

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

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REGULAR MEETING 6:30 P.M.

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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 17, 2024

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Chair Gomez called the Adjourned Regular Meeting of the Successor Agency to the Redevelopment Agency 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.

DIRECTORS PRESENT:

Chair Gomez
Vice Chair Espinoza
Director Medrano
Director Nigsarian
Director Surich

DIRECTORS ABSENT:

NONE

OTHER OFFICIALS PRESENT:

Executive Director Sadro
Legal Counsel Jones
Assistant City Manager Yap
Secretary Barone

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

CLOSED SESSION:

SUCCESSOR AGENCY:

1. Conference with Legal Counsel - Pending Litigation Government Code Section 54956.9(d)2) -- Successor Agency has been Named in a Lawsuit Filed but not yet Served.

Director of Community and Economic Development Susan Kim, Housing and Economic Development Manager Miranda Cole-Corona, and Best Best & Krieger (BBK) Acting City Attorney Seth Merewitz were also present.

ADJOURNMENT: The Successor Agency reconvened at 5:47 p.m. There were no Closed Session announcements. Chair Gomez adjourned the Adjourned Regular Meeting of the Successor Agency

at 5:47 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.

INVOCATION: City Attorney/Legal Counsel Jones

PLEDGE OF ALLEGIANCE: Mayor/Director Nigsarian

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:

1. RECOGNITIONS FROM ORANGE COUNTY FOURTH DISTRICT SUPERVISOR DOUG CHAFFEE OF THE LA HABRA POLICE DEPARTMENT

Orange County Fourth District Supervisor Chaffee presented plaques to La Habra Chief of Police Foster in recognition of participation in the Gun Buyback program.

2. RECOGNITION OF 2023-2024 YOUTH COMMITTEE MEMBERS

Recreation Supervisor Ortega spoke regarding the 2023-2024 Youth Committee; and Mayor Nigsarian and the City Council presented Certificates of Recognition to each member.

3. PROCLAIM "JULY IS PARK AND RECREATION MONTH" IN THE CITY OF LA HABRA

Mayor Nigsarian and the City Council presented a Proclamation to Community Services Director Fujio and Public Works Director Saykali.

PUBLIC COMMENTS:

Jack Miranda, La Mirada resident, spoke.

City Attorney/Legal Counsel Jones stated, "As required by California Government Code Section 54953(c)(3) to provide a verbal summary of recommendations regarding approval of salaries, salary schedules, or compensation paid in the form of fringe benefits to a local agency's executives, tonight's joint agency agenda includes Consent Calendar Item No. 5 regarding a resolution pertaining to the compensation plan for Management and Executive employees, as well as Public Hearing Item No. 1 for Consideration of the Fiscal Year 2024-2025 Budget Adoption. These two items propose Salary Range Adjustments for Management and Executive Management employees, not including the City Manager, and a separate 5 percent contractual adjustment to the City Manager's compensation, totaling \$13,910, subject to City Council budget approval."

CONSENT CALENDAR:

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 13.

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

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. NAYELI ARRIAGA

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

3. APPROVE DENIAL OF LIABILITY CLAIM OF FASHION HEIGHTS

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

4. APPROVE DENIAL OF LIABILITY CLAIM OF MR. GUSTAVO BAHENA

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

5. APPROVE RESOLUTIONS ADOPTING THE MEMORANDUM OF UNDERSTANDING WITH THE PROFESSIONAL EMPLOYEES' GROUP, AND APPROVE A RESOLUTION AMENDING RESOLUTION 6115 PERTAINING TO COMPENSATION FOR MANAGEMENT AND EXECUTIVE EMPLOYEES

That the City Council:

- A. Consider and approve a Resolution adopting the Memorandum of Understanding between the City of La Habra and the Professional Employees' Group;
 - B. Approve a Resolution amending Resolution No. 6115, pertaining to the compensation plan for Management and Executive employees; and,
 - C. Approve an appropriation of funds from the FY2023-2024 adopted budget cost of one-time lump sum pay adjustments.
6. APPROVE INITIATION OF AMENDMENTS TO THE LA HABRA MUNICIPAL CODE RELATED TO CONDITIONAL USE PERMITS FOR NON-RESIDENTIAL USES IN THE CITY'S COMMERCIAL AND INDUSTRIAL ZONES

That the City Council direct staff to initiate amendments to the La Habra Municipal Code related to conditional use permits for non-residential uses in the City's commercial and industrial zones.

7. RECEIVE AND FILE PLANNING COMMISSION OF THE CITY OF LA HABRA MEETING MINUTES

That the City Council receive and file the Planning Commission of the City of La Habra meeting minutes of:

- February 12, 2024
- March 11, 2024
- March 25, 2024
- April 8, 2024
- April 22, 2024
- May 13, 2024

8. APPROVE MILITARY EQUIPMENT POLICY ANNUAL REPORT AND RENEWAL

That the City Council:

- A. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-14** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, RENEWING ORDINANCE NO. 1841 AND DETERMINING THAT MILITARY EQUIPMENT USE BY THE LA HABRA POLICE DEPARTMENT COMPLIES WITH STATE LAW;
- B. Renew Ordinance No. 1841 that approved the La Habra Police Department's military equipment use policy; and,
- C. Make a finding that the City's military equipment use complies with State law after considering the annual report on the use of military equipment by the Police Department.

9. APPROVE AWARD OF CONTRACT TO GENTRY BROTHERS, INC., FOR CONSTRUCTION OF THE MONTE VISTA STREET REHABILITATION PROJECT, FISCAL YEAR 2022-2023, CITY PROJECT NO. 2-R-22

That the City Council:

- A. Approve the Project Plans and Specifications for the Monte Vista Street Rehabilitation Project, Fiscal Year 2022-2023, City Project No. 2-R-22;
 - B. Award a construction contract to Gentry Brothers, Inc., of Irwindale, California, in the amount of \$858,940 for the Monte Vista Street Rehabilitation Project, Fiscal Year 2022-2023, City Project No. 2-R-22, and reject all other bids; and,
 - C. Authorize the City Manager to execute an Agreement with Gentry Brothers, Inc., and authorize staff to issue a purchase order to Gentry Brothers, Inc., in the amount of \$1,030,728, which includes a 20 percent contingency.
10. APPROVE AND ADOPT A RESOLUTION LISTING CAPITAL PROJECTS FOR FISCAL YEAR 2024-2025 TO BE FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

That the City Council:

- A. Adopt a list of Capital Projects for Fiscal Year 2024-2025 to be funded by SB 1: The Road Repair and Accountability Act of 2017; and,
 - B. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-15** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2024-2025 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017.
11. APPROVE NOTICE OF COMPLETION FOR ALLEYS NO. 1 AND NO. 83, CITY PROJECT NO. 3-R-21 AND APPROVE CHANGE ORDER NO.1 WITH F.S. CONTRACTORS, INC.

That the City Council:

- A. Approve the Notice of Completion for the Alley Improvements Project, Alleys No. 1 and No. 83, City Project No. 3-R-21, and authorize staff to send the Notice of Completion for recordation;
- B. Approve and authorize staff to execute Change Order No. 1 in the amount of \$51,766.29 with F.S. Contractors, Inc., for extra work performed to Alleys No. 1 and No. 83, City Project No. 3-R-21; and,
- C. Authorize the City Manager to increase the City's Purchase Order with F.S. Contractors, Inc., by \$35,835.29, from available Gas Tax funds to cover the extra work performed by F.S. Contractors, Inc.

12. APPROVE NOTICE OF COMPLETION FOR THE PLAYGROUND RENOVATIONS AT THE CITY'S CHILD DEVELOPMENT CENTER (CDC) AND THE CLAIRE BROWN CENTER (CBC), CITY PROJECT NO. CSJN-24-01

That the City Council approve the Notice of Completion for the Child Development Playground Renovations project at the City-owned and operated Child Development Center (CDC) located at 401 South Euclid Street and the Claire Brown Center (CBC) located at 305 South Euclid Street, City Project No. CSJN-24-01, and authorize staff to submit the Notice of Completion for recordation.

13. WARRANTS: APPROVE NOS. 00144343 THROUGH 00144491 TOTALING \$1,686,750.29

That the City Council approve Nos.00144343 through 00144491 totaling \$1,686,750.29.

Mayor Nigsarian spoke regarding Consent Calendar Item 6.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

PUBLIC HEARINGS:

CITY COUNCIL, AGENCY & AUTHORITIES:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER THE FISCAL YEAR 2024-2025 LA HABRA MUNICIPAL BUDGET FOR ADOPTION, AND TO ESTABLISH THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2024-2025

Assistant Manager Yap presented the staff report.

City Attorney/Legal Counsel Jones declared a conflict of interest with respect to any of the transactions involving California Domestic Water Company, as the City of La Habra retains outside counsel for the purposes of representing the City regarding the stock transfer.

City Council/Director discussion included: elimination of the Centennial Celebration funding; alternative funding for the Centennial Celebration; a less formal Centennial Celebration; fewer Centennial Celebration events; and inclusion of the Centennial Celebration with existing annual special events.

Mayor/Director Nigsarian opened the public hearing at 6:59 p.m. There was no public testimony.

Moved by Councilmember/Director Medrano, seconded by Councilmember/Director Surich, and CARRIED UNANIMOUSLY (5-0) TO ELIMINATE THE \$225,000 NON-GENERAL FUND CENTENNIAL CELEBRATION FROM THE FISCAL YEAR 2024-2025 BUDGET.

Said motion CARRIED by the following roll call 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

Moved by Councilmember/Director Medrano, seconded by Councilmember/Director Gomez, and CARRIED UNANIMOUSLY (5-0) TO:

- A. Approve and adopt the proposed City of La Habra Fiscal Year 2024-25 Municipal Budget, as amended; and
- B. APPROVE, AND ADOPT **RESOLUTION NO. CC 2024-16** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ADOPTING A BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025, MAKING APPROPRIATIONS FOR THE CONDUCT OF CITY OF LA HABRA GOVERNMENT, ESTABLISHING POLICIES FOR THE ADMINISTRATION OF THE ADOPTED BUDGET, AND FOR OTHER BUDGET RELATED PURPOSES;
- C. APPROVE AND ADOPT **RESOLUTION NO. SA 2024-02** ENTITLED: A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025;
- D. APPROVE AND ADOPT **RESOLUTION NO. HA 2024-01** ENTITLED: A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025;
- E. APPROVE AND ADOPT **RESOLUTION NO. UA 2024-01** ENTITLED: A RESOLUTION OF THE UTILITY AUTHORITY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025;
- F. APPROVE AND ADOPT **RESOLUTION NO. CIA 2024-01** ENTITLED: A RESOLUTION OF THE CIVIC IMPROVEMENT AUTHORITY OF THE CITY OF LA HABRA ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025; and,
- G. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-17** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA ESTABLISHING THE APPROPRIATIONS LIMIT IN ACCORDANCE WITH ARTICLE XIII B OF THE CONSTITUTION OF THE STATE OF CALIFORNIA FOR THE FISCAL YEAR COMMENCING JULY 1, 2024, AND ENDING JUNE 30, 2025, AND AMENDING RESOLUTION NO. 6117.
- H. APPROVE AND ADOPT **RESOLUTION NO. CC 2024-18** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AMENDING RESOLUTION NO. 6113 PERTAINING TO A COMPENSATION PLAN FOR THE LA HABRA MUNICIPAL EMPLOYEES ASSOCIATION (FIELD/MAINTENANCE SERVICES EMPLOYEES GROUP); AND,
- I. DIRECT STAFF TO PROVIDE A REPORT TO CITY COUNCIL WITHIN 60 DAYS IDENTIFYING ADDITIONAL GENERAL FUND COST OFFSETS, REVENUE OPPORTUNITIES, AND FUTURE BUDGET BALANCING MEASURES FOR COUNCIL CONSIDERATION.

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

CONSIDERATION ITEMS:

CITY COUNCIL:

1. CONSIDER LA HABRA SKATE PARK POLICY UPDATES

Director of Community Services Fujio presented the staff report.

City Council discussion included: support of policy amendments; Skate Park users' accountability when at the park; support for the allowance of non-powered scooters; encouragement for park users to not take public safety into their own hands and to call the La Habra Police Department should public safety issues arise; support for a policy update that is consistent with surrounding cities; and impacts to the Boys and Girls Clubs of La Habra which is adjacent to the Skate Park.

Mayor Nigsarian invited the public to testify at 7:12 p.m. There was no public testimony.

Moved by Councilmember Medrano, seconded by Councilmember Surich, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL RECEIVE AND FILE THIS REPORT AND DIRECT STAFF TO INITIATE A PROCESS TO MAKE AMENDMENTS TO LA HABRA MUNICIPAL CODE SECTION 12.29.020 REGARDING CERTAIN RULES AND REGULATIONS AT THE LA HABRA SKATE PARK.

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

MAYOR'S COMMUNITY CALENDAR:

Mayor Nigsarian announced upcoming community events and activities.

COMMENTS FROM STAFF:

None.

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 7:32 p.m. in memory of Thomas G. Mauk to Monday, July 1, 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 _____.

DRAFT