

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

November 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 at La Palma City Hall, 7822 Walker Street, La Palma, California.

CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Consideration of whether to initiate litigation pursuant to Government Code Section 54956.9(d)(4): (1 case)

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. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: Goo v. La Palma Police Department, et al.
Case No. OCSC 30-2022-01298828-CU-MC-CJC

CS-5. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PURSUANT TO GOVERNMENT CODE SECTION 54956.8

Property: 5410-14 La Palma Avenue, La Palma, California

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

Negotiating Parties: Victor Chung, Elite Taekwondo Center, LLC

Under Negotiations: Price and/or terms of Amended Lease

OPEN SESSION:

Mayor Baker reconvened in Open Session at 6:32 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 Patel

INVOCATION: Pastor Joshua Bankhead, La Palma Christian Church

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
Ryan Hallet, Assistant City Manager/Administrative Services Director
Ajit Thind, City Attorney
Joe Cisneros, Assistant City Manager
Andy Ramirez, Public Works/Community Services Director
Ron Wilkerson, Police Chief
Kimberly Kenney, City Clerk

PRESENTATIONS

1. Mayor Baker introduced Council Member Patel who welcomed Anaheim Union High School District (AUHSD) Board Member Brian O'Neal who with him, issued Certificates of Recognition to the John F. Kennedy High School Varsity Girl's Volleyball Team and their Coaches for earning the Empire League Championship Title.

Elizabeth Lavazerri representing Senator Josh Newman's office, Triston Mendez representing Assemblywoman Sharon Quirk-Silva's office, and Joe Pena representing Senator Janet Nguyen's office also presented Certificates of Recognition to the team members.

2. Noella Lew, La Palma Community Activities and Beautification Committee's Chair for the Home Spotlight Committee, recognized the home of Scott and Maria Edge, 5071 Toulouse Lane, La Palma.

Elizabeth Lavazerri representing Senator Josh Newman's office, Joe Pena representing Senator Janet Nguyen's office, and Triston Mendez representing Assemblywoman Sharon Quirk-Silva's office, also presented Certificates of Recognition to Mr. and Mrs. Edge.

3. Mayor Baker recognized La Palma's new Police Chief Ron Wilkerson and Police Captain Joe Guerrero.

Elizabeth Lavazerri representing Senator Josh Newman's office, Joe Pena representing Senator Janet Nguyen's office, Griffin Meyer representing Supervisor Andrew Do's office, and Triston Mendez representing Assemblywoman Sharon Quirk-Silva's office, also presented Certificates of Recognition to Police Chief Wilkerson and Police Captain Guerrero on their appointments.

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 October 3, 2023, Regular Meeting of the City Council.

3. Approval of Register of Demands

Adopt Resolution No. 2023-36 approving the Registers of Demands for October 17, 2023, and November 7, 2023.

4. City of La Palma First Quarter Cash and Investment Report, Fiscal Year 2023-24, as of September 30, 2023

Receive and file the Cash and Investment Report for the first quarter of Fiscal Year 2023-24.

5. Resolution Adopting the Measure M2 Expenditure Report for Fiscal Year ending June 30, 2023

Adopt Resolution No. 2023-37 approving the annual Measure M2 expenditure report for Fiscal Year ending June 30, 2023

6. Resolution Certifying the City's Commitment to Projects Submitted for Inclusion in the 2025 Federal Transportation Improvement Program (FTIP)

Adopt Resolution No. 2023-38 certifying that the City has the resources to fund the projects in the Fiscal Year 2024-25 to 2029-30 Transportation Improvement Program (TIP) and affirms its commitment to implement all projects in the program.

7. Resolution Amending the City Council's Regular Meeting Schedule for January, 2024.

Adopt Resolution No. 2023-39 amending the City's Council's Regular Meeting Schedule for January, 2024.

8. Notice of Completion and Acceptance of Work for the Valley View Street, Fresca Drive & Marlin Circle, and Zone 6 Slurry Seal Improvements

Accept the work as complete and authorize the Public Works/Community Services Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the Valley View Street City Project ST-368; Fresca Drive & Marlin Circle City Project ST-369; and Zone 6 City Project ST-370 Slurry Seal Improvements.

9. Agreement with the Orange County Transportation Authority for Countywide Signal Synchronization Baseline Project.

Approve the Cooperative Agreement with Orange County Transportation Authority (OCTA) for Countywide Signal Synchronization Baseline Project.

10. Ratification of an Award of Contract to JDL Design LLC for Emergency Water Connection Panel Repair.

Approve the ratification of the award of a contract in the amount of \$45,553.13 to JDL Design, LLC for the emergency panel repair at the City's water interconnection with Metropolitan Water District's (MWD) OC-54 location.

11. Approve the Purchase of Large Water Meters

Approve the purchase of 38 Large Water Meters from Ferguson Waterworks in an amount not to exceed \$49,000.

12. Approve the Purchase of Water Meter Interface Units

Approve the purchase of 1,101 Neptune Water Meter Interface Units from Ferguson Waterworks in an amount not to exceed \$97,000.

13. Award of Contract for City Hall Railing and Sidewalk Improvements

Award a Contract in the amount of \$159,100 and a 10% contingency to the low and qualified bidder, Premo Construction, Incorporated for the City Hall Railing and Sidewalk Improvements, City Project No. 23-BLDG-01.

14. Resolution Granting a Time Extension for the Project at La Palma Shopping Center Parking Lot located at 4875 – 4997 La Palma Avenue

Adopt Resolution No. 2023-40 granting a one-year time extension for Amendment No. 3 to Precise Plan 28 (PPA 28), Amendment No. 1 to Precise Plan 100 (PPA 100), Amendment No. 1 to Precise Plan 148 (PPA 148), Amendment No. 1 to Precise Plan 171 (PPA 171), and a Parking Variance 2019-04 for proposed repairs and improvements to the La Palma Shopping Center's parking lot located at 4875 – 4997 La Palma Avenue.

15. Community Development Consultant Services Request

- 1) Appropriate \$50,000 for continued Community Development Consultant services; and
- 2) Authorize the City Manager to enter into a contract amendment for Community Development Consultant Services with Jeffrey Adams through December 31, 2023; and

- 3) Authorize the City Manager to enter into an agreement for Community Development Consultant services starting January 2024 until a new Planning Manager is hired.

Mayor Pro Tem Goodman made a motion to approve Consent Calendar Items 1 through 15.

The motion was seconded by Council Member Patel 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

16. Adoption of a Resolution Confirming Costs of Abatement and Directing that Such Costs be Assessed Pursuant to La Palma Municipal Code Chapter 26 Against Property Located at 5782 Warwick Circle as Special Assessment if not Timely Remitted.
 - a) Mayor Baker opened the Public Hearing at 6:54 p.m.
 - b) City Attorney Thind gave the Staff Report
 - c) City Council Comments and Questions
None.
 - d) Public Input:
No members of the public wished to speak.
 - e) Mayor Baker closed the Public Hearing at 6:57 p.m.
 - f) Adopt a Resolution of the City Council of the City of La Palma, California, Confirming Outstanding Costs of Abatement in the Amount of \$18,003.31 and Directing that such Costs be Assessed Pursuant to La Palma Municipal Code Chapter 26 Against the Property Located at 5782 Warwick Circle as a Special Assessment if not Timely Remitted.

Council Member Patel made a motion to adopt Resolution No. 2023-41 of the City Council of the City of La Palma, California, Confirming Outstanding Costs of Abatement in the Amount of \$18,003.31 and Directing that such Costs be Assessed Pursuant to La Palma Municipal Code Chapter 26 Against the Property Located at 5782 Warwick Circle as a Special Assessment if not Timely Remitted.

The motion was seconded by Council Member Conklin 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

17. Introduction and First Reading of An Ordinance Amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section 44-396 to Prohibit Signs on Block Walls Facing the Public Right-Of-Way

- a) Mayor Baker opened the Public Hearing at 6:58 p.m.
- b) City Manager McNamara gave the Staff Report.
- c) City Council Comments and Questions

Discussion ensued regarding whether signs swinging 'over' the block wall would be prohibited; that as long as the signage is on the individual's private property, but facing the public right-of-way, the signage is not in violation; and that the City Attorney clarified that any signage that is 'fixed' to the block walls and facing the public right-of-way are prohibited; that questionable signage would need to be reviewed on a case by case basis; that this code update is for all block walls facing public right-of-ways, and that all City streets are public right-of-ways; and that if a resident wants to put a sign on the block wall, on the interior side where there is no visibility from the street, that would be acceptable.

- d) Public Input:

No members of the public wished to speak.

- e) Mayor Baker closed the Public Hearing at 7:02 p.m.
- f) Introduce an Ordinance amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section 44-396 to Prohibit Signs on Block Walls

Facing the Public Right-of-Way by 1) asking the City Clerk to read the title of the Ordinance; and 2) approving a motion to waive further reading of the Ordinance and to pass it to a second reading.

Council Member Patel made a motion to introduce an Ordinance amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section 44-396 to Prohibit Signs on Block Walls Facing the Public Right-of-Way by 1) asking the City Clerk to read the title of the Ordinance; and 2) approving a motion to waive further reading of the Ordinance and to pass it to a second reading.

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

18. Consideration of Adoption of an Initial Study/Mitigated Negative Declaration, and Approving Conditional Use Permit 390, and Precise Plan 288 for a Double-sided Digital Display Billboard at 6951 Walker Street, La Palma, CA 90623 (APN #276-071-11); Introduction and First Reading of an Ordinance Approving a Development Agreement Between the City of La Palma and Outfront Foster Interstate, LLC for a Double-sided Digital Display Billboard at 6951 Walker Street.

- a) Mayor Baker opened the Public Hearing at 7:04 p.m.
- b) Mayor Baker announced that as a result of the missing Development Agreement in the published Agenda, the Item would need to be continued to the December 12, 2023, City Council meeting.
- c) Council Comments and Questions:

None.
- d) Public Input:

No members of the public wished to speak.
- e) Mayor Baker closed the Public Hearing at 7:05 p.m.

Council Member Patel made a motion to continue this item to the December 12, 2023, Regular Meeting of the City Council.

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

19. Business Engagement Ad Hoc Committee Business Mixer Update

Mayor Baker gave the report out from the recent Business Mixer by the Business Engagement Ad-Hoc Subcommittee; noted that the businesses got to interact with the City Council and City Staff; the positive feedback received; compliments received regarding the City's Business License official; appreciation to City Staff for their efforts in getting this event launched; and that by consensus, the City Council agreed to receive and file the report.

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

Council Member Conklin noted the importance of supporting our local businesses and as such, would like to explore options in La Palma having its own Chamber of Commerce; that the City does not plan to renew membership with the North Orange County Chamber of Commerce (NOCCC); and that she would like this discussion to be placed on the December Agenda.

Council Member Waldman attended the Badge Pinning and Swearing-In ceremony for the City's new Police Chief Wilkerson and Police Captain Guerrero; and attended the Halloween Carnival.

Council Member Patel attended the Orange County Fire Authority (OCFA) Budget Committee meeting; the La Palma Business Engagement Mixer and thanked Isla Cuban Kitchen for hosting the event; the Badge Pinning and Swearing-In ceremony for the City's new Police Chief Wilkerson and Police Captain Guerrero; the OCFA Board of Directors meeting; hosted the Boys and Girls Club Halloween Carnival in cooperation with Senator Nguyen; the La Palma Community Foundation Annual Dinner; a meeting with City Management and Townsend Consulting firm in the effort of pursuing grants; asked that this grant service be placed on the December Agenda for discussion; and thanked AUHSD Board Member O'Neal for his support.

Mayor Pro Tem Goodman attended the Orange County Sanitation District (OCSD) Operations Committee meeting; the Southern California Association of Governments (SCAG) Executive and Administrative Committee meeting; the SCAG Regional Council meeting; the League of California Cities (LOCC) Orange County Division Executive Committee meeting; the LOCC Orange County Division Board meeting; the Badge Pinning and Swearing-In ceremony for the City's new Police Chief Wilkerson and Police Captain Guerrero; the California Joint Powers Insurance Authority (CJPIA) Executive Claims Committee meeting; the Orange County Council of Government (OCCOG) Board of Directors meeting; the OCSD State of the District Luncheon; and the OCSD Operations Committee meeting.

Mayor Baker attended the LOCC Mayor and Council Member Round table; the La Palma Business Engagement Mixer; the District Office Open House for Assemblywoman Sharon Quirk-Silva; OCVCD Board of Directors meeting; the Badge Pinning and Swearing-In ceremony for the City's new Police Chief Wilkerson and Police Captain Guerrero; the Recycling Workshop in cooperation with EDCO Disposal Services; the Halloween Carnival at Central Park and thanked City Staff for their efforts; an LOCC zoom meeting; the Orange County City Selection Committee meeting; an OCFA Ride-Along; the La Palma Community Foundation Annual Dinner. In recognition of the upcoming Veteran's Day holiday, Mayor Baker thanked all of La Palma veterans for their service and closed out her comments by wishing everyone a Happy Thanksgiving and inquired about the upcoming Holiday Tree Lighting event.

Community Service Supervisor Adams announced that on December 6th at 4:00 p.m. the annual event starts with Santa's village until Mr. and Mrs. Clause make their way down from the North Pole at 4:30 p.m., with the Tree Lighting ceremony taking place at 5:30 p.m.

CITY MANAGER REMARKS

City Manager McNamara thanked both Chief Wilkerson and Captain Guerrero for their service and recognized their appointments; that this is Water/Maintenance Supervisor Chavira's last week with La Palma as he'll be departing to Glendora for another opportunity; that with a small department, Public Works/Community Services Director Ramirez and he will be working on the structural changes; announced the upcoming State of the City event on November 9 at the CJPIA Event Center and wanted to wish everyone a Happy Thanksgiving.

CITY ATTORNEY REMARKS

City Attorney Thind had nothing to report and wished everyone a Happy Thanksgiving.

ADJOURNMENT

Mayor Baker Adjourned the Regular Meeting of the City Council at 7:15 p.m.

Mayor

Attest:

Kimberly Kenney, CMC
City Clerk