

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

September 6, 2022

CALL TO ORDER: Mayor Steggell called the Regular Meeting of the La Palma 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: Ajit Thind, City Attorney
 Ryan Hallett Hinton, Administrative
 Services Director

Unrepresented Employee: City Manager

CS-2. THE CITY COUNCIL WILL MEET IN CLOSED SESSION PURSUANT TO GOVERNMENT CODE SECTION 54957(B)(1):

PUBLIC EMPLOYMENT

Position Title: City Manager

Mayor Steggell recessed to Closed Session at 6:01 p.m.

Mayor Steggell adjourned Closed Session at 6:24 p.m.

OPEN SESSION:

Mayor Steggell reconvened in Open Session at 6:30 p.m. and asked for a report.

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

PLEDGE OF ALLEGIANCE:

Mayor Steggell

INVOCATION:

Father Binh Nguyen, St. Irenaeus

ROLL CALL:

Council and Commission Members

Council Members present:

Mayor Pro Tem Baker, Council Member Goodman, Mayor Steggell, and Council Member Waldman

Council Members absent:

Council Member Patel

City Officials present:

Conal McNamara, City Manager
Ajit Thind, City Attorney
Mike Belknap, Community Services Director
Joe Cisneros, Assistant to the City Manager
Scott Hutter, Planning Manager
Terry Kim, Police Chief
Kimberly Kenney, City Clerk

PRESENTATIONS

1. Mayor Steggell presented Certificates of Recognition to the 2022 Citizen's Academy participants.

Elizabeth Lavezzari representing State Senator Josh Newman's office and Joe Pak representing Assemblywoman Sharon Quirk-Silva's office also presented Certificates of Recognition.

2. Community Services Director Belknap introduced Robert Zubieta as the Community Services Department's new Management Analyst.

ORAL COMMUNICATIONS

No members of the public wished to speak.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 6:44 P.M.

City Clerk Kenney stated, "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

A. Approval of Successor Agency Minutes

Minutes of the August 2, 2022, Regular Meeting of the Successor Agency.

Council Member Waldman made a motion to approve Consent Calendar Item A.

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

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

NOES: None

ABSENT: Council Member Patel

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AND RECONVENE THE CITY COUNCIL AT 6:45 P.M.

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 August 2, 2022, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2022-36 approving the Registers of Demands for July 19, 2022, and August 2, 2022.

4. Biennial Conflict of Interest Code Amendment

Resolution No. 2022-37 amending its Conflict of Interest Code to update the list of designated employees and Citizen Committee Members.

5. Appointments to the Community Activities and Beautification (CAB) Citizen Committee

- 1) Appoint Prachi Jain as a Youth Member to the CAB Committee with a term expiring August 31, 2023; and
- 2) Appoint Maryalice Paningsoro to the CAB Committee with a four-year term expiring December 31, 2026.

6. Placement of Connie Lucero's Name in the Community Commemorative Area.

Approve the placement of Connie Lucero's name on a paver in the Community Commemorative Area.

8. Award of Contract to KP Electric Co, Inc. for the Central Park Emergency Generator Project, City Project No. 22-PRK-01

- a) Approve Award of Contract in the amount of \$179,600.00, to the low bidder, KP Electric Co. Inc., for the Central Park Emergency Generator Project, City Project No. 22-PRK-01; and
- b) Find that the Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301.

9. Approval of a Funding Agreement with City of Cerritos for the Construction of a Raised Median Island on Moody Street at Orangethorpe Avenue

Approve a funding agreement with the City of Cerritos for the construction of a Raised Median Island on Moody Street at Orangethorpe Avenue.

10. Approval of Lease Agreements with Enterprise Fleet Management for the Replacement of Five City Vehicles

a) Authorize the City Manager to enter into lease agreements with Enterprise Fleet Management for the following vehicles:

- One (1) 2023 Ford F-450 Chassis with 11 FT Dump Body and LED Arrow board
- One (1) 2023 Ford F-450 Chassis with 11 FT Dump Body
- One (1) 2023 Ford F-350 Chassis with 9 FT Landscape Body
- Two (2) 2023 Ford F-350 Chassis with 8 FT Service Bodies with Lift Gates; and

b) Authorize Enterprise Fleet Management to sell designated surplus vehicles on behalf of the City of La Palma.

Council Member Goodman made a motion to Consent Calendar Items 1 -6 and 8-10.

