

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

February 6, 2024

CALL TO ORDER: Mayor Goodman 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, with all members present.

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 LEGAL COUNSEL – EXISTING LITIGATION

(Pursuant to paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: Tatarian vs. City of La Palma

Case No. OCSC 30-2024-01375931-CU-WM-CJC

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

OPEN SESSION:

Mayor Goodman reconvened the City Council 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 from Closed Session.

PLEDGE OF ALLEGIANCE: Council Member Keo Conklin

INVOCATION: Pastor Steve Bland, La Palma Christian Church

ROLL CALL: Council Members

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

Council Members absent: None

City Officials present: Conal McNamara, City Manager
Ajit Thind, City Attorney
Belinda Deines, Planning Manager
Ryan Hallett, Assistant City Manager/Administrative Services Director
Andy Ramirez, Public Works/Community Services Director
Ron Wilkerson, Police Chief
Kimberly Kenney, City Clerk

PRESENTATIONS

1. Howard Kummerman, Executive Director of Cypress College Foundation, gave a presentation on the 49th Annual Americana Awards recognizing Michele Steggell as La Palma's Citizen of the Year.
2. Mayor Goodman presented a Proclamation in Recognition of Black History Month.
3. Mayor Goodman in coordination with retired Sergeant Major Charles Cook, past president of the Montford Point Marines Association, presented a Certificate of Recognition of Congressional Gold Medal Award recipient and World War II Veteran, Stansbury Johnson, for his dedicated service in the Montford Point Marines.

Mayor Goodman presented a Certificate of Recognition from Congressional Member Michelle Steel, to Mr. Johnson in recognition of his service in the Montford Point Marines during World War II.

Ben Montelongo, representing Senator Janet Nguyen's office, presented a Certificate of Recognition to Stansbury Johnson for his service in the Montford Point Marines during World War II.

ORAL COMMUNICATIONS

Aditya Pai, Congressional Candidate for District 45, addressed the City Council regarding support for his candidacy; his opposition to the current political system and willingness to

serve the La Palma community; and his concerns for the many crises facing the community, state, and nation today.

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 January 16, 2024, Regular Meeting of the City Council.
3. Approval of Register of Demands

Adopt Resolution No. 2024-04 approving the Register of Demands for February 6, 2024.
4. City of La Palma Second Quarter Cash and Investment Report, Fiscal Year 2023-24, as of December 31, 2023

Receive and file the Cash and Investment Report for the second quarter of fiscal year 2023-24.
5. Second Quarter Operating Report, Fiscal Year 2023-24

Receive and file the Second Quarter Operating Report, Fiscal Year 2023-24.
6. Authorizing Funding for Annual Contribution to the North Orange County Service Planning Area

Appropriate and allocate \$52,400 from its Housing Fund to cover the City's Fiscal Year 2022-23 required contribution to the North Orange County Service Planning Area.
7. Resolution approving the Sponsorship for 2024 Cypress College Foundation Americana Awards, and Authorizing the Distribution of Tickets to Attend the Event

Adopt Resolution No. 2024-05 approving Sponsorship of the 2024 Cypress College Foundation Americana Awards at the Benefactor Level and authorize the distribution of tickets to attend the event.

8. Approve an Agreement with OpenGov, Inc. for Community Development Permitting, Licensing, and Code Enforcement Software and Implementation

Authorize the City Manager or designee to enter into a 2.5-year agreement with OpenGov, Inc. for Community Development permitting, licensing, and code enforcement software and implementation services totaling approximately \$184,000.

9. Approve an Agreement for Work Order and Asset Management Software
 - a. Approve an agreement with Cartegraph Systems, LLC., for work order and asset management software and implementation in an amount of \$64,402.00;
 - b. Authorize the City Manager or designee to approve change orders in an amount not to exceed 5% of the project cost; and
 - c. Authorize the City Manager or designee to execute said agreement for the remainder of FY 2023/24 and up to two, one-year contract amendments and extensions in an amount not to exceed \$29,000 per fiscal year.

10. Contract Extension to Infrastructure Engineers for On-Call City Engineering Services

Extend the On-Call City Engineer Services contract for one (1) year with Infrastructure Engineers, a Bowman Company of Brea, California.

11. Amendment to the Agreement with Empire Pipe Cleaning and Equipment Inc. for a Six-Month Extension

Approve and authorize the City Manager or designee to execute an amendment to the Agreement with Empire Pipe Cleaning and Equipment Inc. for a six-month extension for the remainder of Fiscal Year 2023-24 and authorize a four percent (4%) increase of \$6,775 for a not-to-exceed total of \$175,975.

Council Member Patel made a motion to approve Consent Calendar Items 1 through 11.

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

12. Introduction and First Reading of An Ordinance Adding a new Section to the La Palma Municipal Code (Chapter 44 of the La Palma Municipal Code) Section 44-1164 to 44-1170 to Limit Broadband Permit Batch Applications to the Statutory Minimum.

a) Mayor Goodman opened the Public Hearing at 7:02 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 Goodman closed the Public Hearing at 7:04 p.m.

f) Introduce an Ordinance for First Reading Adding Sections 44-1164 to 44-1170 to Chapter 44 of the La Palma Municipal Code to Limit Broadband Permit Batch Application to the Statutory Minimum.

Council Member Patel made a motion to Introduce an Ordinance for First Reading Adding Sections 44-1164 to 44-1170 to Chapter 44 of the La Palma Municipal Code to Limit Broadband Permit Batch Application to the Statutory Minimum.

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

REGULAR ITEMS

13. Award of Contract for Various Median Islands Project

City Manager McNamara introduced the Item and announced the Bid Protest received by another Contractor with a response by Unispec that is part of the record.

Public Works/Community Services Director Ramirez gave the Staff Report.

City Manager McNamara added that the previous City Council tabled the item in hopes that federal grant funds could become available; that with the federal earmark, the SB1 and M2 funding, and City Council approval, the project will commence with no money coming out of City's COR funds or touching the City's reserve funds.

Council Comments and Questions:

None.

Public Input:

Jack Haber, President of Unispec Construction, had nothing more contribute except that he will make himself available regarding the Kasa Construction Bid Protest.

- a) Approve an Award of Contract in the amount of \$2,533,643.70 to the low bidder, Unispec Construction, Inc. for the Various Median Islands Project, City Project No. ST-371;
- b) Authorize a 10% contingency for unforeseen project costs;
- c) Appropriate \$951,000 of SB1 funds, \$140,045.31 of OCTA M2 funds to complete project funding for construction, construction management and inspection services; and
- d) Authorize the City Manager or his designee to execute all necessary documents to complete the project.

Council Member Conklin made a motion to approve the Award of Contract in the amount of \$2,533,643.70 to the low bidder, Unispec Construction, Inc. for the Various Median Islands Project, City Project No. ST-371; Authorize a 10% contingency for unforeseen project costs; Appropriate \$951,000 of SB1 funds, \$140,045.31 of OCTA M2 funds to complete project funding for construction, construction management and inspection services; and Authorize the City Manager or his designee to execute all necessary documents to complete the project.

The motion was seconded by Council Member Patel 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. Mayor Goodman and Councilmember Patel: Community Conversation Regarding Term Limits for La Palma City Council Members

Mayor Goodman gave an overview of his position as to why he asked for this item to be placed on the Agenda; that he has had concerns about this matter since 2016 and has addressed this in August of 2019 among the City Council; that City Council candidate participation was minimal and has decreased over time; that he ran unopposed; that Committee member size had to be reduced in order to meet quorums; that the City Council addressed this issue at the Goal Setting session in 2020 where he asked to bring back the Citizen Academy in hopes that it would spark interest; that participation in the Citizen Academy is decreasing as well with this year's only receiving four individuals who signed up; that his goal is to have a dialogue with residents as to why this lack of interest is happening; support for public workshops to hear from the residents on the issue; that if there is truly a lack of interest, then the issue of term limits needs to be addressed; that for a micro-city, having term limits does not make sense; and that if you have someone willing to serve, they should not be limited with term limits if they still run a campaign and get re-elected into office.

Council Member Patel added that he brought up this issue in 2019; that circumstances have changed since then; that since the City has transitioned to district elections, it will make the at-large pool much smaller; that he wants engage the community to understand what the community wants, a discussion that needs to be had; that there are ways to add some components to term limits; that the desire to have an open dialogue; that with feedback, the City Council can move forward with an informed opinion; that when you look at our small city, having a seat at the table when it comes to policy decisions at the County Committee level is important for La Palma; and that Mayor Goodman has served on several large committees over his 8 years on the City Council, but term limits tends to limits participation on those committees.

Mayor Goodman noted that his Committee appointments were not at his request, but was asked to serve the La Palma community in those roles; that his

appointments are an endeavor of service and not about self-fulfillment; and that our micro-city having a seat at the table on a grander scale is important.

Mayor Pro Tem Waldman supported the two-term system in place as the City has been well served; that he will need to hear from the residents before supporting this endeavor; that he doesn't believe that system is onerous, however moving to districts could pose a difference; and that if the residents are willing to support this change, he'd support it.

Council Member Keo Conklin added that she can confirm that when Mayor Goodman when called to serve, he truly committed to serving the community; that since our City is small and now is moving to districts elections, the dynamics have changed; and that she recognizes what the issue is trying to achieve.

Discussion ensued regarding this measure not being about a Council Member's extension so they can do more; that the first year for a Council Member is to learn about the duties of their role; that after that, service on Committees followed; that the consensus from Council Member Patel and Mayor Goodman is to have a dialogue with the Community; that there were comments at prior City Council meeting about the need to have a community conversation about this issue; that this matter should be put forward to the public by having Community Meetings; that based on the will of the City Council, they can hire a consulting firm after receiving public sentiment; and that the timeframe to get something put forward to the residents to vote on this year is manageable.

Public Input:

Karen Zigorski, a La Palma resident, addressed the City Council regarding her interest in knowing about the Committees each City Council member serves on; and asked for clarification on opportunity versus actual appointment to the committees.

Keith Nelson, a La Palma resident, addressed the City Council regarding the plans of when the City Council would like to put this on the ballot; gave the history of how the City got term limits approved by the voters, that were ratified in 1996; that the current term limits were voted on by 80% of the community; his opposition to making a change for the sake of change; supportive of mass outreach efforts; and his opposition to wasting City funds on a survey.

Robert Carruth, a La Palma resident, addressed the City Council regarding nationwide support for term limits; that residents previously supported term limits; that Mayor Pro Tem Waldman has done just this; the history and outcome of this discussion in 2019; and his opposition to the arguments made in favor of this issue.

Keith Nelson also noted that in reference to the upcoming district elections, he is opposed to adding anything else on the ballot as it may be confusing enough for the public.

Further discussion ensued regarding the City Council taking issue with the lack of interest; that Mayor Goodman is concerned about having a competent City Council; that not getting participation in an election is problematic; support for having a platform for the constituents of La Palma to discuss the matter; and that the idea is to put forward community conversations without City Council participation in the conversation.

Council Member Patel made a motion to have City Staff retain a consultant to facilitate the process and devise an outreach strategy; establish some community conversations in the form of one or two community meetings; report back to the City Council in April; and that the costs should not exceed \$50 thousand.

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 Keo Conklin attended the Orange County Library Advisory Board (OCLAB) meeting where she was appointed to an Executive Committee; announced the upcoming Strategic Planning and Goal Setting Session; and would like to focus on health and fitness this year.

Council Member Baker attended the Orange County Senior Citizens Advisory Council (OCSCAC) meeting; the Orange County Sanitation District (OCSD) tour; the Cal Cities Policy committee; the Orange County Mosquito and Vector Control District (OCMVCD) Board of Trustees meeting; the Badge Pinning Ceremony for Police Sgt. Dylan Cook and Police Officers Andrew Delgado and Richard Gonzalez; the Cal Cities Mayors and Council Members Academy; and the California Office of Emergency Services (Cal OES) February Storm briefing.

Council Member Patel attended the individual meeting with the Strategic Planning Consultant; the Orange County Fire Authority (OCFA) planning meeting with the City Manager; attended a meeting where he spoke to students about public service at John

F. Kennedy High School; that he was appointed to a position of Director on the board for the Cypress College Foundation; and his future sponsorship of High School students on a mission trip to Africa.

Mayor Pro Tem Waldman had nothing to report.

Mayor Goodman attended the OCSD tour and Special Board Meeting; the Badge Pinning Ceremony for Police Sgt. Dylan Cook and Police Officers Andrew Delgado and Richard Gonzalez; the Southern California Association of Government's (SCAG) Los Angeles Mobile Workshop for the Alameda Corridor; the California Joint Powers Insurance Authority (CJPIA) Claims and Executive committee meeting; a meeting with Cal-Optima representatives regarding the La Palma Intercommunity Hospital contract; the SCAG Executive and Administrative committee meeting; the SCAG Community Economic and Development Committee meeting; the SCAG Regional Council meeting; and the Cal Cities Orange County Division Executive Committee meeting.

CITY MANAGER REMARKS

City Manager McNamara recognized and thanked the Public Works team for maintaining and managing City services during the heavy rains; announced the upcoming Citizen's Academy and encouraged residents to register; and wished everyone a happy Valentine's Day.

CITY ATTORNEY REMARKS

City Attorney Thind had nothing to report.

ADJOURNMENT

Mayor Goodman adjourned the Regular Meeting of the City Council at 8:03 p.m.

Marshall Goodman
Mayor

Attest:

Kimberly Kenney, CMC
City Clerk