

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

August 20, 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 Goedhart being absent.

PLEDGE OF ALLEGIANCE: Council Member Steggell

INVOCATION: Father Aaron Galvizo, St. Irenaeus

ROLL CALL: Council and Commission Members

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

Council Members absent: Council Member Goedhart

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
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. La Palma Community Activities and Beautification Committee Member Lew and Home Spotlight Sub Committee Member, recognized the home of Ron and Linda Coleman, 7822 Willow Lane.
2. Mayor Goodman presented Certificates of Recognition to Sergeant First Class Victor Napoles and the John F. Kennedy High School Jr. ROTC Team for achievements at the National JROTC Leadership and Academic Bowl.
3. Mayor Goodman presented a Proclamation to Stephanie Change in Recognition of achieving the Girl Scout's Gold Award.

ORAL COMMUNICATIONS

Kathy Salazar, a La Palma resident, addressed the City Council regarding her opposition to a blighted and abandoned property at 5342 Verner Drive; requested City action be taken; and opposition to the City's response to her concerns.

City Manager Murray responded that Staff has a meeting scheduled with the City Attorney on Wednesday, August 21 to discuss nuisance abatement procedures and other options available to the City.

Council Member Goedhart joined the meeting at 7:21 p.m.

Discussion ensued regarding Council Member Goedhart's request to get a history of City actions taken for the property and plans to resolve the issue; that City Manager Murray responded that Staff gave a history a few months ago noting that the City was headed towards a nuisance abatement procedure and would gladly report back to the City Council; and that during the 2018 Election, residents approached a Council Member regarding the residence in question; that concerns have been brought forward with anticipated resolution.

Vaighav Goyal, a La Palma resident, addressed the City Council regarding his opposition to the blighted and abandoned property at 5342 Verner Drive, and his request to have the back yard nuisance that is attracting rodents be addressed by City Staff.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:25 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 August 6, 2019, Regular Meeting of the Successor Agency.

Mayor Pro Tem Kim made a motion to approve Consent Calendar Item A.

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

None Scheduled.

ADJOURN THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:26 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 August 6, 2019, Regular Meeting.
3. Approval of Register of Demands
Resolution No. 2019-38 approving the Register of Demands for August 20, 2019.
Mayor Pro Tem Kim announced that he had a financial conflict of interest on Item 3. Mayor Pro Tem Kim did not participate in the vote on this item.
4. Notice of Completion and Acceptance of Work 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 Department Parking Lot

Accept the work and authorize the Community Services Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder 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 Department Parking Lot.

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

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

5. Introduction and First Reading of Ordinance No. 2019-XX, an Ordinance of the City Council of the City of La Palma, California, Amending Article 6 of Chapter 22 of the La Palma Municipal Code Relating to the Taxi Administration Program

- a) Mayor Goodman opened the Public Hearing at 7:27 p.m.
- b) Assistant to the City Manager Hallett-Hinton gave the Staff Report
- c) City Council Comments and Questions:

Discussion ensued regarding City costs not increasing with this Ordinance; that the cost was already approved in the FY 2019-20 Budget; that this Ordinance does not affect UBER and Lyft; that the recommendation is to remove an older Ordinance and replace it with this one that includes updated State regulations; details of the previous OCTAP funds and that the City is no longer getting fees from taxis, which is why the cost is a little higher; and that legislation is currently being sought to place administration of taxis at the State or County level rather than at the City level.

- d) Public Input:

No members of the public wished to speak.

- e) Mayor Goodman closed the Public Hearing at 7:32 p.m.

- f) Introduce Ordinance No. 2019-XX, an Ordinance of the City Council of the City of La Palma, California, Amending Article 6 of Chapter 22 of the La Palma Municipal Code Relating to the Taxi Administration Program

Mayor Pro Tem Kim made a motion to introduce an Ordinance of the City Council of the City of La Palma, California, Amending Article 6 of Chapter 22 of the La Palma Municipal Code Relating to the Taxi Administration Program

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

REGULAR ITEMS

6. LINC Affordable Senior Housing Agreement Presentation

Administrative Services Director Shelton introduced the Item.

Dima Galkin, Associate/Project Manager, and Tara Matthews, Principal/Vice President of RSG gave the detailed presentation.

Comments and Questions:

Discussion ensued regarding confirmation that RSG does not have any affiliation and does not work directly with LINC Housing; that RSG has worked ON LINC projects, but not directly for or with them; that the benefits are the potential of repaying the loan in full and that the City can get credit for the units designated as low income versus moderate income in order to meet the state's requirements; that RSG is currently in the initial analysis and after completion, RSG will provide more detail; clarification that there are actually two loans - one from the City to the former Redevelopment Agency, and the other from the Redevelopment Agency to LINC Housing; that the loans need to be looked at separately; that the loan LINC Housing is proposing to pay off is actually the loan to the Redevelopment Agency; the loan to the City was actually a ROPS obligation; clarification that LINC pays 87.5% of their net operating income to the City; that the Successor Agency pays the City \$110,000 a year; that LINC owes the Successor Agency \$4.3 million of the \$4.9 million on the loan; that LINC is proposing to pay the loan back in a lump sum; that as of now, it does not appear that LINC will be

asking anything further of the City; that RSG's role is to analyze the proposal and determine whether it's a sound option and of benefit to La Palma; that RSG expects to report back with its analysis in early Spring of 2020; that one of the benefits of this proposal would be to lower the income limits, allowing the City to meet some low income RHNA requirements; that LINC is seeking tax credits and lowering the income limits is part of that process; support to wait for RSG's analysis; that Season's is the only property in La Palma where we have this situation; once the analysis is done, it will come back to the City Council as a real estate negotiation with a request to provide negotiation direction to Staff allowing the City Attorney to start the process; that upon conclusion, the current residents should be able to remain on site; that there is no change to the capacity of the building itself; and that this proposal is a financial transaction.

By consensus, the City Council agreed to Receive and File the report.

7. Adoption of an Updated City Tree Policy

Community Service Director Belknap gave the Staff Report.

Council Questions and Comments:

Discussion ensued regarding the policy guidelines in the decision making process of criteria for tree removal; that Staff makes the determination; that deciding factors include pest infestation, state of decline, safety, risk, etc; that in the case of denial, there is a process to appeal to the City Council; that this policy is specifically for City trees in the public right-of-way; that Staff would work with the Arborist to pick a tree based on location, but the goal is to mix and balance the palette; that queen palm trees are only on Walker Street, and not recommend to be planted anywhere else as they're not ideal; that City Staff has had periodic requests for tree removal, but unless there is a safety issue, generally Staff denies the request; support to remove the public cost for planting new trees if the request was approved; that the proposed cost is to encourage not removing trees; that Staff does not allow private contractors to replace trees and standard practice is to use current Staff; support for having the resident pay the cost to replace the tree; opposition to having the tax payer be burdened with the costs; that the City Council can always take action to not have resident pay if there's a legitimate reason for the request; that Council can override the policy in certain situations; that thought goes into tree placement; there is an option for property owners to appeal the cost of tree replacement; support for a good methodology in planting trees in close proximity to a resident's back yard; support to have a deterrent to numerous tree removal requests; that the trees selected in this policy have been reviewed by the arborist and screened for no root damage or drought problems; that a root barrier will be planted before the tree would be planted so the roots grow down versus sideways; and that Staff would determine what trees will be planted with the criteria to blend the palette based on the location.

Further discussion ensued regarding City Manager Murray needing direction and clarification as to whether the Council wants to remove the payment for tree removal or leave it to the discretion of the Community Activities and Beautification (CAB) Committee or City Council; support for having the resident's pay for removal be completely removed from the Policy; support for leaving this up to the City Council's discretion; support to streamline the process by having tree removal requests come directly to the City Council and not the CAB Committee; and Staff's request to continue the item in order to address the requested changes.

Mayor Goodman made a motion to continue the Adoption of an Updated City Tree Policy.

Mayor Pro Tem Kim made a friendly amendment to include the removal of the language regarding resident's payment requirement for tree removal and change it to payment discretion being on a case by case basis; and to streamline the process by removing the CAB Committee from the appeal process of a tree removal request denial.

Discussion ensued regarding opposition to removing the CAB Committee from the appeal process as they are the Tree Committee; suggestion to continue the item; that Staff cannot move forward until they get specific direction on what to modify in the policy; that the Tree Committee meets formally once a year and currently does not have the authority to hear an appeal for tree removal denials and therefore would be leaving the Committee as status quo.

Council Member Goedhart announced his opposition to the amendment because he does not want the residents to pay for the removal and replacement of the tree at all if the tree removal was approved.

The friendly amendment to the original motion was accepted by the maker of the motion. The motion was seconded by Mayor Pro Tem Kim.

Discussion ensued regarding clarification of the amended process to appeal after a tree removal request is denied; that with the amendment, the appeal goes straight from City Staff to the City Council without having to be reviewed by the CAB Committee; whether the City needs this amended policy; that the tree removal policy was requested when the City removed the previous tree; that the City has no current Tree Policy standards; that the City needs it for its liability insurance and for a response to a Grand Jury finding regarding urban forests; and that the City has only denied one or two requests for tree removal in the past as the reasons were not substantial.

Mayor Pro Kim withdrew his amended motion.

Mayor Pro Tem Kim made a substitute motion to adopt the Updated City Tree Policy; remove the financial penalty; and that appeals will go through the CAB Committee first, then advance to the City Council.

Public Input:

Jerry Lomeli, a La Palma resident, addressed the City Council regarding opposition to making tree removal process complicated.

Wally Zimmerman, a La Palma resident, addressed the City Council regarding support for eliminating the residential payment for tree removal if the removal has been approved.

The substitute 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

Mayor Goodman requested to take a short recess at 8:35 p.m.

Mayor Goodman reconvened the City Council with all members present at 8:41 p.m.

8. CONTINUED: Study Session: Council Member Request - Term Limits

Council Member Patel noted that, as this was his request, he is neither in support or opposed to it; that this Study Session was a result of public inquiries about the subject to allow the City Council to discuss the matter; and that this is at the sole discretion of the City Council.

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

Council Comments and Questions:

Discussion ensued regarding support for a change in term limits; support for making decisions that in the long term, are in the best interest of the City; that the next term of the City Council will be faced with serious issues; that having City Council experience is key; that things like upcoming labor negotiations, City Manager recruitment, and an economic development opportunity need continuity

instead of a learning curve; that public engagement is declining and if incumbents are interested, they should be allowed to run; support for having Council experience at the dais; support for three consecutive terms, with a two years sabbatical; that the cost would decrease if the decision was made to wait for the November General Election, but the legal fees would remain the same; that the City Council decides on whether to move forward with this proposal with cost being considered; that an additional term allows more leadership, serving as chairs on outside Agency committees that affect policy; support for putting this measure on the ballot and letting the voters decide; public support for extending the term limits; that there is no correlation to city size and extended term limits; support for quality leadership; and if public participation is declining, that there is a need to extend the terms.

Public Input:

April Bautista, a La Palma resident, addressed the City Council regarding support for putting this on the ballot and support for experienced leadership.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding the decline in civic participation; the disadvantage of an incumbent running against a new candidate; support for a more detailed analysis on extending the current term limit; and support for extended terms only if no new candidates apply.

Wally Zimmerman, a La Palma resident, addressed the City Council regarding having good versus bad City Council members for three consecutive terms; and that there must be logic behind the many cities who only have two consecutive terms.

Discussion ensued regarding Mayor Pro Tem Kim's intention to only serve two-four year terms; that Mayor Pro Tem Kim plans to abstain from voting on this; that Council Member Goedhart served in Signal Hill numerous times as they had no term limits and the public wanted continuity of leadership; support for the current younger talent at the dais; that there are no guarantees that an incumbent will win an election; that the public has the freedom to vote for their candidate; that three terms is not a significant change from the existing operations; support for holding positions of influence on outside committees that could help affect policy; and support for having this measure on the March 2020 ballot.

Council Member Goedhart made a motion to direct staff to prepare the necessary documents in order to place a Term Limit Measure on the March 2020 ballot that includes serving three consecutive terms with a two-year sabbatical.

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

AYES: Council Member Goedhart, Mayor Goodman, and Council Member Steggell

NOES: None

ABSTAINED: Mayor Pro Tem Kim, and Council Member Patel

9. Council Member Request – 2020 Census Partnership

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

Council Comments and Questions:

Discussion ensued regarding the importance of engaging our residents; that the county is not going to be as actively involved as much as local residents; that Staff should identify getting more people involved like the Kiwanis; that City Staff is involved in coordinating this with the Census Bureau; support for helping residents that do not have access or are not involved in civic activities; that City Attorney Thind recommended one or two Council Members volunteer to be involved, with a couple of staff members and a couple of community members as they see fit rather than appointments to avoid any Brown Act violations; that it would still be considered a Complete Count Committee (CCC); that the City Council can form an ad-hoc committee on its own; and that the CCC can still get input and organization involvement from the Census Bureau.

Mayor Pro Tem Kim made a motion to create an ad-hoc Committee for the 2020 Census Partnership consisting of Mayor Goodman and Council Member Goedhart.

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

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

Council Member Goedhart had nothing to report.

Council Member Patel attended the 73rd Indian Independence Day celebration in Artesia and Anaheim; the Asian Pacific Island Institute's 9th Annual Capitol Academy; and the Isla Cuban Restaurant Ribbon Cutting and Grand Opening event.

Council Member Steggell attended La Palma Day at the Orange County Fair; the Kiwani's BBQ celebrating Seniors at the Seasons complex; and the Isla Cuban Restaurant Ribbon Cutting and Grand Opening event; and gave her condolences to the Maclver family. She asked Staff to follow up with the family on keeping La Palma historical records intact.

Mayor Pro Tem Kim attended the Isla Cuban Restaurant Ribbon Cutting and Grand Opening event; and sent out sympathies to the Maclver family on their loss.

Marshall Goodman attended the Orange County Vector Control District (OCVCD) meeting; Congresswoman Sanchez' Senior Fair; the Isla Cuban Restaurant Ribbon Cutting and Grand Opening event; and passed on his condolences to the Maclver family for their loss.

CITY MANAGER REMARKS

City Manager Murray announced that City Offices will be closed on Labor Day and offered her heartfelt condolences for the Maclver family on their loss.

CITY ATTORNEY REMARKS

City Attorney Thind announced that his firm will be meeting with City Staff on the Code Enforcement issue on Verner Drive.

ADJOURNMENT

Mayor Goodman adjourned the Regular Meeting of the La Palma City Council at 9:35 p.m. in memory of long time La Palma resident Ron Maclver, who passed away earlier this month, adding that Ron and his wife Elfriede have for many years been La Palma's own historians and authored the book La Palma, a history of the City, in 2008. He closed by stating that Ron will be greatly missed by the La Palma community.

Marshall Goodman
Mayor

Attest:

Kimberly Kenney, CMC
Deputy City Clerk