

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

July 15, 2014

CALL TO ORDER: Mayor Pro Tem Kim 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 Charoen and Mayor Shanahan being absent.

PLEDGE OF ALLEGIANCE: Council Member Hwangbo

INVOCATION: Pastor Jerry Bennett, Faith Fellowship Church

ROLL CALL: Council and Commission Members

Council/Commission Members present: Council/Commission Member Goedhart, Council/Commission Member Hwangbo, and Mayor Pro Tem/Vice Chairperson Kim

Council/Commission Members absent: Council/Commission Member Charoen and Mayor/Chairperson Shanahan

City Officials present: Ellen Volmert, City Manager
Joel Kuperberg, City Attorney
Michael Belknap, Community Services Director
Douglas Dumhart, Community Development Director
Laurie Murray, Administrative Services Director/City Clerk
Eric Nuñez, Police Chief

PRESENTATIONS

1. Mayor Pro Tem Kim presented a Proclamation to La Palma Police Department Corporal Bracciodieta, Corporal Johnson, and Officer Marchand, in recognition of National Night Out 2014.

ORAL COMMUNICATIONS

Larry Herman , 5122 Andrew Drive, addressed the City Council regarding his appreciation for the Police presence at the Indigo Lane/Andrew Drive intersection, addressing the stop

sign violators; requested that the patrol officer be there during the late afternoon hours for those returning home as well; thanked the Community Development Department for their assistance in finding his property lines; reported on the Orange County Register article regarding unfunded liability and noted that La Palma is not at the top of that list; he asked how the City plans to address the unfunded liability concerns.

City Manager Volmert responded that this is a problem for agencies statewide due to a variety of changes being made by CalPERS to employer rates and to how unfunded liabilities are calculated; that the City has incorporated these costs in its recently adopted Sustainable Financial Plan; that next year's actuarial reports will have an accurate unfunded liability number; and at that time, the City will have the ability to look at alternative funding options. She closed by stating that the La Palma has taken steps, more than other cities in Orange County, to address the matter.

Administrative Services Director Murray clarified that the Grand Jury report stated the unfunded liability amount is higher than seen in prior years because accounting rules and CalPERS have changed the methodology from an actuarial value to a market value, increasing La Palma's unfunded liability from \$7.2 million to an estimated \$14.8 million. When CalPERS breaks apart the pools that estimate in unfunded liability could change, but the City will not see those numbers until next year. She closed by stating that at present the City has no avenue to pay off the unfunded liability, but with upcoming CalPERS pool changes, the City will have the ability to pay off the obligated amounts.

Mr. Herman closed his comments by announcing that the American Cancer Society is approaching State legislators to stop tobacco companies' effort to lobby against "No Smoking" laws, and his support to have La Palma prohibit e-cigarettes use in public places.

Council Member Goedhart commented on the Orange County Register report regarding the \$14.8 million unfunded liability; discussed the City's actuarial values and details of the funded amounts; and asked for clarification on the rates that were used in the recently approved Sustainable Financial Plan.

City Manager Volmert responded the Sustainable Financial Plan had built in the estimates that CalPERS provided us at the time, full funding within 30 years, including longevity, and rates of return assumptions.

Administrative Services Director Murray confirmed that the City's Sustainable Financial Plan built in an estimate for the actuarial changes for increased life spans, the lower expected rate of return, market rates versus actuarial, and an estimate of one to one and a half percent (1% to 1.5%) for the pooling changes based on the worse case scenarios. She closed by noting that the City does not have exact CalPERS numbers at this time.

Theodore Reina, 8081 Lancashire Circle, addressed the City Council regarding his support for not contracting out the Police Department dispatchers; their various duties

and responsibilities; noted reductions in Police Department staffing; and the low crime rate in La Palma. He closed by asking the City Council to keep the La Palma Dispatchers.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:23 P.M.

Administrative Services Director/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 July 1, 2014, Regular Meeting of the Successor Agency.

B. Approval of Register of Demands

Resolution No. SA 2014-07 approving the Successor Agency Register of Demands for July 15, 2014.

C. Revised Successor Agency 1st, 2nd, and 3rd Quarter Cash and Investment Reports, Fiscal Year 2013-14, as of March 31, 2014

Receive and file the revised Successor Agency Cash and Investment Report for the first, second, and third quarters of the 2013-14 Fiscal Year.

Council Member Goedhart made a motion to approve Consent Calendar Items A, B, and C.

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

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:24 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the July 15, 2014, Regular Meeting of the Planning Commission.

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

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

AYES:	Commission Member Goedhart, Commission Member Hwangbo, and Vice Chairperson Kim
NOES:	None
ABSENT:	Commission Member Charoen and Chairperson Shanahan

PUBLIC HEARINGS

PL-2. Amendment to Precise Plan 62 and Amendment to Conditional Use Permit 35 (La Palma United Methodist Church Phase II: New Fellowship Building and Infant Cry Room Addition at 8111 Walker Street)

- a) Vice Chairperson Kim opened the Public Hearing at 7:25 p.m.
- b) Associate Planner Hutter gave the Staff Report

c) Public Input:

No members of the public wished to speak.

d) Vice Chairperson Kim closed the Public Hearing at 7:47 p.m.

e) Commission Comments and Questions:

Discussion ensued regarding the United Methodist Church (UMC) being established since 1969; that the original plans for this site had three proposed buildings that were much larger than what exists now; appreciation to the congregation for making the upgrades to this property that beautifies the City; support for investing in children's programs; that construction could commence in early Fall prior to the rainy season; that the UMC congregation would reach out to adjacent neighbors if problems arose during the construction period.

f) Adopt a Resolution approving Amendment to Precise Plan 62 and Conditional Use Permit 35 for the proposed 10,576 square foot fellowship building two-story fellowship building and 189 square foot infants cry room addition to the United Methodist Church at 8111 Walker Street - Phase II.

Commission Member Hwangbo made a motion to adopt Resolution No. PC 2014-03 approving the Amendment to Precise Plan 62 and Conditional Use Permit 35 for the proposed 10,576 square foot fellowship building two-story fellowship building and 189 square foot infants cry room addition to the United Methodist Church at 8111 Walker Street - Phase II.

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

AYES: Commission Member Goedhart, Commission Member Hwangbo, and Vice Chairperson Kim

NOES: None

ABSENT: Commission Member Charoen and Chairperson Shanahan

PL-3. Precise Plan 274 (15,198 square foot two-story retail building located on a vacant retail pad at 12 Centerpointe Drive)

a) Vice Chairperson Kim opened the Public Hearing at 7:53 p.m.

b) Associate Planner Hutter gave the Staff Report

c) Public Input:

No members of the public wished to speak.

d) Vice Chairperson Kim closed the Public Hearing at 8:03 p.m.

e) Commission Comments and Questions:

Discussion ensued regarding the high quality of the staff report presented.

f) Adopt a Resolution approving Precise Plan 274 for the proposed 15,198 square foot two-story multi-tenant commercial retail building located at 12 Centerpointe Drive.

Council Member Goedhart made a motion to adopt Resolution No. PC 2014-04 approving Precise Plan 274 for the proposed 15,198 square foot two-story multi-tenant commercial retail building located at 12 Centerpointe Drive.

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

AYES:	Commission Member Goedhart, Commission Member Hwangbo, and Vice Chairperson Kim
NOES:	None
ABSENT:	Commission Member Charoen and Chairperson Shanahan

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 8:04 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 City Council Minutes

Minutes of the July 1, 2014, Regular Meeting of the La Palma City Council.

3. Approval of Register of Demands

Resolution No. 2014-40 approving the Register of Demands for July 15, 2014.

