

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

December 12, 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 LABOR NEGOTIATORS

Pursuant to Government Code section 54957.6.

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

Employee Organizations: La Palma General Employees
Association
La Palma Professional Employees
Association

CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

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

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

The City Council recessed to Closed Session at 5:31 p.m.

The City Council adjourned the Closed Session at 6:21 p.m.

Mayor Baker reconvened the City Council 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: Oxford Academy's Future Business Leaders of America

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
Jeff Adams, Planning Consultant
Joseph Cisneros, Assistant to the City Manager
Ryan Hallett, Administrative Services
Director/Assistant City Manager
Andy Ramirez, Public Works/Community Services
Director
Ron Wilkerson, Police Chief
Kimberly Kenney, City Clerk

PRODECURAL ITEMS

PI-1. City Council Reorganization

- a) The City Clerk conducted the annual reorganization by selecting the positions of Mayor and Mayor Pro Tem.

Mayor Baker made a motion to nominate Mayor Pro Tem Goodman as Mayor for 2024.

Council Member Keo Conklin made a motion to close the nominations for Mayor. 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

The motion to nominate Mayor Pro Tem Goodman as Mayor carried on the following vote:

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

NOES: None

Mayor Goodman thanked the City Council for their support and opened up the floor to nominations for Mayor Pro Tem.

Council Member Patel made a motion to nominate Council Member Waldman as Mayor Pro Tem.

Council Member Patel made a motion to close the nominations for Mayor Pro Tem. The motion was seconded by Council Member Baker and carried on the following vote:

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

NOES: None

The motion to nominate Council Member Waldman as Mayor Pro Tem carried on the following vote:

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

NOES: None

- b) Conduct presentations to outgoing Mayor Debbie Baker.

Mayor Goodman presented a plaque to former Mayor Baker in recognition of her dedicated service to the City of La Palma.

Cerritos City Council Member Chuong Vo presented outgoing Mayor Baker with a Certificate in recognition of her dedicated service to La Palma.

Benjamin Montelongo, representing Senator Janet Nguyen's office, presented outgoing Mayor Baker with a Certificate in recognition of his dedicated service to La Palma.

Joe Pak, representing Assemblywoman Sharon Quirk-Silva, presented outgoing Mayor Baker with a Certificate in recognition of her dedicated service to La Palma. He also presented Mayor Goodman with a Certificate in recognition of his service to La Palma as Mayor Pro Tem.

Andrew Gregson, North Orange County Chamber of Commerce Chief Executive Officer, presented outgoing Mayor Baker with a Certificate in recognition of her dedicated service to La Palma.

Mayor Goodman presented outgoing Mayor Baker with a Certificate in recognition from Senator Newman for her dedicated service to La Palma.

Outgoing Mayor Baker thanked her City Council Colleagues, City Staff, and her Family for their support during her term as Mayor.

PRESENTATIONS

None scheduled.

ORAL COMMUNICATIONS

Teddy Lloyd, a Cerritos Resident, addressed the City Council congratulating the former Mayor for her service and incoming Mayor on his appointment; his support for the pickleball court overlay on the current tennis courts; that he would donate funds for a dedicated pickleball court; noted other cities that have converted existing tennis courts to pickleball; asked why the City Council chose the overlay versus a dedicated court; and inquired on whether there will be a dedicated pickleball court in La Palma's future.

Mayor Goodman responded that Staff would get back to him regarding his questions and that there is a minute and audio record of the entire discussion and decision making process from the City Council regarding the pickleball court overlay in the existing tennis courts.

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

Approve the Minutes of the November 7, 2023, Regular Meeting of the City Council.
3. Approval of Register of Demands

Adopt Resolution No. 2023-42 approving the Registers of Demands for November 21, 2023, and December 5, 2023.
4. First Quarter Operating Report, Fiscal Year 2023-24

Receive and file the First Quarter Operating Report, Fiscal Year 2023-24.
5. Resolution Amending the Salary and Benefits for Part-Time Employees

Adopt Resolution No. 2023-43 amending salary and benefits for part-time employees.
6. Amendment to Agreement with All City Management Services, Inc. for Providing School Crossing Guard Services

Approve and authorize the City Manager, or designee, to execute the amended 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. Second Reading and Adoption 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

Conduct the second reading and adopt Ordinance 2023-05 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.
8. Notice of Completion and Acceptance of Work for the City Yard Office Remodel Project

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 City Yard Office Remodel Project, City Project No. 22-BLDG-01.

9. Public Works/Community Services Department Reorganization

Adopt Resolution No. 2023-44 amending salary schedules related to the reorganization of the Public Works/Community Services Department.

Council Member Patel made a motion to approve Consent Calendar Items 1 through 9.

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

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

NOES: None

PUBLIC HEARINGS

10. CONTINUED: 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 Goodman re-opened the Public Hearing at 6:55 p.m.

b) City Manager McNamara introduced the item and Planning Consultant Jeff Adams gave the Staff Report

c) Council Comments and Questions:

d) Public Input:

Sabrina Chan, Advanced Planner for Cerritos, addressed the City Council regarding her opposition to the project unless a line of sight study is conducted; and that Cerritos wants to ensure that every mitigation effort is made on behalf of its residents.

- e) Mayor Goodman closed the Public Hearing at 7:07 p.m.
- f) Adopt a Resolution Adopting an Initial Study/Mitigated Negative Declaration (IS/MND) for the construction, operation and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 6951 Walker Street;

Council Member Patel made a motion to adopt Resolution No. 2023-45 Adopting an Initial Study/Mitigated Negative Declaration (IS/MND) for the construction, operation and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 6951 Walker Street;

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

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

NOES: None

- g) Adopt a Resolution Approving Conditional Use Permit 390 for the construction, operation and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 6951 Walker Street;

Council Member Patel made a motion to adopt Resolution No. 2023-46 Approving Conditional Use Permit 390 for the construction, operation and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 6951 Walker Street;

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

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

NOES: None

- h) Adopt a Resolution Approving Precise Plan 288 for the construction, operation and maintenance of double-sided digital display billboard located at 6951 Walker Street; and

Council Member Patel made a motion to adopt Resolution No. 2023-47 Approving Precise Plan 288 for the construction, operation and maintenance of double-sided digital display billboard located at 6951 Walker Street.

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

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

NOES: None

- i) Introduce 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 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 for first reading that approves 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.

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

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

NOES: None

11. Appeal of Business License Denial for Proposed Pharmacy at 5962 La Palma Avenue

- a) Mayor Goodman opened the Public Hearing at 7:11 p.m.
- b) City Manager McNamara introduced the item and Planning Consultant Jeff Adams gave the Staff Report.
- c) Hear Comments from Appellant

Max Ahmadi, Land Use Consultant for Sarkis Tatarian, addressed the City Council with his opposition to the contents of the Staff Report; his opposition to the City Attorney and former Planning Manager; his continued threat of litigation; his opposition to the Ordinance prohibiting Pharmacy Use without a Conditional Use Permit (CUP) approval; and opposition to the City's response to Mr. Tatarian's Business License application.

John Gulino, lawyer for the Appellant, addressed the City Council regarding the Court's finding and opposition to the Staff Report; opposition to the City Attorney and former Planning Manager's response to his client's Business License application denial; opposition to approving an Ordinance that does not allow Pharmacy use without CUP approval; and opposition to City's response during this entire application process.

Mr. Tatarian, speaking on behalf of his son Sarkis Tatarian, the appellant, addressed the City Council regarding his opposition to the City's response to his son's business license application; that he has over 400 employees working for him at other facilities and pays his taxes; and asked the City Council to consider his appeal.

Sarkis Tatarian, the appellant, addressed the City Council regarding his opposition to the City's response to his business license denial; the support he's received from other local businesses; and the continued threat of litigation with plans to succeed.

- d) Mayor Goodman closed the Public Hearing at 7:29 p.m.
- e) City Council Comments and Questions
None.
- f) Deny Appeal by Adoption of Accompanying Denial Resolution

Council Member Baker made a motion to adopt Resolution No. 2023-48 approving the denial of the appeal for a Business License Denial for Proposed Pharmacy at 5962 La Palma Avenue.

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

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

ABSTAINED: Council Member Conklin

12. Resolution Confirming Outstanding 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; and a Resolution Declaring Said Property a Public Nuisance and Ordering Abatement of the Public Nuisance Conditions.

- a) Mayor Goodman opened the Public Hearing at 7:31 pm.
- b) City Manager McNamara introduced the item and City Attorney Thind gave the Staff Report. City Attorney Thind noted the City Council needed to table the adoption of the Resolution confirming costs of the Abatement to a later date since the costs needed to be updated and were not included with the Resolution.
- c) City Council Comments and Questions
None.
- d) Public Input:
No members of the public wished to speak.
- e) Mayor Goodman closed the Public Hearing at 7:34 p.m.
- f) Adopt a Resolution Declaring the Property Located at 5782 Warwick Circle a Public Nuisance and Ordering Abatement of the Public Nuisance Conditions.

Council Member Conklin made a motion to adopt Resolution No. 2023-49 Declaring the Property Located at 5782 Warwick Circle a Public Nuisance and Ordering Abatement of the Public Nuisance Conditions.

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

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

NOES: None

REGULAR ITEMS

13. Appointments to External Committees and Internal Subcommittees and Adopt a Resolution Appointing a La Palma Representative to the Orange County Fire Authority Board of Directors.

1. Discuss the External Committee and Internal Committee appointments pursuant to revised Council Policy 1 regarding City Council Norms and appoint Representatives and Alternates, where appropriate, to the various External and Internal Committees

Mayor Goodman submitted a draft Appointment List to the City Council and asked for adjustment or requests for changes; that the Business Engagement and Ad-Hoc Committee be comprised of Council Member Baker and Patel; and suggested the addition of a new Ad-Hoc committee regarding Economic Development and Land Use Advisory Committee for a period of a year in order to speak with property owners and have Staff analyze the issues specific to La Palma with the ability to report back to Council on advisable land use changes that are based on the Housing Element update to support the Council goals of neighborhood preservation while enhancing the City's shopping centers; he asked that members to the new Ad-Hoc Committee be himself and Council Member Patel; that Council Member Patel asked to be removed as the alternate on the Orange County Sanitation District (OCSD) and replace with Mayor Pro Tem Waldman; that Mayor Pro Tem Waldman accepted the appointment to the OCSD; and Council Member Keo Conklin's request to be an alternate on any of the subcommittees.

City Attorney Thind responded that the internal subcommittees can only be comprised of two Council Members since they're supposed to be less than a quorum and cannot have alternates; however, there is a possibility of adding a second alternate on the external committees if the City Council wishes.

Council Member Patel announced that if there is an opportunity for an alternate on the Southern California Associations of Governments (SCAG) Regional Meeting, he's willing to take on that duty; that Council Member Keo Conklin announced her willingness to be more involved on the committees and is offering to take on more responsibility; that Council Member Patel removed himself from being an alternate on SCAG to allow Council Member Keo Conklin to take on that role should she be so inclined; that Council Member Keo Conklin accepted the alternate position on SCAG; that City Manager McNamara explained that the SCAG Appointment is solely reserved for the City as a voting delegate with no opportunity for an alternate, unless the delegate is unable to make the meeting.

Council Member Patel made a motion to approve the External Committee and Internal Committee appointments as agreed upon by the City Council in the Draft presented with the added revisions:

- Mayor Pro Tem Waldman as the alternate on the OCSD Board;
- Council Member Patel and Council Member Baker as the Appointees for the Business Engagement Ad-Hoc Committee; and
- Mayor Goodman and Council Member Patel as the Appointees to the new Economic Development/Land Use Advisory Ad-Hoc Committee for one year.

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

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

NOES: None

2. Adopt a Resolution Appointing a La Palma Representative to the Orange County Fire Authority Board of Directors.

Council Member Baker made a motion to adopt Resolution No. 2023-50 Appointing Council Member Patel as the La Palma Representative to the Orange County Fire Authority's Board of Directors.

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

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

NOES: None

14. Council Member Request: Grant Writing and Funding Advocacy Services

City Manager McNamara introduced Council Member Patel who presented the Item for consideration.

Discussion ensued regarding Townsend Public Affairs (TPA) currently working with Administrative Services on acquiring a Community Development Block Grant

(CDBG); that there's other grant opportunities aligned with the City Council goals that they could be working on; that Staff supports this recommendation because TPA is aware of funding that they think is available for us, and this will help us be competitive; that TPA looks for a variety of grants available whether it be local, State, or Federal; and that although Council is thankful for Staff's efforts in the past, this proposal is a fully dedicated team with the sole duty to help La Palma procure the grant opportunities we would qualify for.

