

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

August 16, 2011

CALL TO ORDER: Mayor Rodriguez 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 Council Member Hwangbo being absent.

CLOSED SESSION

CS1. The City Council will meet in Closed Session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Steve Filarsky, Filarsky & Watt
Dominic Lazzaretto, City Manager
Laurie Murray, Administrative Services
Manager

Employee Organization: La Palma Police Association

Mayor Rodriguez recessed to Closed Session at 6:46 p.m.

OPEN SESSION

Mayor Rodriguez reconvened the City Council in Open Session at 7:15 p.m. with Council Member Hwangbo being absent.

City Manager Lazzaretto reported that the City of La Palma is still working to finalize the Memorandum of Understanding with the La Palma Police Association.

PLEDGE OF ALLEGIANCE: Council Member Shanahan

INVOCATION: Mohan Dadlani, The Sindhu Center

ROLL CALL: Council and Commission Members

Council/Commission
Members present: Mayor Pro Tem/Vice Chairperson Charoen,
Mayor/Chairperson Rodriguez,
Council/Commission Member Shanahan, and
Council/Commission Member Waldman

Council/Commission
Members absent:

Council/Commission Member Hwangbo

City Officials present:

Dominic Lazzaretto, City Manager/Executive
Director
Joel Kuperberg, City Attorney
Michael Belknap, Recreation & Community
Services Director
Douglas Dumhart, Community Development
Director
Jeff Moneda, Public Works Director/City
Engineer
Keith Neves, Finance Director
Eric Nuñez, Police Chief
Laurie Murray, Administrative Services
Manager/City Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS

Jeff McCombs, 7212 Monterey Lane, addressed the City Council regarding his opposition to defined benefit retirement plans.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:23 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the August 2, 2011, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2011-21 approving the Register of Demands for August 16, 2011.

C. Cash and Investment Report as of June 30, 2011

Receive and File the Cash and Investment Report as of June 30, 2011.

Vice Chairperson Charoen made a motion to approve Consent Calendar Items A, B, and C.

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

AYES: Vice Chairperson Charoen, Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: None

ABSENT: Council Member Hwangbo

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

D. La Palma Chamber of Commerce Status Report

Community Development Director Dumhart gave the Staff Report.

Commission Comments and Questions:

Discussion ensued regarding the Chamber of Commerce's current lease with the City; a new contractual agreement being brought forward for City Council approval upon the merger with the Buena Park Chamber of Commerce; that Buena Park was an option when Staff brought the matter to the City Council some time ago; that the City Council has the choice to contract out Chamber of Commerce services; that because the Supreme Court has not decided on the Redevelopment issue, the City Council cannot make any decisions until early next year; that the Chamber of Commerce will not be in existence effective October 1, 2011; that the Buena Park Chamber will honor La Palma's memberships for an entire year; that the La Palma Chamber of Commerce will honor its current contractual obligations with La Palma through October 1; that City Staff will replace Chamber of Commerce Staff at community events after October 1; current Chamber operations; marketing opportunities for the Hub and Chamber spaces after a new tenant moves into the old Ralph's locations; Esther Deleon's

advisory role since her resignation as Executive Director; not paying for services that have not been received; that no invoice has been received from the Chamber for May, June, or July 2011; and that the City Council can discuss options at a later date.

By Consensus, the Community Development Commission agreed to receive and file the Status Report of the La Palma Chamber of Commerce activities.

RECESS THE COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:38 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes
Minutes of the August 2, 2011, Regular Meeting of the La Palma Planning Commission.

Commission Member Waldman made a motion to approve Consent Calendar Item PL-1.

The motion was seconded by Vice Chairperson Charoen and carried on the following vote:

AYES: Vice Chairperson Charoen, Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: None

ABSENT: Commission Member Hwangbo

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 7:39 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 2, 2011, Regular Meeting of the La Palma City Council.
3. Approval of Register of Demands

Resolution No. 2011-43 approving the Register of Demands for August 16, 2011.
4. Cash and Investment Report as of June 30, 2011

Receive and File the Cash and Investment Report as of June 30, 2011.
5. Master Funding Agreement with the Orange County Transportation Authority and the City of La Palma

Authorize the Mayor to execute a Master Funding Agreement between the Orange County Transportation Authority (OCTA) and the City of La Palma.

Council Member Waldman made a motion to approve Consent Calendar Items 1 through 5.

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

AYES: Mayor Pro Tem Charoen, Mayor Rodriguez,
Council Member Shanahan, and Council
Member Waldman

NOES: None

ABSENT: Council Member Hwangbo

PUBLIC HEARINGS

6. Ordinance Authorizing the City of La Palma to Participate in the Alternative Voluntary Redevelopment Program, Subject to Certain Conditions and Reservations
 - a) Mayor Rodriguez opened the Public Hearing at 7:39 p.m.

- b) Community Development Director Dumhart gave the Staff Report
- c) Public Input

Gerard Goedhart, 4922 Berton Circle, addressed the City Council in support of the proposed Ordinance and regarding that California cities have no other alternative if they plan to keep redevelopment. He asked about what the impact of making the payment has on the City's Redevelopment Agency.

Community Development Director Dumhart responded that the City can absorb the \$1.3 million obligation and would still have about \$800 thousand a year to fight urban decay and blight conditions. He noted that the City can still preserve the cash balance instead of the dissolving the agency altogether and that this proposal would protect about \$2 million a year.

City Manager Lazzaretto commented that the City would have about half a million dollars after all the obligations are met and the City plans to continue moving forward with its redevelopment plans.

- d) Mayor Rodriguez closed the Public Hearing at 7:53 p.m.
- e) City Council Comments and Questions
None.
- f) Introduce an Ordinance Authorizing the City of La Palma to Participate in the Alternative Voluntary Redevelopment Program, Subject to Certain Conditions and Reservations

Mayor Pro Tem Charoen made a motion to introduce an Ordinance authorizing the City of La Palma to participate in the Alternative Voluntary Redevelopment Program, subject to certain conditions and reservations.

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

AYES:	Mayor Pro Tem Charoen, Mayor Rodriguez, Council Member Shanahan, and Council Member Waldman
NOES:	None
ABSENT:	Council Member Hwangbo

RECESS THE CITY COUNCIL AND RECONVENE THE COMMUNITY DEVELOPMENT COMMISSION AT 7:54 P.M.

EMERGENCY ITEM

City Attorney Kuperberg commented that adding Emergency Item E - Adoption of Enforceable Obligations Payment Schedule (EOPS) to the Agenda would require a 2/3 vote by the Community Development Commission.

Commission Member Waldman made a motion to add Emergency Item E - Adoption of Enforceable Obligations Payment Schedule (EOPS) to the Agenda. The motion was seconded by Commission Member Shanahan.

Vice Chairperson Charoen noted his opposition to adding the item to the Agenda as an Emergency item and that the Commission should schedule a special meeting before the deadline.

Discussion ensued regarding the next Community Development Commission meeting being past the deadline; that certain Commission Members are unable to attend a special meeting due to their schedules; that the item is not controversial, but procedural; and that the Community Development Commission's motion is only to put the item on the Agenda.

City Attorney Kuperberg explained that if less than 2/3 of the Community Development Commission is present to vote on the item, it would require a unanimous vote. The motion was carried on the following vote:

AYES: Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman

NOES: Vice Chairperson Charoen

ABSENT: Commission Member Hwangbo

E. Adoption of Enforceable Obligations Payment Schedule (EOPS)

Community Development Director Dumhart gave the Staff Report.

Executive Director Lazzaretto noted that all obligations need to be provided to the State of California to enable the City to pay its debts and that the Community Development Commission can make amendments if needed.

Commission Comments and Questions:

Discussion ensued regarding the timeline set by the State for cities to pay off project debts; and a hope that the State does not take redevelopment funds from cities.

Commission Member Waldman made a motion to adopt the Enforceable Obligations Payment Schedule (EOPS).

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

AYES: Vice Chairperson Charoen, Chairperson
Rodriguez, Commission Member Shanahan,
and Commission Member Waldman

NOES: None

ABSENT: Commission Member Hwangbo

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION AND RECONVENE
THE CITY COUNCIL AT 8:09 P.M.

REGULAR ITEMS

7. Ordinance Authorizing an Amendment to the Contract with the California Public Employees' Retirement System

Administrative Services Manager Murray gave the Staff Report

Adopt Ordinance 2011-04 authorizing an amendment to the contract between the City Council of the City of La Palma and the Board of Administration of the California Public Employees' Retirement System establishing a second-tier retirement formula, with the California Public Employees Retirement System (CalPERS), for employees hired after the effective date, pursuant to California Government Code Section 20475. The new formula will be pursuant to Government Code Sections 21353 (2% @ 60 Full formula) and Section 20037 (Three-Year Final Compensation) and will be applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of the amendment and that normal retirement age" shall mean age 60 for local miscellaneous members entering membership for the first time in the miscellaneous classification.

Mayor Pro Tem Charoen made a motion to adopt Ordinance 2011-04 Authorizing an Amendment to the Contract with the California Public Employees' Retirement System.

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

AYES: Mayor Pro Tem Charoen, Mayor Rodriguez,
Council Member Shanahan, and Council
Member Waldman

NOES: None

ABSENT: Council Member Hwangbo

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

Council Member Shanahan attended the Eric Ekstand Concert in the Park; the Civic Expo; and announced that the City Council will be cooking hot dogs for the public during the last Concert in the Park.

Council Member Waldman attended the Groundwater Replenishment Systems Steering Committee meeting; the Erik Ekstand Concert in the Park; and plans to attend the upcoming last Concert in the Park where the City Council will be cooking hot dogs for the public.

Mayor Pro Tem Charoen had nothing to report.

Mayor Rodriguez attended the last two Concerts in the Park including the Erik Ekstand Band; the Civic Expo; a lunch with the Mayor event; and an Anaheim Union High School District (AUHSD) meeting in preparation of the upcoming school year. He announced that La Palma was selected once again as one of the best cities to live in by *Money Magazine*.

CITY MANAGER REMARKS

City Manager Lazzaretto commented that upcoming Agenda Items will include the League of California Cities (LOCC) Resolutions, recommendations from the Traffic Safety Committee, and selection of the General Plan consultant. He commented on the recent *Money Magazine's* article naming La Palma as one of the best cities to live in. He announced the upcoming Concert in the park and reported on the California Redistricting Commission final Assembly and Senate maps.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Rodriguez adjourned the Regular Meeting of the La Palma City Council at 8:18 p.m.

Ralph D. Rodriguez
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk