

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 19, 2015

CALL TO ORDER: Mayor 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 Shanahan being absent.

PLEDGE OF ALLEGIANCE: Council Member Steggell

INVOCATION: Council Member Hwangbo

ROLL CALL: Council and Commission Members

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

Council/Commission Members absent: Council/Commission Member Shanahan

City Officials present: Ellen Volmert, City Manager
Michelle Molko, Assistant City Attorney
Michael Belknap, Community Services Director
Douglas Dumhart, Community Development Director
Laurie Murray, Administrative Services Director/City Clerk
Eric Nuñez, Police Chief
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Mayor Kim presented a proclamation to Orange County Fire Authority Division Chief Dave Steffen in recognition of Drowning Prevention Awareness.
2. Community Services Director Belknap introduced Recreation Specialist Megan Hana who gave a brief presentation of the Youth Action Committee program and

introduced Youth Action Committee Members Michelle Dong, Tamanna Khurana, Joie Le, Richard Liu, Nikki Morinishi, Ramya Natajan, and Amy Pak.

3. Police Chief Nuñez introduced Danita Hernandez as the new Administrative Secretary in the Police Department.

ORAL COMMUNICATIONS

James Zagorski, a La Palma resident, addressed the City Council regarding his opposition to having personal information from public records submitted to the City being uploaded and made public on the City's website; and requested that the City Council adopt a policy to redact personal information from public records.

Assistant City Attorney Molko clarified that under the California Public Records Act, documents that are submitted to the City and submitted to Staff, are considered public records and subject to full disclosure; however, there are certain exemptions to that law, and that the public comments referenced by the resident are not subject to the exemption. She added that anyone who desires to communicate with Staff verbally over the phone in order to avoid such disclosure can do so, but once the information is documented in a written communication, it is subject to disclosure under the Public Records Act.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:17 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 April 21, 2015, and May 5, 2015, Regular Meetings of the Successor Agency.

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

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

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

NOES: None

ABSENT: Council Member 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 7:18 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the April 21, 2015, and May 5, 2015, Regular Meetings of the Planning Commission.

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

NOES: None

ABSENT: Commission Member Shanahan

PUBLIC HEARINGS

PL-2. Consideration of Subdivision Alternatives for a 1.3 Acre Site Located at 7601 and 7621 Walker Street, Approximately 100 Feet North of Marview Drive and 400 Feet South of Houston Avenue - Tentative Tract Map 17828

- a) Chairperson Kim opened the Public Hearing at 7:19 p.m.
- b) Community Development Director Dumhart gave the Staff Report

Chairperson Kim announced that due to the amount of anticipated speakers on the item, the Public Comment time limit will be reduced to 3 minutes per speaker; that all speakers be reminded of basic decorum; that no public display of applause or remarks be made; that comments be very basic to either state support or opposition to the recommendation; and that no members of the public attack Staff.

- c) Public Input:

Ed Mountford, Development Consultant representing the Ozawa Family, addressed the City Council regarding support for Alternative 4; taking neighbor complaints into consideration; and that access from Walker Street is viable.

James Zagorski, a La Palma resident, addressed the City Council in support of Alternative 4 and opposition to any other option.

Monte Baker, a La Palma resident, addressed the City Council in support of Alternative 4.

Debbie Baker, a La Palma resident, addressed the City Council in support of Alternative 4 and appreciation for the Ozawa's support of Alternative 4.

Ismile Noorbaksh, addressed the City Council by reading into the record a letter from La Palma resident Larry Herman, in opposition to Alternative 4. He closed by noting his opposition to the decreased public comment period to three minutes per speaker and not being allowed to speak for the entire five minutes as the previously accepted practice.

Ismile Noorbaksh, a La Palma resident, addressed the City Council in opposition to Alternative 4 and spoke on his previous experience as the La Palma City Engineer. He closed by noting his support for Alternative 2.

Sharon Gutjahr, a La Palma resident, addressed the City Council in support of Alternative 4, opposition to any other option, and appreciation for the Ozawa's support of Alternative 4.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding his opposition to the confusing traffic study and in support of Alternative 4.

Sabrina Mayland, a La Palma resident, addressed the City Council in support of Alternative 4 and appreciation for the Ozawa's support of Alternative 4.

Eduardo Cerna, a La Palma resident, addressed the City Council in support of Alternative 4.

Benjamin Zagorski, a La Palma resident, submitted a petition with 112 signatures in support of Alternative 4 and addressed the City Council regarding appreciation for the Ozawa's support of Alternative 4.

- d) Chairperson Kim closed the Public Hearing at 7:59 p.m.
- e) Commission Comments and Questions:

Discussion ensued regarding the lot sizes for Alternative 4 being a minimum of 5,000 square feet; that the width of the street is 32 feet; that there is no confirmation at this time that this will be a private community with a gated entrance; that further engineering needs to be conducted during the development phase; that a private community would be difficult to achieve because of the small scale of this development; that the Planning Commission would be the final decision making body on whether it would be a public or private street; that conditions of approval will need to be made during final Planning Commission action;; that the City Engineer reviewed all four options and had no concerns with Alternative 4; that Andrew Drive is flat and does not currently provide fast water drainage; that if Andrew Drive were to be continued through to Walker Street, the drainage issues would be improved by a better water flow design; that the closest storm drain to the Ozawa property is by the hospital; and whether the City would be exposed to further liabilities with Alternative 4.

Assistant City Attorney Molko responded that based on what is presented, she cannot directly address any liability issues; however, tonight's action is not to create the development, but to allow the Planning Commission to direct Staff on the design plan to move forward with.

Further discussion ensued regarding the outcome of the traffic analysis; that the signals at Marview Drive and Houston Avenue allow proper ingress and egress to and from that development; that the exit onto Walker Street will need to have a Stop Bar; that the median on Walker Street supports sufficient northbound left hand turn stacking capacity; appreciation for the public's involvement; that from an engineering standpoint, Alternative

1 seems to be more probable, but the design is forty years old and public comment needs to be taken into consideration; that there is no negative impact with Alternative 4; that the development schedule would take time because of the extension of utility services involved and geometry involved; and the schedule before the next Planning Commission review being approximately September.

- f) Adopt Resolution No. PC 2015-09 selecting subdivision concept Alternative 4 with ingress and egress directly off of Walker Street only as the preferred alternative and direct staff and the applicant to proceed with processing Tentative Tract Map 17828.

Vice Chairperson Goedhart made a motion to adopt Resolution No. PC 2015-09 approving Subdivision Concept Alternative 4 with ingress and egress directly off of Walker Street as the preferred alternative and direct Staff and applicant to proceed with processing Tentative Tract Map 17828, and include that the development not be a gated community.

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

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

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 8:13 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 April 21, 2015, and May 5, 2015, Regular Meetings, and April 27, 2015, and May 11, 2015, Special Meetings of the City Council.

6. Amendment to the Agreement with MJC Construction, Inc. for General Sewer Repair Services

Approve and authorize the Mayor to execute an Amendment to the Agreement with MJC Construction, Inc. for General Sewer Repair Services.

7. Request to Fill a Vacant Reserve Police Officer Position

Authorize the recruitment and hiring of one (1) sworn reserve police officer position to fill an immediate vacancy.

8. Employment Agreement Amendment: City Manager

Approve and authorize the Mayor to execute an Amendment to the City Manager Employment Agreement between the City of La Palma and Ellen Volmert for City Manager Services amending her salary effective July 4, 2015.

9. Revision to Salary Schedule for Management Employees

Resolution No. 2015-19 of the City Council of the City of La Palma amending the salary schedule for the La Palma Management Group effective July 4, 2015.

Council Member Hwangbo made a motion to approve Consent Calendar Items 1, 2, and 6 through 9.

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

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

ITEMS PULLED FROM CONSENT CALENDAR

3. Approval of Register of Demands

Adopt a Resolution approving the Register of Demands for May 19, 2015.

Mayor Kim announced that Consent Calendar Item 3 will be tabled to the June 2, 2015, City Council meeting because of the financial software conversion.

4. Notification of Rate Adjustment for Sanitation Services

Receive and file the report regarding the rate adjustment for residential and commercial sanitation services effective July 1, 2015.

Mayor Kim requested to have the Item pulled in order to clarify the vendor selection process, the term of the contract, and the comfort level with the rate increase.

Community Services Director Belknap responded that the EDCO Sanitation contract is an evergreen contract and requires a five year notice to end the contract and if such notice were delivered that Staff would start the RFP process at year four of that time period. He closed by commenting that the rate increase is specific to the CPI which is a fair adjustment and that EDCO has been cognizant of rate increases and previously suspended those rate increases during difficult financial times.

Administrative Services Director Murray noted that she has had a previous seven year relationship and that EDCO has been very receptive to the City's requests and a good partner.

Steve South, EDCO President and Chief Executive Officer, addressed the City Council regarding the rates not being increased since 2009; that the rate increases are not truly comparable with other cities because La Palma has different scopes of services involved; and that the rates have been set in compliance with Proposition 218 guidelines.

Mayor Kim requested to get a true breakdown of services and rates EDCO provides to comparable cities.

Mayor Kim made a motion to receive and file the report regarding Notification of Rate Adjustment for Sanitation Services effective July 1, 2015.

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

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

5. Amendment to the Agreement with Empire Pipe Cleaning and Equipment, Inc. for General Sewer Maintenance Services

Council Member Steggell requested to have the Item pulled to clarify whether the rates stay the same during the contract extension.

Community Services Belknap responded that the rates will stay the same - which is why Staff is recommending the extension.

Discussion ensued regarding the discrepancy between the dollar amount in the Staff Report and actual contract; and that the amendment will have the corrected language of "not to exceed \$75,000".

Approve and authorize the Mayor to execute an Amendment to the Agreement with Empire Pipe Cleaning and Equipment, Inc. for General Sewer Maintenance Services, extending the term of the agreement through June 5, 2016.

Mayor Pro Tem Goedhart made a motion to approve the amendment to the Agreement with Empire Pipe Cleaning and Equipment, Inc. for General Sewer Maintenance Services.

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

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

10. Presentation of Grants Needs Assessment Report

City Manager Volmert gave a brief overview of the Item and introduced Destin Blais, of Blais and Associates, who gave the presentation on the Grant Needs Assessment.

Receive and file the Grant Needs Assessment report.

By consensus, the City Council agreed to receive and file the Grant Needs Assessment report.

11. Award of Contract to R Dependable Construction, Inc. in the Amount of \$83,950 for Tenant Improvements at 5414 La Palma Ave. - City Project No. 5414 LP AVE

Community Development Director Dumhart gave the Staff Report.

Mayor Pro Tem Goedhart made a motion to approve the Award of Contract to R Dependable Construction, Inc. in the Amount of \$83,950 for Tenant Improvements at 5414 La Palma Ave. - City Project No. 5414 LP AVE

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

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

NOES: None

ABSENT: Council Member Shanahan

12. Discussion of Proposed Fiscal Year 2015-16 Budget

City Manager Volmert gave the Staff Report.

Public comment:

Keith Nelson, a La Palma resident, addressed the City Council regarding his opposition to the proposed suspension of City programs like La Palma Days; that total cuts reduce the City's budget by \$136,000; relayed a history of the La Palma Days event over the past 30 years; that 17 employees in 2013 made more than \$136,000 each in total compensation; that further consolidation/elimination of employee positions should be proposed instead of cutting programs; and support to eliminate a staff position over destroying a program that is the heart of the community.

Council Comments and Questions:

Discussion ensued regarding the same discussion taking place about 15 years ago; that the City used BP/ARCO sales tax monies for operations; that the loss of those monies have equaled cuts that started years ago; that cutting programs hurts the public; that Council Member Hwangbo will need to reevaluate the proposed program cuts prior to making any direction to staff; that eliminating programs in the community has an impact on home prices; that operational efficiencies need to be reviewed; evaluating investments that make La Palma a better community; that Mayor Pro Tem Goedhart clarified a reduction in Staff from 65 to 52 - a 20% reduction, revealing that the City Council has not been afraid to make significant and difficult staffing cuts; that the current City Council has inherited past mistakes; that the City Council has already cut over a million dollars, and the City is still in a deficit; that the City Council has made the proper recommendations, even instituting a 5% pay cut to Management Staff, and that the budget is just not sustainable; that the City Council has been very aggressive and responsive, and not afraid to make decisions; and that the City Council appreciates public comments, but would prefer to hear cost saving alternatives instead of criticism.

By consensus, the City Council agreed to receive and file the report.

13. Council Member Request: Citizen Committee on La Palma's Sustainability and Future

Mayor Kim gave a brief presentation on the Item.

Council Comments and Questions:

Discussion ensued regarding support for a Citizen Committee on La Palma's Sustainability and future; that an 11 member committee is large; that Staff needs to ensure this is a positive experience for the members; that committee member's backgrounds have financial experience; that each City Council member will have an opportunity to select two members with the Mayor selecting three; that Mayor Pro Tem Goedhart supports a wider background of applicants instead of just those who have only financial experience to include local business owners; that the City Council looks forward to having great discussions with the Citizen Committee; the rationale for choosing an 11 member committee; that City government has its limitations; anticipation that the members will be completely independent from the City Council; and that a formal presentation from the Citizen Committee be brought back to the City Council in February 2016.

Mayor Kim made a motion to approve the appointment of a temporary ad hoc Citizen Committee to review the City's operations and finances and to return back to the City Council a formal recommendation in February 2016 with a plan to achieve long-term financial sustainability.

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

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

NOES: None

ABSENT: Council Member Shanahan

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

Council Member Steggell attended the John F. Kennedy High School Scholarship Dinner and the Orange County Sanitation District (OCSD) board meeting.

Council Member Hwangbo attended the Southern California Association of Governments (SCAG) annual conference as the City's voting delegate; reported positive feedback from the Water Conservation notification; and whether the City is looking at bilingual City communications.

Community Services Belknap responded that the initial Water Alert announcement is not bilingual, but that Staff plans to prepare a bilingual notification to be made available at City counters.

Mayor Pro Tem Goedhart attended the Orange County Fire Authority (OCFA) budget and finance committee meeting; asked when Staff will address pool covers; and noted his support for pool covers as an efficient way to save water.

Community Services Director Belknap responded that Staff is looking to make a formal presentation of how to address pool covers and possible rebates by the upcoming June 16, 2015, City Council meeting.

Mayor Kim attended the John F. Kennedy High School Scholarship Dinner; the Special City Council meeting on May 11; the OCSD Administration Committee meeting; and announced the application period for the approved Citizen Committee being open through July 7, 2015, and that applications will be available on the City's website.

Administrative Services Director Murray added that the Citizen Committee applications will be available tomorrow afternoon as Staff still needs to develop and prepare them for posting.

CITY MANAGER REMARKS

City Manager Volmert announced the upcoming Memorial Day Ceremony on Monday, May 25, 2015, at the Memorial Flame in front of City Hall.

CITY ATTORNEY REMARKS

Assistant City Attorney Molko had nothing to report.

ADJOURNMENT

Mayor Kim adjourned the Regular Meeting of the La Palma City Council at 9:01 p.m.

Peter L. Kim
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk