

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

September 7, 2021

CALL TO ORDER: Mayor Patel called the Regular Meeting of the La Palma City Council to Order at 5:15 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 LABOR NEGOTIATORS

Pursuant to Government Code section 54957.6.

Agency Designated Representatives: Conal McNamara, City Manager
Ryan Hallett Hinton, Assistant to the
City Manager

Employee Organizations: La Palma General Employees
Association
La Palma Police Association
La Palma Professional Employees
Association

Unrepresented Employees: Executive Management

CS-2. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS PURSUANT TO
GOVERNMENT CODE SECTION 54956.8

Property: 5410-14 La Palma Avenue, La Palma, California

Agency negotiator: Conal McNamara, City Manager
Ajit Thind, City Attorney

Negotiating parties: Victor Chung, Elite Taekwondo Center, LLC

Under negotiations: Price and/or terms of the Amended Lease

CS-3. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Position Title: City Manager

Mayor Patel recessed to Closed Session at 5:17 p.m.

OPEN SESSION:

Mayor Patel reconvened in Open Session at 6:44 p.m. and asked for a report out of Closed Session.

City Attorney Thind responded that there were no reportable actions out of Closed Session.

PLEDGE OF ALLEGIANCE: Council Member Goodman

INVOCATION: Pastor Steve Bland, La Palma Christian Center

ROLL CALL: Council and Commission Members

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

Council Members absent: None

City Officials present: Conal McNamara, City Manager
Ajit Thind, City Attorney
Mike Belknap, Community Services Director
Scott Hutter, Planning Manager
Terry Kim, Police Chief
Joe Cisneros, Management Analyst
Kimberly Kenney, City Clerk

PRESENTATIONS

1. Mayor Patel presented a Proclamation to Tyler Huang in recognition of his attaining the rank of Eagle Scout.

Joe Pak, representing Assemblywoman Sharon Quirk-Silva, presented a certificate of recognition to Tyler Huang for achieving the rank of Eagle Scout.

2. Mayor Patel presented a Proclamation to Elizabeth Roth in recognition of being awarded Employee of the Year.

Joe Pak, representing Assemblywoman Sharon Quirk Silva, presented a certificate of recognition to Elizabeth Roth for being awarded Employee of the Year.

3. Mayor Patel presented a Proclamation to James Roche in recognition of being awarded Supervisor/Professional Employee of the Year.

Joe Pak, representing Assemblywoman Sharon Quirk-Silva, presented a certificate of recognition to James Roche for being awarded Supervisor/Professional Employee of the Year.

ORAL COMMUNICATIONS

Charlotte Carr, a Cypress resident, addressed the City Council regarding being the victim of a hit and run accident at Moody Street and Crescent Avenue; requested that the City review the option of installing a camera at that intersection; and detailed her physical recovery and lack of legal options since there was no record of the vehicle who hit her beyond a basic physical description.

Wanda Muro, a La Palma resident, addressed the City Council regarding her opposition to the loud and disruptive occupants at all hours of the night at the Air B & B on Pembury Drive and requested that the City address her concerns.

City Manager McNamara responded that residents should always contact the Police Department when there is a domestic disturbance at late hours of the night; that the City allows Air B & B's if they obtain approval of the Transient Occupancy Tax (TOT) mechanism; and that the City does not want this to become a nuisance and will follow up with the Police Department.

Jon Forbes, a La Palma resident, addressed the City Council his opposition to the loud and disruptive occupants at all hours of the night at the Air B & B on Pembury Drive and requested that the City address his concerns.

Patricia Mattoon, a La Palma resident, addressed the City Council her opposition to the loud and disruptive occupants at all hours of the night at the Air B & B on Pembury Drive and requested that the City address her concerns.

Joseph Leang, a La Palma resident, addressed the City Council his opposition to the loud and disruptive occupants at all hours of the night at the Air B & B on Pembury Drive and requested that the City address his concerns.

Mayor Patel responded to the residents by noting that City Staff will look into this matter as it's a serious concern for the City Council; plan to address this in the near future; and that the City Council will research and review options that will make the best decision for the community.

Joann Leang, a La Palma resident, addressed the City Council regarding how late into the night can residents conduct parties.

Police Chief Kim responded that he sympathizes with resident concerns; that there's no set time in the penal code for those types of complaints; and encouraged all the residents to contact the Police Department so they can address the neighborhood concerns.

Brian O'Neal, a La Palma resident, addressed the City Council regarding his appreciation for Item 10 - A Letter of Support for the Veterans Cemetery - as he is a veteran; announced his support for a memorial plaque in memoriam for former Council Member and Mayor Larry Herman; and gave accolades to the Boy Scouts of America's Eagle Scout program.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:22 P.M.

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 3, 2021, Regular Meeting of the Successor Agency.

Council Member Goodman made a motion to approve Consent Calendar Item A.

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

AYES: Council Member Baker, Council Member Goodman, Mayor Patel, Mayor Pro Tem Steggell, and Council Member Waldman

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 7:23 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 3, 2021, Regular Meeting of the City Council.
3. Approval of Register of Demands
Resolution No. 2021-25 approving the Registers of Demands for August 17, 2021, and September 7, 2021.
4. Award of Contract to Able Services for Citywide Janitorial Services
Approve and authorize the City Manager to execute an agreement with Able Services for citywide janitorial services.
5. Notice of Completion and Acceptance of Work for the City Hall Electrical Improvements, City Project No. 20-BLDG-05

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 the City Hall Electrical Improvements, City Project No. 20-BLDG-05.

6. Notice of Completion and Acceptance of Work for the City Hall Interior Improvements, City Project No. 21-BLDG-02

- a) 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 the City Hall Interior Improvements, City Project No. 21-BLDG-02; and

- b) Approve the carryover of funding from the FY 2020/21 Budget in the amount of \$185,000 (035-900-8866-00000) to be included in the FY 2021/22 mid-year budget resolution.

7. Notice of Completion and Acceptance of Work for the City Hall Retrofit Lighting, City Project No. 21-BLDG-01

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 the City Hall Retrofit Lighting, City Project No. 21-BLDG-01.

8. Notice of Completion and Acceptance of Work for the Orangethorpe Avenue Rehabilitation Project, City Project No. ST-353

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 the Orangethorpe Avenue Rehabilitation Project, City Project No. ST-353.

9. Award of Contract to American Asphalt South, Incorporated, for the Moody Street, City Project No. ST-362, and Zone 3, City Project No. ST-363, Slurry Seal Improvements

- a) Approve Award of Contract in the amount of \$390,350.78, inclusive of all bid alternatives to, the low bidder, American Asphalt South, Incorporated for the Moody Street, City Project No. ST-362 and Zone 3, City Project No. ST-363, Slurry Seal Improvements; and

- b) Make the Finding that the Project is categorically exempt from the California Environmental Quality Act (CEQA), Class 1, pursuant to CEQA Guidelines, Section 15301.

10. Letter of Support to the Veteran Cemetery Coalition

Direct the City Manager to transmit the City Council's letter of support to the Veteran's Cemetery Coalition in pursuit of a veteran's cemetery at the Gypsum Canyon site.

11. Destruction of Obsolete Departmental Records

Resolution No. 2021-26 authorizing the destruction of obsolete records pursuant to the California Government Code Section 34090.

12. Placement of Larry Herman's Name in the Community Commemorative Area

Approve the placement of Larry Herman's name on a paver in the Community Commemorative Area.

13. Agreement between the County of Orange and City of La Palma for the AlertOC Mass Notification System Recommendation that the City Council approve and authorize the City Manager to execute a Memorandum of Understanding between the City and the County of Orange to allow their use of the County's Countywide Mass Notification System under the terms and conditions of the County's Countywide Mass Notification System Operating Guidelines and vendor-provided agreements, commencing on July 1, 2021, through June 30, 2024.