4. Amendment to Agreement with All City Management Services, Inc., for Providing School Crossing Guard Services

Approve and authorize the Mayor to execute an amendment to the Agreement between All City Management Services, Inc., and the City of La Palma for providing School Crossing Guard Services for a one-year period, commencing July 1, 2014, through June 30, 2015.

6. Revised City of La Palma 1st, 2nd, and 3rd Quarter Cash and Investment Reports, Fiscal Year 2013-14, as of March 31, 2014

Receive and file the revised Cash and Investment Reports for the first, second, and third quarter of the 2013-14 Fiscal Year.

7. Revised Third Quarter Operating Report

Receive and file the revised Third Quarter Operating Report.

Council Member Hwangbo made a motion to approve Consent Calendar Items 1 through 4, and 6 and 7.

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

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

ITEMS PULLED FROM THE CONSENT CALENDAR

5. Authorization for Council Members to Attend the League of California Cities Annual Conference and Designation of Voting Delegates

Council Member Goedhart requested to pull the item in order to clarify when Staff plans to bring forward the Council Policies for review.

Administrative Services Director Murray responded that Council Policies will be agendized in late summer or early fall of this year.

- a) Approve the attendance of interested Council Members at the League of California Cities Annual Conference, September 3-5, 2014, in Los Angeles;
- b) Designate Mayor Shanahan as the City of La Palma's Voting Delegate at the League's Annual Conference; and
- c) Designate Mayor Pro Tem Kim and Council Member Hwangbo as the first and second Alternate Voting Delegates, respectively.

Council Member Goedhart made a motion to approve the attendance of interested Council Members at the League of California Cities Annual Conference, September 3-5, 2014, in Los Angeles; designate Mayor Shanahan as the City of La Palma's Voting Delegate at the League's Annual Conference; and Designate Mayor Pro Tem Kim and Council Member Hwangbo as the first and second Alternate Voting Delegates, respectively.

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

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

PUBLIC HEARINGS

8. Consideration of Lease Agreement for 5410-14 La Palma Avenue By and Between the City of La Palma and 5410 La Palma, LLC for a Full Service Restaurant

- a) Mayor Pro Tem Kim announced this item will be rescheduled for Public Hearing on August 19, 2014
- b) Mayor Pro Tem Kim opened the Public Hearing at 8:05 p.m.

- c) Receive Public Input and testimony

No members of the public wished to speak.

- d) Mayor Pro Tem Kim closed the Public Hearing at 8:06 p.m.

REGULAR ITEMS

- 9. Police Dispatch Contracting: Status Report

Police Chief Nuñez gave the Staff Report

Council Comments and Questions:

Discussion ensued regarding the two organizations not being ready to negotiate with La Palma for dispatching services; that the North Orange County Joint Powers Agreement (NOC JPA) for dispatching services is moving forward in discussion; that Senator Huff has sponsored legislation for North Orange County cities for CalPERS employees working for agencies joining cooperative agreements to keep their existing benefits; that City Council supports the current Dispatchers; that the City Council needs to look at alternatives to save money from the financial challenges it is facing; that Council Member Goedhart does not support a JPA with Buena Park or other cities, but supports West Comm services; and that West Comm is looking at the Spillman system and will hopefully conclude that effort.

Mayor Pro Tem Kim announced that because of this discussion, there is no need to go into Closed Session after the Regular Meeting and by consensus the City Council receives and files the report.

- 10. Automated Citations Project

Police Captain Engen gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the proposed process of issuing an electronic citation; that the citations would be electronically transferred to the Court system for processing; that the initial equipment is anticipated to have a five-year life span; that La Palma is in the last group of cities to implement the project; and that the Orange County Court system is no longer taking manual citations.

- a) Approve the purchase of four (4) Motorola MC75A citation devices with required accessories and software and hardware maintenance as listed in the Automated Citation Project presented by the Integrated Law and Justice

Agency of Orange County (ILJAOC) for a total project cost not to exceed \$37,120; and

- b) Grant signature authority to the positions of City Manager, Administrative Services Director, or Police Chief to execute the Automated Citations Project - Letter of Commitment and any subsequent renewal documents.

Council Member Hwangbo made a motion to approve the purchase of four (4) Motorola MC75A citation devices with required accessories and software and hardware maintenance as listed in the Automated Citation Project presented by the Integrated Law and Justice Agency of Orange County (ILJAOC) for a total project cost not to exceed \$37,120; and grant signature authority to the positions of City Manager, Administrative Services Director, or Police Chief to execute the Automated Citations Project - Letter of Commitment and any subsequent renewal documents.

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

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

NOES: None

ABSENT: Council Member Charoen and Mayor Shanahan

- 11. Consideration of On-street Parking on the South Side of Fresca Drive from Valley View Street west to the Union Pacific Railroad Right-of-Way

Community Development Director Dumhart gave the Staff Report.

Public Comment:

Kimberly Headley, Centerpointe La Palma Association Manager, addressed the City Council regarding her appreciation for addressing all of the concerns presented in the report; that making the improvements would encourage business at Centerpointe; and that the additional parking would help accommodate all businesses in that area.

Chris Burgess, Business Owner of Arcadia Chair Company, 5692 Fresca Drive, addressed the City Council regarding his support for the additional parking; and asked why additional parking has not been made further on Fresca Drive and possibly on Marlin Circle.

Community Development Director Dumhart reported that Staff would consider the additional parking request; however, the property owners would need to review

that option and approve those improvements; that the truck traffic impedes the use of the entire stretch of Fresca Drive; and that allowing additional sidewalks encourages additional patronage in that recently approved mixed use area.

Discussion ensued regarding support for the project; that there is sufficient room for sidewalk and landscape improvements; that the abandoned rail spur is an easement to the adjacent properties; and the property owners for the rail way have been a challenge to communicate with.

Council Member Hwangbo made a motion to adopt Resolution No. 2014-41 approving on-street parking on the south side of Fresca Drive from Valley View Street west to the Union Pacific Railroad Right-of-Way

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

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

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

Council Member Goedhart asked about the status of the Labor Attorney Services Request for Proposal (RFP); the status of the Houston Street tree removal project and noted that Staff should be prepared to address the public and notify residents who are directly involved; requested that the Warwick Circle code enforcement matter be on the next agenda and incorporate a discussion regarding the Zoning Code.

Administrative Services Director Murray responded that the Labor Attorney Service RFP should return to the City Council in September or October.

Community Services Director Belknap responded that the Houston Street tree removal project is scheduled for July 18, 2014. He added that Staff has posted notices on the dead trees that will be removed.

Council Member Hwangbo attended the July 4th Fitness Run for Fun; gave an update on Congresswoman Sanchez' progress on the Del Amo Bridge widening project; attended the first Concert in the Park; and closed by announcing his 26th wedding anniversary.

Mayor Pro Tem Kim attended the July 4th Fitness Run for Fun and the Orange County Sanitation District (OCSD) Administrative Committee meeting.

CITY MANAGER REMARKS

City Manager Volmert reported on the compliance difficulty of the Warwick property because it is in foreclosure and that the current tenants will soon be evicted; that there is a need to schedule a couple of work sessions regarding updating the zoning code in September and October and asked City Council members to respond with their availability.

Community Development Director Dumhart reported that the last Zoning Code update was in 2003, in response to the 1989 General Plan Update.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported that the State Water Control Board just announced emergency regulations have been passed for enforcing or restricting water wastefulness; and that he will be working with the City Management team to take action in August in accordance with what the State has passed.

ADJOURNMENT

Mayor Pro Tem Kim adjourned the Regular Meeting of the La Palma City Council at 8:53 p.m.

Steve Shanahan
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk