

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

March 5, 2019

CALL TO ORDER: Mayor Goodman 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, with Council Member Patel being absent.

PLEDGE OF ALLEGIANCE: Herleen Kaur, "Do Your Part" at John F. Kennedy High School

INVOCATION: Council Member Steggell

ROLL CALL: Council and Commission Members

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

Council Members absent: Council Member Patel

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 Proclamation to Ethan Huang in honor of his attaining the rank of Eagle Scout.

ORAL COMMUNICATIONS

Jan Jensen, a La Palma resident, addressed the City Council regarding her support and appreciation for the City widening the bicycle lanes on City streets.

A La Palma resident on Elbin Drive, addressed the City Council regarding residential parking concerns on her street.

City Manager Murray responded that the City is planning to review citywide parking needs and would like to keep this resident included in the conversations as they progress.

Christopher Aguilera, representing Assemblywoman Sharon Quirk-Silva's office, addressed the City Council regarding their upcoming free tax preparedness event on March 8; and the upcoming Coffee and Conversation in the La Palma Community Center on March 9.

City Manager Murray announced the need to add an Emergency Item to the Agenda and recommended that the City Council consider a motion and a vote to add the Emergency Closed Session to the Agenda:

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

(Paragraph (1) of subdivision (d) of Section 54956.9)
Case No.: SA CV 18-0155-DOC (JDE) Orange County Catholic Workers et al. VS Orange County et al.

Mayor Pro Tem Kim made a motion to approve the addition of Closed Session Item 1 (CS-1) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION regarding Case No. SA CV 18-0155-DOC (JDE) Orange County Catholic Workers et al. VS Orange County et al.

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

| | |
|---------|--|
| AYES: | Council Member Goedhart, Mayor Goodman, Mayor Pro Tem Kim, and Council Member Steggell |
| NOES: | None |
| ABSENT: | Council Member Patel |

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:12 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 of 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 February 19, 2019, Regular Meetings of the Successor Agency.

B. Successor Agency Register of Demands

Resolution No. SA 2019-03 approving the Successor Agency Register of Demands for March 5, 2019.

Council Member Goedhart made a motion to approve Consent Calendar Items A and B.

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

| | |
|---------|--|
| AYES: | Council Member Goedhart, Mayor Goodman, Mayor Pro Tem Kim, and Council Member Steggell |
| NOES: | None |
| ABSENT: | Council Member Patel |

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 7:13 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 February 19, 2019, Regular Meeting.

3. Approval of Register of Demands

Resolution No. 2019-09 approving the Register of Demands for March 5, 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. 2019 Street Closures for City Special Events

Resolution No. 2019-10 approving Street Closures for three (3) 2019 City special events: Every 15 Minutes, Thursday, April 11; Memorial Day, Monday, May 27; and Fitness Run for Fun, Thursday, July 4, 2019.

5. Billboard Annual Monitoring Review Statements

Receive and File the Report.

6. Resolution Accepting 2018 Emergency Management Performance Grant

Resolution No. 2019-11 approving the acceptance of a \$1,998 Emergency Management Performance Grant (EMPG) from the California Office of Emergency Services passed through to the City by the County of Orange Sheriff-Coroner Department; and to authorize the City Manager, or her designee, to complete and sign all necessary materials to facilitate the grant.

7. Resolution Designating Authorized Agents of the City of La Palma for Cal OES Public Assistance Grants

Approve the Cal OES 130 Resolution form designating the City Manager, the City Clerk, and the City Administrative Services Director as authorized agents to execute on behalf of the City of La Palma for the purpose of obtaining post-disaster public assistance grants from Cal OES and FEMA.

Council Member Goedhart made a motion to approve Consent Calendar Items 1 - 7.

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

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

NOES: None

ABSENT: Council Member Patel

PUBLIC HEARINGS

8. Consideration of Amendment No. 1 to Conditional Use Permit 358, A Request By The Applicant, Chef On Fire, LLC, To Serve Alcohol With A Type 41 Liquor License (On-Sale Beer And Wine For Bona Fide Public Eating Place) From the State Of California Department Of Alcohol Beverage Control (ABC) At The Bulgogi BBQ House Restaurant Located at 6901 Walker Street, La Palma, California (APNs 276-072-08 and 276-072-15)
- a) Planning Manager Hutter gave the Staff Report
 - b) Mayor Goodman opened the Public Hearing at 7:17 p.m.
 - c) Council Member Comments and Questions:
None.
 - d) Public Input:
No member of the public wished to speak.
 - e) Mayor Goodman closed the Public Hearing at 7:18 p.m.
 - f) Adopt a Resolution of the City Council of the City of La Palma approving Amendment No. 1 to Conditional Use Permit 358, a request by the Applicant, Chef On Fire, LLC, to serve alcohol with a Type 41 Liquor License (On-Sale Beer And Wine For Bona Fide Public Eating Place) from the State of California Department of Alcohol Beverage Control (ABC) at the Bulgogi BBQ House Restaurant located at 6901 Walker Street, La Palma, CA (APNs 276-072-08 and 276-072-15).

Council Member Steggell made a motion to adopt Resolution 2019-12 of the City Council of the City of La Palma approving Amendment No. 1 to Conditional Use Permit 358, a request by the Applicant, Chef On Fire, LLC, to serve alcohol with a Type 41 Liquor License (On-Sale Beer And Wine For Bona Fide Public Eating Place) from the State of California Department of Alcohol Beverage Control (ABC) at the Bulgogi BBQ House Restaurant

located at 6901 Walker Street, La Palma, CA (APNs 276-072-08 and 276-072-15).

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

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

NOES: None

ABSENT: Council Member Patel

9. Consideration of Conditional Use Permit 381, A request by the Applicant, Xiaoyan Meng owner of the Health and Healing Massage Center located at 5451 La Palma Avenue, Suite No. 48, La Palma, CA (APN 263-281-11) to operate a massage establishment
 - a) Mayor Goodman opened the Public Hearing at 7:24 p.m.
 - b) Planning Manager Hutter gave the Staff Report
 - c) Council Member Comments and Questions:

Discussion ensued regarding clarification that ExSex is a screening process; that there are various types of screening applications for adult businesses; that there is activity well beyond the hours of operation; support for denying the application; that if no appeal is filed, the City gives the business 15 calendar days to cease and desist and then the City Attorney will assist in the removal of the business; and that the applicant has not responded to the City regarding to its findings.
 - d) Public Input:

No members of the public wished to speak.
 - e) Mayor Goodman closed the Public Hearing at 7:27 p.m.
 - f) Adopt a Resolution of the City Council of the City of La Palma, California, denying Conditional Use Permit 381 and making findings of denial for the operations of a massage establishment on property located at 5451 La Palma Avenue, Suite 48, La Palma, California (APN 263-281-11) in the Office Professional (OP) Zone

Council Member Goedhart made a motion to adopt Resolution 2019-13 of the City Council of the City of La Palma, California, denying Conditional Use Permit 381 and making findings of denial for the operations of a massage establishment on property located at 5451 La Palma Avenue, Suite 48, La Palma, California (APN 263-281-11) in the Office Professional (OP) Zone

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

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

NOES: None

ABSENT: Council Member Patel

REGULAR ITEMS

Mayor Goedhart requested to hear Item 11 first so he may excuse himself from the meeting. By Consensus, the City Council Agreed to hear Item 11 first.

11. Walmart Shopping Center Code Enforcement Update

City Manager Murray gave the Staff Report.

Public Input:

No members of the public wished to speak.

Council Comments and Questions:

Discussion ensued regarding Council Member Goedhart not being able to attend the next City Council meeting, had nothing to report, and left the dais and the meeting at 7:30 p.m.

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

10. 2018 Community Opinion Survey Results

City Manager Murray gave a brief overview of the Staff Report, then introduced Dr. Timothy McLarney, President of True North, who continued with the presentation.

Council Comments and Questions:

None.

Public Input:

Jan Jensen, a La Palma resident, addressed the City Council regarding getting a copy of the True North slide presentation; noted that many responses were from long time homeowners; and that many residents are involved in civic volunteer programs.

City Manager Murray responded that the entire presentation is included in the Staff Report that is available online; and that the slide show presentation by itself will be up on the City's website tomorrow morning.

Jerry Lomeli, a La Palma resident, asked for clarification on whether Phase 1 and Phase 2 surveys were duplicated households; and whether Phase 1 of 336 household surveys was an adequate number of surveys to represent the residents of the City.

City Manager Murray responded that La Palma has with 5,300 households; and that individual residents are not surveyed, but a percentage of households are.

Dr. McLarney added that how you choose, and not the amount you choose, survey respondents determines the viability of a survey; that Phase 1 and Phase 2 were separated efforts with the first being based on a random statistically correct sample, and the second being for anyone who wanted to voluntarily share their opinion.

Discussion ensued regarding 5,300 postcard invitations being mailed out for the Phase 2 survey; and that out of that, 492 completed it.

Mayor Goodman stated his appreciation for the survey results; that City Manager Murray noted this survey confirmed what Staff and Council knows about the community and the need for economic development; that the results confirmed what was discussed in the City Council's Strategic Planning Session; and that these results will assist the City Council in its decision making and guide Staff on the best way to serve the City of La Palma.

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

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

Council Member Steggell attended the Orange County Fire Authority's (OCFA) Best and Bravest Awards ceremony; the Cypress College Foundation Americana Awards; and the OCFA Board meeting.

Mayor Pro Tem Kim attended the Orange County Sanitation District (OCSD) Special Board meeting; the Cypress College Foundation Americana Awards; and the OCSD Board meeting.

Mayor Goodman attended the Cypress College Foundation Americana Awards; and the League of California Cities - Orange County (LOCC-OC) meeting.

CITY MANAGER REMARKS

City Manager Murray was going to remind the public about Assemblywoman Sharon Quirk-Silva's Coffee event, and noted she had nothing else to report.

CITY ATTORNEY REMARKS

City Attorney Webb had nothing to report.

CLOSED SESSION

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

Case No.: SA CV 18-0155-DOC (JDE) Orange County Catholic Workers et al.
VS Orange County et al.

Mayor Goodman recessed to Closed Session at 8:04 p.m

Mayor Goodman reconvened at 8:29 p.m. and asked for a report.

City Manager Murray announced that there are no reportable actions out of Closed Session.

ADJOURNMENT

Mayor Goodman adjourned the Regular Meeting of the La Palma City Council at 8:30 p.m. in memory of Greg Barnes, former City Council Member Chris Barnes husband, who lost his battle with cancer.

Marshall Goodman
Mayor

Attest:

Kimberly Kenney, CMC
Deputy City Clerk