

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 1, 2018

CALL TO ORDER: Mayor Goedhart called the Regular Meeting of the La Palma City Council to order at 6:30 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma California, with all members present.

City Manager Murray asked for a motion to add an Emergency Item to the Closed Session regarding the City of Santa Ana cross complaint against all the cities in the County, in the case of Orange County Catholic Workers et al. versus Orange County et al.

Council Member Flachmeier made a motion to add an Emergency Item to the Closed Session regarding the City of Santa Ana cross complaint against all the cities in the County, in the case of Orange County Catholic Workers et al. versus Orange County et al.

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

AYES: Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell

NOES: None

CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)

Name of Case: Shirley Y. Shun

CS-2. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS

Pursuant to Government Code Section 54956.8

Property: Approximately a 450 square feet portion of 6800 Walker Street, La Palma, California, 90623

City Negotiators: Joel Kuperberg, City Attorney
Laurie Murray, City Manager

Negotiating Parties: The Lyle Company Lease Consultant for American Tower

Under Negotiations: Price and Terms for Lease Amendment

CS-3. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION
(Paragraph (1) of subdivision (d) of Section 54956.9)

Case No.: SA CV 18-0155-DOC (JDE) Cross Complaint by City of Santa Ana for Civil Rights Violation (42 U.S.C. Section 1983)

Original Case: Orange County Catholic Workers et al. VS Orange County et al.

Mayor Goedhart recessed to Closed Session at 6:31 p.m.

OPEN SESSION

Mayor Goedhart reconvened in Open Session at 7:01 p.m., and asked for a report.

City Manager Murray announced that on matter CS-1, the City Council voted unanimously to reject the claim; and on CS-2 and CS-3, that there were no reportable actions.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Goodman

INVOCATION: President Steve Jankovich, Church of Jesus Christ of Latter Day Saints

ROLL CALL: Council Members

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

Council Members absent: None

City Officials present: Laurie Murray, City Manager
Emily Webb, Assistant City Attorney
Mike Belknap, Community Services Director
Scott Hutter, Planning Manager

Terry Kim, Police Chief
Sea Shelton, Administrative Services Director
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Demonstration and Recognition of the La Palma "Jumping Coyotes" Jump Rope Team in the Regional and National Championships.

ORAL COMMUNICATIONS

No members of the public wished to speak.

RECESS THE CITY COUNCIL AND CONVENE THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:16 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 April 3, and April 17, 2018, Regular Meeting of the Successor Agency.

- B. Approval of Register of Demands

Resolution No. SA 2018-04 approving the Register of Demands for May 1, 2018.

- C. Successor Agency 3rd Quarter Cash and Investment Report, Fiscal Year 2017-18, as of March 31, 2018

Receive and File the Cash and Investment Report for the third quarter of Fiscal Year 2017-18.

Mayor Pro Tem Goodman made a motion to approve Consent Calendar Items A, B, and C.

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

AYES: Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell

NOES: None

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 7:17 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 April 3, and April 17, 2018, Regular Meeting of the City Council.
3. Approval of Register of Demands
Resolution No. 2018-23 approving the Register of Demands for May 1, 2018.

Councilmember Kim announced that he had a conflict on Item 3 (Warrant Register numbers DFT001375 and 25905). Councilmember Kim did not participate in the vote on this item.
4. City of La Palma 3rd Quarter Cash and Investment Report, Fiscal Year 2017-18, as of March 31, 2018

Receive and File the Cash and Investment Report for the third quarter of Fiscal Year 2017-18.

Council Member Steggell made a motion to approve Consent Calendar Items 1 through 4.

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

AYES: Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell

NOES: None

PUBLIC HEARING

5. Continued from April 17, 2018: Consideration of Cost of Living Adjustment to Fee Schedules
 - a) Mayor Goedhart reopened the Public Hearing at 7:18 p.m.
 - b) Administrative Services Director Shelton gave the Staff Report
 - c) Council Comments and Questions:
None.
 - d) Public Input:
No members of the public wished to speak.
 - e) Mayor Goedhart closed the Public Hearing at 7:20 p.m.
 - f) Adopt a Resolution Amending and Establishing Certain Development Project Fees and Service Charges.
 - g) Adopt a Resolution Establishing an Updated User Fee Schedule for Various Municipal Activities and Services.

Council Member Steggell made a motion to adopt Resolution No. 2018-24 amending and establishing Certain Development Project Fees and Service Charges and Adopt Resolution No. 2018-25 establishing an Updated User Fee Schedule for Various Municipal Activities and Services.

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

AYES: Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell

NOES: None

6. Continuation of Public Hearing for Introduction and First Reading of an Ordinance No. Amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) and Zoning Map to remove the Village Residential Overlay (VRO) Zoning District designation from the properties at 5052 and 5062 La Palma Avenue and rezone both properties with the Multiple-Family Residential (R-3) Zoning District designation; and adoption of Zoning Map Amendment no. 2018-XX

- a) Mayor Goedhart opened the Public Hearing at 7:21 p.m.
- b) City Manager Murray gave the Staff Report.
- c) Council Comments and Questions:

Discussion ensued regarding the time needed to allow Staff to bring back the zoning changes being approximately four months; and clarification that this proposal is to change the zoning on this property back to its original zoning of R-3.

- d) Public Input:

No members of the public wished to speak.

- e) Mayor Goedhart closed the Public Hearing at 7:22 p.m.
- f) Continue the Public Hearing to a date uncertain.

Mayor Pro Tem Goodman made a motion to continue the Public Hearing to a date uncertain.

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

AYES: Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell

NOES: None

Mayor Goedhart noted that Staff will be bringing the extension to the Moratorium at the June 5th City Council meeting.

7. Introduction and First Reading of Zone Text Amendment No. 2018-XX, an Ordinance Amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section's 44-10 and 139 Pertaining to the Definitions and Regulation of Allowable Land Uses in the NC, PND and OS/R Zoning Districts
 - a) Mayor Goedhart opened the Public Hearing at 7:23 p.m.
 - b) Planning Manager Hutter gave the Staff Report
 - c) Council Comments and Questions:

None
 - d) Public Input:

No members of the public wished to speak.
 - e) Mayor Goedhart closed the Public Hearing at 7:27 p.m.
 - f) Introduce an Ordinance amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section's 44-10 and 139 Pertaining to the Definitions and Regulation of Allowable Land Uses in the NC, PND and OS/R Zoning Districts.

Council Member Steggell made a motion to introduce for First Reading an Ordinance amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section's 44-10 and 139 Pertaining to the Definitions and Regulation of Allowable Land Uses in the NC, PND and OS/R Zoning Districts.

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

AYES:	Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell
NOES:	None

8. Introduction and First Reading of Zone Text Amendment No. 2018-XX, An Ordinance Amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section's 44-10, 78, 111, and 363 to 364 Pertaining to the Regulation of Accessory Dwelling Units (ADUs) in Residential Zones in Conformance With State Law

a) Mayor Goedhart opened the Public Hearing at 7:28 p.m.

b) Planning Manager Hutter gave the Staff Report

c) Council Comments and Questions:

Discussion ensued regarding the impact to parking as a result of the ADU's; whether the City can address parking concerns on Conifer Drive in this zoning change; that Council Member Steggell has received resident complaints about the parking issues on Conifer Drive; that the parking issues cannot be discussed at this time as they are not related to this agenda item and are not on the agenda; that Bransford Drive has parking by permit only; that Code Enforcement and the Police Department have been conducting a drive through in the area and addressing concerns; and that Staff can bring the matter forward at a future City Council meeting.

d) Public Input:

No members of the public wished to speak

e) Mayor Goedhart closed the Public Hearing at 7:35 p.m.

f) Introduce an Ordinance amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section's 44-10, 78, 111 and 363 to 364 pertaining to the regulation of accessory dwelling units (ADUs) in residential zones in conformance with State law.

Council Member Flachmeier made a motion to introduce for First Reading an Ordinance amending City Zoning Code (Chapter 44 of the La Palma Municipal Code) Section's 44-10, 78, 111 and 363 to 364 pertaining to the regulation of accessory dwelling units (ADUs) in residential zones in conformance with State law.

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

AYES: Council Member Flachmeier, Mayor Goedhart, Mayor Pro Tem Goodman, Council Member Kim, and Council Member Steggell

NOES: None

City Manager Murray asked for clarification of City Council's request regarding parking – whether it was parking citywide or just the issues related to Conifer Drive; Council Member Steggell stated that the audience is indicating citywide, and that she wants the Conifer Drive parking issue specifically addressed.

REGULAR ITEMS

None Scheduled.

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

Council Member Kim attended the Arbor Day celebration; the Orange County Sanitation District (OCSD) Board meeting; and the John F. Kennedy High School Scholarship Foundation Banquet.

Council Member Steggell attended the Arbor Day celebration; the Orange County Fire Authority (OCFA) Board meeting; the John F. Kennedy High School Scholarship Foundation Banquet; and the Donate Life Walk/Run event.

Council Member Flachmeier attended the Arbor Day celebration; the Orange County Cities Homeless Symposium at Cal State Fullerton; the Donate Life Walk/Run event; and the John F. Kennedy High School Scholarship Foundation Banquet.

Mayor Pro Tem Goodman attended the Arbor Day celebration.

Mayor Goedhart attended the Arbor Day celebration; and noted that the City Council has a Study Session on the Budget following this Regular Meeting that everyone is welcome to attend.

CITY MANAGER REMARKS

City Manager Murray had nothing to report but added that the Study Session will start at 8:00 p.m. as that was the time it was publicly noticed for.

CITY ATTORNEY REMARKS

Assistant City Attorney Webb had nothing to report.

ADJOURNMENT

Mayor Goedhart adjourned the Regular Meeting of the City Council at 7:39 p.m.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk