

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

October 3, 2017

CALL TO ORDER: Mayor Steggell called the Regular Meeting of the La Palma City Council to order at 7:00 p.m. in the Council Chambers at La Palma City Hall, 7822 Walker Street, La Palma, California, with Mayor Pro Tem Hwangbo being absent.

PLEDGE OF ALLEGIANCE: John F. Kennedy High School Students

INVOCATION: Father William Goldin, St. Irenaeus Catholic Church

ROLL CALL: Council Members

Council Members present: Council Member Goedhart, Council Member Goodman, Council Member Kim, and Mayor Steggell

Council Members absent: Mayor Pro Tem Hwangbo

City Officials present: Laurie Murray, City Manager
Joel Kuperberg, City Attorney
Terry Kim, Police Chief
Sea Shelton, Administrative Services Director
Jake Chavira, Water/Maintenance Supervisor
Cindy Robinson, Assistant to the City Manager
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Mayor Steggell presented a proclamation to Orange County Fire Authority Division Chief Dave Steffen in recognition of Fire Prevention Week.
2. Orange County Water District (OCWD) Director Roger Yoh gave a presentation on the Overview of the District.

Discussion ensued regarding Council Members who currently serve on the Orange County Sanitation District (OCSD) Board having had the opportunity to visit the facility; support for the OCWD to continue their Groundwater Replenishment System (GWRS) ; whether there are enough storage facilities to capture the excess rain water;

that the OCWD is working closely with the Army Corp of Engineers to increase the amount of water they can store behind the Prado Dam; that the OCWD wants to store as much rain water as possible; that State Proposition 1 allows for \$2.7 Billion for water storage; support for the GWRS; and support for the OCWD Whitfield Loan application from the Environmental Protection Agency (EPA) to receive additional funding for water programs.

ORAL COMMUNICATIONS

Dr. Regina Zurbano, Principal at John F. Kennedy (JFK) High School introduced Fatima Palma, Anais Aghajani, and Emily Jenkins, who attended the Women's Conference; announced their support for funding their attendance; support for an empowering and motivational program for young women and challenges they face; their appreciation to the City Council for being able to attend the event; and that 13 Juniors and Seniors from JFK High School were able to attend.

Mayor Steggell responded with positive comments about the speakers at the Women's Conference; thanked the City Council for approving the funding for young girls to be able to attend; looking forward to being able to repeat this event; announced Jan Jensen as Woman of the Year; and reported that Administrative Services Director Shelton was one of the speakers at the conference.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding concerns regarding the Oral Comment period; ability to obtain answers asked during this time; that the public does not wish to argue, but get answers; opposition to the recent responses by the City Council; understanding of the Brown Act limitations; and whether questions from a previous City Council meeting can be answered at the next following meeting.

City Attorney Kuperberg responded that the Brown Act public comment provision was not intended as a question and answer period, it was intended as an opportunity for the public to address the City Council on items happening in the community or to give direction; that some cities do not respond to community questions at all; that it is a policy matter; and that extended answers are not legally permissible if the matter is not on the agenda.

Mr. Lomeli added that more than one individual usually has questions and is trying to find an avenue to publicly respond to residents questions for transparency purposes; and that the Citizens want answers to some of their inquiries.

City Manager Murray responded that if Staff cannot respond in an open City Council session she has always allowed the public to have direct access to her, either through telephone or email; that responding to a question may not always be plausible during an open session if Staff does not have an immediate response to; and that the City Council could take this issue under consideration during their annual Goal Setting session.

Wally Zimmerman, a La Palma resident, addressed the City Council regarding appreciation for City Council Members to directly answer the public's questions outside of a meeting; clarification that requests need to be made directly to the City Manager; the typical amount of time for a response; and whether an email is sufficient format for a request and if the response can be shared publicly.

City Manager Murray responded that a response time depends on the nature and complexity of the question; that she typically responds just as soon as she can, but sometimes has to depend on Staff to conduct the research; that the typical timeframe for responding is within a week; that an email request is sufficient enough; and that any response from the City Manager via email is a public record and can be shared with the public.

Council Member Goedhart added that his contact numbers have been on his business cards for the past five years; that he is always available to the public; that if there is City information that cannot legally be released, that would be the only restriction to public responses; that the City Council has and continues to make itself completely available to the public; that the majority of the residents are pretty satisfied with the decisions the City Council has made; support for the City Council doing a good job representing the people of La Palma.

RECESS THE CITY COUNCIL AND CONVENE THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:40 P.M.

Deputy 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 La Palma. Members of the La Palma City Council receive no compensation or stipend as a result of convening or participating in the Successor Agency or otherwise as serving as members of the Successor Agency."

CONSENT CALENDAR

A. Approval of Successor Agency Minutes

Minutes of the September 19, 2017, Regular Meeting of the Successor Agency.

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

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

AYES: Council Member Goedhart, Council Member
Goodman, Council Member Kim, and Mayor Steggell

NOES: None

ABSENT: Mayor Pro Tem Hwangbo

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 7:41 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 September 19, 2017, Regular Meeting of the City Council.
3. Approval of Register of Demands
Resolution No. 2017-54 approving the Register of Demands for October 3, 2017.

Council Member Kim made a motion to approve Consent Calendar Items 1 through 3.

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

AYES: Council Member Goedhart, Council Member
Goodman, Council Member Kim, and Mayor Steggell

NOES: None

ABSENT: Mayor Pro Tem Hwangbo

REGULAR ITEMS

4. The Road Repair and Accountability Act List (SB 1) of Projects for Fiscal Year 2017-18

Administrative Services Director Shelton gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the condition of the streets; explanation of how road conditions allow for qualification to receive funds; that because of the proactive decisions made by the City Council regarding road rehabilitation, La Palma received a high rating of 93%; that the high rating allows the City to use the funds now for median projects to enhance the City instead of using the funds for road repairs; that La Palma will be able to use these funds for Orangethorpe Rehabilitation; that because of the drought, the medians need to be redesigned for drought tolerant conditions; that Staff has reached out to local Colleges to submit design plans, however the professors declined; that Staff will now have to move forward with Requests for Proposals (RFP); anticipation of returning to the City Council with median designs in the future; and clarification of the details of how funding could be used.

Adopt a resolution amending the Fiscal Year 2017-18 Adopted Budget to incorporate a list of projects funded by SB 1: The Road Repair and Accountability Act.

Council Member Kim made a motion to adopt Resolution No. 2017-55 amending the Fiscal Year 2017-18 Adopted budget to incorporate a list of projects funded by SB 1: The Road Repair and Accountability Act List.

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

AYES: Council Member Goedhart, Council Member Goodman, Council Member Kim, and Mayor Steggell

NOES: None

ABSENT: Mayor Pro Tem Hwangbo

5. Brea IT Contract Amendment

Assistant to the City Manager Robinson gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding confirmation that the extended hours from Brea IT are being funded through other budget savings such as employee vacancies.

Approve and authorize the Mayor to execute an Amendment to the Professional Services Agreement with the City of Brea (Brea IT) to allow for an additional four (4) hours per week of onsite IT support.

Council Member Kim made a motion to approve and authorize the Mayor to execute an Amendment to the Professional Services Agreement with the City of Brea (Brea IT) to allow for an additional four (4) hours per week of onsite IT support.

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

AYES: Council Member Goedhart, Council Member Goodman, Council Member Kim, and Mayor Steggell

NOES: None

ABSENT: Mayor Pro Tem Hwangbo

6. 30-Day Written Notice - 5062 La Palma Avenue

City Manager Murray gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding whether the City Council will accept payment if the tenant responds; that the City would accept payment, but since the tenants have been vocal about not being able to pay their rent, the City would request vacating the property to avoid repetitive actions; City Attorney Kuperberg noted that the City Council could suspend actions or make changes to their policy; that the City Council will be notified of payment and if the tenant asks to remain with intentions of paying future rent, Staff would bring that back to the City Council; that City Attorney Kuperberg clarified that this is a 30 day Notice and that allows time to

respond if the tenants correct their delinquency; support for having the tenant stay if they commit to payments on time after the amount due is paid; that as soon as the City bought the property, they refused to pay their rent but were paying it previously; support for legal action and full collection of money owed; and that it could take months to remove a tenant from occupation of a residence.

Authorize the City Attorney to serve the tenants at 5062 La Palma Ave. with a 30-day written notice of termination and proceed with filing an unlawful detainer (eviction) lawsuit if necessary.

Council Member Goedhart made a motion to approve and authorize the City Attorney to serve the tenants at 5062 La Palma Ave. with a 30-day written notice of termination and proceed with filing an unlawful detainer (eviction) lawsuit if necessary.

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

AYES: Council Member Goedhart, Council Member Goodman, Council Member Kim, and Mayor Steggell

NOES: None

ABSENT: Mayor Pro Tem Hwangbo

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

Council Member Kim attended the OCSD Audit Ad-Hoc Committee meeting; the Special Joint City Council and Development and Circulation Committee meeting; and the OCSD Board meeting.

Council Member Goodman attended the Orange County Vector Control District (OCVCD) Board of Trustees meeting; and the Special Joint City Council and Development and Circulation Committee meeting.

Council Member Goedhart apologized for missing the Special Joint City Council and Development and Circulation Committee meeting; announced that the Governor just signed 15 bills dealing with housing affordability; and requested that Staff give the City Council a briefing at a future meeting on how these impact La Palma; and recognized the recent tragedy in Las Vegas.

Mayor Steggell attended the Cypress Women's Conference; and the Orange County Fire Authority (OCFA) Meeting.

CITY MANAGER REMARKS

City Manager Murray announced that she will be out of the office most of next week with Council Member Goodman attending a CJPIA Risk Management Conference; and closed by adding that Police Chief Kim will be the acting City Manager in her absence.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported on one of the recently signed Governor's bills regarding housing legislation that his office is looking at carefully; that this bill creates difficulties with current zoning in place; and that he will be working with the City Manager to work out details regarding planning for those areas.

ADJOURNMENT

Mayor Steggell adjourned the meeting at 8:02 p.m. in memory of those who lost their lives in the La Vegas mass shooting, including La Palma Resident Brian Fraser. She closed by thanking all First Responders for their service and noted that everyone there helped each other.

Michele Steggell
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk