



City of
LA HABRA

AGENDA

**CITY COUNCIL OF THE CITY OF LA HABRA
ADJOURNED REGULAR MEETING 5:30 P.M.
&
REGULAR MEETING 6:30 P.M.
MONDAY, OCTOBER 2, 2023**

COUNCIL CHAMBER
100 EAST LA HABRA BOULEVARD
LA HABRA, CALIFORNIA 90631

The Regular Meeting of the City Council for October 2, 2023, will be at the City of La Habra Council Chamber located at 100 East La Habra Boulevard, La Habra, California. The City Council Chamber will be open to the public at 6:00 p.m. and the meeting will start promptly at 6:30 p.m.

The public is encouraged to participate in the Regular Meeting of the City Council by attending in person or submitting written comments via email to cc@lahabracal.gov no later than 5:00 p.m. on Monday, October 2, 2023. Written comments sent to the City by 5:00 p.m. on the day of the meeting will be printed and provided to the City Council prior to the meeting. The meeting can also be viewed live through the City of La Habra website at www.lahabracal.gov/356/Archived-Council-Videos by clicking on "Watch Live" at 6:30 p.m.

The City of La Habra live broadcasts and replays City Council Meetings on La Habra Cable Channel 3 and over the website at www.lahabracal.gov. Please note that in person attendance at this public meeting may result in the recording and broadcast of your image and/or voice.

The City of La Habra makes every effort to comply with the Americans with Disabilities Act (ADA) in all respects. Should you need special assistance to participate in this meeting, please contact the City Clerk's Office at (562) 383-4030 or cc@lahabracal.gov prior to the meeting. Every effort will be made to provide reasonable accommodations.

ADJOURNED REGULAR MEETING 5:30 P.M.:

CALL TO ORDER: Council Chamber, Closed Session Room 112c

ORAL COMMUNICATIONS FROM THE PUBLIC FOR CLOSED SESSION MATTERS:

CLOSED SESSION:

1. Conference with Legal Counsel - Anticipated Litigation; Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Government Code Section 54956.9: (one case).
2. Conference with Legal Counsel Pending Litigation Pursuant to Government Code Section 54956(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.
3. Lennar Homes of California, Inc., et al. v. City of La Habra; Orange County Superior Court, Case No. 30-2021-01221710-CU-BC-WJC.
4. Conference with Legal Counsel Significant Exposure to Litigation Pursuant to Government Code Section 54956(d)(2) and (e)(1); One (1) Potential Case.

ADJOURNMENT:

REGULAR MEETING 6:30 P.M.:

CALL TO ORDER: Council Chamber

INVOCATION: City Attorney Jones

PLEDGE OF ALLEGIANCE: Mayor Gomez

ROLL CALL: Mayor Gomez
Mayor Pro Tem Nigsarian
Councilmember Espinoza
Councilmember Medrano
Councilmember Simonian

CLOSED SESSION ANNOUNCEMENT:

PROCLAMATIONS/PRESENTATIONS:

1. PROCLAIM OCTOBER 22-28, 2023 AS "CHILDHOOD LEAD POISONING PREVENTION WEEK" IN THE CITY OF LA HABRA
2. PRESENTATION BY CITY OF HOPE ORANGE COUNTY

PUBLIC COMMENTS: When addressing the La Habra City Council, please complete a Speaker's Card before leaving the Council Chamber.

General Public Comments shall be received at the beginning of the governing body meeting and limited to three (3) minutes per individual, with a total time limit of 30 minutes for all public comments, unless otherwise modified by the Mayor or Chair. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

The general Public Comment portion of the meeting allows the public to address any item of City business not appearing on the scheduled agenda. Per Government Code Section 54954.3(a), such comments shall not be responded to by the governing body during the meeting.

CONSENT CALENDAR:

All matters on Consent Calendar are considered to be routine and will be enacted by one motion unless a Councilmember, City staff member, or member of the audience requests separate action or removal of an item. Removed items will be considered following the Consent Calendar portion of this agenda. Public comment shall be limited to three (3) minutes per individual, with a total time limit of 30 minutes per item that has been removed for separate discussion, unless otherwise modified by the Mayor. Speaking time may not be granted and/or loaned to another individual for purposes of extending available speaking time, and comments must be kept brief, non-repetitive, and professional in nature.

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 September 18, 2023.

3. **APPROVE DENIAL OF LIABILITY CLAIM OF LINK LOGISTICS**

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

4. **APPROVE DENIAL OF LIABILITY CLAIM OF MR. ANTHONY GARCIA**

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

5. **APPROVE DENIAL OF LIABILITY CLAIM OF STATE FARM MUTUAL AUTO INSURANCE CO.**

That the City Council deny the claim of State Farm Mutual Auto Insurance Co. in order to set a definite six-month Statute of Limitations date.

6. **APPROVE DENIAL OF LIABILITY CLAIM OF MR. VICENTE VENTURA ESTRADA**

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

7. **APPROVE DENIAL OF LIABILITY CLAIM OF MR. CELESTINO GIL**

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

8. **APPROVE THE PURCHASE OF DELL COMPUTERS NETWORK VIRTUALIZATION EQUIPMENT**

That the City Council approve and authorize the City Manager to execute a purchase order in the amount of \$197,523.23 with Dell Computers for the purchase of one Dell EMC PowerStore 500T storage device (\$150,661.93), one Dell PowerEdge R660 file server (\$31,016.58) and one Dell PowerSwitch S5244 switching device (\$15,844.72).

9. **APPROVE NOTICE OF COMPLETION FOR ANNUAL RESIDENTIAL STREET REHABILITATION, FISCAL YEAR 2019-2020 AND FISCAL YEAR 2021-2022, CITY PROJECT NO. 1-R-20**

That the City Council approve Notice of Completion for the Annual Residential Street Rehabilitation, Fiscal Year 2019-2020 and Fiscal Year 2021-2022, City Project 1-R-20, and authorize staff to submit the notice for recordation.

10. APPROVE TRACT MAP NO. 19155 AS SUBMITTED, AND ACCEPT THE DEDICATIONS FOR PUBLIC STREET PURPOSES

That the City Council approve Tract Map No. 19155 at 331-351 South Cypress Street and 316 South Aldrich Street, as submitted, and accept the dedications for public street purposes as shown on said map.

11. APPROVE RECOMMENDED AMENDMENTS TO THE GOVERNANCE DOCUMENT OF THE INTEGRATED LAW AND JUSTICE AGENCY FOR ORANGE COUNTY (ILJAO), JOINT POWERS AUTHORITY

That the City Council approve and authorize the City Manager to execute the recommended amendments to the Governance Document of the Integrated Law and Justice Agency for Orange County (ILJAO) Joint Powers Authority.

12. WARRANTS: APPROVE NOS. 00140853 THROUGH 00141008 TOTALING \$1,190,455.13; AND APPROVE WIRE TRANSFERS DATED 9/29/23, TOTALING \$838,956.17

That the City Council approve Nos. 00140853 through 00141008 totaling \$1,190,455.13; and approve Wire Transfer dated 9/29/23, totaling \$838,956.17.

CONSENT CALENDAR ITEMS REMOVED FOR SEPARATE DISCUSSION:

PUBLIC HEARINGS:

Public comments shall be limited to five (5) minutes per individual, with a total time limit of 60 minutes for all public comments, for each individual Public Hearing item on the agenda, unless otherwise modified by the Mayor or Chair. Comments must be kept brief, non-repetitive, and professional in nature.

1. DULY NOTICED PUBLIC HEARING TO CONSIDER PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 FOR THE REQUEST TO CONSTRUCT A 3,875 SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY

That the City Council APPROVE THE FIRST READING OF **ORDINANCE NO. ____** ENTITLED: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA HABRA, CALIFORNIA, APPROVING PLANNED UNIT DEVELOPMENT PRECISE PLAN 22-02 FOR THE CONSTRUCTION OF A 3,875 SQUARE FOOT, DUAL TENANT BUILDING AT 711 EAST IMPERIAL HIGHWAY, AS PER THE APPROVED PLANS, AND SUBJECT TO CONDITIONS, AND MAKE A DETERMINATION THAT THE REQUEST IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO SECTION 15303, CLASS 3: "NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURE S" AND SECTION 15061(B)(2) OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES.

The request was reviewed pursuant to the guidelines of the California Environmental Quality Act (CEQA) and it was determined the request is Categorically Exempt from CEQA under Section 15303, Class 3 "New Construction or Conversion of Small Structures" and that the project does not meet any of the exceptions described in Section 15300.2, pursuant to the provision under Section 15061(B)(2) of the CEQA Guidelines.

CONSIDERATION ITEMS: None at this time.

MAYOR'S COMMUNITY CALENDAR:

COMMENTS FROM STAFF:

COMMENTS FROM COUNCILMEMBERS:

ADJOURNMENT: Adjourned to Monday, October 16, 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.

Except as otherwise provided by law, no action shall be taken on any item not appearing in the foregoing agenda. A copy of the full agenda packet is available for public review at the Office of the City Clerk during regular business hours, and on the City's webpage at <http://www.lahabracaca.gov/>.

Materials related to an item on this Agenda submitted to the City Council/Authority/Agency after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 110 East La Habra Boulevard, La Habra, during normal business hours.

In accordance with the Federal Americans with Disabilities Act of 1990, should you require a disability-related modification or accommodation, including auxiliary aids or services to participate in the meeting due to a disability, please contact the City Clerk's Office at least ninety-six (96) hours in advance of the meeting at (562) 383-4030.

DECLARATION: This agenda was posted on the bulletin boards outside the south entrance of City Hall and the Council Chamber, where completely accessible to the public, at least 72 hours in advance of the City Council Meeting.

Rhonda J. Barone, CMC
City Clerk