

## **MINUTES**

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

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

#### **REGULAR MEETING 6:30 P.M.**

**Monday, November 20, 2023**

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

#### **REGULAR MEETING 6:30 P.M.:**

**CALL TO ORDER:** Mayor Gomez 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 Medrano

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

**COUNCILMEMBERS ABSENT:** NONE

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

#### **CLOSED SESSION ANNOUNCEMENT:**

City Attorney Jones stated the Successor Agency to the Redevelopment Agency held a Closed Session meeting prior to tonight's City Council meeting, and reported that the Successor Agency to the Redevelopment Agency provided specific direction to staff regarding the proposal for the surface parking lot adjacent to the La Habra Marketplace.

Mayor Gomez recognized former City Clerk Laurie Swindell and her husband Mike in attendance at tonight's meeting.

**PROCLAMATIONS/PRESENTATIONS:** None at this time.

**PUBLIC COMMENTS:**

Subsequent to the City Council motion and vote to unanimously approve Consent Calendar Items 1 through 6, the following La Habra residents spoke regarding Consent Calendar Item 4:

Clay Morgan  
Joanne Morgan

City Attorney Jones spoke regarding the Request for Proposals (RFP) process and bids received for completion of the East Bishop Storm Drain Improvement Project; and AID Builders, Inc. bonding company options.

Mayor Gomez requested the bonding company be informed that 10 residents expressed support for award of contract to Mike Bubalo Construction Co. Inc. for the East Bishop Drive Storm Drain Improvement Project.

City Manager Sadro interjected that the City Attorney's Office look into that matter.

City Attorney Jones spoke regarding legal and insurance issues, and practicality of completion of the East Bishop Storm Drain Improvement Project in a timely manner.

Mayor Gomez assured City Council support for resolution of the East Bishop Storm Drain Improvement Project in a timely manner.

**CONSENT CALENDAR:**

Mayor Pro Tem Nigsarian asked a question regarding Consent Calendar Item 5.

City Manager Sadro responded accordingly.

Moved by Councilmember Simonian, seconded by Councilmember Medrano, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 6.

Said motion CARRIED by the following vote:

AYES: Mayor Gomez, Mayor Pro Tem Nigsarian,  
Councilmember Espinoza, 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 November 6, 2023.

3. APPROVE THE SECOND READING AND ADOPTION OF **ORDINANCE NO. 1851** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA FINDING THAT THIS ORDINANCE IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND TERMINATING DEVELOPMENT AGREEMENT 18-03 BETWEEN THE CITY OF LA HABRA AND RIVER DISTRIBUTING CO., LLC, DBA CRESCO LABS, FOR A CANNABIS DISTRIBUTION FACILITY AT 1721 EAST LAMBERT ROAD, UNIT B

That the City Council approve the second reading and adoption of Ordinance No. 1851.

4. APPROVE TERMINATION OF PUBLIC WORKS AGREEMENT WITH AID BUILDERS, INC., FOR CITY OF LA HABRA EAST BISHOP DRIVE STORM DRAIN IMPROVEMENT PROJECT, PROJECT NO. 1-D-16 AND AUTHORIZE EMERGENCY WORK

That the City Council:

- A. Terminate the Public Works Agreement with AID Builders, Inc., for the City of La Habra East Bishop Drive Storm Drain Improvement Project, Project No. 1-D-16; and,
  - B. Approve Emergency Work being performed by Mike Bubalo Construction Co. Inc., to secure the East Bishop Drive Storm Drain Improvement Project site, Project No. 1-D-16; and,
  - C. Authorize the City Manager to execute an Agreement with Mike Bubalo Construction Co. Inc. to perform emergency work.
5. APPROVE THE ADOPTION OF FEDERAL TRANSPORTATION IMPROVEMENT PROGRAM PROJECTS

That the City Council APPROVE AND ADOPT **RESOLUTION NO. 6128** ENTITLED: A RESOLUTION OF THE CITY OF LA HABRA WHICH CERTIFIES THAT THE CITY OF LA HABRA HAS THE RESOURCES TO FUND THE PROJECTS IN THE FFY 2024/25 - 2029/30 TRANSPORTATION IMPROVEMENT PROGRAM AND AFFIRMS ITS COMMITMENT TO IMPLEMENT ALL PROJECTS IN THE PROGRAM.

6. WARRANTS: APPROVE NOS. 00141446 THROUGH 00141629 TOTALING \$3,157,765.40

That the City Council approve Nos. 00141446 through 00141629 totaling \$3,157,765.40.

**CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:** None.

Mayor Gomez recessed the meeting at 6:47 p.m. The meeting reconvened at 6:51 p.m.

**PUBLIC HEARINGS:**

1. DULY NOTICED PUBLIC HEARING TO CONSIDER A REQUEST FOR ZONE CHANGE 22-03 TO REPEAL CHAPTER 15.40 (OUTDOOR ADVERTISING SIGNS AND STRUCTURES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION), ADD CHAPTER 18.23 (SIGN STANDARDS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE, AND AMEND VARIOUS SECTIONS OF TITLE 18 (ZONING) FOR CONSISTENCY WITH CHAPTER 18.23

Planning Manager Lui presented the staff report.

City Council discussion included: differences between the existing ordinance and the updates on the proposed ordinance; clarification on staff recommendations; limitations to hospitals and medical centers based upon acreage; number of requests made for electronic/animated signs by City businesses; facilities permitted to use electronic/animated signs; allowance of health care facilities' use of electronic/animated signs; public safety issues caused by distracted drivers and light pollution; hard data of traffic collisions involving distracted drivers due to electronic/animated signs; and studies on the effects of electronic signs in neighboring cities that allow them.

Community and Economic Development Director Kim, Planning Manager Lui, and Chief of Police Foster responded to questions.

Mayor Gomez opened the public hearing at 7:03 p.m.

David De Leon, Friends and Family Center Representative, spoke.

Mayor Gomez closed the public hearing at 7:08 p.m.

City Manager Sadro spoke regarding Planning Commission recommendations and City Council consideration for the allowance of medical facilities' use of electronic/animated signs.

Moved by Councilmember Simonian, seconded by Councilmember Medrano, and CARRIED (3-2) THAT THE CITY COUNCIL CONSIDER AND APPROVE THE FIRST READING OF **ORDINANCE NO. 1852** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 22-03 TO REPEAL CHAPTER 15.40 (OUTDOOR ADVERTISING SIGNS AND STRUCTURES) OF TITLE 15 (BUILDINGS AND CONSTRUCTION), ADD CHAPTER 18.23 (SIGN STANDARDS) TO TITLE 18 (ZONING) AND AMEND VARIOUS SECTIONS OF TITLE 18 (ZONING) FOR CONSISTENCY WITH CHAPTER 18.23 (SIGN STANDARDS) OF THE LA HABRA MUNICIPAL CODE AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTION 15061(B)(3) OF THE CEQA GUIDELINES; AND THAT STAFF CONDUCT RESEARCH ON NEIGHBORING CITIES THAT ALLOW ELECTRONIC/ANIMATED SIGNS AND POTENTIAL DISTRACTED DRIVER IMPACTS AND REPORT THE FINDINGS TO CITY COUNCIL BY THE END OF NEXT YEAR.

Said motion CARRIED by the following vote:

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

**CONSIDERATION ITEMS:** None at this time.

**MAYOR'S COMMUNITY CALENDAR:**

Mayor Gomez announced upcoming community events and activities.

**COMMENTS FROM STAFF:** None at this time.

**COMMENTS FROM COUNCILMEMBERS:**

Councilmember Medrano wished everyone a Happy Thanksgiving, specifically the Bishop Drive residents who are experiencing concerns regarding the East Bishop Drive Storm Drain Improvement Project. He thanked City Staff for their hard work and attentiveness to the community. He spoke regarding his attendance to the Gourmet Guys and Gals event held on November 12, 2023. He recognized Sonora High School and La Habra High School for their California Interscholastic Federation (CIF) completions.

Councilmember Espinoza spoke regarding her attendance to the Veterans Day event held on November 11, 2023; the Gourmet Guys and Gals event held on November 12, 2023; and the Senior Dance held on November 13, 2023, and thanked the La Habra Host Lions Club for their donations to the senior dance. She wished everyone a Happy Thanksgiving.

Mayor Pro Tem Nigsarian spoke regarding his attendance to the Veterans Day event held on November 11, 2023 and thanked all veterans for their service. He spoke regarding the Tamale Festival and tree lighting to be held on December 2, 2023. He wished everyone a Happy Thanksgiving.

Mayor Gomez recognized the La Habra High School students in attendance at tonight's meeting. He wished the Bishop Drive residents a Happy Thanksgiving, and empathized with their concerns regarding the East Bishop Drive Storm Drain Improvement Project. He thanked the Public Works Department staff for their work during the strong winds experienced over the weekend and for putting Christmas lights on the outside of City Hall. He spoke regarding his attendance to the Gourmet Guys and Gals event held on November 12, 2023, and the Senior Dance held on November 13, 2023. He reminded of the Tamale Festival to be held on December 2, 2023. He congratulated his parents on their 58<sup>th</sup> wedding anniversary.

**ADJOURNMENT:** Mayor Gomez adjourned the meeting at 7:34 p.m. to Monday, December 4, 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

These Minutes were approved on December 18, 2023.