

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

September 5, 2023

CALL TO ORDER: Mayor Baker called the Regular Meeting of the City Council to order at 6:00 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

CLOSED SESSION

CS-1. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code section 54957.6.

Agency Designated Representatives: Conal McNamara, City Manager  
Ryan Hallett, Administrative  
Services Director

Employee Organizations: La Palma Police Association

CS-2. 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-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION  
(Pursuant to paragraph(1)of subdivision (d) ofSection54956.9)

Name of Case: Tatarian vs. City of La Palma  
Case No. OCSC 30-2022-01294374-CU-WM-CJC

CS-4. PERFORMANCE EVALUATION PURSUANT TO GOVERNMENT CODE  
SECTION 54957(B)(1):

Position Title: City Attorney

OPEN SESSION:

Mayor Baker reconvened in Open Session at 6:42 p.m.

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

PLEDGE OF ALLEGIANCE: Council Member Keo Conklin

INVOCATION: Father Binh Nguyen, St. Irenaeus

ROLL CALL: Council Members

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

Council Members absent: None

City Officials present: Conal McNamara, City Manager  
Ajit Thind, City Attorney  
Ron Wilkerson, Acting Police Chief  
Joseph Cisneros, Assistant to the City Manager  
Andy Ramirez, Public Works/Community Services Director  
Jeff Adams, Planning Consultant  
Kimberly Kenney, City Clerk

PRESENTATIONS

1. Public Works/Community Services Director Ramirez introduced Julie Herrera as La Palma's new Management Analyst.
2. Public Works/Community Services Director Ramirez introduced Matt Swantek and Chris Zamora as La Palma's new Water Service Workers.
3. Mayor Baker issued a Plaque and a Proclamation to former Police Chief Terry Kim for his 29 years of outstanding and dedicated service as La Palma's Police Chief.

Benjamin Montelongo, representing Senator Janet Nguyen's office, Tristan Mendez, representing Assemblywoman Sharon Quirk-Silva's office, and Elizabeth

Lavezarri, representing Senator Josh Newman's office, presented a joint Resolution to former Police Chief Terry Kim, in recognition of his 29 years of dedicated service to the City of La Palma. Mayor Baker presented a Certificate of Recognition on behalf of Supervisor Do's office in recognition of former Police Chief Terry Kim's 29 years of dedicated service to the City of La Palma.

## ORAL COMMUNICATIONS

No members of the public wished to speak.

## 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 Council Minutes

Minutes of the June 6, 2023, and August 1, 2023, Regular Meetings of the City Council.

3. Approval of Register of Demands

Resolution No. 2023-32 approving the Registers of Demands for August 15, 2023, and September 5, 2023.

4. Second Reading and Adoption 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

Conduct the second reading and adopt Ordinance No. 2023-04 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 approve Consent Calendar Items 1-4.

The motion was seconded by Mayor Pro Tem Goodman and carried on the following vote:

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

NOES: None

## PUBLIC HEARINGS

5. Review and Consideration of Amendment No. 5 To Precise Plan 149 A Request By The Applicant, Beads Factory To Modify The Existing Primary East Elevation Façade And Adjacent Partial North And South Elevations To Remove The Existing Glass And Aluminum Window Wall Systems And Replace With New Exterior Plaster Finish Walls Of Their Building Located At 6811 Walker Street (APN 276-071-09), In The Mixed Use Business (B-1) Zone.

1. City Manager McNamara introduced the Item and new Planning Consultant, Jeff Adams, who gave the Staff Report.

2. Mayor Baker opened the Public Hearing at 7:03 p.m.

3. Council Member Comments and Questions:

None.

4. Public Input:

Robert Carruth, a La Palma resident, addressed the City Council regarding his support for the project; the increase in property crime; and has made calls to the Police Department regarding public safety concerns needing to be addressed.

5. Mayor Baker closed the Public Hearing at 7:05 p.m.

6. Adopt a Resolution of the City Council approving Amendment No. 5 to Precise Plan 149 a request by the Applicant, Beads Factory to modify the existing primary east elevation façade and adjacent partial north and south elevations to remove the existing glass and aluminum window wall systems and replace with new exterior plaster finish walls of their building located at 6811 Walker Street (APN 276-071-09), in the Mixed Use Business (B-1) Zone.

Council Member Patel made a motion to adopt Resolution No. 2023-33 approving Amendment No. 5 to Precise Plan 149 a request by the Beads Factory to modify the existing primary east elevation façade and adjacent partial north and south elevations to remove the existing glass and aluminum window wall systems and replace with new exterior plaster finish walls of their building located at 6811 Walker Street (APN 276-071-09), in the Mixed Use Business (B-1) Zone.

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

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

NOES: None

## REGULAR ITEMS

### 6. Award of Contract for Pickleball Courts at La Palma Central Park

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

#### Council Member Comments and Questions:

Discussion ensued regarding support for the pickleball sport; that the idea was brought forward as part of the City Council's Goal Setting Session to investigate options; that from the onset of this discussion, the City Council made clear that cost would determine their decision; that it is the City Council's duty to go through this process with a series of public meetings so they can evaluate what the best option is; that after hearing the bid estimates, the City Council cannot support the stand alone courts; encouraged staff to find other alternatives like possibly turning a basketball or tennis court into a pickleball court with restriping; that the economy will change over time and the City Council can revisit the possibility of having a stand-alone court in the future; that trees or some other alternative will be needed for sound mitigation; that lighted courts are required; that this is a great sport that everyone can play; that fortunately, there are other pickleball courts around that are available; that although this is a fast growing sport, the City Council needs to be fiscally responsible and could restripe the basketball and tennis courts during the resurfacing project as an option; that a bid alternate for restriping the existing courts for pickleball was submitted; that the City can use that grant money for restriping, but that the grant money must be used by June 30, 2024; that simply restriping the courts would be an additional \$3,000 and Staff can work with the current Contractor if the City Council desires to take that route; that one tennis court can be converted into three or four pickleball courts; that if the City Council decides to move forward with using one of the tennis courts to repurpose for pickleball, higher fencing would be needed to make sure there is no crossover between the existing courts and add lighting; that if the City does not use the grant money of \$178 thousand for pickleball, the funding would have to be repurposed; that the grant monies can be used for exercise equipment as well; that the existing basketball courts are in constant use versus the tennis courts; discussion on having a reservation system for the pickleball courts for residents versus non-residents just like the existing tennis courts; that a sound mitigation wall would have to be installed on the side of the tennis courts that face residential

homes; that the City Council would like to survey the current use of the existing basketball and tennis courts before making a decision on restriping existing courts; that many cities are restriping existing courts to allow for pickleball; that to use one of the tennis courts for permanent pickleball courts, there needs to be enough space for play between the courts to mitigate safety and comfort; that restriping the courts to accommodate pickleball could be done before expiration of the grant funding; City Council support for restriping, but would like to see the use survey first; and that in other cities, residents get priority for reserving courts.

#### Public Input:

A La Palma resident, addressed the City Council regarding the City of Cypress currently testing their tennis courts to be used as pickleball courts; that pickleball courts are offered at many surrounding city facilities for all ages; that she noted the City's basketball courts being heavily used versus the tennis courts; and announced her opposition to the cost for the stand alone pickleball courts.

Robert Carruth, a La Palma resident, thanked the Police Department for their response time when he's made calls; his opposition to using the park's green space for pickleball; support for using existing courts by restriping an overlay for pickleball; and that tax payer money needs to be spent on existing issues in La Palma.

Keith Nelson, a La Palma resident, announced his support for the City Council's decision; that the costs for the new pickleball court were far greater than what was proposed by the consultant and as such, their service should be reevaluated; that because the existing basketball and tennis courts are currently used, a recommendation to have a conversation with the School Districts to use their tennis courts should ensue; and that pickleball courts must have proper lighting.

Bill Spradley, a La Palma resident, addressed the City Council regarding changing tennis courts to pickleball courts like what was done in Seal Beach; his support for restriping the courts and making four pickleball courts from one tennis court; opposition to a reservation system as pickleball players have a current system they use between the players who arrive on scene; and opposition to a striping overlay as it is hard to see and confusing, making the sport difficult.

Jodie Tochi, a La Palma resident, addressed the City Council regarding her support for the pickleball sport; that although surrounding cities can accommodate pickleball, La Palma residents need their own courts; that installing movable nets and overlay lines pose difficulties for players; possible hours of operation; that the upcoming rehabilitation Arnold Park's tennis to pickleball courts will prohibit use by La Palma residents; and that pickleball players have their own respectful reservation format for the courts.

## Council Comments and Questions:

Discussion ensued regarding opposition to having line overlays in basketball courts due to the confusion it causes the players; support for using alternatives like one of our tennis courts; that the City needs to evaluate some options while taking into consideration that the grant must be used in a certain timeframe; that the City Council has always said that cost is going to be a determining factor in this decision making process; that this process has allowed the City Council to have a discussion on how best to use tax payer funds; encouragement to start the conversation with the School Districts for using their courts; support and appreciation for the public's input during this process; that a Council Member previously asked a School District Board member to allow the City to use their facilities and was denied due to liability exposure; and that School Districts are currently experiencing financial difficulties and being forced to close some schools.

Recommendation that the City Council provide direction to staff regarding one of the following options:

- a) Approve an Award of Contract of a selected option to the low bidder, RG General Engineering, Inc. for the Central Park Pickleball Improvements (Option 1 or 2), City Project No. 23-PRK-02;
- b) Decline to award a contract for Pickleball Improvements at this time;
- c) Direct staff to work with RG General Engineering on any modifications that the Council so desires;
- d) Direct staff to re-bid the project in the future in the hopes of realizing a cost savings; or
- e) Appropriate project funding from the Capital Outlay Reserve Funds to complete project funding including a 10% contingency for the selected option (should the Council approve the award of contract).

Council Member Patel made a motion to table the item; complete the resurfacing project currently in place; investigate alternatives to keep one tennis court and turn the other tennis court into 2 pickleball courts as presented; investigate installing 3 and 4 pickleball courts on one tennis ball court; the logistics of that process; and return with a report at the October City Council meeting.

Mayor Pro Tem Goodman requested a friendly amendment to the motion to include a visitor use survey for the basketball and tennis courts, and include that in the Staff Report in October.

Council Member Patel accepted the friendly amendment.

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

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

NOES: None

7. 2024 La Palma Citizens Academy

City Manager McNamara gave the Staff Report.

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

8. First Amendment to Amended and Restated City Manager Employment Agreement.

City Attorney Thind gave the Staff Report.

Robert Carruth, a La Palma resident, addressed the City Council regarding his opposition to the City Manager's increase over the time of his employment; opposition to the car allowance in this agreement; and that the City should reimburse the City Manager for actual miles driven at the current IRS rate.

Council Comments and Questions:

Discussion ensued by the City Council regarding their appreciation for public comments; that the City Council is giving the City Manager a vehicle allowance increase that is not pensionable as a result of increased fuel costs; that the City Council has put him in a position that allows and warrants this type of compensation; that it is wrong to fault someone for working hard so they can reap the benefit - as that is what we teach our children; that the City Manager has brought the City a balance budget with a surplus; that the City Manager has navigated the City through two major retirements, brought us through COVID and came out ahead financially, and has kept the City sustained as the City's Chief Executive Officer; that his position has produced a net benefit to the City in that he also serves in the Community Development Director's capacity that has never been replaced; that his current compensation in Orange County is on the lower side of median level; that it's easy to attack a decision, but the good deeds need to be brought to attention as well; that the City has paid \$20-\$30 thousand dollars in Public Records Act (PRA) requests over the past year in comparison to the

\$4800 a year in this City Manager proposed compensation; that the responses to PRA requests are good for transparency and the public's right; that this is not a poor fiscal decision because in the end, the City is getting a net benefit of \$200 thousand; that the City Council decided years ago to expand the pay range to acquire quality talent; and that the City Council stands by its decision to hire this City Manager and compensate him for his talent.

Council Member Patel made a motion to approve the First Amendment to the Amended and Restated City Manager Employer Agreement.

The motion was seconded by Mayor Pro Tem Goodman and carried on the following vote:

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

NOES: None

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

**Council Member Keo Conklin** attended the July 4th Run for Fun; the Concerts in the Park; applied for and received a scholarship to attend the National Leadership Academy in Washington D.C.; attended a scholarship paid an Asian Pacific Islander Caucus in Sacramento; the Woman's Equity Day event with the Girl Scouts; the Orange County Fire Authority (OCFA) "Ride Along" Day; the California Joint Powers Insurance Authority (CJPIA) Risk Management Education Forum; and the dedication ceremony of the new Public Works City Yard building;

**Council Member Waldman** attended the Civic Expo and the Concerts in the Park; and Congresswoman Michelle Steel's business forum.

**Council Member Patel** congratulated former Police Chief Kim's on his well-deserved retirement and thanked him for his service; attended the Each One Teach One (EOTO) backpack and shoe drive with HOPE Children through the Anaheim Union High School District (AUHSD); Congresswoman Michelle Steel's business forum; and the dedication ceremony of the new Public Works City Yard building.

**Mayor Pro Tem Goodman** attended the Civic Expo and Concerts in the Park; the Southern California Association of Government's (SCAG) Community Economic and Human Development Policy Committee Special meeting; the CJPIA Executive and Claims Committee meeting; the Orange County Council of Government's (OCCOG) Board meeting; the CJPIA Annual Risk Management Forum; the dedication ceremony of

the recently renovated Public Works City Yard; welcomed new La Palma Staff members and Planning Consultant Adams; congratulated former Police Chief Kim's on his well-deserved retirement and thanked him for his service; and congratulated Captain Wilkerson on the role he'll be serving in upon Chief Kim's retirement.

**Mayor Baker** congratulated former Police Chief Kim on his well-deserved retirement and thanked him for his service; welcomed new La Palma Staff members and Planning Consultant; congratulated Captain Wilkerson on the role he'll be serving in upon Chief Kim's retirement; attended the Central Park Cinema and last concert in the park; the Civic Expo; the League of California Cities (LOCC) Mayors and Council Members roundtable; the surprise retirement reception in recognition of outgoing Police Chief Kim; the Ice Cream Social for City Staff; the Orange County Mosquito and Vector Control District (OCMVCD) Board of Trustees meeting; the Cambridge Virtual Academy through the AUHSD; the Orange County Sanitation District (OCSD) Board of Directors meeting; former Planning Manager Hutter's farewell party; attended the LOCC Orange County Division General Membership meeting and congratulated Mayor Pro Tem Goodman on his appointment as Division President; attended the CJPIA Risk Management Forum; and the dedication ceremony of the recently renovated Public Works City Yard.

#### CITY MANAGER REMARKS

**City Manager McNamara** addressed the microphone situation and will work to find a resolution as the product is new; recognized the dedicated service of former Police Chief Kim and welcomed Captain Wilkerson into his new role; congratulated former Planning Manager Hutter on his new position and gave a formal introduction of Planning Consultant Adams who will also be involved in finding a replacement for the Planning Manager position; thanked the City Council for their support of his employment agreement and shared his appreciation for the consistency, honesty, and transparency of this City Council; complimented the City Council on their ethical and moral platform for running the City of La Palma and that long-term employees are the result of their position; and announced that he'll be out of the office on Friday through Monday.

#### CITY ATTORNEY REMARKS

**City Attorney Thind** thanked the City Council for promoting an environment that keeps La Palma out of the newspapers.

#### ADJOURNMENT

Mayor Baker adjourned the Regular Meeting of the City Council at 8:50 p.m.

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Debbie S. Baker  
Mayor

Attest:

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Kimberly Kenney, CMC  
City Clerk