Biennial Notice to Amend the Conflict of Interest Code for designated employees of the City of La Habra;
- B. Direct staff to notice and report any public comments to City Council for consideration; and,
- C. Direct staff to prepare a revised Conflict of Interest Code within 90 days for submittal to the City Council for final approval and adoption.

6. APPROVE TO ACCEPT DEED OF A UTILITY EASEMENT FOR 251-351 WEST IMPERIAL HIGHWAY

That the City Council:

- A. Approve to accept the offer of a dedication of a sewer easement at 251-351 West Imperial Highway; and,
- B. Approve and authorize the recordation of the Deed of Easement with the County of Orange.

7. APPROVE AND ADOPT THE MEASURE M2 SEVEN-YEAR CAPITAL IMPROVEMENT PROGRAM AS PART OF THE MEASURE M2 ELIGIBILITY SUBMITTAL TO ORANGE COUNTY TRANSPORTATION AUTHORITY FOR FISCAL YEAR 2024-2025

That the City Council:

- A. Approve and adopt the Measure M2 Seven-Year Capital Improvement Program (CIP) for Fiscal Year 2024-2025; and,
- B. Authorize staff to submit the required documents to the Orange County Transportation Authority (OCTA) to comply with the Measure M2 eligibility requirements for Fiscal Year 2024-2025.

8. APPROVE BISHOP DRIVE STORM DRAIN REPAIR SETTLEMENT AGREEMENT BETWEEN CLAY AND JOANNE MORGAN AND THE CITY OF LA HABRA

That the City Council:

- A. Approve and authorize the City Manager to execute a settlement agreement between Clay and Joanne Morgan and the City of La Habra in the amount of \$94,073.57 to settle any and all claims in connection with the repairs and remaining work at their property on Bishop Drive; and,
- B. Approve and authorize staff to issue a check in the amount of \$94,073.57 from the General Capital Improvement Fund to Clay and Joanne Morgan.

9. WARRANTS: APPROVE NOS. 00144078 THROUGH 00144342 TOTALING \$4,166,999.58

That the City Council approve Nos. 00144078 through 00144342 totaling \$4,166,999.58.

SUCCESSOR AGENCY:

1. APPROVE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA MEETING MINUTES

That the Successor Agency approve the Successor Agency to the Redevelopment Agency of the City of La Habra Meeting Minutes of:

- April 15, 2024
- May 6, 2024
- May 20, 2024

CIVIC IMPROVEMENT AUTHORITY:

1. APPROVE LA HABRA CIVIC IMPROVEMENT AUTHORITY MEETING MINUTES

That the Civic Improvement Authority approve the La Habra Civic Improvement Authority Meeting Minutes of:

- December 18, 2023
- January 1, 2024
- January 16, 2024
- February 5, 2024
- February 20, 2024
- March 4, 2024
- March 18, 2024
- April 1, 2024
- April 15, 2024
- May 6, 2024
- May 20, 2024

HOUSING AUTHORITY:

1. APPROVE CITY OF LA HABRA HOUSING AUTHORITY MEETING MINUTES

That the Housing Authority approve the City of La Habra Housing Authority Meeting Minutes of:

- December 18, 2023
- January 1, 2024
- January 16, 2024
- February 5, 2024
- February 20, 2024
- March 4, 2024
- March 18, 2024

- April 1, 2024
- April 15, 2024
- May 6, 2024
- May 20, 2024

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:

- December 18, 2023
- January 1, 2024
- January 16, 2024
- February 5, 2024
- February 20, 2024
- March 4, 2024
- March 18, 2024
- April 1, 2024
- April 15, 2024
- May 6, 2024
- May 20, 2024

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

CONSIDERATION ITEMS:

CITY COUNCIL, AGENCY & AUTHORITIES:

1. RECEIVE AND FILE THE FISCAL YEAR 2024-2025 PROPOSED BUDGET PRESENTATION

City Clerk/Secretary Barone stated an email public comment was received from Dr. P. Susan Pritchard, La Habra resident, with copies provided at the dais for each City Councilmember.

City Manager/Executive Director Sadro provided a brief overview of the Fiscal Year 2024-2025 Proposed budget process, and indicated a PowerPoint presentation would be made.

Assistant City Manager Yap thanked City staff and the Finance Department staff for their work on the budget, and introduced Director of Finance Shannon.

The following staff presented the Fiscal Year 2024-2025 Proposed Budget:

- Director of Finance Shannon
- Deputy Director of Finance Ponvanit
- Assistant City Manager Yap
- City Manager/Executive Director Sadro
- Director of Community Services Fujio
- Director of Community and Economic Development Kim

- Director of Public Works Saykali
- Deputy Director of Public Works/City Engineer Mendoza
- Management Analyst II Hurt
- Chief of Police Foster

City Council discussion included: departmental budget cut percentage rates; Section 115 pension trust fund; CalPERS pension obligations and unfunded liability; taxes funding to La Habra schools; Los Angeles County Fire Department (LACFD) negotiations; Fire Station 193 closure; maintenance of LACFD facilities; fire contractual services cost increases with other cities; graffiti removal; graffiti abatement; Splash Pads; contracted security at La Bonita Skate Park; subsidized funding for the Corn Festival; code enforcement violation cases; affordable housing goals and expectations set by California State Law; federal housing codes; water usage impacts; bus shelter funding; Union Pacific Railroad weed abatement and maintenance negotiations; sports parks costs; park median maintenance; potential impacts associated with freezing Dispatch positions; annual Dispatcher costs; revenue increases; low staffing impacts on the Community and Economic Development Department; and Measure T.

City Attorney Jones left the dais at 7:38 p.m. He returned to the dais at 8:04 p.m.

City Attorney Jones stated the comments made by City Councilmember Medrano with respect to Measure T do not reflect any specific position by the City Council.

Mayor/Director Nigsarian recessed the meeting at 9:21 p.m. The meeting reconvened at 9:26 p.m.

Mayor/Director Nigsarian invited the public to testify at 9:26 p.m. There was no public testimony.

City Manager/Executive Director Sadro further clarified the proposed recommended City Council action.

Moved by Councilmember/Director Gomez, seconded by Councilmember/Director Medrano, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL RECOMMEND:

- A. THAT ONE (1) DISPATCH POSITION BE RESTORED; AND
- B. THE CORN FESTIVAL BE SUBSIDIZED BY 70 PERCENT AND ONLY CHARGE 30 PERCENT BACK TO THE LA HABRA HOST LIONS CLUB ONLY FOR FISCAL YEAR 2024-2025, WITH FUNDS ALLOCATED FROM THE NON-GENERAL FUND CENTENNIAL CELEBRATION BUDGET; AND
- C. A REDUCTION TO THE CITY COUNCIL CONFERENCE AND TRAINING BUDGET FROM \$25,000 TO \$10,000; AND
- D. A REDUCTION IN THE NON-GENERAL FUND CENTENNIAL CELEBRATION BUDGET BY 10 PERCENT, OR APPROXIMATELY \$25,000; AND
- E. THAT, IF FISCAL YEAR 2024-2025 CUTS ARE RESTORED LATER IN THE FISCAL YEAR, COMMUNITY & ECONOMIC DEVELOPMENT BUDGET CUTS BE RESTORED AND REPRIORITIZED; AND

F. TO RECEIVE AND FILE THE PROPOSED FISCAL YEAR 2024-2025 (FY 24-25) BUDGET AS AMENDED.

Said motion CARRIED by the following vote:

AYES: Mayor/Director Nigsarian, Mayor Pro Tem/Director Espinoza,
Councilmember/Director Gomez, Councilmember/Director Medrano,
Councilmember/Director Surich

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

PUBLIC HEARINGS:

CITY COUNCIL:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER AND APPROVE A RESOLUTION AMENDING THE CITY OF LA HABRA MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES, AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS

Finance Director Shannon presented the staff report.

There was no City Council discussion.

Mayor Nigsarian opened the public hearing at 9:57 p.m. There was no public testimony.

Moved by Mayor Pro Tem Espinoza, seconded by Councilmember Gomez, and CARRIED UNANIMOUSLY (5-0) TO APPROVE AND ADOPT **RESOLUTION NO. CC 2024-11** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO FEES FOR GENERAL SERVICES, ADMINISTRATIVE SERVICES, COMMUNITY DEVELOPMENT SERVICES, BUILDING SERVICES, FIRE SERVICES, POLICE SERVICES, AMBULANCE SERVICES, PUBLIC WORKS SERVICES, UTILITY SERVICES AND PENALTIES FOR MUNICIPAL CODE AND VEHICLE CODE PARKING VIOLATIONS.

Said motion CARRIED by the following vote:

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

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

City Attorney/Legal Counsel Jones left the dais at 9:58 p.m. He returned to the dais at 9:59 p.m.

MAYOR'S COMMUNITY CALENDAR:

Mayor Nigsarian announced upcoming community events and activities.

COMMENTS FROM STAFF:

City Manager Sadro thanked staff for their work on the Proposed Budget presentation, and thanked City Council for their direction and feedback during the presentation.

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Each City Councilmember reported on their attendance to current community events and activities.

ADJOURNMENT: Mayor/Director Nigsarian adjourned the meeting at 10:08 p.m. in memory of Dana Hurt to Monday, June 17, 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/Secretary

These Minutes were approved on _____.