

MINUTES

CITY COUNCIL OF THE CITY OF LA HABRA

ADJOURNED REGULAR MEETING 5:30 P.M.

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REGULAR JOINT MEETING WITH THE LA HABRA UTILITY AUTHORITY

Monday, December 4, 2023

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Mayor Gomez 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 Gomez Mayor Pro Tem Nigsarian Councilmember Espinoza Councilmember Medrano Councilmember Simonian
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 with Real Property Negotiator Per Government Code Section 54956.8 -- Property: Surface parking lot adjacent to the La Habra Marketplace (APN 018-381-64); City Negotiator, Jim Sadro, City Manager Negotiators: Successor Agency to the La Habra Redevelopment Agency, Under Negotiations: Price and Terms.

Director of Community and Economic Development Kim and Housing & Economic Development Manager Cole-Corona were also present for this item. Best Best & Krieger (BB&K) Acting City Attorney Seth Merewitz participated via telephone.

ADJOURNMENT: The City Council reconvened at 5:36 p.m. There were no Closed Session announcements. Mayor Gomez adjourned the Adjourned Regular Meeting at 5:36 p.m.

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

CALL TO ORDER: Mayor/Chair Gomez called the Regular Meeting of the City Council of the City of La Habra & Regular Joint Meeting with the 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: Assistant City Attorney/Assistant Legal Counsel Collins

PLEDGE OF ALLEGIANCE: Councilmember/Director Simonian

COUNCILMEMBERS/DIRECTORS PRESENT: Mayor/Chair Gomez
Mayor Pro Tem/Vice Chair Nigsarian
Councilmember/Director Espinoza
Councilmember/Director Medrano
Councilmember/Director Simonian

COUNCILMEMBERS/DIRECTORS ABSENT: NONE

OTHER OFFICIALS PRESENT: City Manager/Executive Director Sadro
Assistant City Attorney/Assistant Legal Counsel Collins
City Clerk/Secretary Barone
Management Analyst II Hurt
Assistant City Clerk Lopez
Administrative Aide I Delgado

CLOSED SESSION ANNOUNCEMENT: None.

PROCLAMATIONS/PRESENTATIONS:

1. PRESENTATION OF CERTIFICATE OF RECOGNITION TO LOWELL JOINT UNIFIED SCHOOL DISTRICT TEACHER OF THE YEAR CHRISTINA ILINSKY

Mayor Gomez and City Council invited Assistant Superintendent McDonald and Principal Malm to the podium; and presented a Certificate of Recognition to Teacher of the Year Christina Ilinsky.

2. RECOGNITION OF PARK DEPARTMENT SUPERVISOR DAVID VILLALBA UPON HIS RETIREMENT AND 30 YEARS OF SERVICE WITH THE CITY OF LA HABRA

Mayor Gomez and City Council invited Director of Public Work's Saykali to the podium; and presented a Certificate of Recognition to David Villalba in recognition of his service to the City of La Habra.

Mayor Gomez made a motion for the purchase of a City paver for former Park Department Supervisor David Villalba; seconded by Councilmember Medrano. All City Councilmembers concurred.

3. PUBLIC SAFETY PRESENTATION

Chief of Police Foster presented a PowerPoint on Police Operations and Management Analyst II Hurt presented a PowerPoint on Fire and Ambulance Operations.

City Manager Sadro spoke regarding the new Los Angeles County Fire Department contract and the new Ambulance Dispatch facility (formerly Fire Station 193).

Councilmember Espinoza thanked Chief Foster and the Police Department for providing the Community Emergency Response Team (CERT) training in Spanish.

Councilmember Simonian congratulated the Police Department on their accomplishments and commended them for the improved Dispatcher staffing levels.

PUBLIC COMMENTS:

Carrie Surich, La Habra resident, spoke.

CONSENT CALENDAR:

Mayor Pro Tem/Vice Chair Nigsarian commented on City Council Consent Calendar Item Nos. 3 and 4 highlighting the non-profit organizations that will occupy City-owned facilities.

Moved by Councilmember/Director Medrano, seconded by Councilmember/Director Simonian, and CARRIED UNANIMOUSLY (5-0) TO APPROVE CITY COUNCIL CONSENT CALENDAR ITEMS 1 THROUGH 6; AND UTILITY AUTHORITY ITEM 1.

Said motion CARRIED by the following vote:

AYES: Mayor/Chair Gomez, Mayor Pro Tem/Vice Chair Nigsarian,
Councilmember/Director Espinoza, Councilmember/Director Medrano,
Councilmember/Director Simonian

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

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 THE SECOND READING AND ADOPTION 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) OF THE LA HABRA MUNICIPAL CODE, AMENDING 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

That the City Council approve the second reading and adoption of Ordinance No. 1852.

3. APPROVE A LEASE AGREEMENT WITH VCC: THE GARY CENTER

That the City Council approve and authorize the City Manager to execute a one-year lease (with an additional second year option) with VCC: The Gary Center for the use of the City-owned properties at 341 and 350 South Hillcrest Street to operate a community resource center.

4. APPROVE A LEASE AGREEMENT WITH FRIENDS OF THE CHILDREN'S MUSEUM AT LA HABRA, INC.

That the City Council approve and authorize the City Manager to execute a two-year lease agreement with Friends of the Children's Museum at La Habra, Inc. (with an additional one-year optional extension) for the use of office space at the City-owned property at 301 South Euclid Street.

5. APPROVE APPROVE AWARD OF A CONTRACT TO MIKE BUBALO CONSTRUCTION CO. INC., TO COMPLETE THE EAST BISHOP DRIVE STORM DRAIN IMPROVEMENTS, CITY PROJECT NO.1-D-16

That the City Council:

- A. Award a construction contract to Mike Bubalo Construction Co. Inc., of Baldwin Park, California, in the amount of \$1,654,535 to complete the East Bishop Drive Storm Drain Improvements, City Project No.1-D-16, and reject all other bids; and
- B. Authorize the City Manager to execute an agreement with Mike Bubalo Construction Co. Inc., to complete the East Bishop Drive Storm Drain Improvements, City Project No.1-D-16, and issue a purchase order in the amount of \$1,819,989; which includes a 10 percent contingency; and,
- C. Approve an appropriation of additional unencumbered American Rescue Plan Act ("ARPA") funds in the amount of \$1,836,222 to fully fund the additional construction, inspection and material testing services costs associated with the completion of the East Bishop Drive Storm Drain Improvements, City Project No.1-D-16.

6. APPROVE WARRANTS: APPROVE NOS. 00141630 THROUGH 00141835 TOTALING \$1,001,760.47

That the City Council approve Nos. 00141630 through 00141835 totaling \$1,001,760.47.

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 November 20, 2023.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION: None.

PUBLIC HEARINGS:

CITY COUNCIL:

1. DULY NOTICED PUBLIC HEARING TO CONSIDER THE FOLLOWING ZONE CHANGES THAT ARE LEGALLY REQUIRED TO IMPLEMENT THE HOUSING ELEMENT OF THE CITY'S GENERAL PLAN:
 - A. ZONE CHANGE 23-03 TO AMEND CHAPTERS 18.04 (DEFINITIONS), 18.06 (ZONES ESTABLISHED), 18.10 (REASONABLE ACCOMMODATIONS IN HOUSING TO DISABLED INDIVIDUALS), 18.14 (OFF-STREET PARKING REQUIREMENTS), 18.26 (R-2, R-3, R-4, R-5, R-6 AND R-7 MULTIPLE FAMILY DWELLING ZONES), 18.30 (SPECIAL NEEDS HOUSING), 18.80 (AFFORDABLE HOUSING INCENTIVES), AND 18.82 (INCLUSIONARY HOUSING UNITS) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE.
 - B. ZONE CHANGE 23-04 TO ADD NEW CHAPTER 18.09 (OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT) AND AMEND CHAPTER 18.68 (DESIGN REVIEW) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE.
 - C. ZONE CHANGE 23-05 TO ADD A NEW CHAPTER 18.84 (MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT MINISTERIAL REVIEW PROCESS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE.

Planning Manager Lui presented the staff report.

City Council discussion included: California state-mandated housing requirements and impacts on local communities; and implications mass transit has on local communities.

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

Juana Avila, La Habra resident, spoke.

Mayor Gomez closed the public hearing at 7:12 p.m.

Moved by Councilmember Medrano, seconded by Mayor Gomez and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1853** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 23-03 TO AMEND CHAPTERS 18.04 (DEFINITIONS), 18.06 (ZONES ESTABLISHED), 18.10 (REASONABLE ACCOMMODATIONS IN HOUSING TO DISABLED INDIVIDUALS), 18.14 (OFF-STREET PARKING REQUIREMENTS), 18.26 (R-2, R-3, R-4, R-5, R-6 AND R-7 MULTIPLE FAMILY DWELLING ZONES), 18.30 (SPECIAL NEEDS HOUSING), 18.80 (AFFORDABLE HOUSING INCENTIVES), AND 18.82 (INCLUSIONARY HOUSING UNITS) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE FOR CONFORMANCE WITH STATE LAW AND AS REQUIRED BY THE CITY'S 2021-2029 HOUSING ELEMENT AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B) (3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

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

Moved by Councilmember Medrano, seconded by Mayor Gomez and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1854** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 23-04 TO ADD A NEW CHAPTER 18.09 (OBJECTIVE DESIGN STANDARDS FOR MULTI-UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT) AND AMEND CHAPTER 18.68 (DESIGN REVIEW) OF TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

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

Moved by Councilmember Medrano, seconded by Mayor Gomez and CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL APPROVE THE FIRST READING OF **ORDINANCE NO. 1855** ENTITLED : AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING ZONE CHANGE 23-05 TO ADD A NEW CHAPTER 18.84 (MULTI- UNIT RESIDENTIAL AND MIXED-USE DEVELOPMENT MINISTERIAL REVIEW PROCESS) TO TITLE 18 (ZONING) OF THE LA HABRA MUNICIPAL CODE IN ACCORDANCE WITH SENATE BILL 35 AND MAKING A DETERMINATION THAT THE ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) UNDER SECTION 15061(B)(3) (COMMON SENSE EXEMPTION) OF THE CEQA GUIDELINES.

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

CITY COUNCIL & UTILITY AUTHORITY:

1. FINANCIAL CONDUCT PUBLIC HEARING ON ADOPTION OF A RESOLUTION AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO WATER AND SEWER USAGE, CONNECTIONS, AND FEES

Director of Public Works Saykali presented the staff report.

City Manager/Executive Director Sadro spoke regarding staffing issues the City faces when competing with local water districts for water employees, and highlighted the separation between the City's sewer system and the storm water system.

City Council/Directors discussion included: water replenishment fee; increased costs due to inflation; concerns with increased water costs.

Mayor/Chair Gomez opened the public hearing at 7:34 p.m.

Bob Janicki, La Habra resident, spoke.

Juana Avila, La Habra resident, spoke.

Mayor/Chair Gomez closed the public hearing at 7:38 p.m.

Moved by Councilmember/Director Simonian, Seconded by Mayor/Chair Gomez, AND CARRIED UNANIMOUSLY (5-0) THAT THE CITY COUNCIL AND UTILITY AUTHORITY:

- A. APPROVE AND ADOPT **RESOLUTION NO. CC 6129 & UA 2023-03** ENTITLED: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA HABRA AND THE LA HABRA UTILITY AUTHORITY AMENDING THE MASTER SCHEDULE OF FEES PERTAINING TO WATER AND SEWER USAGE, CONNECTIONS AND FEES.
- B. Direct staff to conduct a study of surrounding cities' financial assistance programs, and report back to City Council with the findings in six months.

Said motion CARRIED by the following vote:

AYES: Mayor/Chair Gomez, Mayor Pro Tem/Vice Chair Nigsarian,
Councilmember/Director Espinoza, Councilmember/Director Medrano,
Councilmember/Director Simonian

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE

CONSIDERATION ITEMS: None at this time.

MAYOR'S COMMUNITY CALENDAR:

Mayor/Chair Gomez announced upcoming community events and activities, and thanked the La Habra Girls' Softball Association for their donation to the 2023 Holiday Wishes Program. He requested they be recognized at the next Regular City Council Meeting of January 15, 2024.

COMMENTS FROM STAFF:

City Manager/Executive Director Sadro thanked City staff for their hard work involved with this year's Tamale Festival held on December 2, 2023.

COMMENTS FROM COUNCILMEMBERS/DIRECTORS:

Mayor Pro Tem/Vice Chair Nigsarian spoke regarding his attendance to the Tamale Festival held on December 2, 2023. He spoke regarding the new, year-round battery disposal/drop-off locations at the La Habra Community Center and Public Works Department.

Councilmember/Director Medrano thanked City staff for their hard work involved with this year's Tamale Festival held on December 2, 2023. He thanked the La Habra High School students for attending tonight's meeting, and congratulated La Habra High School student Aliayha Saldana on her commitment to play soccer for Portland State University.

Councilmember/Director Simonian spoke regarding his attendance to the Tamale Festival held on December 2, 2023; fire services costs and long-term impacts; Measure T; City employee compensation; and City of La Habra work environment.

Councilmember/Director Espinoza spoke regarding the La Habra High School versus Sonora High School Junior Reserve Officer Training Corps (JROTC) football game on December 9, 2023. She spoke regarding her attendance to the Tamale Festival held on December 2, 2023. She thanked the Public Works Department for Montwood Park lighting improvements. She thanked City staff for their hard work, and the La Habra High School students for attending tonight's meeting.

Mayor/Chair Gomez thanked the La Habra High students for attending tonight's meeting. He thanked City staff for their hard work involved with this year's Tamale Festival held on December 2, 2023. He thanked and commended David Villalba for his service and dedication to the City. He thanked Bob Janicki for his service with the Boys Scouts of America, and thanked the La Habra Girls' Softball team for their donations to the 2023 Holiday Wishes Program.

ADJOURNMENT: Mayor/Chair Gomez adjourned at 8:04 p.m. to Monday, December 18, 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

These Minutes were approved on December 18, 2023.