

# **MINUTES**

## **CITY COUNCIL OF THE CITY OF LA HABRA**

### **ADJOURNED SPECIAL MEETING 4:30 P.M.**

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### **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 5, 2023**

**APPROVED:** These Minutes were approved on July 17, 2023.

#### **ADJOURNED SPECIAL MEETING 4:30 P.M.:**

**CALL TO ORDER:** Mayor Gomez called the Adjourned Special Meeting of the City Council of the City of La Habra to order at 4:30 p.m. in the Closed Session Room 112C, located at 100 East La Habra Boulevard, La Habra, California.

**COUNCILMEMBERS PRESENT:** Mayor Gomez  
Councilmember Espinoza  
Councilmember Medrano  
Councilmember Simonian

**COUNCILMEMBERS ABSENT:** Mayor Pro Tem Nigsarian (excused absence)

**OTHER OFFICIALS PRESENT:** City Manager Sadro  
City Attorney Jones  
City Clerk Barone

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

#### **CLOSED SESSION:**

1. Conference with Labor Negotiator per Government Code Section 54957.6 - Agency Representative: Jim Sadro, City Manager; Employee Organizations: Police Sworn Employees, Police Civilian Employees, La Habra Municipal Employees Association, General Services Employees, Professional Employees, and Management and Executive Management Groups.

Director of Finance Shannon, Director of Human Resources Balderrama, Deputy Director of Finance Ponvanit, and Human Resources Manager Coelho-LaFreniere were present for this item. Liebert Cassidy Whitmore Attorney Laura Drottz Kalty participated via Zoom.

2. 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

(This item was discussed after Closed Session Item No. 3)

City Attorney Jones and Mayor Gomez abstained from this item and left the Closed Session Room. Councilmember Espinoza led the meeting.

Director of Community and Economic Development Kim and Acting City Attorney Craig Steele with Richards Watson Gershon were also present for this item. Acting City Attorney Ginetta Giovinco with Richards Watson Gershon was present via telephone.

3. Public Employee Performance Evaluation pursuant to Government Code 54957(b).  
Title: Fire Chief.

(This item was discussed prior to Closed Session Item No. 2)

**ADJOURNMENT:** The City Council reconvened at 6:17 p.m. There were no Closed Session announcements. Councilmember Espinoza adjourned the Adjourned Special Meeting at 6:17 p.m.

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

**CALL TO ORDER:** Mayor/Director Gomez 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:** Councilmember/Director Medrano

**COUNCILMEMBERS/DIRECTORS PRESENT:** Mayor/Director Gomez  
Councilmember/Director Espinoza  
Councilmember/Director Medrano  
Councilmember/Director Simonian  
**COUNCILMEMBERS/DIRECTORS ABSENT:** Mayor Pro Tem/Director Nigsarian (excused absence)  
**OTHER OFFICIALS PRESENT:** City Manager/Executive Director Sadro  
City Attorney/Legal Counsel Jones  
City Clerk/Secretary Barone  
Management Analyst II Hurt

**CLOSED SESSION ANNOUNCEMENT:**

Mayor Gomez stated he and City Attorney Jones recused themselves from Closed Session Item No. 2 and left the Closed Session Room.

**PROCLAMATIONS/PRESENTATIONS:** None.

**PUBLIC COMMENTS:**

Mayor/Director Gomez made a motion for the purchase of a City paver for former Recreation Manager David DeLeon; seconded by Councilmember/Director Medrano. All City Councilmembers/Directors concurred.

Mayor/Director Gomez welcomed Public Works Director Saykali back from medical leave.

**CONSENT CALENDAR:**

Councilmember/Director Espinoza requested Item 11 be pulled from the Consent Calendar.

Moved by Councilmember/Director Simonian, seconded by Councilmember/Director Medrano, and CARRIED (4-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 10 AND 12 THROUGH 14; AND SUCCESSOR AGENCY ITEM 1.