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

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

NOES: None

ABSENT: Council Member Patel

ITEMS PULLED FROM CONSENT CALENDAR

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

Mayor Steggell pulled Consent Calendar Item 7 to enable a discussion as to why the City was unable to get a multi-year Agreement.

Discussion ensued regarding the Police Department being the lead to arrange these contracts; that Police Chief Kim noted that ACMS is the only company in the region that provides such services to municipalities; that all training and selection of personnel is handled by ACMS and is why the City uses them; that initially, ACMS had a one year contract, but the City was able to get a multi-year contract over time; that ACMS didn't specify why they would not offer a multi-year contract,

however they noted they went over the billable hours for the last contract; that Mayor Steggell will vote no as an adjacent city got the School District to provide additional funding for crossing guard services; that the City can pay for this year's contract and start negotiating now with the School Districts to assist with funding next year; that delaying a vote on the contract could impact service levels as ACMS has been providing services without a contract since school started back in session this year; that ACMS noted the rise in personnel costs have made the Agreement funding increase; that in order for ACMS to stay competitive, they needed to increase their wages to maintain staffing levels; that leading up to June, Staff reached out to ACMS numerous times and staff never got a response until last month; and that the City Council supports student safety.

Approve and authorize the Mayor to execute an Agreement between All City Management Services (ACMS), Inc. and the City of La Palma to provide school crossing guard services for a one-year period, commencing July 1, 2022, through June 30, 2023.

Council Member Goodman made a motion to approve the agreement with All City Management Services, Inc. for providing School Crossing Guard Services and investigate additional funding options with school districts in negotiating next year's contract.

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

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

NOES: Mayor Steggell

ABSENT: Council Member Patel

PUBLIC HEARINGS

11. Introduction and First Reading of An Ordinance Amending Articles III and VI of Chapter 28 of the La Palma Municipal Code
 - a) Mayor Steggell Open Public Hearing at 6:54 p.m.
 - b) City Manager McNamara introduced the item and 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 Steggell closed the Public Hearing at 6:56 p.m.

f) Introduce an Ordinance amending Articles III and VI of Chapter 28 of the La Palma Municipal Code

Council Member Goodman made a motion to Introduce an Ordinance amending Articles III and VI of Chapter 28 of the La Palma Municipal Code.

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

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

NOES: None

ABSENT: Council Member Patel

12. Fifth Public Hearing to introduce and conduct a First Reading Of an Ordinance to Establish City Council By-District Elections, District Boundaries, and Sequence Of Elections

a) Mayor Steggell opened the Public Hearing at 6:54 p.m.

b) City Manager McNamara introduced Assistant to the City Manager Cisneros who gave a brief overview of the item; and Dr. Justin Levitt representing National Demographics Center (NDC) gave the Staff Report.

c) City Council Comments and Questions:

Discussion ensued regarding the entire purpose of this process is to provide equity for disenfranchised voters without basing the maps on race per the Federal Voting Rights Act; that once "district elections" are approved, the City has safe harbor under the California Voting Rights Act (CVRA) and no one can take further legal against us per the CVRA; that there is no census block in the city that is majority Latino; that every district shown will be divided up between 15-20% Latino, almost equal representation; and that

the City Council recognizes all the hard work put in by NDC; and that all maps presented meet the CVRA criteria

d) Public Input:

Herb Sutherland, a La Palma resident, addressed the City Council regarding that the issue of districting does not apply to La Palma's size and scale; that he took the school districts into consideration when making his decision; his overall support for his preference, which is Map 111; and that he genuinely supports whatever decision the City Council makes on their final map selection.

e) Mayor Steggell closed the Public Hearing at 6:59 p.m.

f) Select a District Map and Sequence of Elections

Council Member Waldman made a motion to select Map 112 as the City's District Elections Map.

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

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

NOES: None

ABSENT: Council Member Patel

Discussion ensued regarding the sequence of elections; that the City Council has flexibility on how they'd like the sequence of elections to follow on Map 112; clarification of how specific election sequence would fall for each district after this election in 2022; and a consensus that district 1, 3 and 4 would be open for an election in 2024 and that district 2 and 5 would be open for an election in 2026.

Council Member Waldman made a motion to select Districts 1, 3, and 4 to be up for election in 2024; and Districts 2 and 5 to be up for election in 2026. The motion was seconded by Mayor Pro Tem Baker.

Mayor Steggell tabled the motion and reopened the Public Hearing at 7:13 p.m.

Michael Paningsoro addressed the City Council wanting clarification on sequencing for Districts 1 and 2.

City Attorney Thind clarified for the record that the map's sequencing is correct online and on paper for Districts 1 and 2, but that the correction that needed to be made was for the presentation alone.

Mayor Steggell closed the public hearing at 7:15 p.m. and asked for a vote on the motion that was tabled.

The motion made by Council Member Waldman and seconded by Mayor Pro Tem Baker carried on the following vote:

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

NOES: None

ABSENT: Council Member Patel

g) Permit Maps to be Adopted by Resolution

City Attorney Thind addressed the need to make an additional motion based on the recommendation that the City Council approves an Ordinance with a resolution modifying the maps attached to it; and that the resolution would be to allow for the changing of maps based on the Census results without having to undergo an Ordinance change.

Council Member Goodman made a motion to Permit District Maps to be Adopted by Resolution as recommended by Staff.

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

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

NOES: None

ABSENT: Council Member Patel

REGULAR ITEMS

13. Second Amendment to City Manager Employment Agreement

City Attorney Thind gave the Staff Report.

City Council Comments and Questions:

None.

Public Input:

No members of the public wished to speak.

Recommendation that the City Council approve the Second Amendment to Employment Agreement between the City and City Manager.

Council Member Waldman made a motion to approve the Second Amendment to City Manager Employment Agreement.

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

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

NOES: None

ABSENT: Council Member Patel

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

Council Member Waldman had nothing to report.

Council Member Goodman attended the Mayor's Town Hall; the California Joint Powers Insurance Authority (CJPIA) Executive Committee meeting; the Orange County Sanitation District (OCSD) Board of Directors meeting; the League of California Cities Orange County (LOCC-OC) Division meeting; announced that he plans to run for First Vice President of the LOCC-OC; congratulated and welcomed Robert Zubiarte as the Community Service Department's new Management Analyst; and congratulated all the Citizen's Academy for their participation.

Mayor Pro Tem Baker attended the Citizens Academy and gave a presentation; the National Night Out event in conjunction with the Concert in the Park; the Orange County Mosquito and Vector Control District (OCMVCD) Special Meeting; the La Palma Police Department's Badge Pinning Ceremony for Sgt. Dan Masek; the OCMVCD Board of Trustees Meeting and Celebration of 75th Anniversary; the Mayor's Town Hall; and the City of Hope Grand Opening.

Mayor Steggell welcomed Robert Zubiato as the City's new Community Services Management Analyst; reported that she attended the "Root Beer Floats with the Mayor"; announced the upcoming "Hot Dogs with the Mayor" tomorrow at 5:00 p.m. as an opportunity to get to know your neighbors; the Orange County Fire Authority (OCFA) Board of Directors meeting; the Mayor's Town Hall; and announced the upcoming State of the City event on October 11th.

CITY MANAGER REMARKS

City Manager McNamara welcomed Robert Zubiato as the City's new Community Services Management Analyst; recognized those who participated in the Citizen's Academy; and announced that both he and the Assistant to the City Manager Cisneros will be the annual LOCC Conference with certain Council Members for the duration of the week.

CITY ATTORNEY REMARKS

City Attorney Thind reported that during Closed Session at the last City Council meeting, the City Council agreed to enter into a settlement agreement with Mr. Tartarian regarding his litigation he filed against the City; that the settlement agreement was fully executed on August 11, 2022; and that a copy can be made available should anyone be interested.

Mayor Steggell announced that although this would be against normal protocols for City Council meetings, she would open up the floor to public comment for a member of the audience wishing to speak about an item not on the Agenda.

Gary MacNamara, a La Palma resident, addressed the City Council regarding his concerns for his son's personal safety and property as a result of an altercation with his other son; and his opposition to the response from the Police Department.

Mayor Steggell responded that Staff will return to him with an answer.

City Manager McNamara added that the Police Department will respond to the resident and that the City Council will be notified of the outcome.

CLOSED SESSION

CS-3. 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 Police Association

Mayor Steggell recessed back into Closed Session at 7:47 p.m.

Mayor Steggell reconvened in Open Session at 8:43 p.m. and asked for a report.

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

ADJOURNMENT

Mayor Steggell adjourned the Regular Meeting of the La Palma City Council at 8:44 p.m.

Michele Steggell
Mayor

Attest:

Kimberly Kenney, CMC
City Clerk