

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

January 15, 2019

CALL TO ORDER: Mayor Goodman called the Regular Meeting of the La Palma City Council to order at 6:45 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,  
SIGNIFICANT EXPOSURE TO LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2):

(1 case)

Mayor Goodman recessed to Closed Session at 6:46 p.m.

Mayor Goodman adjourned the Closed Session and reconvened in Open Session at 7:02 p.m. and asked for a report.

City Manager Murray responded that there were no reportable actions out of Closed Session.

PLEDGE OF ALLEGIANCE: Students from Walker Junior High School Educational Alliance Class and 8th Grade Associated Student Body

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

ROLL CALL: Council and Commission Members

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

Council Members absent: None

City Officials present: Laurie Murray, City Manager  
Emily Webb, 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. Mayor Goodman presented a plaque to outgoing Community Activities and Beautification Committee Member Jonathan Dhauw, for his dedicated service to the City of La Palma.

Christopher Aguilera, representing Assemblywoman Sharon Quirk-Silva, presented a certificate of recognition to Jonathan Dhauw for his service to the City of La Palma.

2. Proclamation to Pilha Shim, President of the Orange County Korean American Foundation, in Recognition of January 13 as Korean-American Day. (Postponed to later on the Agenda)

## ORAL COMMUNICATIONS

Christopher Aguilera, Field Representative to Assemblywoman Sharon Quirk-Silva, announced the upcoming Interfaith Conversation event on January 24, 2019, at the Ehler's Event Center in Buena Park.

## RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:10 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 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 December 18, 2018, Regular Meetings of the Successor Agency.

B. Successor Agency Register of Demands

Resolution No. SA 2019-01 approving the Register of Demands for January 15, 2019.

C. Adoption of the Thirteenth Recognized Obligation Payment Schedule July 1, 2019, to June 30, 2020 (ROPS 19-20)

Resolution No. 2019-02 approving the thirteenth Recognized Obligation Payment Schedule (ROPS 19-20) – July 1, 2019, to June 30, 2020.

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

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

AYES: Council Member Goedhart, Mayor Goodman, Mayor Pro Tem Kim, Council Member Patel, 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 7:11 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 December 18, 2018, Regular Meetings of the City Council.

3. Approval of Register of Demands

Resolution No. 2019-01 approving the Register of Demands for January 2 and January 15, 2019.

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. Award of Contract to Empire Pipe Cleaning and Equipment, Inc. for the General Sewer Cleaning Maintenance Services and CCTV Review

Approve and authorize the Mayor to execute an Agreement with Empire Pipe Cleaning and Equipment Incorporated for General Sewer Cleaning Maintenance Services and Closed Circuit TV (CCTV) Review, City Project No. 18-SWR-02, in an amount not to exceed \$159,600 annually for a period of three years for a total cost of \$478,800.

5. Award of Contract to MJC Construction for the General Sewer Repair Services

Approve and authorize the Mayor to execute an Agreement with MJC Construction for General Sewer Repair Services (Citywide), City Project No. 18-SWR-01, in an amount not to exceed \$120,000 annually for a period of three years for a total cost of \$360,000.

6. Award of Contract to Layne Christensen Company for the Walker Well Pump Maintenance Project

Approve and authorize the Mayor to execute an Agreement with Layne Christensen Company for the Walker Well Pump Maintenance Project, City Project No. 18-WTR-07.

Council Member Steggell made a motion to approve Consent Calendar Items 1 through 6.

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

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

NOES: None

## PUBLIC HEARINGS

7. Continued: Consideration of Conditional Use Permit 380, a Request by the Applicant, Isla Restaurant, Inc. to Serve Alcohol with a Type 47 Liquor License (On-Sale General for Bona Fide Public Eating Place) from the State of California Department of Alcohol Beverage Control (ABC); and Provide Live Entertainment as an Accessory Use at Isla Cuban and Mexican Kitchen Restaurant Located in Suites 12 and 13 of the Commercial Building at 30 Centerpointe Drive, La Palma, CA (APN 276-081-38).

a) Mayor Goodman Re-Opened the Public Hearing at 7:18 p.m.

b) Planning Manager Hutter gave the Staff Report

c) Council Member Comments and Questions:

Discussion ensued regarding the positive experience from visiting the site and speaking with the owners; the investment taken to open this business; support for bringing this business to the community of La Palma; and congratulating the business owners in this endeavor.

d) Public Input:

Krista Garritano, Liquor License Agents Associate representing the applicants Mr. and Mrs. Diaz, noted that the alcohol request is to compliment the food; that it's a family owned business offering Caribbean and Cuban cuisine; and that the owners will be monitoring the day to day activity responsibly to ensure they become valuable members of the community.

e) Mayor Goodman closed the Public Hearing for Conditional Use Permit 380 at 7:21 p.m.

f) Adopt a Resolution of the City Council of the City of La Palma Approving Conditional Use Permit 380, a request by the Applicant, Isla Restaurant, Inc. to serve alcohol with a Type 47 Liquor License (On-Sale General for Bona Fide Public Eating Place) from the State of California Department of Alcohol Beverage Control (ABC); and provide live entertainment as an accessory use; at the Isla Cuban and Mexican Kitchen restaurant located

in Suites 12 and 13 of the commercial building at 30 Centerpointe Drive, La Palma, CA (APN 276-081-38).

Council Member Patel made a motion to Resolution No. 2019-02 Approving Conditional Use Permit 380, a request by the Applicant, Isla Restaurant, Inc. to serve alcohol with a Type 47 Liquor License (On-Sale General for Bona Fide Public Eating Place) from the State of California Department of Alcohol Beverage Control (ABC); and provide live entertainment as an accessory use; at the Isla Cuban and Mexican Kitchen restaurant located in Suites 12 and 13 of the commercial building at 30 Centerpointe Drive, La Palma, CA (APN 276-081-38).

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

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

NOES: None

## REGULAR ITEMS

8. Second Reading and Adoption of An Ordinance Amending City Zoning Code (Chapter 44 Of The La Palma Municipal Code) Section 44-76 Pertaining To The Development Standards Applicable To Properties Within The Multiple-Family Residential (R-3) Zoned Properties To Which The Village Residential Overlay (VRO) has been applied.

Planning Manager Hutter gave the Staff Report.

Public Input:

No members of the public wished to speak.

Mayor Pro Tem Kim made a motion to conduct the Second Reading and Adopt Ordinance No. 2019-01 Amending City Zoning Code (Chapter 44 Of The La Palma Municipal Code) Section 44-76 Pertaining To The Development Standards Applicable To Properties Within The Multiple-Family Residential (R-3) Zoned Properties To Which The Village Residential Overlay (VRO) has been applied.

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

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

NOES: None

9. Walmart Shopping Center Code Enforcement Update

City Manager Murray gave the Staff Report.

City Attorney Webb added that she has been engaged in constant communication, progress, and proposed mitigation with Walmart.

Discussion ensued regarding Mayor and Mayor Pro Tem at the time being involved in some of the Walmart conversations; that the entire City Council is aware of the issues; that City Attorney Webb noted that after the City got Walmart's attention to the concerns, the City agreed to place a stay on issuing violations while Walmart was acting in good faith to bring about a solution; and that Walmart has been advised that the moment they stop making progress, the violations would be enacted.

Mr. Gosney, legal representative to the Walmart Corporation, addressed the City Council that the concerns have been received and are being addressed; that corporate is working to find an 'effective' solution; that they have met deadlines set by the City; that they have recruited another engineer, another consultant, to achieve the best results to the neighbors; that the solution will be operational enforcement and sound mitigation.

Discussion further ensued regarding support for additional testing to mitigate a 'best response'; the original results of the proposed solution was not good enough for Walmart and they are pursuing other options; that Walmart has given store managers authority to direct truck drivers to turn off idling truck engines; that directives are possibly not being enforced; appreciation for Walmart's cooperation; that residents deny that the trucks turn off their motors; that the issue has been happening for five years; that Walmart's third party consultant should have a report by the end of January; suggestion for a large sign mandating truck drivers turn off engines; giving residents a point of contact at Walmart when they have a concern; that during another visit to a different site, refrigeration units were turning off and turning on only when the units went below a certain temperature and encouraged use of those trucks; that Walmart does not have control over vehicles that vendors use; and that residents can expect a solution approximately 90 - 120 days from plan submittal, approval, and then construction.

Public Input:

Renee Buchanan, a La Palma resident, addressed the City Council regarding current signs not being adhered to; the Store Manager turn over; noise concerns from trash compactor; and that trucks are not the only problem.

James Snyder, a La Palma resident, addressed the City Council regarding respiratory concerns; and noted numerous issues besides truck noise violations; and that resolution is not achievable for all his concerns.

Mary Paningsoro, a La Palma resident, addressed the City Council regarding appreciation for City Council's desire to resolve the issues; concerns that the violation 'stay' would impact Police response.

City Manager Murray responded that if a resident contacts the Police Department regarding a noise violation during prohibited hours, Police will respond and issue tickets while routinely patrolling the area during those hours; and that she clarified that the stay is during normal operational hours and will be revoked if progress is halted.

Ms. Paningsoro continued with her concerns over Store Manager turn over; the poor response from them; support for consistent enforcement.

Mona Castillo, a La Palma resident, addressed the City Council regarding appreciation for Walmart's response; that Walmart's attention was only given when the cost of violations increased; support to remove the stay; opposition to the existing wall; and support for an accurate noise reading during peak hours.

Joe Rallo, a La Palma resident, addressed the City Council regarding enforcing the current signage to address noise concerns; and that the existing wall does not support privacy for homeowners.

Discussion further ensued regarding the numerous disturbances besides truck noise that needs to be resolved; support for resident's concerns; suggestion to hire a security guard to enforce noise violations during the process of mitigating the concerns; that Mr. Gosney will forward that suggestion on to corporate; that the City Council is expecting an expedited solution; that the proposed wall height discussion by Walmart was approximately ten feet and is not guaranteed at this juncture; that Staff will contact residents on the approved plan when it comes forward; encouraged Walmart to improve the current situation now and come to a swift and permanent resolution; and support for Walmart's interest to resolve the matter.

Ms. Paningsoro stated that issues will not be resolved with a wall; that the entire list of concerns need to be resolved.



Recommendation that the City Council receive and file the report.

By consensus, the City Council agreed to receive and file the report.

## PRESENTATIONS

2. Mayor Goodman along with Mayor Pro Tem Kim presented a Proclamation to Pilha Shim, President of the Orange County Korean American Foundation, in Recognition of January 13 as Korean-American Day.

Joe Pak, representing Assemblywoman Sharon Quirk-Silva, presented a certificate to Mr. Shim in recognition of January 13 as Korean-American Day.

## REGULAR ITEMS

10. Sponsorship for 2019 Cypress College Foundation Americana Awards, and Authorizing the Distribution of Tickets to Attend the Event

City Manager Murray gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the City paying for Staff and Council seats only; support for Citizen of the Year, Greg Goodyear;

Council Member Steggell made a motion to approve the Sponsorship for 2019 Cypress College Foundation Americana Awards, at the Benefactor level, and Authorizing the Distribution of Tickets to Attend the Event; the motion was seconded by Mayor Pro Tem Kim.

Discussion ensued regarding Council Member Goedhart's vote against sponsoring the event at Benefactor level during the budget process last year; support for purchasing individual tickets; that the City can purchase as many tickets as desired; that Cypress College is giving the City a two-page spread to highlight the city; that ten individuals can sit at one table; that the motion on the floor is for approving \$3,000 for the Benefactor level; and with support for purchasing individual tickets, the need to amend or withdraw the original motion.

Council Member Steggell, the maker of the motion, withdrew her original motion.

Mayor Pro Tem Kim made a motion to purchase individual tickets to attend the 2019 Cypress College Foundation Americana Awards, as needed, for ten people.

Discussion ensued regarding clarification as to whether those ten tickets include Staff's attendance; whether forcing a ten ticket purchase equates the requirement to fill a table versus purchasing tickets as needed; and whether a modification needs to be made to the motion to accommodate both those issues.

Mayor Pro Tem Kim amended his previous motion to purchase "up to" ten individual tickets to attend the 2019 Cypress College Foundation Americana Awards, on an as needed basis, to include Department heads.

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

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

NOES: None

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

**Council Member Steggell** attended the John F. Kennedy High School's Green Band Festival; asked if the City can publish next year's event on the City's website; and wished everyone a Happy New Year.

City Manager Murray responded that she had a conversation with the John F. Kennedy High School Principal about getting more advanced notice of the event; that unfortunately, the concert will be in Pasadena next year; and that the green band won't be back in La Palma until the following year.

**Council Member Patel** attended the Grand Re-Opening of George B. Miller Elementary School.

**Council Member Goedhart** inquired about the parking situation with the Hanam Center adjacent to his residence and asked for an update on the response from the Orange County Fire Authority (OCFA).

City Manager Murray responded that she was informed that the OCFA was going to issue a notice of violation to the property owner, but will investigate the matter and report back to the City Council on their response.

**Mayor Pro Tem Kim** attended the Orange County Sanitation District (OCSD) Board meeting.

**Mayor Goodman** attended Assemblywoman Sharon Quirk-Silva's toy drive; the 65th Assembly District tour of North Orange County Homeless Shelters that ended in Judge Carters Chambers; congratulated City Manager Murray for her part addressing the homeless issue and asked her to clarify her position on the Committee.

City Manager Murray responded that she is a member of two committees - the North Orange County Service Planning Area (NOC-SPA) MOU Subcommittee, which developed the financial formula that will come before the City Council in the next few weeks - and is on the AB 448 Governance Structure Committee which will come before the City Council in the next eight weeks.

Mayor Goodman continued his report by adding that Judge Carter not only recognized him, but commended the City of La Palma for its efforts to combat the homeless issue. He closed by adding that he attended the John F. Kennedy High School's Green Band Festival.

#### CITY MANAGER REMARKS

**City Manager Murray** announced that she will be in Sacramento with Mayor Goodman and Council Member Patel for the League of California Cities New Mayor and Council Member Academy; that Administrative Services Director Shelton will be acting City Manager in her absence; announced the upcoming "Bark in the Park" event this Saturday; that the City will be conducting its annual Strategic and Goal Setting Session on January 25th in the Fan Palm Room and invited the public to attend; and wished everyone a Happy New Year.

#### CITY ATTORNEY REMARKS

**City Attorney Webb** had nothing to report and wished everyone a Happy New Year.

#### ADJOURNMENT

Mayor Goodman adjourned the Regular Meeting of the La Palma City Council at 8:46 p.m.

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Marshall Goodman  
Mayor

Attest:

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Kimberly Kenney, CMC  
Deputy City Clerk