

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

August 1, 2023

CALL TO ORDER: Mayor Baker called the Regular Meeting of the La Palma City Council to order at 5:32 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

CS-2. 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-3. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 5062 La Palma Avenue, La Palma, California
APN: 262-081-04

Agency Negotiator: Conal McNamara, City Manager
Ajit Thind, City Attorney

Negotiating Parties: Esoteric Homes, Inc.

Under Negotiations: Price and terms of payment

CS-4. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code section 54957.6.

Agency Designated Representatives: Conal McNamara, City Manager
Ryan Hallett, Administrative Services
Director
Steve Filarsky, Labor Attorney

Employee Organizations: La Palma Police Association

CS-5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION Pursuant to Government Code Section 54956.9 paragraph (1) of subdivision (d):

California Workers Compensation claim [Claim No. 4A2209CX9VD0001, Kim]

CS-6. THE CITY COUNCIL WILL MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957(B)(1):

PUBLIC EMPLOYMENT

Position Title: City Manager

Mayor Baker recessed to Closed Session at 5:34 p.m.

Mayor Baker adjourned the Closed Session at 6:34 p.m. and reconvened in Open Session at 6:38 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:

Council Member Waldman

INVOCATION:

Butler Weeks, Worship Leader at La Palma
Christian Center

ROLL CALL: Council Members

Council Members present: Mayor Baker, Mayor Pro Tem Goodman, Council Member Patel, and Council Member Waldman

Council Members absent: Council Member Keo Conklin

City Officials present: Conal McNamara, City Manager
Ajit Thind, City Attorney
Ryan Hallett, Administrative Services Director/Assistant City Manager
Scott Hutter, Planning Manager
Terry Kim, Police Chief
Andy Ramirez, Public Works/Community Services Director
Kimberly Kenney, City Clerk

PRESENTATIONS

1. Mayor Baker presented a plaque to Water/Maintenance Supervisor Nafarrete in recognition of his 15 years of dedicated service to La Palma.

Benjamin Montelongo, Senator Janet Nguyen's District Representative, also issued a Certificate of Recognition.

2. Demi Perez, Recreation Coordinator, introduced the Volunteer Program and Mayor Baker issued Certificates of Recognition to the 2023 Volunteers. Mayor Baker handed out Certificates of Recognitions to the Volunteers on behalf of Congresswoman Michelle Steel.

Benjamin Montelongo, Senator Janet Nguyen's District Representative, also issued Certificates of Recognition.

ORAL COMMUNICATIONS

James Lopez, a La Palma resident, addressed the City Council regarding the removal of his window air conditioning unit that was removed by an 'officer'; the reason for having it installed; and asked the City Council to reconsider the removal of the unit.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances

Recommendation that the City Council waive the reading of all Ordinances in their entirety and read by title only.

2. Approval of Register of Demands

Recommendation that the City Council adopt a Resolution approving the Registers of Demands for June 20, 2023; July 5, 2023; July 18, 2023; and August 1, 2023.

3. City of La Palma Fourth Quarter Cash and Investment Report, Fiscal Year 2022-23, as of June 30, 2023

Recommendation that the City Council receive and file the Cash and Investment Report for the fourth quarter of Fiscal Year 2022-23.

4. Consideration of an Extension to a Site License Lease Agreement to operate an existing Digital Antenna System (DAS) within City Right-Of-Way

Recommendation that the City Council approve and authorize the City Manager or designee to execute the First Amendment to the Site License Agreement with Crown Castle Fiber LLC ("Crown Castle") for the Digital Antenna System (DAS) located within the City Right-Of-Way.

5. Consideration of a Fiscal Funding Addendum with Konica Minolta for the City's Copier Machine Lease Agreement

Recommendation that the City Council authorize the Mayor to sign the Fiscal Funding Addendum with Konica Minolta for the City's Copier Machine Lease Agreement.

6. Modified Agreement with All City Management Services, Inc. for Providing School Crossing Guard Services

Recommendation that the City Council approve and authorize the City Manager, or designee, to execute a modified agreement with All City Management Services (ACMS), Inc. to provide school crossing guard services for one year, commencing July 1, 2023, through June 30, 2024.

7. Amendment to the Agreement with the Southeast Area Animal Control Authority (SEAACA) for Animal Care Services

Recommendation that the City Council approve and authorize the Mayor to execute an Amendment to the Agreement with the Southeast Area Animal Control Authority (SEAACA) for the delivery of animal care services in FY 2023-2024.

8. Amendment to the Integrated Law and Justice Agency for Orange County (ILJAOC) Joint Powers Agreement

Recommendation that the City Council approve and authorize the Mayor to execute an amendment to the ILJAOC Joint Powers Agreement.

9. Short-Term Residential Rentals Ordinance 1-Year Update

Recommendation that the City Council receive and file the report.

10. La Palma Police Association Side Letter Amendment

Recommendation that the City Council adopt a Resolution approving a Side Letter Amendment with the La Palma Police Association regarding holiday pay.

11. Placement of Glenn Karter's Name in the Community Commemorative Area

Recommendation that the City Council approve the placement of Glenn Karter's name on a paver in the Community Commemorative Area.

12. County of Orange Stormwater Management Program Shared Costs Budget for FY 2023/24

Recommendation that the City Council take the following actions:

1. Approve the County of Orange's shared cost budget for the National Pollutant Discharge Elimination System (NPDES) stormwater quality permit compliance program;
 2. Authorize the City Manager or designee to execute payment upon invoice receipt not to exceed \$27,000; and
 3. Authorize the Mayor to sign and transmit the attached letter supporting the County of Orange's Stormwater Management Program FY 2023/24 budget.
13. Notice of Completion and Acceptance of Work for the Central Park Emergency Generator Project

Recommendation that the City Council accept the work and authorize the Public Works and Community Services Director to file the Notice of Completion and

Acceptance of Work with the Orange County Recorder for the Central Park Emergency Generator Project, City Project No. 22-PRK-01.

14. Award of Contract for HVAC Package Unit Replacement for the City Yard

Recommendation that the City Council take the following actions:

1. Authorize the City Manager or designee to enter into an agreement with Control Air Enterprises, LLC to install a 5-ton HVAC package unit replacement for an amount not to exceed \$35,000; and
2. Award a contract to Control Air Enterprises, LLC for a 5-ton HVAC package unit replacement for the City Yard Office Remodel Project, City Project No. 22-BLDG-01

Mayor Pro Tem Goodman made a motion to approve Consent Calendar Items 1 through 14.

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

AYES:	Mayor Baker, Mayor Pro Tem Goodman, Council Member Patel, and Council Member Waldman
NOES:	None
ABSENT:	Council Member Keo Conklin

PUBLIC HEARINGS

15. Review And Consideration Of Precise Plan 290 (PP290), A Request By The Applicant, Blake Sign Company, Authorized Agent For La Palma Christian Center To Construct A New Monument Sign That Features A Double-Sided Electronic Marquee Located In Front Of La Palma Christian Center Located At 8082 Walker Street, La Palma, CA 90623 (APN 262-133-26).

CEQA: California Environmental Quality Act (CEQA) Exempt Pursuant To Section §15311(a) Accessory Structures (Class 11) On-Premise Signs

1. Mayor Baker opened the Public Hearing at 6:59 p.m.
2. City Manager McNamara introduced the Item and Planning Manager Hutter gave the Staff Report
3. City Council Comments and Questions:

None.

4. Public Input:

No members of the public wished to speak.

5. Mayor Baker closed the Public Hearing at 7:04 p.m.

6. Adopt a Resolution of the City Council approving and authorizing the Applicant's request for Precise Plan 290 (PP 290), a request by the Applicant, Blake Sign Company, authorized agent for La Palma Christian Center to construct a new monument sign that features a double-sided electronic marquee located in front of La Palma Christian Center located at 8082 Walker Street, La Palma, CA 90623 (APN 262-133-26).

CEQA Exempt Pursuant to Section §15311(a) Accessory Structures (Class 11) On-Premise Signs

Council Member Patel made a motion to adopt Resolution No. 2023-30 approving and authorizing the Applicant's request for Precise Plan 290 (PP290), a request by the Applicant, Blake Sign Company, Authorized Agent For La Palma Christian Center to construct a new monument sign that features a double-sided electronic marquee located in front of La Palma Christian Center located at 8082 Walker Street, La Palma, CA 90623 (APN 262-133-26).

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

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

NOES: None

ABSENT: Council Member Keo Conklin

16. Review and Consideration of Amendment No. 2 to Conditional Use Permit 358 (CUP 358 A02), A Request By The Applicant, Mr. Grill Inc., DBA Mr. Lee's BBQ, To Serve Alcohol With A Type 21 Liquor License (On-Sale Beer And Wine for Bona Fide Public Eating Place) From The State Of California Department Of Alcohol Beverage Control (ABC) At The Mr. Lee's BBQ Restaurant Located At 6901 Walker Street, La Palma, CA (APNs 276-072-08 and 276-072-15).

1. Mayor Baker opened the Public Hearing at 7:10 p.m.

2. City Manager McNamara introduced the Item and Planning Manager Hutter gave the Staff Report.

3. City Council Comments and Questions:

Discussion ensued regarding the type of ABC Alcohol License being transferred; that the Type 21 license allows for beer and wine sales and is the one to be transferred from the previous to current owner; the actions taken by the Code Enforcement and Building Departments that have brought the applicant forward; that the applicant is in good standing with the City having become compliant and rectifying all the violations including unpermitted work on a demolished outdoor seating area; that the applicant is now in good faith, processing all entitlements; that the applicant is currently working on a Sign Plan that will be coming forward to the City Council in the near future; that Staff has met with and worked closely worked with the ownership to ensure this Precise Plan amendment came forward; and that with this approval of the Liquor License transfer, alcohol can be served from 11:00 a.m. - 1:30 a.m.

4. Public Input:

No members of the public wished to speak.

5. Mayor Baker closed the Public Hearing at 7:13 p.m.

6. Adopt a Resolution approving and authorizing the Applicant's request for Amendment No. 2 to Conditional Use Permit 358 to permit on-site consumption of alcoholic beverages under a Type 21 State Liquor License at the Mr. Lee's BBQ Restaurant located at 6901 Walker Street.

CEQA exempt pursuant to Section 15301 Class 1 [Existing Facilities]

Council Member Patel made a motion to adopt Resolution No. 2023-31 approving and authorizing the Applicant's request for Amendment No. 2 to Conditional Use Permit 358 (CUP 358 A02), to permit on-site consumption of alcoholic beverages under a Type 21 Liquor License (On-Sale Beer And Wine for Bona Fide Public Eating Place) from the State Of California Department Of Alcohol Beverage Control (ABC) at the Mr. Lee's BBQ Restaurant Located At 6901 Walker Street, La Palma, CA (APNs 276-072-08 and 276-072-15).

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

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

NOES: None

ABSENT: Council Member Keo Conklin

17. Introduction and First Reading of An Ordinance Amending Section 2-1 of the Article 1 of Chapter 1 of the La Palma Municipal Code Pertaining to the City Seal

1. Mayor Baker opened the Public Hearing at 7:14 p.m.
2. City Manager McNamara introduced the Item and City Attorney Thind gave the Staff Report.
3. Public Input:

No members of the public wished to speak.
4. City Council Comments and Questions:

Discussion ensued regarding Mayor Baker's support for using the City Seal for official use.
5. Mayor Baker closed the Public Hearing at 7:15 p.m.
6. Introduce an Ordinance amending Section 2-1 of the Article 1 of Chapter 1 of the La Palma Municipal Code Pertaining to the City Seal.

Council Member Patel made a motion to introduce for First Reading an Ordinance amending Section 2-1 of the Article 1 of Chapter 1 of the La Palma Municipal Code Pertaining to the City Seal.

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

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

NOES: None

ABSENT: Council Member Keo Conklin

REGULAR ITEMS

18. League of California Cities Voting Delegates and Resolutions

City Manager McNamara gave the Staff Report.

1. Designate Mayor Baker as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference;
2. Designate Mayor Pro Tem Goodman as the City of La Palma's Alternate Voting Delegate at the League of California Cities' (LOCC) Annual Conference; and
3. Authorize the City of La Palma delegation the discretion to vote on any resolutions taking into consideration the information they receive at the conference.

Council Member Patel made a motion to designate Mayor Baker as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference; designate Mayor Pro Tem Goodman as the City of La Palma's Alternate Voting Delegate at the League of California Cities' (LOCC) Annual Conference; and authorize the City of La Palma delegation the discretion to vote on any resolutions taking into consideration the information they receive at the conference.

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

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

NOES: None

ABSENT: Council Member Keo Conklin

19. Business Engagement Ad Hoc Committee Round Table Update

City Manager McNamara gave the Staff Report.

The City Council thanked Staff for the detail and by consensus, agreed to receive and file the report.

20. Capital Improvement Program Study Session

City Manager McNamara introduced the Item and Public Works/Community Services Director Ramirez gave the Staff Report.

Council discussion ensued regarding appreciation for the presentation; support for Public Works getting the Capital Improvement Program (CIP) projects calendared; support and appreciation for grant funding acquired for some of the projects; encouraged to see the City tackling the city's brown water; that Staff conducted studies on PFAS, there is no detection of any PFAS in the City's well water; that if

there any future PFAS detection, the City has gotten a commitment from Orange County Water District that they will fully fund a treatment facility at the Walker well and City Yard well sites at the cost of about \$12 million; that the City can treat our water for manganese and iron, but a study would need to be conducted on treatment options; that although the City's water doesn't register for PFAS at this point, it will continue to monitor it to ensure the highest water quality for its users as it will only be a matter of time; that overall, the presentation of the City's CIP program and current positions with water quality is very good news for its residents.

By consensus, the City Council agreed to receive and file the CIP Study Session report.

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

Council Member Waldman attended the Concerts in the Park and the Hometown Heroes Concert in the Park.

Council Member Patel attended the Girls Inc event; the Orange County Fire Authority (OCFA) Budget meeting; the OCFA Board of Directors meeting; the OCFA Human Resources Committee meeting; and thanked Staff for detailed CIP Study Session presentation.

Mayor Pro Tem Goodman attended the Orange County Sanitation District (OCSD) Operations Committee meeting; the California Joint Powers Insurance Authority (CJPIA) Executive Committee and Claims Committee meetings; the Southern California Association of Governments (SCAG) Executive and Administrative Committee meetings; the League of California Cities (LOCC) Nominating Committee meeting; the LOCC Orange County (OC) Division Board meeting; the LOCC Board meeting; the CJPIA Board of Directors meeting; the LOCC's Civic Leadership Institute; the OCSD Steering Committee meeting; and the OCSD Board of Director's meeting.

Mayor Baker attended the LOCC - OC Division General Membership meeting; the LOCC Mayors and Council Members Roundtable; the Orange County Mosquito and Vector Control District (OCMVCD) Operations Committee meeting; the OCMVCD Board of Trustees meeting; the LOCC Community Services Policy Committee meeting; the Business Engagement Ad-Hoc Subcommittee's Business Forum; the OCSD Honor Walk; the OCSD Board of Directors meeting; the July 4th Fitness Run for Fun event; the City of Cerritos Let Freedom Ring celebration; the first Concert in the Park in the Summer; the LOCC Zoom Meeting; the Annual Neighborhood Watch Appreciation Banquet; the LOCC Summer Recess Briefing on Priority Bills; the CJPIA Board of Directors meeting and congratulated Mayor Pro Tem Goodman for his reelection to the CJPIA Executive Board; the Orange County (OC) Fair's Ribbon Cutting event for the Serenity Walk at Hero's Hall;

the OC Fair Dinner for Government Officials; and the Hometown Heroes Concert in the Park followed by another Concert in the Park.

CITY MANAGER REMARKS

City Manager McNamara announced the upcoming Civic Expo happening this Saturday in conjunction with our National Night out even at the Concerts in the Park; that other legislative officials will be there; and recognized the efforts by Planning Manager Hutter and Public Works/Community Services Director Ramirez in putting forward the presentations the City Council received tonight.

CITY ATTORNEY REMARKS

City Attorney Thind had nothing to report.

ADJOURNMENT

Mayor Baker adjourned the Regular Meeting of the La Palma City Council at 8:01 p.m.

Debbie S. Baker
Mayor

Attest:

Kimberly Kenney, CMC
City Clerk