MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

February 7, 2023

CALL TO ORDER: Mayor Baker called the Regular Meeting of the La Palma City Council to order at 5:30 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

CLOSED SESSION

CS-1. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property:	South of Orangethorpe Avenue, 42 feet east of the centerline of Alexander Avenue.
Agency negotiator:	Conal McNamara, City Manager Ajit Thind, City Attorney Joe Cisneros, Assistant to the City Manager
Negotiating parties:	Crown Castle Fiber, LLC
Under negotiations:	Price and terms of payment

CS-2. CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code section 54957.6.

Agency Designated Representatives:	Conal McNamara, City Manager Ryan Hallett Hinton, Administrative Services Director
Employee Organizations:	La Palma General Employees Association La Palma Professional Employees Association
Unrepresented Employees:	Executive Management

CS-3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: One potential case, a possible hostile work environment claim.

Mayor Baker recessed to Closed Session at 5:31 p.m.

OPEN SESSION to Begin at 6:30 PM

Mayor Baker reconvened in Open Session at 6:30 p.m. and asked for a report out of Closed Session.

City Attorney Thind announced that there were no reportable actions out of Closed Session.

PLEDGE OF ALLEGIANCE:	Mayor Pro Tem Goodman
INVOCATION:	Pastor Tommy Hinostroza, La Palma Christian Center
ROLL CALL:	Council Members
Council Members present:	Mayor Baker, Mayor Pro Tem Goodman, Council Member Keo Conklin, Council Member Patel, and Council Member Waldman
Council Members absent:	None
City Officials present:	Conal McNamara, City Manager Ajit Thind, City Attorney Mike Belknap, Community Services Director Joseph Cisneros, Assistant to the City Manager Scott Hutter, Planning Manager Terry Kim, Police Chief Kimberly Kenney, City Clerk

PRESENTATIONS

1. Howard Kummerman, Executive Director of Cypress College Foundation, gave a presentation on the 48th Annual Americana Awards recognizing Community Services Director Belknap as La Palma's Citizen of the Year.

2. Mayor Baker issued recognition plaques to outgoing Development and Circulation Committee Members Jan Jensen and Guillermo "Willie" Ortega for their many years of dedicated service.

Benjamin Montelongo, representing Senator Janet Nguyen's office, and Triston Mendez, representing Assemblywoman Sharon Quirk-Silva's office, presented Certificates of Recognition to Jan Jensen and Willie Ortega for their dedicated service on the Development and Circulation Committee.

3. On behalf of Supervisor Foley's office, Mayor Baker presented a proclamation to Mayor Pro Tem Goodman in recognition of Black History month.

ORAL COMMUNICATIONS

Sherry Forbes and Joanne Tenney, La Palma residents, addressed the City Council regarding their support for having pickle ball at Central Park; submitted some research they conducted from other pickle ball courts in Orange County; and the suggestion to change the basketball courts to a multi-use type court with certain time frames for pickle ball versus basketball.

Kyle McCune, a La Palma resident, addressed the City Council regarding the emails he has sent to Public Works regarding the need to increase the tree trimming and maintenance on Houston Avenue.

City Clerk Kenney added that she has received Oral Comments via email. Craig Durfey, Founder of Parents for the Rights of Developmentally Disabled Children, requests your support for legislation that protects children from the negative impacts of social media, citing concerns for addiction, their mental health, privacy, and data mining by corporations. A copy of the full email is being provided to the City Council and the City Clerk will keep a copy on file, and note it in the minutes.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances

   Waive the reading of all Ordinances in their entirety and read by title only.

2. Approval of Register of Demands

   Resolution No. 2023-05 approving the Registers of Demands for January 17, 2023, and February 7, 2023

3. Second Quarter Cash and Investment Report for Fiscal Year 2022-23, as of December 31, 2022

   Receive and file the Cash and Investment Report for the second quarter of Fiscal Year 2022-23, as of December 31, 2022.

5. Resolution approving the Sponsorship for 2023 Cypress College Foundation Americana Awards, and Authorizing the Distribution of Tickets to Attend the Event

   Resolution No. 2023-06 approving Sponsorship of the 2023 Cypress College Foundation Americana Awards at the Benefactor Level and authorize the distribution of tickets to attend the event.

6. Resolution Delegating Authorization to City Personnel to Execute Agreements and Right-of-Way Certifications with California Department of Transportation

   Resolution No. 2023-07 delegating authorization to City personnel to execute all Master Agreements, Program Supplemental Agreements, Program Supplemental Agreements, fund Exchange Agreements, and/or Fund Transfer Agreements, including Right-of-Way Certifications and any other certifications and documents to facilitate the California Department of Transportation and Federal Highway Administration process.

7. Amendment to Agreement with Empire Pipe Cleaning and Equipment Inc.

   Approve and authorize the Mayor to execute an amendment to the Agreement with Empire Pipe Cleaning and Equipment Inc.

8. Amendment to Agreement with MJC Construction, Inc.

   Approve and authorize the Mayor to execute an amendment to the Agreement with MJC Construction, Inc.

9. Second Reading and Adoption of an Ordinance Amending City Municipal Code Chapter 42 (Water) Article II Pertaining to the Shutoff of Water Service due to Nonpayment

   Conduct the Second Reading and Adopt Ordinance 2023-01 of the City of La Palma Chapter 42 (Water) Article II of the La Palma Municipal Code pertaining to the shutoff of water service due to nonpayment.

10. Second Reading And Adoption Of An Ordinance Amending City Municipal Code Chapter 44 (Zoning) Section 44-10 – Definitions And Division 4. – Parking And Loading, As It Pertains To Establishing An Expedited, Streamlined Permitting Process For Electric Vehicle Charging Stations

    Conduct the second reading and Adopt Ordinance 2023-02 of the City of La Palma amending City Municipal Code (Chapter 44 Zoning) pertaining to the establishment of an expedited, streamlines permitting process for electric vehicle charging stations.

Mayor Pro Tem Goodman made a motion to approve Consent Calendar Items 1 - 3 and 5 - 10.

The motion was seconded by Council Member Patel and carried on the following vote:

AYES: Mayor Baker, Mayor Pro Tem Goodman, Council Member Keo Conklin, Council Member Patel, and Council Member Waldman

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

4. Appointments to Citizen Committees

Council Member Keo Conklin requested to have the item pulled from the Consent Calendar in order to determine the length of time Committee Member Duke has served on the Community Activities and Beautification Committee.

Community Services Director Belknap responded that Committee Member Duke has served two terms equally 8 years; however, the City Council changed its policy for volunteer committees to remove term limits.

a) Reappoint Alta Duke to the Community Activities and Beautification (CAB) Committee with a four-year term expiring December 31, 2026 and keep the vacant seat open until filled; and

b) Reappoint Vincent Luu and appoint Manisha Jethvani and Taylor Quan to the Development and Circulation Committee (DCC) with four-year terms expiring December 31, 2026.

Mayor Pro Tem Goodman made a motion to approve Consent Calendar Item 4.

The motion was seconded by Council Member Patel and carried on the following vote:

AYES: Mayor Baker, Mayor Pro Tem Goodman, Council Member Keo Conklin, Council Member Patel, and Council Member Waldman

NOES: None

PUBLIC HEARINGS

11. First Reading And Introduction Of An Ordinance Of The City Of La Palma Amending City Zoning Code (Chapter 44 Of The La Palma Municipal Code) Sections 44-10, 44-111, and 364 Pertaining To The Regulation Of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) In Residential Zones In Conformance With State Law

a) Mayor Baker opened the Public Hearing at 6:57 p.m.

b) City Manager McNamara introduced the item and Planning Manager Hutter gave the Staff Report.

c) City Council Comments and Questions:

Discussion ensued regarding this item being on the Agenda is not an item created by the City of La Palma, but rather as a result of new State legislation; that there is a new height limit and set back requirement for Accessory Dwelling Units (ADU) that needed to be added to the City's municipal code; that Staff and the City Attorney went through the legislation with this new Ordinance to ensure La Palma's compliance; that this Ordinance takes away some the City's discretionary tools when the ADU does not meet standards; that the State has reduced the setback requirements; that reducing the setback requirements could pose difficulties for first responders in an emergency situation; clarification of the definition for an ADU and a Junior ADU; that the County Assessor's office is the one to adjudicate additional square footage on a property; that the City is the one who prescribes the house address; and that each single family residence can have up to two ADU's.

d) Public Input:

No members of the public wished to speak.

e) Mayor Baker closed the Public Hearing at 7:06 p.m.

f) Introduce an Ordinance amending the City Zoning Code Sections § 44-10, § 44-111, and § 364 Pertaining to the regulation of Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs) in Residential Zones in conformance with State Law.

Council Member Patel made a motion to introduce an Ordinance amending the City Zoning Code Sections § 44-10, § 44-111, and § 364 Pertaining to the regulation of Accessory Dwelling Units (ADUs) and Junior Accessory

Dwelling Units (JADUs) in Residential Zones in conformance with State Law.

The motion was seconded by Council Member Waldman and carried on the following vote:

AYES: Mayor Baker, Mayor Pro Tem Goodman, Council Member Keo Conklin, Council Member Patel, and Council Member Waldman

NOES: None

REGULAR ITEMS

12. Council Member Request - Discuss Improving Audio Recording for Council Meetings as well as Implementing Live Televising of La Palma Council Meetings.

City Manager McNamara gave a brief overview of this Council Member Request made by Council Member Keo Conklin.

Council Member Keo Conklin stated that although the City is successful with it's transparency in regards to meetings, she proposed that Staff makes Council Meetings more accessible through video options as well as the current audio options so residents can access the meetings anywhere; that this endeavor will increase the City's position of being transparent.

Discussion ensued regarding whether there has been problems with the audio; that Council Member Keo Conklin had received requests from residents during her campaign that requested video coverage; that there have been issues with feedback or cross talk in previous audio recordings; that the City Council has had this discussion previously and the issues that arose from installing video is having individuals grand stand, the amount of cost associated with the upgrade, and that there would be additional staff required for various duties like editing; the need to improve the City's technology; that depending on the type of video requested like cameras being hardwired into the Chamber, the City does not have the infrastructure needed to move into this technology; that there would be extensive costs involved; that the City Council had the same concerns brought forward by the last City Council and they voted against it; that although other cities have televised formats, they are also larger cities; that the City has plenty of options to access the City's information; that Council Member Patel has not had a problem with listening to the audio files, but supports making the technology better; that Council Member Goodman noted that there is a cable and/or connection issue with the current audio; that he supports improving the audio feed including upgrading the microphones that are closer to the City Council; that Council Member

Goodman agreed that the cost will be a determining factor but would also like to hear from the residents through a survey; and that Council Member Keo Conklin requests that Staff look into televising or video capability since the City already has a facebook page and other media options.

Further discussion ensued regarding whether an actual motion needs to be made; that the general consensus from the discussion is to look at improving audio capabilities with being conscious of the cost; and that there was no consensus on moving forward with video.

Council Member Patel made a motion to have Staff look into improving the audio technology, but not move forward with video streaming the City Council meetings.

The motion was seconded by Council Member Waldman and Council Member Keo Conklin voted no, but wished to discuss the motion.

Council Member Patel withdrew his motion in order to have a discussion.

Discussion ensued regarding clarification of the motion on the floor is for staff to look into improving and enhancing the audio capabilities for City Council meetings but NOT move forward with reviewing video options; that the maker of the motion, Council Member Patel, concurred; that Council Member Keo Conklin stated her request is not to install video, but rather to have staff review what options we have for both as there is no cost to review our options.

Council Member Patel made a motion to have Staff look into improving the audio technology, but not move forward with video streaming the City Council meetings. The motion was seconded by Council Member Waldman

Mayor Pro Tem Goodman made a substitute motion to review both audio enhancements and conduct research on video streaming capabilities. The motion was seconded by Council Member Conklin and failed on the following vote:

AYES: Council Member Keo Conklin and Mayor Pro Tem Goodman.

NOES: Mayor Baker, Council Member Patel, and Council Member Waldman.

A vote was taken on the original motion by Council Member Patel and carried on the following vote:

AYES: Mayor Baker, Council Member Patel, and Council Member Waldman

NOES: Council Member Keo Conklin and Mayor Pro Tem Goodman

COUNCILMEMBER AB1234 REPORTS, REPORTS FROM CITY-AFFILIATED COMMITTEES, AND COUNCIL REMARKS

Council Member Keo Conklin attended the League of California Cities (LOCC) New Mayor and Council Member Academy; Senator Janet Nguyen's dedication ceremony of the highway sign in honor of former Police Officer Nicholas Vella; a World Cancer Day fundraiser; and a strategic public safety meeting with La Palma Police Chief and his Captains.

Council Member Waldman had nothing to report.

Council Member Patel attended an Orange County Fire Authority (OCFA) Special Meeting; Congresswoman Michelle Steel's swearing-in ceremony; the planning meeting with Jacob Green and Associates in preparation for strategic planning; the City Council Strategic Planning and Goal Setting special meeting; the OCFA Union President meeting; an OCFA Executive briefing; that he was recognized by Anaheim Union High School for the work he's done with them as a City Council Member and for Hope School; OCFA New Member Orientation; the La Palma Community Foundation Bingo Night; and congratulated Community Services Director Belknap as Americana Awards La Palma Citizen of the Year.

Mayor Pro Tem Goodman congratulated Community Services Director Belknap for being recognized as Americana Awards La Palma Citizen of the Year; congratulated former Citizen Committee members Jensen and Ortega for their many years of service volunteering; thanked Committee Member Duke and Luu for recommitting their time for another four-year term; congratulated the two newest Development and Circulation Committee members Jethvani and Quan; thanked Supervisor Foley and Sarmiento's Office for recognizing Black History month; attended the LOCC Policy Committee orientation; the City Council Strategic Planning and Goal Setting special meeting; the California Joint Powers Insurance Authority (CJPIA) Executive Committee meeting interviews; the CJPIA Claims Committee meeting; the LOCC Housing Community and Economic Development Policy Committee meeting; and the Orange County Sanitation District (OCSD) Operation Committee meeting.

Mayor Baker attended LOCC Committee Intro Briefing; the Orange County Mosquito and Vector Control District (OCMVCD) Special Meeting; swearing-in ceremony for Congresswoman Michelle Steel; the planning meeting with Jacob Green and Associates in preparation for strategic planning; the OCMVCD Board of Trustees Meeting; the City Council Strategic Planning and Goal Setting special meeting; conducted interviews for Development and Circulation Committee members; the LOCC Speaker Series; a lunch

meeting with OCFA Director, Jonathan White; the OCSD Board of Directors Meeting; the Orange County Library Advisory Board (OCLAB) Meeting; the OCFA Board Meeting; the LOCC Community Services Policy Committee Meeting; the OCMVCD Conference; and the Mosquito Vector Control Association of California Conference Banquet.

CITY MANAGER REMARKS

City Manager McNamara congratulated Community Services Director Belknap for being recognized as Americana Awards La Palma Citizen of the Year and that he plans to have him report on the upcoming Festival of Nations at the next City Council meeting.

CITY ATTORNEY REMARKS

City Attorney Thind had nothing to report.

ADJOURNMENT

Mayor Baker Adjourned the Regular Meeting of the City Council at 7:36 p.m.

_____
Debbie S. Baker
Mayor

Attest:

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Kimberly Kenney, CMC
City Clerk