

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 7, 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 Mayor Pro Tem being absent.

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 Pro Tem Kim joined the Closed Session at 6:48 p.m.

Mayor Goodman reconvened in Open Session at 7:05 p.m. and asked for a report.

City Manager Murray announced there were no reportable actions out of Closed Session, and added that the City Council plans to recess to Closed Session towards the end of the meeting before hearing the Walmart Settlement Agreement.

OPEN SESSION

PLEDGE OF ALLEGIANCE: Herleen Kaur, Future Business Leaders of America,
John F. Kennedy High School.

INVOCATION: Pastor Steve Bland, La Palma Christian Center

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
Ryan Hallett-Hinton, Assistant to the City Manager
Joseph Cisneros, Management Analyst
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Mayor Goodman introduced the demonstration and issued Certificates of Recognition to the La Palma "Jumping Coyotes" Jump Rope Team for representing La Palma at the Regional and National Championships.

ORAL COMMUNICATIONS

No members of the public wished to speak.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:27 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 (3 Items)

- A. Approval of Successor Agency Minutes
Minutes of the April 16, 2019, Regular Meeting of the Successor Agency.
- B. Successor Agency Register of Demands

Resolution No. SA 2019-04 approving the Register of Demands for May 7, 2019.

- C. Successor Agency 3rd Quarter Cash and Investment Report, Fiscal Year 2018-19, as of March 31, 2018

Receive and file the Cash and Investment Report for the third quarter of fiscal year 2018-19.

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

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, 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 AS THE CITY COUNCIL AT 7:28 P.M.

CONSENT CALENDAR (8 Items)

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 16, 2019, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2019-22 approving the Register of Demands for May 7, 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. City of La Palma 3rd Quarter Cash and Investment Report, Fiscal Year 2018-19, as of March 31, 2019

Receive and file the Cash and Investment Report for the third quarter of fiscal year 2018-19.

5. Third Quarter Operating Report, Fiscal Year 2018-19

Receive and file the Third Quarter Operating Report.

6. Destruction of Obsolete Departmental Records

Resolution No. 2019-23 authorizing the destruction of obsolete records pursuant to the California Government Code Section 34090.

7. Award of Two (2) Year Contract Extension to Computer Service Company (CSC) for Traffic Signal Maintenance Services

Approve and authorize the Mayor to execute the remaining two (2) one (1) year extensions of the Construction Services Agreement with Computer Service Company of Baldwin Park, California, for traffic signal maintenance services.

8. Award of Contract to Doug Martin Contracting Company Incorporated for Slurry Seal Improvements to Valley View Street, City Project No. ST-348, Residential Pavement Zone 1, City Project No. ST-354, and Police/Fire Parking Lot

Approve and authorize the Mayor to execute an Agreement with Doug Martin Contracting Company, Incorporated, for Slurry Seal Improvements to Valley View Street, City Project No. ST-348, Residential Pavement Zone 1, and Police/Fire Parking Lot.

Council Member Goedhart made a motion to approve Consent Calendar Items 1 through 8.

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

9. Award of Contract to Encore Image, Inc. for Purchase and Installation of an Electronic Message Center (EMC) at the La Palma Community Center

Management Analyst Cisneros gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding whether the screen would have a sharper picture than the current one; that the clarity would be better; that the picture would be much sharper; that the life expectancy for the new displays is ten years; that the new EMC should be fully installed by August; that the current programming will stay the same; that this upgrade is long overdue; and that the City Council supports this.

Public Comment:

No members of the public wished to speak.

Approve and authorize the Mayor to execute an Agreement with Encore Image, Inc. for the purchase and installation of an Electronic Message Center (EMC) at the Community Center to replace the existing Electronic Message Center.

Mayor Pro Tem Kim made a motion to approve the Award of Contract to Encore Image, Inc. for Purchase and Installation of an Electronic Message Center (EMC) at the La Palma Community Center.

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

10. Professional Services Agreement with Scientia Consulting Group for Information Technology Services

Assistant to the City Manager Hallett-Hinton gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding what the City plans to do with the cost savings; that savings will go to the Unassigned Fund Balance - surplus funds; that Staff does not expect to fully use the amount of extra allotted hours for this contract; that the City has large scale IT projects planned for next year; that next year, servers upgrades are scheduled; that there should be no technical issues with changing IT contractors; that during the month of June, there will be an overlap of Brea IT and Scientia's services; that Scientia plans to do an initial threat assessment; that Brea IT provided services at the Police Department for Spillman technology; that Scientia has experience with Spillman and the transition should be seamless; that there are always some minor hiccups during IT transitions; and that Scientia has very thorough law enforcement technology experience.

Tony White, Scientia's Vice President of Sales and Marketing, responded by noting their firm will do a full assessment during the transition; and that they will look at larger projects to plan them out with City executives.

Discussion further ensued regarding the interviewing team being made of directors from every department including law enforcement; that Staff has budgeted \$20,000 in project costs that roughly gives the City over 300 hours; that Staff planned for contingency during the learning curve, but may not use the budgeted hours in their entirety; that Mr. White added that Scientia has technology and IT experience that was matched to the City's current levels; that Scientia has provided IT services to WestCom and Los Alamitos for more than ten years; that Scientia spends 16 hours a week with Los Alamitos; that Scientia has a larger contract with Arcadia with three technicians there full-time; that La Palma has water technology that Los Alamitos does not; support to have the City's email set up with first initial and last name versus the current format; consensus to change the email format as recommended; clarification that the standard professional services contract requires a 30 day notice to terminate the contract; and that the City will not have to pay the balance on the contract if it were to be terminated.

Public Comment:

No members of the public wished to speak.

Approve and authorize the Mayor to execute a three-year professional services agreement with Scientia Consulting Group for Information Technology Services for the period July 1, 2019, through June 30, 2022.

Council Member Goedhart made a motion to approve and authorize the Mayor to execute a three-year Professional Services Agreement with Scientia Consulting Group for Information Technology Services for the period July 1, 2019, through June 30, 2022.

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, Council Member Patel, and Council Member Steggell

NOES: None

Mayor Goodman announced that Item 11 regarding Walmart was to be moved to the end of Regular Items on the Agenda.

12. Arterial Street Medians 60% Construction Documents Review

Community Services Director Belknap gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding potential problems with tree roots; that the trees selected shouldn't have root issues; that the tree trimming policy is every four years, but these trees will take years to mature and trimming will not occur for years; that the recommendation for trimming these types of trees will be included in the final plan; that the City removed a Grape Myrtle due to the flowering issue; that Grape Myrtles do flower and drop, but those will be collected during street sweeping; that Staff does not expect any negative impacts with the trees and foliage selected; support to consider adding two new Moody medians to be completed as well; that continuing the median construction usually leads to good pricing on supplies and services; timing to start construction after the bid process is completed; that if a contractor is selected, weather would need to be examined prior to project commencement; that residents need to be made aware of median construction and removal of trees before begins; that Staff will work on mailers - either inserts in current mailers or a new one; that Staff is considering phasing the street median project so it does not cause a traffic disruption; that Staff is in draft phase of the City's Tree Policy; that the Community Activities and

Beautification (CAB) Committee will review the Tree Policy and bring it forward to the City Council; that part of the concern is to put trees where we have or can get irrigation without having to hand water; that tree replacement will happen after the City Council adopts the Tree Policy and it will be phased in during the third and fourth quarter; and support to include two new Moody Street medians in the FY 2019-20 Budget documents.

By Consensus, the City Council received and filed the 60% Construction Documents for the Arterial Street Medians with direction to Staff to include the two new Moody Street Medians in the CIP for the upcoming Fiscal Year 2019-20 Budget Study Session.

13. Legislative Briefing

Assistant to the City Manager Hallett-Hinton gave the Staff Report.

Mayor Pro Tem Kim abstained from any City Council action taken on SB 50.

Council Comments and Questions:

Discussion ensued regarding Sacramento in relations to housing; that Sacramento is trying to preempt local control; that it is troubling that the State is trying to mandate and override local zoning and development standards; that this is distressing in that Sacramento is not respecting local governments; that they are going to make living in California worse; and that City governments need to be very diligent in addressing Sacramento's overreach.

Public Comment:

Jerry Lomeli, a La Palma resident, addressed the City Council regarding the process for sending correspondence regarding the City's position on these bills; that some of the authors of the bills exempt certain cities from these housing mandates; that these housing bills would be detrimental to our City's development; and that he is opposed to Assembly Member Quirk-Silva's support for these bills.

Assistant to the City Manager Hallett-Hinton responded that the correspondence goes to the author of the Bill, our Assembly Member Sharon Quirk-Silva, Senator Ling Ling Chang, and to the Chairs of the committees the Bills is being heard in.

a) Direct staff and authorize the Mayor to send communications indicating the City's support for:

(1) AB 143 (Quirk-Silva) – Shelter Crisis: homeless shelters: County of Orange

(2) AB 563 (Quirk-Silva) – Mental health: funding

(3) AB 816 (Quirk-Silva) – California Flexible Housing Subsidy Pool Program

(4) AB 1295 (Quirk-Silva) – Temporary housing and supportive services program

(5) S. 923 (Feinstein) – Fighting Homelessness Through Services and Housing Act.

(6) SB 230 (Caballero) – Law enforcement: use of deadly force: training: policies

(7) AB 21 (Obernolte) – Driver’s licenses: veteran designation

b) Direct staff and authorize the Mayor to send communications indicating the City’s opposition to:

(1) AB 68 (Ting) – Land use: accessory dwelling units

(2) AB 1279 (Bloom) – Planning and zoning: housing development: high-resource areas.

(3) AB 1763 (Chiu) – Planning and zoning: density bonuses: affordable housing

(4) SB 50 (Weiner) – Planning and zoning: housing development: incentives

(5) AB 302 (Berman) – Parking: homeless students

(6) AB 392 (Weber) – Peace officers: deadly force

(7) AB 1332 (Bonta) – Sanctuary State Contracting and Investment Act

Council Member Goedhart made a motion to approve and authorize the Mayor to send communications indicating the City's support for: AB 143 (Quirk-Silva) - Shelter Crisis: homeless shelters: County of Orange; AB 563 (Quirk-Silva) - Mental health: funding; AB 816 (Quirk-Silva) - California Flexible Housing Subsidy Pool Program; AB 1295 (Quirk-Silva) - Temporary housing and supportive services program; S. 923 (Feinstein) - Fighting Homelessness Through Services and Housing Act; SB 230 (Caballero) - Law enforcement: use of deadly force: training: policies; and AB 21 (Obernolte) - Driver's licenses: veteran designation. And, motion to approve

and authorize the Mayor to send communications indicating the City's opposition to: AB 68 (Ting) - Land use: accessory dwelling units; AB 1279 (Bloom) - Planning and zoning: housing development: high-resource areas; AB 1763 (Chiu) - Planning and zoning: density bonuses: affordable housing; SB 50 (Weiner) - Planning and zoning: housing development: incentives (Council Member Kim abstaining); AB 302 (Berman) - Parking: homeless students; AB 392 (Weber) - Peace officers: deadly force; and AB 1332 (Bonta) - Sanctuary State Contracting and Investment Act.

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

City Manager Murray announced that the City Council will recess to Closed Session at 8:17 p.m.

Mayor Goodman reconvened the City Council in Open Session at 8:45 p.m. and asked for a report.

City Manager Murray announced that it is likely that Item 11, regarding Walmart, will be continued to a later date, but we will take public comment regarding this matter.

11. Walmart Inc. Settlement and Release Agreement

Mayor Goodman opened the floor to Public Comment on Item 11.

James Snyder, a La Palma resident, addressed the City Council in opposition to the Sound report; in opposition to the City Manager's response in her letter regarding the wall; opposition to the City not meeting the code in regards to the residential wall height; opposition to claims made regarding the electrical lines; and recommendation that the City Council oppose the Walmart sound barrier.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding circumstances being different in 1969 at that site than current day; the cost for a Brisben Box tree; and the City's willingness to pay for trees in the City, yet not allocate enough money to resolve residential concerns at the Walmart location.

Mr. Lopez, a Cypress resident, asked about other considerations taken besides a wall to mitigate the noise concerns.

Council Member Goedhart made a motion to continue the Walmart Inc. Settlement and Release Agreement.

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

Discussion ensued regarding appointment of a subcommittee to work with the City Attorney, City Manager, and Walmart to negotiate additional changes.

Council Member Goedhart made a motion to establish a subcommittee consisting of Mayor Goodman and Council Member Patel, in an effort to continue working with attorneys to further negotiate with Walmart.

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

Paige Gosney, Attorney for Walmart, addressed the City Council by reserving any comments until the future City Council meeting on this matter.

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

Council Member Steggell attended the Orange County Fire Authority (OCFA) Human Relations meeting.

Council Member Patel attended the Southern California Association of Governments (SCAG) Annual Conference; the Arbor Day celebration; and the Annual State of the City Address.

Council Member Goedhart attended the Arbor Day celebration; the Annual State of the City Address; announced that he will be undergoing medical procedure that may cause him to miss a future City Council meeting and is unable to attend the Volunteer Recognition event.

Mayor Pro Tem Kim attended the Arbor Day celebration; the Orange County Sanitation District (OCSD) Board meeting; the Annual State of the City; and passed on his best wishes to Council Member Goedhart on a speedy recovery.

Mayor Goodman attended the Orange County Vector Control District (OCVCD) Board Meeting; the AB1234 Ethics Training; the Arbor Day celebration; the California Joint Powers Insurance Authority (CJPIA) Executive Committee meeting; the Annual State of the City Address and commended Staff on a successful event; and a CJPIA Presentation on Social Media.

CITY MANAGER REMARKS

City Manager Murray had nothing to report.

CITY ATTORNEY REMARKS

City Attorney Webb had nothing to report.

ADJOURNMENT

Mayor Goodman adjourned the Regular Meeting of the City Council at 9:04 p.m.

Marshall Goodman
Mayor

Attest:

Kimberly Kenney, CMC
Deputy City Clerk