

## MINUTES

### CITY COUNCIL OF THE CITY OF LA HABRA

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

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Monday, December 2, 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  
Assistant City Attorney Collins  
City Clerk Barone

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

#### **CLOSED SESSION:**

1. Conference 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.

Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021- 01221710-CU-BC-WJC.

Californians for Homeownership v. City of La Habra; Orange County Superior Court, Case No. 30-2023-01325471- CU-WM-NJC.

Director of Community and Economic Development Susan Kim and Acting City Attorney Craig Steele with Richards Watson Gershon were also present for this item.

Assistant City Attorney Collins and Councilmember Gomez recused themselves from this item and left the Closed Session Room at 5:31 p.m.

**ADJOURNMENT:** The City Council reconvened at 6:11 p.m. There were no Closed Session announcements. Mayor Nigsarian adjourned the Adjourned Regular Meeting at 6:11 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:** La Habra High School student Isiah Posada

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

**COUNCILMEMBERS ABSENT:** NONE

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

**CLOSED SESSION ANNOUNCEMENT:** None.

**PROCLAMATIONS/PRESENTATIONS:**

1. PRESENTATION BY THE LA HABRA LIONS HOST CLUB

Mayor Nigsarian invited Kathy Felix and members of the La Habra Host Lions to the podium to present a check in the amount of \$17,750 to the City of La Habra senior program services.

Social Services Coordinator Martha Montoya thanked the La Habra Host Lions Club for their donation and provided a brief presentation on how the donation will benefit programs.

**PUBLIC COMMENTS:** None.

**CONSENT CALENDAR:**

Councilmember Medrano requested Consent Calendar Items 3 and 4 be pulled for separate discussion.

Moved by Councilmember Gomez, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1, 2, 5, AND 6; WITH THE EXCEPTION OF ITEMS 3 AND 4 WHICH WERE PULLED FOR SEPARATE DISCUSSION.

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 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 November 18, 2024.

3. **REMOVED FOR SEPARATE DISCUSSION:** APPROVE THE THIRD AMENDMENT TO THE FRANCHISE AGREEMENT FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES WITH CR&R, INCORPORATED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL SOLID WASTE COLLECTION
4. **REMOVED FOR SEPARATE DISCUSSION:** APPROVE GENERAL FUND BUDGET AMENDMENTS
5. WARRANTS: APPROVE NOS. 00145318 THROUGH 00145320 TOTALING \$186,750.03; AND APPROVE NOS. 1491 THROUGH 1635 TOTALING \$918,706.30

That the City Council approve Nos. 00145318 through 00145320 totaling \$186,750.03; and approve Nos. 1491 through 1635, totaling \$918,706.30.

6. APPROVE THE SECOND READING AND ADOPTION OF **ORDINANCE NO. CC 2024-03** ENTITLED: AN ORDINANCE OF THE CITY OF LA HABRA AMENDING CHAPTER 4.10 OF THE MUNICIPAL CODE TO IMPOSE A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE CALIFORNIA DEPARTMENT OF TAX AND FEE ADMINISTRATION

That the City Council approve the second reading and adoption of Ordinance No. CC 2024-03.

**CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:**

3. APPROVE THE THIRD AMENDMENT TO THE FRANCHISE AGREEMENT FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES WITH CR&R, INCORPORATED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL SOLID WASTE COLLECTION

Director of Public Works Saykali presented the staff report.

City Council discussion included: interaction with and expectations of the new route supervisor; responsiveness to issues and concerns; customer incentives for inconveniences; transparency; community outreach; accountability relative to faulty services; and CR&R plans for improved services.

Director of Public Works Saykali and CR&R Regional Vice Present Chrystal Denning were available to answer questions.

Mayor Nigsarian invited the public to testify at 7:00 p.m. There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Surich, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE THE THIRD AMENDMENT TO THE FRANCHISE AGREEMENT FOR INTEGRATED SOLID WASTE MANAGEMENT SERVICES WITH CR&R, INCORPORATED FOR RESIDENTIAL, COMMERCIAL, AND INDUSTRIAL SOLID WASTE COLLECTION.

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

#### 4. APPROVE GENERAL FUND BUDGET AMENDMENTS

City Manager Sadro presented the staff report.

City Council discussion included: reallocation of previously cut funds; prioritization of public safety recruitments; Fiscal Year 2024-2025 budget cuts; and a recommended funding decrease from \$250,000 to \$100,000 for the City's Centennial Celebration planning efforts.

City Manager Sadro responded to questions.

Mayor Nigsarian invited the public to testify at 7:11 p.m. There was no public testimony.

Moved by Councilmember Gomez, seconded by Councilmember Surich, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL APPROVE:

- A. AN APPROPRIATION OF \$770,246 IN ESTIMATED NEW GENERAL FUND REVENUE TO PARTIALLY RESTORE FUNDING FOR CERTAIN BUDGET CUTS PREVIOUSLY APPROVED BY THE CITY COUNCIL AS PART OF THE ADOPTED FY 24-25 GENERAL FUND BUDGET; AND,
- B. AN APPROPRIATION OF \$100,000 FROM THE CITY'S SPECIAL EVENTS RESERVE TO PROVIDE FUNDING FOR THE CITY'S CENTENNIAL CELEBRATION PLANNING EFFORTS; WITH ADDITIONAL FUNDING REQUESTS SUBMITTED TO CITY COUNCIL FOR CONSIDERATION.

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

**PUBLIC HEARINGS:** None at this time.

**CONSIDERATION ITEMS:**

1. CONSIDER STATUS REPORT OF THE CITY'S LEASE AGREEMENT FOR THE LA HABRA TENNIS CENTER AT PORTOLA PARK

City Clerk Barone stated City Council was provided with a copy of an email public comment received by the City Clerk's Office today regarding this item.

Community Services Director Fujio presented the staff report.

There was no City Council discussion.

Mayor Nigsarian invited the public to testify at 7:24 p.m.

Pam Purcell, La Habra resident, spoke.

John Letts, iTennis owner, spoke.

Mayor Nigsarian closed public testimony at 7:28 p.m.

Moved by Councilmember Gomez THAT THE CITY COUNCIL:

- A. AUTHORIZE STAFF TO NEGOTIATE A LONG-TERM LEASE AGREEMENT WITH iTENNIS WITH THE GOAL OF PROVIDING THE CITY WITH AN IMPROVED LEVEL OF COMMUNITY BENEFITS AND LEASE REVENUE AND BRING THAT LEASE AGREEMENT BACK TO CITY COUNCIL FOR REVIEW AND APPROVAL AT A FUTURE DATE; AND,
- B. IF A NEW LONG-TERM LEASE AGREEMENT WITH iTENNIS CANNOT BE SUCCESSFULLY NEGOTIATED, AN ITEM REGARDING REQUEST FOR PROPOSALS BE BROUGHT BACK TO CITY COUNCIL FOR DISCUSSION.

City Manager Sadro provided clarification regarding the motion made by Councilmember Gomez motion and the recommended staff action.

Motion failed due to lack of second.

Councilmember Gomez made an amended motion, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL:

- A. AUTHORIZE STAFF TO NEGOTIATE A LONG-TERM LEASE AGREEMENT WITH iTENNIS WITH THE GOAL OF PROVIDING THE CITY WITH AN IMPROVED LEVEL OF COMMUNITY BENEFITS AND LEASE REVENUE AND BRING THAT LEASE AGREEMENT BACK TO CITY COUNCIL FOR REVIEW AND APPROVAL AT A FUTURE DATE; AND,
- B. IF A NEW LONG-TERM LEASE AGREEMENT WITH iTENNIS CANNOT BE SUCCESSFULLY NEGOTIATED, AUTHORIZE STAFF TO ISSUE A REQUEST FOR PROPOSALS FOR THE USE OF THE CITY-OWNED LA HABRA TENNIS CENTER FACILITY.

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

2. CONSIDER REQUEST TO INITIATE A PILOT RENTAL HOUSING INSPECTION PROGRAM

Director of Community and Economic Development Kim presented the staff report.

City Council discussion included: concerns relative to substandard living conditions, staffing levels and workload impacts on Community Development staff, tenant and landlord issues/concerns regarding costs and/or retaliation, future pilot program; and pros and cons to providing a Pilot Rental Housing Inspection Program.

Mayor Nigsarian invited the public to testify at 7:38 p.m.

Apartment Association of Orange County Representative Chip Ahlswede spoke.

Mayor Nigsarian closed public testimony at 7:41 p.m.

Moved by Councilmember Surich, seconded by Mayor Pro Tem Espinoza, and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL NOT AUTHORIZE A PILOT RENTAL HOUSING INSPECTION PROGRAM; AND APPROVE THE REMOVAL OF OBJECTIVE L: DEVELOP AND IMPLEMENT A RENTAL HOUSING INSPECTION PROGRAM FROM GOAL 1: PROTECTION OF PUBLIC SAFETY OF THE CITY COUNCIL'S GOALS AND OBJECTIVES FOR FY 2025-26, AS WELL AS FROM FUTURE POLICY UPDATES TO THE CITY'S GENERAL PLAN DOCUMENT.

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:**

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

Councilmember Medrano requested the meeting be adjourned in memory of Elda Jimenez and Alfonso Reyes Garcia.

Councilmember Surich requested the meeting be adjourned in memory of Carlos Magdaleno, Petra Magdaleno, and Jann Cohen.

**ADJOURNMENT:** Mayor Nigsarian adjourned the meeting in memory of Elda Jimenez, Alfonso Reyes Garcia, Carlos Magdaleno, Petra Magdaleno, and Jann Cohen at 8:06 p.m. to Monday, December 16, 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 \_\_\_\_\_.