Approve and authorize the City Manager to execute a Memorandum of Understanding between the City and the County of Orange to allow their use of the County's Countywide Mass Notification System under the terms and conditions of the County's Countywide Mass Notification System Operating Guidelines and vendor-provided agreements, commencing on July 1, 2021, through June 30, 2024.

14. 800 MHz Countywide Coordinated Communications System (CCCS) Joint Agreement

Approve and authorize the City Manager to execute the Agreement by the Partner Agency for the revised Joint Agreement for the Operation, Maintenance and Financial Management of the Orange County 800 MHz Countywide Coordinated Communications System (CCCS) which was approved by the Orange County Board of Supervisors on June 22, 2021.

Council Member Goodman made a motion to approve Consent Calendar Items 1 through 14.

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

AYES: Council Member Baker, Council Member Goodman, Mayor Patel, Mayor Pro Tem Steggell, and Council Member Waldman

NOES: None

PUBLIC HEARINGS

15. Introduction and First Reading of An Ordinance Amending Chapter 18 of the La Palma Municipal Code Pertaining to Garbage and Refuse to Incorporate the State's Organic Waste Methane Emissions Reductions Mandate (Senate Bill 1383)

a) Mayor Patel opened the Public Hearing at 7:24 p.m.

b) Management Analyst Cisneros gave the Staff Report

c) City Council Comments and Questions:

Discussion ensued regarding this Ordinance encompassing all the requirements in order to meet mandates set in Senate Bill 1383.

d) Public Input:

No members of the public wished to speak.

e) Mayor Patel closed the Public Hearing at 7:28 p.m.

f) Introduce an Ordinance Amending Chapter 18 of the La Palma Municipal Code Pertaining to Garbage and Refuse Code to Incorporate the State's Organic Waste Methane Emissions Reductions Mandate (Senate Bill 1383)

Council Member Goodman made a motion to Introduce an Ordinance Amending Chapter 18 of the La Palma Municipal Code Pertaining to Garbage and Refuse Code to Incorporate the State's Organic Waste Methane Emissions Reductions Mandate (Senate Bill 1383)

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

AYES: Council Member Baker, Council Member Goodman, Mayor Patel, Mayor Pro Tem Steggell, and Council Member Waldman

NOES: None

REGULAR ITEMS

16. Notification of Rate Adjustment for Sanitation Services

Community Services Director Belknap gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the consensus although rate increases are difficult, it is reasonable considering all the services provided by EDCO; that the kitchen counter top organic waste containers will not come with liners, but be small enough to dump into green trash bin daily; that residents should be encouraged to keep their green waste containers closed to avoid contact with vermin; appreciation for the efforts made by EDCO over the years; and an understanding of the rate increase as a result of State mandates with SB 1383.

Receive and file the report regarding the rate adjustment for residential and commercial sanitation services effective October 1, 2021.

17. Amending the League of California Cities Voting Delegates

- a) Amend the designation of Mayor Patel as La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference by designating a City Council Member to replace him;
- b) Amend the designation of Mayor Pro Tem Steggell as the City of La Palma's Alternate Voting Delegate at the League of California Cities' (LOCC) Annual Conference by designating a City Council Member to replace her; and
- c) Authorize the City Clerk to submit an Amended Voting Delegate/Alternate Form to the League of California Cities; and
- d) Authorize the La Palma voting delegation the discretion to vote on any resolutions taking into consideration the information they receive at the conference.

Mayor Patel introduced the item and announced his and Mayor Pro Tem Steggell's schedule conflicts.

Mayor Patel made a motion to amend the designation of Mayor Patel as La Palma's Voting Delegate at the League of California Cities' (LOCC) Annual Conference by designating Council Member Baker to replace him and Council Member Goodman to replace Mayor Pro Tem Steggell as the alternate voting delegate; authorize the City Clerk to submit an amended voting delegate/alternate form to the LOCC; and authorize the La Palma voting delegation the discretion to

vote on any resolutions taking into consideration the information they receive at the annual conference.

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

AYES: Council Member Baker, Council Member Goodman, Mayor Patel, Mayor Pro Tem Steggell, and Council Member Waldman

NOES: None

18. Police Department Reorganization

Discuss the proposed reorganization of the Police Department by replacing the Civilian Support Services Manager with a Police Captain and, if desired, adopt a budget resolution to add a second Police Captain and remove the Support Services Manager

Chief Kim gave the Staff report.

Council Comments and Questions:

Discussion ensued regarding that with the public's passing of Measure JJ, it was to ensure quality and quantity of service; that this new Captain position will have supervisory and managerial duties; the City Council must ensure this level of service continues and fully supports Staff's recommendations of adding a second Captain position; agreement with a good and well-designed succession plan in the Police Department as the City looks to the future; and appreciation for Staff's cautious outlook on how to minimize costs with this position.

Public Input:

No members of the public wished to speak.

Council Member Waldman made a motion to adopt Resolution No. 2020-27 to add a second Police Captain and remove the Support Services Manager as part of the Police Department Reorganization.

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

AYES: Council Member Baker, Council Member Goodman, Mayor Patel, Mayor Pro Tem Steggell, and Council Member Waldman

NOES: None

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

Council Member Baker attended the Starbucks Grand Opening/Ribbon Cutting event; Concerts in the Park featuring Private Eye, Stone Soul, and Mark Wood & the Parrot Head Band; the League of California Cities (LOCC) Parks and Rec Roundtable; the LOCC Homelessness State and Federal Roundtable; Congresswoman Sanchez's "Big Check" Presentation; the LOCC Mayors and Council Members Roundtable; the "I Heart La Palma" Community Event at La Palma Christian Center; Mayor Patel's Town Hall; the LOCC Orange County Division General Meeting; and the Rededication Ceremony of City Hall. She closed by congratulating Council Member Goodman on his appointment as the Second Vice President of the LOCC Orange County Division.

Council Member Goodman attended the Starbucks Grand Opening/Ribbon Cutting event; Congresswoman Sanchez's "Big Check" Presentation; Mayor Patel's Town Hall; several Concerts in the Park; the California Joint Powers Insurance Authority (CJPIA) Executive Committee Meeting; the Orange County Sanitation District (OCSD) Board of Directors meetings; the LOCC Housing Community Economic Development Policy Executive Committee meeting; and the LOCC Orange County Division meeting and election, where he was appointed to serve as the 2nd Vice President.

Council Member Waldman attended Mayor Patel's Town Hall and the second Concert in the Park.

Mayor Pro Tem Steggell attended most of the Concerts in the Park; the Starbucks Grand Opening/Ribbon Cutting event; the "I Heart La Palma" Community Event at La Palma Christian Center; the Mayor Patel's Town Hall; and a request to place a study session regarding Air B & B's and how to regulate them onto the next agenda.

City Manager McNamara responded that Staff will move forward with putting that item on the next agenda.

Mayor Patel attended the Starbucks Grand Opening/Ribbon Cutting event; Concerts in the Park; Congresswoman Sanchez's "Big Check" Presentation; a conference call with the Governor's office for the California Comeback Plan; the "I Heart La Palma" Community Event at La Palma Christian Center; the Town Hall event and he thanked all the Staff involved for their efforts.

CITY MANAGER REMARKS

City Manager McNamara thanked everyone involved for getting Staff back into City Hall; noted details of future technological advances that will be installed in the future; he added that the new roof will be completed later this year; announced the Buena Park State of the City he'll be attending with City Council members; and noted that he'll be working closely with Mayor Patel on La Palma's State of the City planned for November of this year.

CITY ATTORNEY REMARKS

City Attorney Thind noted that the Walmart sound wall construction has been completed and building permit to be finalized shortly; that the blighted property on Verner Drive has been rehabilitated and renovations are soon to be completed; and gave details of legislative updates on SB-9, 10, and a number of other bills that are planned for the Governor's signature after the recall vote.

ADJOURNMENT

Mayor Patel adjourned the Regular Meeting of the La Palma City Council at 8:12 p.m.

Nitesh P. Patel
Mayor

Attest:

Kimberly Kenney, CMC
City Clerk