

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

July 19, 2016

CALL TO ORDER: Mayor Goedhart 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 Hwangbo being absent.

PLEDGE OF ALLEGIANCE: Council Member Kim

INVOCATION: Pastor Jerry Bennett, Faith Fellowship Church

ROLL CALL: Council Members

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

Council Members absent: Council Member Hwangbo

City Officials present: Laurie A. Murray, City Manager
Joel Kuperberg, City Attorney
Michael Belknap, Community Services Director
Douglas Dumhart, Community Development Director
Terry Kim, Police Captain
Sea Shelton, Administrative Services Director
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. City Manager Murray, and Community Services Director Belknap presented a Certificate of Recognition to Water Service Worker Jake Chavira for rendering aid to a passerby who experienced a medical emergency.

Cecilia Iglesias, representing Senator Bob Huff's office, presented a Certificate of Recognition to Water Service Worker Jake Chavira for his efforts.

ORAL COMMUNICATIONS

Terryl Weber, a La Palma resident, addressed the City Council regarding construction vehicles blocking his driveway; being issued a street sweeping ticket because he could not access his driveway; recent flat tires, which he believes are connected to the construction; the contractor not meeting requirements listed in the Conditional Use Permit; and asked for clarification on the recent curb installation for this project.

Mayor Goedhart noted that the Police Department will follow up with him on the street sweeping issue and that Community Development Director Dumhart will respond to his concerns regarding the construction site.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF LA PALMA AT 7:14 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 the Successor Agency or otherwise as serving as members of the Successor Agency."

CONSENT CALENDAR

A. Approval of Successor Agency Minutes

Minutes of the July 5, 2016, Regular Meeting of the Successor Agency.

B. Approval of Register of Demands

Resolution No. SA 2016-06 approving the Successor Agency Registers of Demands for July 19, 2016.

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

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

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

NOES: None

ABSENT: Council Member Hwangbo

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE CITY OF LA PALM AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 7:15 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 July 5, 2016, Regular Meeting and the July 11, 2016, Special Meeting of the City Council.
3. Approval of Register of Demands

Resolution No. 2016-51 approving the Register of Demands for July 19, 2016.
4. Award of Contract to Midori Gardens for Park and Landscape Maintenance Services

Award a contract to the low responsible bidder, Midori Gardens of Santa Ana, California, for general park and landscape maintenance services for the Civic Center, Central Park, Edison Right-of-Way, and various City facilities, and authorize the Mayor to execute the Agreement.

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

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

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

NOES: None

ABSENT: Council Member Hwangbo

PUBLIC HEARING

5. Introduction and First Reading of an Ordinance Amending Portions of Chapter 30 of the La Palma Municipal Code Prohibiting Smoking in City Parks and other City Facilities

- a) Mayor Goedhart opened the Public Hearing at 7:16 p.m.
- b) Community Services Director Belknap gave the Staff Report.
- c) Council Comments and Questions:

None
- d) Public Input:

Larry Herman, a La Palma resident, addressed the City Council regarding his support for smoking bans; the American Lung Association event at a park in Buena Park to collect cigarette butts; that Buena Park adopted a smoking ban for their park, but included a caveat for a smoking area inside the park; he read into the record an article about the Governor's bill to raise the smoking age to 21; and support for the amendment to the City's existing smoking ban to include vaping and e-cigarettes.

Ravi Choudhuri, Advocacy Manager for the American Lung Association, addressed the City Council regarding his support for this endeavor; detailed the unknown health risks about e-cigarettes and vaping; that vaping and e-cigarettes are targeting children; noted the increased emergency calls to Poison Control Centers by those affected from vaping; and encouraged the City Council to support and approve the amendments to the Ordinance.

Terryl Weber, addressed the City Council regarding funding for informative signage about the health risks; whether there are outside resources or grant monies that could fund the new signage regulations; and support for communicating the message.

Community Services Director Belknap responded that the cost of signs is minimal and that the City has set aside funds for signage; and that the public will be notified of these changes through City Communications regarding the changes in the smoking laws.

Mr. Herman thanked Council Member Shanahan for notifying him that this items was on this agenda.

Council Comments and Questions:

Discussion ensued regarding the proposed legalization of marijuana; whether this Ordinance address marijuana smoking; that this amendment is specific to tobacco products; and how to address marijuana smoking in this Ordinance.

City Attorney Kuperberg responded that the initiative on the ballot regarding marijuana use would permit the use of marijuana at private residences and has some of the same restrictions as alcohol regarding use of the products in public places; and that the City Council would need to ensure this Ordinance accommodates the language to address all types of smoking issues.

- e) Mayor Goedhart closed the Public Hearing at 7:30 p.m.
- g) Introduce and order the first reading of Ordinance amending portions of the Chapter 30 of the La Palma Municipal Code Prohibiting Smoking in City parks and other City facilities.

Council Member Shanahan made a motion to introduce and order the first reading of Ordinance amending portions of the Chapter 30 of the La Palma Municipal Code Prohibiting Smoking in City parks and other City facilities.

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

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

NOES: None

ABSENT: Council Member Hwangbo

REGULAR ITEMS

6. Approval of Subdivision Improvement Agreement, for Tentative Tract Map 17828 Located at 7601 and 7621 Walker Street (Walker Street 7, LLC)

Community Development Director Dumhart gave the Staff Report.

Public Input:

Wally Zimmerman, a La Palma resident, addressed the City Council regarding who is responsible for conducting follow up to ensure the requirements and restrictions are met by the developer.

Community Development Director Dumhart responded that the conditions of approval are monitored and enforced by the Community Development Department's Code Enforcement Officer, Building Inspector, Building Officials, and himself; that the Public Works Inspector and City Engineer conduct inspections for all public improvements and infrastructure projects; and that City resources are used to monitor projects and respond to complaints that are received.

Council Member Kim made a motion to adopt Resolution No. 2016-52 approving the Subdivision Improvement Agreement, for Tentative Tract Map 17828 Located at 7601 and 7621 Walker Street (Walker Street 7, LLC).

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

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

NOES: None

ABSENT: Council Member Hwangbo

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

Council Member Shanahan had nothing to report.

Mayor Pro Tem Steggell had nothing to report.

Council Member Kim attended the July 9 Concert in the Park, the Orange County Sanitation District (OCSD) Legislative and Public Affairs committee meeting; the OCSD

Administrative Committee meeting; the July 16 Concert in the Park; and announced the upcoming OCSD Open House on Aug 13 that is open to the public.

Mayor Goedhart attended the July 16 Concert in the Park; announced the upcoming Civic Expo and National Night out on July 30 in conjunction with the Concert in the Park; that a Dunk Tank at the event will be used to raise funds to support Concerts in the Park.

CITY MANAGER REMARKS

City Manager Murray noted that National Night out and the Civic Expo start at 5:30 p.m. on July 30; and announced that the nomination period for City Council Candidates opened July 18 and the deadline to file nomination papers is on August 12, 2016.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Goedhart adjourned the City Council meeting at 7:39 p.m.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk