

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

January 17, 2012

CALL TO ORDER: Mayor Charoen 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 all members present.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Hwangbo

INVOCATION: Tejinder Singh, The Sikh Temple

ROLL CALL: Council and Commission Members

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

Council/Commission Members absent: None

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
Eric Nuñez, Police Chief
Laurie Murray, Administrative Services Manager/City Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Mayor Pro Tem Hwangbo presented Resident and Snow Board Champion, Chloe Kim, and Korean-American Foundation President and CEO, Sang-Won Park, a Proclamation in Recognition of January 13 as Korean-American Day.

ORAL COMMUNICATIONS

Alice Burnett, Relay for Life Co-Chairperson, announced the upcoming Kick-Off event scheduled for February 6, 2012, at Heritage Hall in the Buena Park Community Center and invited the City Council to the event. She closed by requesting to hang a Relay for Life banner across a La Palma City street.

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding the progress of the gazebo rehabilitation project; commented on the Kaiser Permanente grant of \$1 million given to the Anaheim YMCA for a proposed community action plan to combat obesity; that the YMCA has applied for a \$1.8 million Federal grant to improve local schools; and announced the upcoming Anaheim YMCA Good Friday Breakfast on April 6, 2012.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:27 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the January 3, 2012, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2012-02 approving the Register of Demands for January 17, 2012.

C. Resolution Declaring the Community Development Commission Has Not Forgiven Any Indebtedness Owed to it by Any Public Body From January 1, 2010, to December 31, 2011

Resolution No. CDC 2012-03 declaring that the CDC has not forgiven any indebtedness owed to it by any public body from January 1, 2010, to December 31, 2011.

Commission Member Waldman made a motion to approve Consent Calendar Items A, B, and C.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

D. Report on Supreme Court Ruling on AB 1X 26 Redevelopment Dissolution Act

Community Development Director Dumhart gave the Staff Report.

Commission Comments and Questions:

Discussion ensued regarding repayment of the Community Development Commission (CDC) Loans and that the City could not determine how the State would respond after the court's ruling on the City of Cerritos.

City Attorney Kuperberg commented that the outcome of the Cerritos case may not provide guidance, but that the City should wait to see the outcome of the Supreme Court's decision.

Further discussion ensued regarding immediate payment of loans; that the Successor Agency could determine the format of repayment; that any decisions by the Successor Agency must be approved by the Oversight Board; that the laws are unclear; and that the cities who filed lawsuits had millions of dollars in loans.

City Attorney Kuperberg responded that the agencies who filed suit are the ones that risk the most financial loss; that the cities were selected because of the types of contracts issues; that La Palma's small size would not be helpful to the other agencies' case; and that the City is bound by the Supreme Court's decision.

Further discussion ensued regarding CDC funds going towards street rehabilitation projects; support for using Capital Outlay Reserve (COR) funds towards street rehabilitation projects if the Supreme Court rules against paying back City loans; and that the City needs to continue with economic development projects in order to encourage new business.

By consensus, the Community Development Commission agreed to Receive and File the report on the Supreme Court Ruling on AB 1X 26 Redevelopment Dissolution Act.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:52 P.M.

Administrative Services Manager Murray stated that “The City Council will now recess the Community Development Commission meeting, and convene as the La Palma Planning Commission. Members of the La Palma City Council receive no compensation or stipend as a result of convening or participating in this Planning Commission meeting, or otherwise as serving as members of the La Palma Planning Commission.”

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 3, 2012, 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 Commission Member Rodriguez and carried on the following vote:

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 7:52 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 January 3, 2012, Regular Meeting of the La Palma City Council.
3. Approval of Register of Demands

Resolution No. 2012-07 approving the Register of Demands for January 17, 2012.
4. Award of Contract to S. Parker Engineering, Inc. for Installation of Americans with Disabilities Act Pedestrian Ramps and Removal and Replacement of Curb, Gutter, and Sidewalk at Various Locations Citywide, City Project No. ST-315

Award a contract in the amount of \$105,000 to S. Parker Engineering, Inc. for the installation of Americans with Disabilities Act (ADA) pedestrian ramps and removal and replacement of curb, gutter, and sidewalk at various locations Citywide, City Project No. ST-315.
5. Resolution Declaring That the City Has Not Forgiven Any Indebtedness Owed to it by the Community Development Commission From January 1, 2010, to December 31, 2011

Resolution No. 2012-08 declaring that the City has not forgiven any indebtedness owed to it by the Community Development Commission (CDC) from January 1, 2010, to December 31, 2011.

Council Member Shanahan made a motion to approve Consent Calendar Item 1 through 5.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

6. Resolution Electing to be the Successor Housing Agency for the Dissolved Community Development Commission (CDC)

Community Development Director Dumhart gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the Successor Agency receiving no future funding from the State; that the City will still incur administrative expenses through the process; that the City Council agreeing to become the Successor Agency for the CDC is required in order to protect the City's affordable housing agreements; if the Successor Agency is dissolved, the responsibility would go to another housing agency; that the State will still have Regional Housing Needs Assessment (RHNA) requirements whether the City acts as a Successor Agency or not; that having a Successor Agency allows the City to have more control over contractors and products provided; how the County enforces affordable housing requirements; that the County agencies are doing more apartment-type affordable housing than townhome style; that the Successor Housing Agency could be around long enough to enforce current housing agreements and covenants; and that the City Council is encouraged to take action to become the Successor Agency before the February 1, 2012, deadline.

Resolution No. 2012-09 electing the City Council to be the Successor Housing Agency for the dissolved Community Development Commission (CDC).

Council Member Rodriguez made a motion to adopt Resolution No. 2012-09 Electing to be the Successor Housing Agency for the Dissolved Community Development Commission.

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

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

NOES: None

7. Support of Orange County Water District Ground Water Replenishment System Expansion and Prado Dam Feasibility Study Projects

Public Works Director Moneda introduced the item.

Robert Yoh, Orange County Water District (OCWD) Director, gave a presentation on Orange County's water supply sources; explained the Ground Water Replenishment System (GWRS) project and its benefits; the water retention mechanisms of the Prado Dam; and asked for the City Council's support of the project.

Public Comment:

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding whether water rates would decrease if this system was instituted.

Discussion ensued regarding the water rates increasing at a slower rate and whether the system would allow the City to access water during a natural disaster.

Michael Markus, OCWD General Manager, responded that the GWRS would provide storage of additional water that could be pumped to the City and that the system is more energy efficient and less expensive than the desalination facility in Huntington Beach, California.

Further discussion ensued regarding City Council's support for the project.

Resolution No. 2012-10 supporting the Orange County Water District (OCWD) Ground Water Replenishment System (GWRS) expansion and Resolution No. 2012-11 supporting the OCWD Prado Basin California Feasibility Study.

Council Member Rodriguez made a motion to adopt Resolution No. 2012-10 supporting the Orange County Water District (OCWD) Ground Water Replenishment System (GWRS) expansion and Resolution No. 2012-11 supporting the OCWD Prado Basin California Feasibility Study.

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

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

NOES: None

8. Association of California Cities - Orange County and the League of California
Cities Membership

Management Analyst Corbin gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding Council Member Waldman serving on the ACC-OC Board; that the City Council supports membership with both agencies; that membership is necessary to follow through with the State regarding redevelopment; that La Palma receives financial statements from the agencies upon request; putting the financial information in the Weekly Reports; and that the ACC-OC focuses on County-level objectives and the LOCC focuses on State legislative issues.

Lacy Kelly, ACC-OC Chief Executive Officer, addressed the City Council regarding the agency not having formal outreach programs to cities in other counties.

Further discussion ensued regarding the LOCC having been very involved with redevelopment agency legislation at the State level.

Tony Cardenas, LOCC Public Affairs Regional Manager, addressed the City Council regarding La Palma's membership costs; that the LOCC has protected about \$2.6 million of La Palma funds from State seizure; and that the LOCC has scaled back meetings so they occur on a quarterly basis.

Lacy Kelly commented that the ACC-OC has never been in disagreement with objectives of the LOCC's regional focus.

Council Member Shanahan made a motion to approve membership to the Association of California Cities - Orange County and the League of California Cities for the period of one year.

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

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

NOES: None

Mayor Charoen requested a short recess at 8:36 p.m.

Mayor Charoen reconvened the City Council at 8:43 p.m. with all members present.

9. Study Session: General Plan Update

City Manager Lazzaretto introduced the item and announced that La Palma's General Plan Update consultant, Hogel-Ireland, will be making the presentation.

Laura Stetson, Hogel-Ireland Vice President, presented a status report on the General Plan Update and outlined the timeframe for completion of the project.

Alonzo Pedrin, Alfred Gobar Associates Principle, gave a presentation on identifying potential for optimal land use.

Public Comment:

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding not having redevelopment funds to conduct the proposed projects in the General Plan; that the only way to address the housing changes is through City zoning; that the City is built out and the General Plan is theory-based; and his opposition to the cost of studies whose projects will not come to fruition.

Council Comments and Questions:

Discussion ensued regarding looking at a plan that projects the City's future 20 years in advance; that not all options of the General Plan will be possible; that the General Plan is a tool to shape the future of La Palma by formatting the vision for future projects; that community feedback was confirmation that the City is doing a good job; support for Hogel-Ireland to complete the General Plan update; that although the City is built out, there is still potential to make improvements to increase business retention; that the City Council should be open to upcoming development; support for continued community outreach; support for mixed-use facilities; and that the consultant needs to also focus on attracting younger families to La Palma.

By consensus, the City Council agreed to receive and file the General Plan Update.

10. Zoning Map Amendment 2011-01, an Ordinance Amending the City's Zoning Map to Apply the Village Overlay to the Multiple Family Residential District Zoned Properties Located at 5052 and 5062 La Palma Avenue

Community Development Director Dumhart gave the Staff Report.

Council Member Rodriguez made a motion to adopt Zoning Map Amendment 2011-01, Ordinance No. 2012-01, amending the City's Zoning Map to Apply the Village Overlay to the Multiple Family Residential District Zoned Properties Located at 5052 and 5062 La Palma Avenue.

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

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

NOES: Mayor Pro Tem Hwangbo

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

Mayor Pro Tem Hwangbo attended the University of Phoenix Grand Opening/Ribbon Cutting event; the Barbara Mast memorial service; and commented on the status of the Relay for Life fundraising progress.

Council Member Rodriguez attended the Barbara Mast memorial service; the Anaheim Unified High School District Foundation board meeting; the University of Phoenix Grand Opening/Ribbon Cutting event; and announced that he plans to attend the upcoming LOCC Policy Committee meeting. He closed by requesting to adjourn in memory of Barbara Mast.

Council Member Shanahan attended the University of Phoenix Grand Opening/Ribbon Cutting event; the Barbara Mast memorial service; visited the Lovely Pet Grooming new business establishment; and encouraged Staff and City Council to participate in the upcoming Relay for Life event.

Council Member Waldman attended the GWRS Steering Committee meeting; the ACC-OC monthly meeting; and the Barbara Mast memorial service.

Mayor Charoen attended the University of Phoenix Grand Opening/Ribbon Cutting event; the Barbara Mast memorial service; the Thai Association of California board meeting; the Thai Consul General Song Kran kick-off event; the Chinese Elected Officials board installation event; and the Artesia Chamber of Commerce meeting. He announced that he plans to attend the upcoming City Council Goal Setting Session and State of the City Addresses for Buena Park, Cypress, and Garden Grove.

CITY MANAGER REMARKS

City Manager Lazzaretto announced the upcoming Goal Setting Session on January 23, 2012; the Contingency Plan Community Workshop on the same date; and announced that upcoming Agenda Items include Source Separation and the Police Department motorcycle replacement. He reported that the Cypress School District has announced its intent to pursue the Steven Luther Elementary School rehabilitation project. He closed by thanking the City's Relay for Life Event Committee for their efforts and thanked Mayor Pro Tem Hwangbo, the Korean BBQ restaurant, and the La Palma Korean United Methodist Church for their participation in recognition of Korean-American Day.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported that he is following the State redevelopment issues and Fair Political Practices Commission (FPPC) issues and will report back to the City Council on the status of those matters.

ADJOURNMENT

Mayor Charoen adjourned the Regular Meeting of the La Palma City Council at 9:54 p.m. in memory of Barbara Mast.

G. Henry Charoen
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk