

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

December 4, 2012

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the La Palma City Council to order at 7:01 p.m. in the Council Chambers at La Palma City Hall, 7822 Walker Street, La Palma, California, with all members present.

PLEDGE OF ALLEGIANCE: Council Member Rodriguez

INVOCATION: Mayor Pro Tem Hwangbo

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: Ellen Volmert, City Manager/Executive Director
Joel Kuperberg, City Attorney
Michael Belknap, Recreation and Community Services Director
Douglas Dumhart, Community Development Director
Jeff Moneda, Public Works Director
Michael Solorza, Finance Director
Laurie Murray, Administrative Services Manager/City Clerk
Kimberly Kenney, Minutes Clerk

PROCEDURAL ITEMS

PI-1. Resolution Declaring Result of the November 6, 2012, General Municipal Election

- a) Adopt a Resolution reciting the facts of the General Municipal Election held on November 6, 2012, and declaring the result.

Resolution No. 2012-58 reciting the facts of the General Municipal Election held on November 6, 2012, and declaring the results.

Council Member Waldman made a motion to adopt Resolution No. 2012-58 reciting the facts of the General Municipal Election held on November 6, 2012, and declaring the result.

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

- b) Presentations to outgoing Council Members Ralph Rodriguez and Mark Waldman.

Mayor Charoen presented plaques to outgoing Council Members Rodriguez and Waldman in recognition of their eight years of dedicated service on the La Palma City Council.

Council Member Rodriguez announced his thanks to his family, City Staff, and fellow Council Members for their support during his eight years of service.

Council Member Waldman announced his thanks to his family, City Staff, and fellow Council Members for their support during his eight years of service.

Council Member Shanahan thanked Council Members Rodriguez and Waldman for their eight years of dedicated service to the City of La Palma.

- c) City Clerk's administration of the official Oath of Office and Induction of Gerard Goedhart, Peter Kim, and Steve Shanahan.

City Clerk Murray administered the official Oath of Office and Induction to Council Member Gerard Goedhart.

City Clerk Murray introduced Michelle Steel, Board of Equalization Vice Chairperson, who administered the ceremonial Oath of Office and Induction to Council Member Peter Kim.

City Clerk Murray administered the official Oath of Office and Induction to Council Member Steve Shanahan.

Ms. Young Kim, representing Congressman Ed Royce's Office, presented certificates of appreciation to outgoing Council Members Rodriguez and Waldman for their eight years of dedicated service to the City of La Palma.

PI-2. City Council Reorganization

- a) Conduct its annual reorganization by selecting the positions of Mayor and Mayor Pro Tem

City Clerk Murray entertained nominations for Mayor.

Council Member Kim made a motion to nominate Mayor Pro Tem Hwangbo as Mayor.

Council Member Shanahan made a motion to close the nominations for Mayor.

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

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

NOES: None

The nomination for Mayor Pro Tem Hwangbo as Mayor carried on the following vote:

AYES: Council Member Charoen, Council Member Goedhart, Mayor Hwangbo, Council Member Kim, and Council Member Shanahan

NOES: None

Outgoing Mayor Charoen handed the gavel to new Mayor Hwangbo who conducted the election for Mayor Pro Tem.

Council Member Goedhart made a motion to nominate Council Member Shanahan as Mayor Pro Tem.

Council Member Goedhart made a motion to close the nominations for Mayor Pro Tem.

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

AYES: Council Member Charoen, Council Member Goedhart, Mayor Hwangbo, Council Member Kim, and Council Member Shanahan

NOES: None

The nomination for Council Member Shanahan as Mayor Pro Tem carried on the following vote:

AYES: Council Member Charoen, Council Member Goedhart, Mayor Hwangbo, Council Member Kim, and Council Member Shanahan

NOES: None

Mayor Hwangbo thanked his family for their support and recognized the elected officials present: Dr. Joseph Cho, Cerritos Council Member; Michelle Steel, State Board of Equalization Vice Chairperson; and Dr. Steven Choi, Irvine's Mayor Elect; Dean Grose, Los Alamitos Council Member; and Brian O'Neal, Anaheim Union High School District Representative and former La Palma Council Member. He closed by giving a brief acceptance speech.

- b) Make a presentation to outgoing Mayor Henry Charoen.

Mayor Hwangbo made a presentation to outgoing Mayor Charoen for his dedicated service to the City of La Palma.

Ms. Young Kim, representing Congressman Ed Royce's Office, presented former Mayor Charoen with a certificate of recognition for his service to the La Palma community, his service as an Asian-Pacific Advisory Council Member for Congressman Royce's office, and as a liaison to the Thai community.

Outgoing Mayor Charoen thanked City Staff and City Council Members for their support.

RECESS

Mayor Hwangbo called for a recess at 7:54 p.m.

Mayor Hwangbo reconvened the City Council at 8:24 p.m. with all members present.

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS:

Steven Maikoski, 4551 Maroon Drive, congratulated the new City Council Members and passed on his appreciation to outgoing Council Members; he announced his opposition to the City being pressed to increase revenue; and asked the City Council to prioritize funding City projects and services.

RECESS THE CITY COUNCIL AND CONVENE AS THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 8:27 P.M.

Administrative Services Manager/City Clerk Murray stated "The City Council will now recess and convene as the Successor Agency to the Dissolved Community Development Commission of the City La Palma, and then recess and convene as the Planning Commission. 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 Planning Commission meetings, or otherwise as serving as members of the Successor Agency or Planning Commission."

CONSENT CALENDAR

A. Approval of Successor Agency Minutes

Minutes of the October 16, 2012, and November 20, 2012, Regular Meetings of the Successor Agency to the Dissolved Community Development Commission.

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

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

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

NOES: None

ABSTAINED: Council Member Goedhart and Council Member Kim

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS THE PLANNING COMMISSION AT 8:28 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the October 16, 2012, and November 20, 2012, Regular Meetings of the La Palma Planning Commission.

Mayor Pro Tem Shanahan made a motion to approve Consent Calendar Item PL-1.

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

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

NOES: None

ABSTAINED: Council Member Goedhart and Council Member Kim

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 8:29 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.

3. Approval of Register of Demands

Resolution No. 2012-59 approving the Register of Demands for December 4, 2012.

4. Notice of Completion and Acceptance of Work for Pavement Rehabilitation of Moody Street from Crescent Avenue to La Palma Avenue and Houston Avenue to Orangethorpe Avenue (Phase I), and Walker Street from Crescent Avenue to La Palma Avenue (Phase II), City Project No. ST-312

Accept the work and authorize the Public Works Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for Construction Services for the Pavement Rehabilitation of Moody Street from Crescent Avenue to La Palma Avenue and Houston Avenue to Orangethorpe Avenue (Phase I), and Walker Street from Crescent Avenue to La Palma Avenue (Phase II), City Project No. ST-312.

Council Member Charoen made a motion to approve Consent Calendar Items 1, 3, and 4.

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

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

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

2. Approval of Council Minutes

Minutes of the October 16, 2012, and November 20, 2012, Regular Meetings of the La Palma City Council.

Staff requested to pull the Minutes from the October 16, 2012, City Council meeting to correct an omission. The Minutes from the November 20, 2012, Regular Meeting of the City Council are requested to move forward for approval.

Mayor Pro Tem Shanahan made a motion to approve the Minutes of the November 20, 2012, Regular Meeting of the La Palma City Council.

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

AYES:	Mayor Hwangbo, Mayor Pro Tem Shanahan, and Council Member Charoen
NOES:	None
ABSTAINED:	Council Member Goedhart and Council Member Kim

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

5. Approval of Consultant and City Council Goal Setting Process

- a) Award a contract and authorize the City Manager to execute an Agreement for facilitation services for the City Council's goal setting process to Management Partners, Inc.; and
- b) Provide direction on whether or not to move to a two year goals model.

City Manager Volmert gave the Staff Report.

The following individuals spoke in opposition to hiring a consultant to facilitate the City Council Goal Setting Process:

Pat Craig, 7662 Tracy Lane.

Robert Carruth, 7201, Monterey Lane.

Cheryl Pappas, 5272 Duke Drive.

Council Member Goedhart made a motion to table the item.

The motion died for lack of a second

Council Member Goedhart asked City Attorney Kuperberg for clarification of a motion that would allow this project to move forward.

City Attorney Kuperberg clarified that the motion would be to direct the City Manager to proceed with the Goal Setting process with the City Manager acting as the facilitator.

Council Member Goedhart made a motion to direct the City Manager to proceed with the Goal Setting process with the City Manager acting as the facilitator and with a two year goals model.

The motion was seconded by Council Member Charoen

Mayor Pro Tem Shanahan requested a friendly amendment to the motion to change the two year model to a one year model.

City Attorney Kuperberg advised that the motion should be substitute motion.

Mayor Pro Tem Shanahan made a substitute motion to move forward with a one year goals model.

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

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

NOES: None

Council Member Goedhart made a motion to proceed with the City Council Goal Setting Process and have the City Manager act as the facilitator of the process.

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

AYES: Council Member Charoen, Council Member Goedhart, Mayor Hwangbo, and Council Member Kim

NOES: Mayor Pro Tem Shanahan

6. Cancellation of the January 2, 2013, City Council, Successor Agency, and Planning Commission Meetings

City Manager Volmert gave the Staff Report.

Council Member Goedhart made a motion to approve the Cancellation of the January 2, 2013, City Council, Successor Agency, and Planning Commission Meetings.

The following individual spoke in opposition to the proposed cancellation of the January 2, 2013, City Council meeting:

Robert Carruth, 7201 Monterey Lane.

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

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

NOES: None

7. Council Member Request: Hiring Freeze

Council Member Goedhart gave a brief overview of his request to institute a hiring freeze by having the City Manager bring any vacant positions forward to the City Council to decide whether they should be filled or eliminated from the Budget.

The following individuals spoke in support of removing unfilled positions:

Robert Carruth, 7201 Monterey Lane.

Cheryl Pappas, 5272 Duke Drive, who also addressed the City Council regarding the need to "Meet and Confer" before eliminating positions.

City Manager Volmert responded that the "Meet and Confer" is a State Law requirement; City Attorney Kuperberg added La Palma is required to comply with the Meyers-Milias Brown Act, a State Collective Bargaining requirement for public employees to address the change and/or elimination of positions.

Council Member Goedhart made a motion to initiate an immediate hiring freeze.

Council Member Charoen requested clarification of the motion.

The motion died for lack of a second.

Council Member Goedhart made a motion to approve an immediate hiring freeze with the process being that Staff bring open positions back to the City Council for approval or elimination.

The motion was seconded by Council Member Charoen.

Council Member Goedhart amended his original motion to clarify that the Maintenance Worker position currently being recruited was exempt from the action.

The amendment was approved by the seconder of the motion, Council Member Charoen, carried on the following vote:

AYES: Council Member Charoen, Council Member Goedhart, and Mayor Hwangbo

NOES: Council Member Kim and Mayor Pro Tem Shanahan

8. Council Member Request: Elimination of Civic Center and Central Park Wi-Fi Service

Council Member Goedhart gave a brief presentation on the item.

Administrative Services Manager/City Clerk Murray detailed the fee structure of the Civic Center and Central Park Wi-Fi Service project; that efficiencies were found during the Information Technology upgrades that saved \$8,300 on this project, leaving an expenditure \$2,500 for the equipment with ongoing costs being \$200 per year.

The following individuals spoke in support of eliminating the Civic Center and Central Park Wi-Fi project:

Cheryl Pappas 5272 Duke Drive.

Pat Craig, 7662 Tracy Lane.

Gary Deforest, 5162 Del Norte Circle.

The following individual spoke in opposition to eliminating the Civic Center and Central Park Wi-Fi project:

Gillermo Porto, 4511 Cambury Drive.

Council Member Goedhart made a motion to approve the Elimination of Central Park Wi-Fi Service.

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

AYES: Council Member Goedhart and Council Member Kim

NOES: Council Member Charoen, Mayor Hwangbo, and Mayor Pro Tem Shanahan

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

Mayor Pro Tem Shanahan congratulated Mayor Hwangbo on his appointment. He reported that he attended a tour of the Orange County Fire Authority (OCFA) Headquarters; and that he plans to attend the Annual Holiday Tree Lighting Ceremony and the Annual Employee Recognition event.

Council Member Kim congratulated his new colleagues and looks forward to working with Staff. He attended a business outreach meeting with E2G2 and Staff; the new City Council Member orientations; the Association of California Cities-Orange (ACC-OC) "Meet your new Policy Makers" session; the Orange County Sanitation District (OCSD) meeting; the Community Dinner with the Korean Prime Minister; and announced that he plans to attend the Tree Lighting ceremony.

Council Member Goedhart reported and the City Attorney confirmed that he had no reportable items because he was not sworn into office prior to this evening. He requested clarification from the City Attorney as to what he is required to report. He requested that Staff address the City's Government Accounting Standards Board Rule 45 (GASB 45) liability at a future City Council meeting. He announced that he plans to attend the upcoming Annual Holiday Tree Lighting ceremony and the Annual Employee Recognition event.

Council Member Charoen had nothing to report.

Mayor Hwangbo had nothing to report.

CITY MANAGER REMARKS

City Manager Volmert congratulated new City Council Members Goedhart and Kim, and Mayor Hwangbo and Mayor Pro Tem Shanahan on their appointments.

CITY ATTORNEY REMARKS

City Attorney Kuperberg congratulated new City Council Members Goedhart and Kim, and Mayor Hwangbo and Mayor Pro Tem Shanahan on their appointments. He reported on a property tax administration case which found that the County had been calculating it incorrectly and that he is working with Director Solorza and the County to correct the calculations to get the City its monies.

Council Member Goedhart announced that he will decline his Council Member stipend as promised during his campaign.

ADJOURNMENT

Mayor Hwangbo adjourned the Regular Meeting of the La Palma City Council at 10:35 p.m. in honor of former Council Members Rodriguez and Waldman.

Steve Hwangbo
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk