

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

August 21, 2018

CALL TO ORDER: Mayor Goedhart called the Regular Meeting of the La Palma City Council to order at 7:00 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Walker Junior High School 8th Grade Student Ambassadors

INVOCATION: Father Frederick Atentar, St. Irenaeus Catholic Church

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
Scott Hutter, Planning Manager
Terry Kim, Police Chief
Sea Shelton, Administrative Services Director
Carlo Nafarrete, Water/Maintenance Supervisor
Ryan Hallett, Assistant to the City Manager
jaNell Adams, Recreation Coordinator
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Alta Duke, representing the La Palma Community Activities and Beautification Committee, Home Spotlight Committee, recognized the home of Rashmi and Ami Patel, 4771 El Rancho Verde Drive, La Palma.

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 7:08 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 August 7, 2018, Regular Meeting of the Successor Agency.

B. Successor Agency Register of Demands

Resolution No. SA 2018-06 approving the Successor Agency Register of Demands for August 21, 2018.

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

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 7:09 P.M.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances

Waive reading of all Ordinances in their entirety and read by title only.

2. Approval of Council Minutes

Minutes of the August 7, 2018, Regular Meeting of the City Council.

Mayor Goedhart abstained from voting on this Item as he was absent from the August 7, 2018, City Council meeting.

3. Approval of Register of Demands

Resolution No. 2018-39 approving the Register of Demands for August 21, 2018.

Council Member Kim announced that he had a financial conflict of interest on Item 3. Council Member Kim did not participate in the vote on this item.

4. Cancellation of September 4, 2018, City Council and Successor Agency Meetings

Cancel the September 4, 2018, City Council and Successor Agency regular meetings.

Mayor Pro Tem Goodman made a motion to approve Consent Calendar Items 1 through 4.

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

REGULAR ITEMS

5. Kennedy High School Site Improvement Project Update

City Manager Murray introduced the item. Jennifer Root, Assistant Superintendent of Business for Anaheim Union High School District (AUHSD), introduced Patty Neely, Director, and Arturo Lavenant, Assistant Director of Planning, Design, and Construction for AUHSD; Kanal Shaw, Project Manager for Cumming Construction; and Brian O'Neal, member of the AUHSD School Board of Trustees.

Patty Neely, Director of Planning, Design, and Construction for AUHSD gave the presentation.

Council Comments and Questions:

Discussion ensued regarding not having metal detectors on the new school gates; that the fence opening along Crescent Avenue is going to be eliminated; that there will be two defined entries; City Council appreciation for the detailed presentation and overview; plans to construct solar panel carports district wide to include 20 sites; that the solar project's Request for Proposals (RFP) is in the final stages and should be out for bid in the next couple of months; that the parking lot improvements are scheduled to be completed in October; that parking lot restriping may have to be completed in December; that the parking lot will be available for students and staff in October; that the communication issues have been resolved; that Walker Junior High School will be undergoing modernization upgrades as well and AUHSD will be presenting those upgrades; support for the City Council's partnership with the School District; support for the new student drop off plans; and support for this investment in the La Palma community.

Council Member Kim made a motion to receive and file the John F. Kennedy High School Site Improvement Project Update. The motion was seconded by Council Member Steggell.

Public Input:

Angela Garcia, a La Palma resident, addressed the City Council regarding her support for this project.

Abe Waheed, a La Palma resident, addressed the City Council regarding his support for this project.

A student of John F. Kennedy High School inquired as to whether the Blarney Stone will remain on campus after the construction is completed.

Mayor Goedhart responded that AUHSD has indicated that the Blarney Stone will remain intact on campus.

The motion 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

6. CONTINUED: Consideration of Conditional Use Permit 377 that Would Allow a New Electronic Monument Sign at Kennedy High School Located at 8281 Walker St., La Palma, CA 90623 (APN 262-201-05); and Variance 2018-02 that Would Allow the Proposed Electronic Monument Sign at Kennedy High School to Exceed the Height Limit of Eight (8) Feet, and Maximum Sign Area Per Sign Face of One-Hundred (100) Square Feet, for Electronic Monument Signs Found Under Section 44-398. - Sign standards, in the City of La Palma Zoning Code; the Electronic Monument Sign is Proposed at Ten (10) Feet Ten (10) Inches Tall With a Sign Face Area of One-Hundred and Twenty-Eight (128) Square Feet
 - a) Mayor Goedhart re-opened the Public Hearing at 7:31 p.m.
 - b) Planning Manager Hutter gave the Staff Report
 - c) Council Member Comments and Questions:

Discussion ensued regarding the time restriction allowed for the activation and use of the electronic sign; that the City Council can decide to change the time restrictions if desired; and that the electronic sign is controlled by remote computers in the administration building.
 - d) Public Input:

Wally Zimmerman, a La Palma resident, addressed the City Council regarding his opposition to allowing a variance instead of reviewing the City's municipal sign code and revising it.
 - e) Mayor Goedhart closed the Public Hearing at 7:38 p.m.
 - f) Adopt a Resolution of the City Council of the City of La Palma, California, approving Conditional Use Permit 377 that would allow a new electronic

monument sign at Kennedy High School located at 8281 Walker St, La Palma, CA 90623 (APN 262-201-05) that will feature a double-sided electronic marquee and fixed signage and logo identifying the school and school address; and approving Variance 2018-02 that would allow the proposed electronic monument sign at Kennedy High School to exceed the height limit of eight (8) feet, and maximum sign area per sign face of one-hundred (100) square feet, for electronic monument signs found under Section 44-398. - Sign standards, in the City of La Palma Zoning Code; the electronic monument sign is proposed at ten (10) feet ten (10) inches tall with a sign face area of one-hundred and twenty-eight (128) square feet.

Council Member Steggell made a motion to adopt Resolution No. 2018-40 of the City Council of the City of La Palma, California, approving Conditional Use Permit 377 that would allow a new electronic monument sign at Kennedy High School located at 8281 Walker St, La Palma, CA 90623 (APN 262-201-05) that will feature a double-sided electronic marquee and fixed signage and logo identifying the school and school address; and approving Variance 2018-02 that would allow the proposed electronic monument sign at Kennedy High School to exceed the height limit of eight (8) feet, and maximum sign area per sign face of one-hundred (100) square feet, for electronic monument signs found under Section 44-398. - Sign standards, in the City of La Palma Zoning Code; the electronic monument sign is proposed at ten (10) feet ten (10) inches tall with a sign face area of one-hundred and twenty-eight (128) square feet.

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

REGULAR ITEMS

- 7. Award of Contract to JDL Design, LLC for the Installation of a Variable Frequency Drive (VFD) for the City Yard Well Pump Motor

Water/Maintenance Supervisor Nafarrete gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the City having an existing water sharing agreement with the City of Cerritos; that the City has unlimited access to Cerritos water if needed; and that Cerritos water system has higher water pressure.

Public Input:

No members of the Public wished to speak.

Council Member Kim made a motion to approve and authorize the Award of Contract to JDL Design, LLC for the Installation of a Variable Frequency Drive (VFD) for the City Yard Well Pump Motor.

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. Purchase of Replacement Police Vehicles

Police Captain Wilkerson gave the Staff Report.

Council Comments and questions:

None.

Public Input:

Jerry Lomeli, a La Palma resident, addressed the City Council regarding concerns that fleet purchases are not spread out; and the projected replacement date for the Police vehicles that are still in use.

Police Captain Wilkerson responded that Police Department patrol vehicles are on a four year rotating replacement cycle to eliminate any service delays; and that the cycle is maintained so the department gets a fresh set of vehicles on each rotating year.

Mayor Goedhart noted that the Police Vehicles have been depreciating and the City Council has deferred replacement during the past few years of financial instability, but the funds have been set aside and the vehicles need to be replaced. Police Captain Wilkerson added that the Police Department has been

slowly trying to catch up to the normal replacement process, which has finally been brought back to its normal rotation schedule.

Mr. Lomeli inquired about the previous Police Vehicle accident and how that affected the vehicle rotation schedule.

Police Captain Wilkerson responded that when a vehicle gets taken out of the rotation due to a crash, it stops the clock on the rotation schedule - until that vehicle is replaced.