Said motion CARRIED by the following vote:

AYES: Mayor/Director Gomez, Councilmember/Director Espinoza,  
Councilmember/Director Medrano, Councilmember/Director Simonian

NOES: NONE

ABSTAIN: NONE

ABSENT: Mayor Pro Tem/Director Nigsarian

**CITY COUNCIL:**

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. DANIELLE MUNOZ

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

3. APPROVE DENIAL OF LIABILITY CLAIM OF MR. EDWARD GASPORRA

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

4. APPROVE DENIAL OF LIABILITY CLAIM OF MS. MICHELLE CASTANON

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

5. APPROVE DENIAL OF LIABILITY CLAIM OF MS. JUANA HED

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

6. APPROVE CALIFORNIA STATE PRESCHOOL (CSPP) PROGRAM CONTRACT, AMENDMENT 01 FOR SCHOOL YEAR 2022-2023

That the City Council:

A. Approve and authorize the City Manager to accept Amendment 01 to Contract CSPP-2327 from the California State Department of Education, Child Development Services for the 2022-2023 School Year; and,

B. APPROVE AND ADOPT **RESOLUTION NO. 6105** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE ACCEPTANCE OF LOCAL AGREEMENT NUMBER CSPP-2327 AMENDMENT 01, WITH THE CALIFORNIA STATE DEPARTMENT OF EDUCATION.

7. APPROVE GENERAL CHILD CARE (CCTR) PROGRAM CONTRACT, AMENDMENT 01 FOR 2022- 2023 SCHOOL YEAR

That the City Council:

A. Approve and authorize the City Manager to accept Contract Amendment 01 to CCTR-2165 with the Department of Social Services for the 2022-2023 School Year; and,

B. APPROVE AND ADOPT **RESOLUTION NO. 6106** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, CERTIFYING THE APPROVAL AND AUTHORIZING THE ACCEPTANCE OF LOCAL AGREEMENT NO. CCTR-2165, WITH THE CALIFORNIA STATE DEPARTMENT OF SOCIAL SERVICES.

8. APPROVE AGREEMENT WITH GREAT WESTERN INSTALLATIONS, INC. FOR PLAYGROUND SURFACE REPAIRS AT THE CHILD DEVELOPMENT CENTER (CDC) AND THE CLAIR BROWN CENTER (CBC)

That the City Council:

A. Approve the plans and specifications for the Child Development Playground Renovations for Playground Surface Repairs for the Child Development Center (CDC) located at 401 South Euclid Street and the Clair Brown Center (CBC) Located at 305 South Euclid Street;

- B. Authorize the City Manager to execute an agreement with Great Western Installations, Inc. in the amount of \$87,750 and reject all other bids;
  - C. Approve an appropriation of \$18,698.16 from the California State Preschool Contract Fund and \$69,051.84 from the General Child Care Contract Fund to complete the necessary funding for this project; and,
  - D. Authorize the City Manager to execute an agreement with Great Western Installations, Inc. in the amount of \$87,750 and authorize staff to issue a purchase order to Great Western Installations, Inc. in the amount of \$87,750.
9. APPROVE LAND LEASE AGREEMENT WITH THE ORANGE COUNTY HEAD START FOR THE CONTINUED USE OF CITY PROPERTY LOCATED AT 1060 WEST LAMBERT ROAD FOR HEAD START OPERATIONS

That the City Council approve and authorize the City Manager to execute a five-year lease extension with the Orange County Head Start for the use of the City-owned property at 1060 West Lambert Road to provide Head Start classes.

10. APPROVE PARCEL MAP NO. 2022-131 AT 777 SOUTH BEACH BOULEVARD, AS SUBMITTED, AND ACCEPT THE DEDICATION FOR PUBLIC STREET AND PUBLIC UTILITY PURPOSES ON BEACH BOULEVARD AND ALL VEHICULAR ACCESS RIGHTS TO LAMBERT ROAD AND BEACH BOULEVARD EXCEPT AT APPROVED ACCESS LOCATIONS

That the City Council approve Parcel Map No. 2022-131 at 777 South Beach Boulevard, as submitted, and accept the dedication for public street and public utility purposes on Beach Boulevard and all vehicular access rights to Lambert Road and Beach Boulevard except at approved access locations.

11. APPROVE AWARD OF CONTRACT TO CALIFORNIA CUSTOM ELECTRIC FOR THE MONTWOOD PARK LIGHTING PROJECT, CITY PROJECT NO. 3-P-22 -Removed for Separate Discussion. See below.
12. APPROVE AGREEMENTS FOR ON-CALL PROFESSIONAL ENGINEERING, CONSTRUCTION MANAGEMENT, AND INSPECTION SERVICES FOR FISCAL YEAR 2023-2024 THROUGH FISCAL YEAR 2025-2026

That the City Council:

- A. Approve and authorize the City Manager to execute agreements with (1) JMDiaz, Inc., (2) KOA Corporation, (3) Willdan Engineering for On-Call Professional Engineering, Construction Management, and Inspection Services for Fiscal Year 2023-2024 through Fiscal Year 2025-2026; and,
- B. Authorize staff to issue purchase orders to (1) JMDiaz, Inc., (2) KOA Corporation, (3) Willdan Engineering, for Fiscal Year 2023-2024 through Fiscal Year 2025-2026, for a not-to-exceed amount of \$450,000 per consultant, per fiscal year.

13. APPROVE AGREEMENTS WITH TRUE NORTH COMPLIANCE SERVICES, INC., TRANSTECH ENGINEERING, AND VCA CODE TO PROVIDE PROFESSIONAL BUILDING PLAN CHECK, GRADING PLAN CHECK AND BUILDING INSPECTION SERVICES

That the City Council approve and authorize the City Manager to enter into three, three-year agreements with True North Compliance Services, Inc., Transtech Engineering, and VCA Code, to provide professional building plan check, grading plan check, and building inspection services on an as-needed basis.

14. WARRANTS: APPROVE NOS. 00139024 THROUGH 00139342 TOTALING \$2,601,408.22

That the City Council approve Nos. 00139024 through 00139342 totaling \$2,601,408.22.

**SUCCESSOR AGENCY:**

1. APPROVE A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA, CALIFORNIA, DECLARING PROPERTY COMMONLY KNOWN AS A PORTION OF THE LA HABRA MARKET PLACE SHOPPING CENTER PARKING LOT, APN 018-381-64, AS EXEMPT SURPLUS LAND

That the Successor Agency:

- A. APPROVE AND ADOPT **RESOLUTION NO. 2023-02** ENTITLED: A RESOLUTION OF THE SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY OF THE CITY OF LA HABRA, CALIFORNIA, DECLARING PROPERTY COMMONLY KNOWN AS A PORTION OF THE LA HABRA MARKET PLACE PARKING LOT, APN 018-381-64 AS EXEMPT SURPLUS LAND;
- B. Authorize staff to submit a copy of the Resolution to the California Department of Housing and Community Development for review; and,
- C. Authorize staff to prepare and release advertisements and associated public notices soliciting proposals from interested parties for the disposition of the property.

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

11. APPROVE AWARD OF CONTRACT TO CALIFORNIA CUSTOM ELECTRIC FOR THE MONTWOOD PARK LIGHTING PROJECT, CITY PROJECT NO. 3-P-22

City Council did not request a staff report.

There was no City Council discussion.

Councilmember Espinoza thanked the Public Works Department staff for their hard work on this project.

Mayor Gomez invited the public to testify at 6:36 p.m. There was no public testimony.

Moved by Mayor Gomez, seconded by Councilmember Medrano, and CARRIED (4-0) THAT THE CITY COUNCIL:

- A. APPROVE PLANS AND SPECIFICATIONS FOR MONTWOOD PARK LIGHTING PROJECT, CITY PROJECT NO. 3-P-22;
- B. AWARD A CONSTRUCTION CONTRACT FOR MONTWOOD PARK LIGHTING PROJECT, CITY PROJECT NO. 3-P-22 (PROJECT), TO CALIFORNIA CUSTOM ELECTRIC OF CORONA, CALIFORNIA, IN THE AMOUNT OF \$54,413; AND,
- C. AUTHORIZE THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH CALIFORNIA CUSTOM ELECTRIC OF CORONA, CALIFORNIA IN THE AMOUNT OF \$54,413 AND AUTHORIZE STAFF TO ISSUE A PURCHASE ORDER TO CALIFORNIA CUSTOM ELECTRIC OF CORONA, CALIFORNIA IN THE AMOUNT OF \$65,000, WHICH INCLUDES AN APPROXIMATE 20 PERCENT CONTINGENCY.

Said motion CARRIED by the following vote:

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

**PUBLIC HEARINGS:**

**CITY COUNCIL PUBLIC HEARING ITEM:**

- 1. DULY NOTICED PUBLIC HEARING TO CONSIDER RESOLUTIONS 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

Director of Finance Shannon presented the staff report.

There was no City Council discussion.

Mayor Gomez opened the public hearing at 6:41 p.m. There was no public testimony.

Moved by Councilmember Medrano, Seconded by Councilmember Simonian, AND CARRIED (4-0) THAT THE CITY COUNCIL:

- A. APPROVE AND ADOPT **RESOLUTION NO. 6107** 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; and,
- B. APPROVE AND ADOPT **RESOLUTION NO. 6108** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA, ORANGE COUNTY, CALIFORNIA EXTENDING REDUCED RATES FOR SOLID WASTE SANITATION FEES AND SOLID WASTE FRANCHISE FEES.

Said motion CARRIED by the following vote:

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

**CONSIDERATION ITEMS:**

**CITY COUNCIL, AGENCY & AUTHORITIES CONSIDERATION ITEM:**

1. RECEIVE AND FILE THE FISCAL YEAR 2023-2024 PROPOSED BUDGET PRESENTATION

Director of Finance Shannon presented the staff report and a PowerPoint presentation, assisted by Department Directors and Department representatives.

City Council discussion included: thanking the departments for their hard work with the budget; Measure T; and City Council salaries.

The following Department Directors and/or staff representative spoke regarding their department budgets, including major accomplishments and goals, and stated department highlights:

- Director of Community Services Fujio
- Community Services Manager Albarian
- Recreation Manager Elmore
- Assistant Director of Child Development Perez
- Director of Public Works Saykali
- Deputy Director/City Engineer Mendoza



- Principal Engineer An
- Traffic Engineer Plotnik
- City Manager Sadro regarding Fire and Ambulance
- Director of Community and Economic Development Kim
- Chief of Police Foster
- Management Analyst II Hurt regarding Administration and Support
- Deputy Director of Finance Ponvanit

Mayor/Director Gomez invited the public to testify at 7:55 p.m. There was no public testimony.

Moved by Councilmember/Director Medrano, Seconded by Councilmember/Director Simonian, AND CARRIED (4-0) THAT THE CITY COUNCIL RECEIVE AND FILE THE PROPOSED FISCAL YEAR 2023-2024 BUDGET.

Said motion CARRIED by the following roll call vote:

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

**CITY COUNCIL CONSIDERATION ITEM:**

**2. STATUS UPDATE ON FIRE SERVICES AGREEMENT NEGOTIATIONS WITH THE LOS ANGELES COUNTY FIRE DEPARTMENT**

City Manager Sadro presented the staff report.

City Council discussion included: the Los Angeles County financial crisis; and potential funding needed to manage a fire station.

Mayor Gomez invited the public to testify at 8:15 p.m.

Michelle Bernier, La Habra resident, spoke regarding this item.

Mayor Gomez closed public testimony at 8:17 p.m.

Moved by Councilmember Medrano, Seconded by Mayor Gomez, AND CARRIED (4-0) THAT THE CITY COUNCIL RECEIVE AND FILE THIS REPORT ON THE STATUS OF FIRE SERVICES AGREEMENT NEGOTIATIONS WITH THE LOS ANGELES COUNTY FIRE DEPARTMENT, AND DIRECT STAFF TO PRESENT THE RECOMMENDED PROPOSAL TO THE LOS ANGELES COUNTY FIRE DEPARTMENT TO INCLUDE DISCUSSION OF THE CITY PARTICIPATING IN A PARTIAL COST SHARE OF FIRE STATION 194 AND ANY NEW COSTS PHASED IN OVER TIME, IF POSSIBLE.

Said motion CARRIED by the following roll call vote:

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

**MAYOR'S COMMUNITY CALENDAR:**

In the interest of time, Mayor/Director Gomez did not announce upcoming events and indicated this information can be found on the City website.

**COMMENTS FROM STAFF:**

None.

**COMMENTS FROM COUNCILMEMBERS/DIRECTORS:**

None.

**ADJOURNMENT:** Mayor/Director Gomez adjourned the meeting at 8:21 p.m. to Monday, June 19, 2023, 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