- 1) Consider directing the City Manager to enter into an agreement with Townsend Public Affairs for grant writing and funding advocacy services, and
- 2) If so, appropriate \$22,800 from the General Fund unreserved fund balance, \$19,950 from the Water Fund unreserved fund balance, and \$14,250 from the Sewer Fund unreserved fund balance totaling \$57,000.

Mayor Pro Tem Waldman made a motion to approve the City Manager to enter into an agreement with Townsend Public Affairs for grant writing and funding advocacy services and appropriate \$22,800 from the General Fund unreserved fund balance, \$19,950 from the Water Fund unreserved fund balance, and \$14,250 from the Sewer Fund unreserved fund balance totaling \$57,000.

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

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

NOES: None

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

Council Member Baker attended the League of California Cities/Cal Cities (LOCC) leadership briefing; the State of the City (SOTC); Congresswoman Michelle Steel's Veterans of Distinction event; visited the Hawaii State Capitol while on vacation; the LOCC League Leaders Workshop; the Employee Recognition Luncheon and congratulated Staff that was recognized; the Holiday Tree Lighting ceremony; the Oxford Academy Future Business Leaders of America (FBLA) Club meeting as part of their government awareness program; and the LOCC Orange County Quarterly Division meeting.

Council Member Keo Conklin thanked her colleagues, residents, and Staff for their support during her first year as a new City Council Member; was appointed to the LOCC Governance, Transparency, and Labor Relations Committee; attended the SOTC; the Association of Asian Pacific Islander (AAPI) Leadership retreat; the Cypress College retirement party for Dr. Schilling; the Employee Recognition Luncheon; the Holiday Tree Lighting ceremony; the Artesia Chamber of Commerce Christmas event; the SCAG Economic Summit; and a Cambodian non-profit agency Christmas Party.

Council Member Patel attended the SOTC; congratulated new Mayor Goodman on his appointment; attended Senator Nguyen's Holiday Extravaganza event with his Each One Teach One (EOTO) non-profit agency; the Holiday Tree Lighting ceremony; and announced he had a schedule conflict with the Employee Recognition Luncheon. but congratulated Staff on their recognition.

Mayor Pro Tem Waldman attended the SOTC; thanked former Mayor Baker's service last year; attended Senator Nguyen's Holiday Extravaganza; the Employee of the Year Luncheon; and the Holiday Tree Lighting Ceremony.

Mayor Goodman attended the LOCC working group meeting; the SOTC event; the LOCC Finance Committee meeting; the California Joint Powers Insurance Authority (CJPIA) Executive and Claims Committee meeting; the LOCC Orange County (OC) Division meeting; the LOCC Leadership Conference; the LOCC Board Meeting; the Orange County Council of Governments (OCCOG) Board meeting; that although he was not able to attend the Employee Recognition luncheon, he congratulated Staff on their recognition; the SCAG Executive and Administrative Committee meeting; the SCAG Economic Summit meeting; the LOCC OC Division Board meeting; and thanked his colleagues and family for their support and his Mayoral appointment.

CITY MANAGER REMARKS

City Manager McNamara announced his appreciation to the City Council for their support over the past year; noted the departure of some long-term employees over the past year and how the City has managed to continue it's stability and acquire some excellent replacements; that this will be the Planning Consultant Adam's last meeting and thanked him for his service; announced the upcoming holiday closure and City Hall railing project starting soon; and wished everyone a wonderful holiday season with their families.

CITY ATTORNEY REMARKS

City Attorney Thind stated he had nothing to report and wished everyone a happy holiday season.

ADJOURNMENT

Mayor Goodman wished everyone a very happy holiday season and encouraged those present to join in a small celebration after the meeting. He adjourned the Regular Meeting of the City Council at 8:08 p.m. in memory of Bob Hauptman, a long-time resident and VIP volunteer, and in memory of Jane Rippee, also a long-time resident and Community Activities and Beautification committee member.

Marshall Goodman
Mayor

Attest:

Kimberly Kenney, CMC
City Clerk