- a) Two (2) 2018 Ford Interceptor Utility black and white police vehicles in the amount of \$62,075 from National Auto Fleet Group of Alhambra, in conjunction with the National Joint Powers Alliance (NJPA) contract number 120716; plus \$27,184 for equipment to outfit these vehicles.
- b) One (1) 2018 Ford Interceptor Utility Unmarked Vehicle in the amount of \$30,615 from National Auto Fleet Group of Alhambra, in conjunction with the National Joint Powers Alliance (NJPA) contract number 120716; plus \$4,176 for equipment to outfit this vehicle.

Council Member Kim made a motion to approve the purchase of two (2) 2018 Ford Interceptor Utility black and white police vehicles in the amount of \$62,075 from National Auto Fleet Group of Alhambra, in conjunction with the National Joint Powers Alliance (NJPA) contract number 120716, plus \$27,184 for equipment to outfit these vehicles; and one (1) 2018 Ford Interceptor Utility Unmarked Vehicle in the amount of \$30,615 from National Auto Fleet Group of Alhambra, in conjunction with the National Joint Powers Alliance (NJPA) contract number 120716, plus \$4,176 for equipment to outfit this vehicle.

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

- 9. Teen Afterschool Program and Contract Amendment with the La Palma Community Foundation

Council Member Kim announced that he and Council Member Steggell are Board Members of the La Palma Community Foundation. City Manager Murray announced that she and Police Chief Kim are ex-officio non-voting members of

said foundation; and that Staff has clarified with the City Attorney that both Council Members can vote on this matter as they're membership on the board is considered a "noninterest."

Recreation Coordinator Adams gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding current staff being asked if they're interested in participating in the program; that additional staff will need to be recruited as some have returned to college; and that staff turnover is typical after the summer program and schools go back into session.

Public Input:

Jennifer Brown, Principal of Walker Junior High School, addressed the City Council regarding how meaningful the teen program was to the children who attended last year; that she already has students inquiring on when the program is going to start again; plans to advertise the program after funding is confirmed; discussions of moving this program to its own room on campus; that the Anaheim Assistance League has donated snacks; and the school's support and appreciation for the School Resource Officer.

Sylia Van White, Family & Community Specialist at Walker Junior High School, addressed the City Council regarding her support for School Resource Officer Pho and all his efforts with students; that he's actively engaged with the parents; and appreciation for his being equipped for this assignment.

- a) Approve and authorize the Mayor to execute a Contract Amendment with the La Palma Community Foundation (Attachment 1) to request newly awarded grant funds for a Teen Afterschool Program at Walker Jr. High School and Kennedy High School; and
- b) Adopt a Resolution approving a Budget Amendment to the FY 2018-19 Budget to allocate funding provided by a grant from the La Palma Community Foundation for a Teen Afterschool Program.

Council Member Kim made a motion to approve and authorize the Mayor to execute a Contract Amendment with the La Palma Community Foundation (Attachment 1) to request newly awarded grant funds for a Teen Afterschool Program at Walker Jr. High School and Kennedy High School; and adopt Resolution No. 2018-41 approving a Budget Amendment to the FY 2018-19 Budget to allocate funding provided by a grant from the La Palma Community Foundation for a Teen Afterschool Program.

Mayor Goedhart noted this is an outstanding program; that the City of La Palma is investing in its schools; that the next City Council needs to continue this program for the La Palma community and remind our local State Representatives of the importance of these programs.

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

10. Legislative Briefing

Assistant to the City Manager Hallett gave the Staff Report.

- a) Receive and file the report;
- b) Direct staff and authorize the Mayor to send communications indicating the City's support for the following:
 - (1) AB 448 (Daly) – Joint powers authorities: Orange County Housing Finance Trust
- c) Direct staff and authorize the Mayor to send communications indicating the City's opposition to the following:
 - (1) AB 748 (Ting) – Peace officers: video and audio recordings: disclosure
 - (2) AB 931 (Weber) – Criminal procedure: use of force by peace officers
 - (3) AB 2681 (Nazarian) – Seismic safety: potentially vulnerable buildings
 - (4) AB 2890 (Ting) – Land use: accessory dwelling units
 - (5) AB 2913 (Wood) – Building standards: building permits: expiration
 - (6) SB 946 (Lara) – Sidewalk vendors
 - (7) SB 998 (Dodd) – Discontinuation of residential water service: urban and community water systems
 - (8) SB 1186 (Hill) – Law enforcement agencies: surveillance: policies

(9) Bureau of Cannabis Control Proposed Regulations – July 2018

(10) Safe and Affordable Drinking Water Fund – not yet introduced

Council Comments and questions:

Discussion ensued regarding the letters being sent to the Assembly Bill's author and the Orange County delegation; that the purpose is to authorize our position as it moves through committees; that La Palma sends the position letters by email and fax; support for making our voices heard in Sacramento; that the City Council would like a status on the outcome of these bills in the City's Weekly Administrative Report; clarification that the Cannabis Regulation would over-ride any city's ordinance; and that there is still an illegal market out there that is delivering cannabis in La Palma in opposition to the City's Ordinance, and the proposed Regulation would allow Cannabis outright.

Public Input:

Jerry Lomeli, a La Palma resident, addressed the City Council regarding how the City gets informed about Assembly Bills; and inquired about the process of how the City Council collectively makes a decision on these bills.

Mayor Goedhart responded that the City gets updates from the League of California Cities (LOCC) on Assembly and Senate Bills; that the current process unfolding before the City Council is how the City discusses and takes a position on the bills; that La Palma always supports protecting local control and Sacramento always wants to preempt local control, which is unhealthy; and that Staff brings these forward to the City Council for authorization to support or oppose any bill before the State Legislature.

Council Member Kim made a motion to direct staff and authorize the Mayor to send communications indicating the City's support for AB 448 (Daly) – Joint powers authorities: Orange County Housing Finance Trust; and direct staff and authorize the Mayor to send communications indicating the City's opposition to the following bills:

AB 748 (Ting) – Peace officers: video and audio recordings: disclosure,
AB 931 (Weber) – Criminal procedure: use of force by peace officers,
AB 2681 (Nazarian) – Seismic safety: potentially vulnerable buildings,
AB 2890 (Ting) – Land use: accessory dwelling units,
AB 2913 (Wood) – Building standards: building permits: expiration,
SB 946 (Lara) – Sidewalk vendors,
SB 998 (Dodd) – Discontinuation of residential water service: urban and community water systems,

SB 1186 (Hill) – Law enforcement agencies: surveillance: policies, the Bureau of Cannabis Control Proposed Regulations – July 2018, and the Safe and Affordable Drinking Water Fund.

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 requested to take a short recess at 8:26 p.m.

Mayor Goedhart reconvened the City Council at 8:34 p.m. with all members present.

11. League of California Cities Voting Delegates and Resolutions

Assistant to the City Manager Hallett gave the Staff Report.

Council Comments and Questions:

None.

Public Input:

No members of the public wished to speak.

- a) Designate Mayor Pro Tem Goodman as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference;
- b) Designate Council Member Flachmeier as the City of La Palma's Alternate Voting Delegate at the League of California Cities' (LOCC) Annual Conference;
- c) Provide direction to the Voting and Alternate Voting Delegates for the LOCC Annual Conference as to the City's position on a Resolution of the League of California Cities to respond to the increasing vulnerabilities to local municipal authority, control, and revenue and explore the preparation of a ballot measure and/or constitutional amendment that would further strengthen local democracy and authority.

- d) Provide direction to the Voting and Alternate Voting Delegates for the LOCC Annual Conference as to the City's position on a Resolution of the League of California Cities declaring its commitment to support the repeal of preemption in California Food and Agriculture Code §11501.1 that prevents local governments from regulating pesticides.

Council Member Flachmeier made a motion to designate Mayor Pro Tem Goodman as the City of La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference; designate Council Member Flachmeier as the City of La Palma's Alternate Voting Delegate at the League of California Cities' (LOCC) Annual Conference; direct the Voting and Alternate Voting Delegates for the LOCC Annual Conference to support a Resolution of the League of California Cities to respond to the increasing vulnerabilities to local municipal authority, control, and revenue and explore the preparation of a ballot measure and/or constitutional amendment that would further strengthen local democracy and authority; and direct the Voting and Alternate Voting Delegates for the LOCC Annual Conference to support a Resolution of the League of California Cities declaring its commitment to support the repeal of preemption in California Food and Agriculture Code §11501.1 that prevents local governments from regulating pesticides.

Discussion ensued regarding the Orange County Vector Control District (OCVCD) being our agency to control vectors; that the resolution does not define pesticides clearly; that there should be an exemption to OCVCD's use of its pesticides as a preventive measure to reach peak effectiveness in controlling vectors; that unless OCVCD is given an exemption in this Resolution, Mayor Goedhart cannot not support it; that AB 2422 offers an exemption from pesticides bans for Districts like ours; that the NBCAC supported this bill which provides the exemption for districts that have their own vector control like ours which allows this City Council to fully support the LOCC resolution regarding pesticides; that the OCVCD was recognized for their cutback in anticoagulants and is doing more preventative measures by using snap traps where needed; that blanket resolutions are not a one size fits all; that AB 2422 has been tabled and is not moving forward; that the LOCC Resolution needs to include an exemption or agreement for cities like ours that have OCVCD; that the Assistant City Attorney Webb added that the City Council can provide direction to the Voting delegates to add that caveat; and whether the maker of the motion would be amenable to amend her motion to add this caveat to allow local control with the OCVCD.

The maker of the motion agreed to amend the motion to support the anti-coagulant LOCC Resolution and include the caveat to exempts agencies that have a District Vector Control like La Palma.

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

12. City Council Goals Update

City Manager Murray gave the Staff Report.

Council Questions and Comments:

Discussion ensued regarding the community outreach with the Police Department; that public feedback has been very positive; that residents appreciate Police Officers meeting in a casual environment; that the community did not have suggestions for improvements; that 15-20 people have registered on the City's Military Registry; that advertising this through a mailer would encourage more participation; that Staff is taking flyers to local veterans outlets and a flyer will be sent to all homes in La Palma; that veterans don't typically come forward or want recognition; that a Community Workshop for the medians is scheduled on September 27 with a mass post card mailing to the community; and that unfortunately, there has been no success in legislation to stop the attorney involved in forcing litigation to redistrict California cities.

Public Input:

No members of the public wished to speak.

Council Member Kim made a motion to receive and file the City Council Goals Update.

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

Discussion ensued regarding the Tesoro situation; the status of the merger; that the shareholders of Marathon and Tesoro will vote on the merger on Sept 24th - then go through the Securities and Exchange Commission (SEC) approval process; that based on the previous conversations with Tesoro, this merger will not affect La Palma; that if something did happen, it would take two years before it affects a transaction this small to Marathon; that the Tesoro/Marathon merger was the reason the City Council decided not to include some expenditures in the FY 2018-19 Budget so the City is able to fully assess the financial situation; and that the City Council will review this matter during the Mid-Year Budget Discussion.

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

Council Member Kim attended the closing ceremony of the Groundwater Replenishment System; and Senator Ling Ling Chang's swearing in ceremony.

Council Member Steggell had nothing to report.

Council Member Flachmeier attended the La Palma Coyote Forum; and a webinar for AB 1661.

Mayor Pro Tem Goodman attended the OCVCD Board of Trustees meeting.

Mayor Goedhart announced that the September 4 City Council meeting is cancelled as a result of the Consent Calendar vote tonight, and that the next City Council meeting is scheduled for September 18.

CITY MANAGER REMARKS

City Manager Murray announced the upcoming "Check out with a Cop" event at the Walmart Neighborhood Market on August 25; that City Offices will be closed on September 3 in recognition of Labor Day; and invited the public to the Hometown Heroes Concert on September 15 honoring our veterans, police and firefighters, and active military. She closed by reporting that she will be out of State from August 30 - September 4 and that Administrative Services Director Shelton will be the Acting City Manager in her absence.

CITY ATTORNEY REMARKS

Assistant City Attorney Webb noted that at the upcoming LOCC Annual Conference, Rutan & Tucker will be hosting a reception on September 13 and invited the City Council to join the event.

ADJOURNMENT

Mayor Goedhart adjourned the Regular Meeting of the City Council at 9:10 p.m. and announced the next City Council meeting will be on September 18, 2018.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk