



A G E N D A

REGULAR MEETING

LA PALMA CITY COUNCIL

June 7, 2022

Michele Steggell
Mayor

Debbie S. Baker
Mayor Pro Tem

Marshall Goodman
Council Member

Nitesh P. Patel
Council Member

Mark I. Waldman
Council Member

5:30 p.m.
La Palma City Hall
Council Chambers
7822 Walker Street, La Palma

CALL TO ORDER

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

Employee Organizations:

La Palma General Employees Association
La Palma Police Association
La Palma Professional Employees
Association

Unrepresented Employees:

Executive Management

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: David Andaya

Under negotiations: Price and terms of payment

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 copy of the letter is available by clicking [here](#).

OPEN SESSION to Begin at 6:30 PM

PLEDGE OF ALLEGIANCE: Council Member Waldman

INVOCATION: Deacon Jerry Pyne, St. Irenaeus Catholic Church
Council Member Patel

ROLL CALL: Council and Commission Members

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS (Time Limit: 5 Minutes Each)

Time has been reserved at this point in the Agenda for persons wishing to speak on any item that is not listed on the Agenda. By law, the City Council and Successor Agency are prohibited from taking action on such oral comments. The matter will be automatically referred to staff for appropriate response or action or will be placed on the Agenda of a future meeting. Matters listed on the Agenda may be addressed either at this time or at the time they are before the City Council for discussion.

RECESS CITY COUNCIL AND CONVENE AS

SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF LA PALMA

The City Council will now recess and convene as the Successor Agency to the Dissolved Community Development Commission of the City of La Palma. Members of the La Palma City Council receive no compensation or stipend as a result of convening or participating in either the Successor Agency or otherwise as serving as members of the Successor Agency.

CONSENT CALENDAR (1 Item)

All matters listed under Consent Calendar will be acted upon by one motion affirming the action recommended on the Agenda. There will be no separate discussion on these items prior to voting unless members of the Successor Agency, Staff, or the public request that specific items be removed from the Consent Calendar for separate action. Any member of the public who wishes to discuss a Consent Calendar item should come forward to the microphone and, upon recognition by the Chair, state his or her name, address, and the item number.

A. Approval of Successor Agency Minutes

Recommendation that the Successor Agency approve the Minutes of the May 3, 2022, Regular Meeting of the Successor Agency.

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE SUCCESSOR AGENCY

CITY COUNCIL

CONSENT CALENDAR (9 Items)

All matters listed under Consent Calendar will be acted upon by one motion affirming the action recommended on the Agenda. There will be no separate discussion on these items prior to voting unless members of the City Council, Staff, or the public request that specific items be removed from the Consent Calendar for separate action. Any member of the public who wishes to discuss a Consent Calendar item should come forward to the microphone and, upon recognition by the Mayor, state his or her name, address, and the item number.

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 Council Minutes**

Recommendation that the City Council approved the Minutes of the May 3, 2022, Regular Meeting, and the Minutes of the May 17, 2022, Special Meeting of the City Council.

3. **Approval of Register of Demands**

Recommendation that the City Council adopt a Resolution approving the Registers of Demands for May 17, 2022, and June 7, 2022.

4. **Information Technology Services Contract Extension**

Recommendation that the City Council approve Amendment No. 1 to the Agreement for Consultant Services related to Information Technology.

5. **2022 Annual Water Quality Report**

Recommendation that the City Council receive and file the 2022 Annual Water Quality Report and direct staff to distribute the report to the residents of La Palma.

6. **Annual Measure M2 Eligibility Submittal Package, Fiscal Year 2022-23**

Recommendation that the City Council take the following actions:

- a) Adopt the Measure M (M2) Seven-year Capital Improvement Program (Fiscal Year 2022-23 through Fiscal Year 2028-29); and
- b) Adopt a Resolution Updating the Pavement Management Plan for the Measure M2 Program; and
- c) Authorize the Community Services Director to submit the City's Measure M2 Eligibility Package to the Orange County Transportation Authority.

7. **Award of Contract to American Asphalt South for the Houston Avenue, City Project No. ST-364; Crescent Avenue, City Project No. ST-366; and Zone 5 Slurry Seal Improvements, City Project No. ST-365.**

Recommendation that the City Council take the following actions:

- a) Approve Award of Contract in the amount of \$462,027.91, inclusive of all bid alternatives to, the low bidder, American Asphalt South for the Houston Avenue, City Project No. ST-364; Crescent Avenue, City Project No. ST-366 and Zone 5 Slurry Seal Improvements, City Project No. ST-365;

- b) Approve the funding agreement with the City of Cypress for completion of the Crescent Avenue Slurry Seal improvements in the City of Cypress; and
- c) Determine that the Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301.

8. **Amendment to Agreement with MJC Construction, Inc.**

Recommendation that the City Council approve and authorize the Mayor to execute an amendment to the Agreement with MJC Construction, Inc.

9. **Council Member Request: Removal of Committee Member Janet Conklin from the Community Activities and Beautification (CAB) Committee**

Recommendation that the City Council approve Mayor Steggell's request to remove Committee Member Conklin from the Community Activities and Beautification Committee.

PUBLIC HEARINGS (3 Items)

10. **Adoption of the Fiscal Year 2022-23 Operating and Capital Improvement Program Budgets and Appropriations Limit for FY 2022-23**

Recommendation that the City Council take the following actions:

- a) Open Public Hearing
- b) Receive Staff Report
- c) Council Comments and Questions
- d) Receive Public Input
- e) Close Public Hearing
- f) Adopt Resolution approving the Budget for Fiscal Year 2022-23
- g) Adopt Resolution approving the Annual Appropriations Limit for Fiscal Year 2022-23

11. **Transient Occupancy Tax Ballot Measure**

Recommendation that the City Council take the following actions:

- a) Open Public Hearing
- b) Receive Staff Report
- c) Receive Public Input
- d) City Council Comments and Questions

- e) Close the Public Hearing
- f) Adopt a Resolution that:
 - 1) Submits to the voters a ballot measure to increase the transient occupancy tax (TOT) from 8% to 12% in the General Election to be held on November 8, 2022;
 - 2) Directs the City Attorney to prepare an impartial analysis to be filed with the City Clerk on or before June 20, 2022, by 4:30 p.m.;
 - 3) Authorizes the City Manager to prepare a fiscal analysis to be filed with the City Clerk on or before June 20, 2022, by 4:30 p.m.;
 - 4) Authorizes the Mayor and/or City Council member(s) to prepare and file written arguments in favor or against the ballot measure;
 - 5) Establishes deadlines for direct arguments for and against the ballot measure to be filed with the City Clerk on or before June 21, 2022, by 4:30 p.m.; and
 - 6) Establishes deadlines for rebuttal arguments for and against the ballot measure to be filed with the City Clerk on or before July 1, 2022, by 4:30 p.m.
- g) Direct staff to process all other documents required to proceed with the proposed ballot measure.

12. **Introduction and First Reading of an Ordinance Adopting a Military Equipment Policy per Assembly Bill (AB) 481**

Recommendation that the City Council take the following action:

- a) Open Public Hearing
- b) Receive Staff Report
- c) City Council comments and questions
- d) Receive Public Input
- e) Close Public Hearing
- f) Introduce for first reading an Ordinance of the City Council of the City of La Palma, adopting a military equipment policy governing the use of military equipment per AB 481.

REGULAR ITEMS (3 Items)

13. **Letter of Opposition for Assembly Bill (AB) 2011 Affordable Housing and High Road Jobs Act of 2022**

Recommendation that the City Council receive and file this report.

14. **An Urgency Interim Ordinance of the City Council of the City of La Palma, enacted pursuant to California Government Code Section 65858, imposing a 45-day requirement for pharmaceutical uses to obtain a conditional use permit in the City's Office Professional (OP), Neighborhood Commercial (NC), Mixed-Use Business (B-1), General Industrial (GI), and Planned Neighborhood Development (PND) zones and prohibiting said uses in all others zones.**

CEQA: The City Council finds that this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) and 15061(b)(3).

Recommendation that the City Council adopt an urgency interim ordinance pursuant to Government Code Section 65858 specifically imposing a 45-day requirement for pharmaceutical uses to obtain a conditional use permit in the City's Office Professional (OP), Neighborhood Commercial (NC), Mixed-Use Business (B-1), General Industrial (GI), and Planned Neighborhood Development (PND) zones and prohibiting these uses in all other zones (the "Urgency Interim Ordinance"). City staff is working on a Zoning Code update to address this use and other non-residential land use issues that will be presented to the Council in the near-term future.

15. **Notification of Rate Adjustment for Sanitation Services**

Recommendation that the City Council receive and file the report regarding the rate adjustment for residential and commercial sanitation services effective July 2, 2022.

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

CITY MANAGER REMARKS

CITY ATTORNEY REMARKS

ADJOURNMENT

NOTE: As a general rule, staff reports or other written documentation have been prepared or organized with respect to each item of business listed on the agenda. Copies of these materials and other disclosable public records distributed to all or a majority of the members of the City Council in connection with an open session item on the agenda are on file and available for inspection with the Office of the City Clerk, City Hall, 7822 Walker Street, during regular business hours 7:30 A.M. to 6:00 P.M., Monday through Thursday. If such writings are distributed to members of the Council on the day of a City Council meeting, the writings will be available at the entrance to the City Council Chambers. If you have any questions regarding any item of business on the agenda for this meeting, any of the staff reports, or other documentation relating to any agenda item, please contact the City Clerk at (714) 690-3334.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, you should contact the City Clerk at (714) 690-3334. Notification 48 hours prior to the meeting will enable the City to make reasonable accommodations to ensure accessibility to this meeting.