

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

August 7, 2012

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the La Palma City Council to order at 6:31 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with Council Members Rodriguez and Shanahan being absent.

CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to subdivision (c) of Government Code Section 54956.9: One Case

Mayor Charoen recessed to Closed Session at 6:32 p.m.

Council Member Rodriguez joined the Closed Session at 6:36 p.m.

Mayor Charoen called for a recess at 6:39 p.m.

OPEN SESSION

Mayor Charoen reconvened the City Council in Open Session at 7:00 p.m. with Council Member Shanahan being absent.

City Attorney Kuperberg stated that there were no reportable actions as a result of the Closed Session.

PLEDGE OF ALLEGIANCE: Council Member Rodriguez

INVOCATION: Pastor Steve Bland, La Palma Christian Center

ROLL CALL: Council and Commission Members

Council/Commission Members present: Mayor/Chairperson Charoen, Mayor Pro Tem/Vice Chairperson Hwangbo, Council/Commission Member

Rodriguez, and Council/Commission Member  
Waldman

Council/Commission  
Members absent:

Council/Commission Member Shanahan

City Officials present:

Terry Matz, Interim City Manager  
Joel Kuperberg, City Attorney  
Michael Belknap, Recreation and Community  
Services Director  
Douglas Dumhart, Community Development Director  
Jeff Moneda, Public Works Director  
Eric Nuñez, Police Chief  
Michael Solorza, Finance Director  
Laurie Murray, Administrative Services Manager/City  
Clerk  
Kimberly Kenney, Minutes Clerk

#### PRESENTATIONS

1. Administrative Services Manager/City Clerk introduced new Administration Intern, Jay Jefferson.
2. Mayor Charoen presented a Proclamation to Police Captain Engen and the La Palma Police Night Watch employees in Recognition of National Night Out.

Police Chief Nunez announced the National Night Out celebration at the upcoming Concerts in the Park and Civic Expo on Saturday, August 11, 2012.

#### ORAL COMMUNICATIONS

No members of the public wished to speak.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS  
SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AT  
7:07 P.M.

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

CONSENT CALENDAR

- A. Approval of Successor Agency to the Community Development Commission Minutes

Minutes of the July 17, 2012, Regular Meeting of the Successor Agency.

- B. Approval of Register of Demands

Resolution No. SA 2012-19 approving the Successor Agency Register of Demands for August 7, 2012.

Council Member Rodriguez made a motion to approve Consent Calendar Items A and B.

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

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

RECESS THE SUCCESSOR AGENCY AND CONVENE AS THE PLANNING COMMISSION AT 7:09 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the July 17, 2012, Regular Meeting of the La Palma Planning Commission.

Vice Chairperson Hwangbo made a motion to approve Consent Calendar Item PL-1.

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

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

NOES: None

ABSENT: Commission Member Shanahan

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 7:10 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 July 17, 2012, Regular Meeting of the La Palma City Council and the Minutes of the July 20, 2012, and July 31, 2012, Special Meetings of the City Council.

3. Approval of Register of Demands

Resolution No. 2012-45 approving the Register of Demands for August 7, 2012.

5. Award of Contract to California Professional Engineering for the Traffic Signal, Striping, and Median Modifications on La Palma Avenue at Walker Street, City Project No. ST-318

- a) Award and authorize the Mayor to execute a contract in the amount of \$87,896 to California Professional Engineering, Inc. of La Puente, California, for the Traffic Signal, Striping, and Median Modifications on La Palma Avenue at Walker Street, City Project No. ST-318;
- b) Authorize the expenditure of up to an additional \$17,579 for contingencies, for a maximum project cost of \$105,475; and
- c) Appropriate additional funding from the Capital Outlay Reserve (COR) Fund fund balance in the amount of \$30,475 to complete the project.

7. Response to Grand Jury Report- "The Dissolution of Redevelopment: Where Have We Been? What Lies Ahead?"

Receive and File the report responses to the Orange County Grand Jury and authorize the Mayor to send the attached response to the Grand Jury on behalf of the City.

Council Member Rodriguez made a motion to approve Consent Calendar Items 1, 2, 3, 5, and 7.

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

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

ITEMS PULLED FROM CONSENT CALENDAR

4. Agreement for City Manager Services

Mayor Charoen requested to have the item pulled to give the members of the public background information on the new City Manager, the recruitment process, and the general details of her contract.

- a) Adopt Resolution No. 2012-46 appointing Ellen Volmert as City Manager for the City of La Palma; and
- b) Approve and authorize the Mayor to execute an Agreement between the City of La Palma and Ellen Volmert for City Manager Services.

Council Member Waldman made a motion to adopt Resolution No. 2012-46 appointing Ellen Volmert as City Manager for the City of La Palma and approve and authorize the Mayor to execute an Agreement between the City of La Palma and Ellen Volmert for City Manager Services.

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

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

6. Purchase of Five (5) Replacement City Fleet Vehicles for the Police Department

Mayor Pro Tem Hwangbo requested to have the item pulled to clarify the vehicle replacement policy.

Discussion ensued regarding reevaluating the vehicle replacement policy.

Authorize the purchase of five (5) replacement vehicles for the Police Department from the Vehicle Replacement Fund in the amount of \$130,428.

Mayor Pro Tem Hwangbo made a motion to approve the Purchase of Five (5) Replacement City Fleet Vehicles for the Police Department from the Vehicle Replacement Fund in the amount of \$130,428.

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

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

### PUBLIC HEARINGS

None Scheduled.

### REGULAR ITEMS

8. Mid-Term Review of the City Council's Goals for 2012

Interim City Manager Matz gave the Staff Report.

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

9. Long-term Fiscal Status Update

Interim City Manager Matz gave the Staff Report

The following individual addressed the City Council regarding the Long-term Fiscal Status Update:

Lisa Walker, 7812 Kelly Circle.

Council Comments and Questions:

Discussion ensued regarding the long term fiscal status update and support for City Staff conducting more detailed research on the proposal in order to bring it back to the City Council at a later date.

- a) Receive and file this report on the long-term fiscal status of the City; and
- b) Provide direction to Staff on the various recommendations presented to help address the impending loss of sales tax revenue.

By consensus, the City Council agreed to receive and file the long-term fiscal status of the City and provided direction to staff to conduct more research and detail the fiscal reductions; conduct outreach efforts to specific committees and public groups to get their feedback; and to report back to the City Council on the results at the upcoming September 18, 2012, City Council meeting.

10. League of California Cities Resolutions

Administrative Services Manager/City Clerk Murray gave the Staff Report.

- a) A Resolution encouraging California cities to oppose the California Desert Protection Act of 2011;

Council Member Waldman made a motion to support a Resolution encouraging California cities to oppose the California Desert Protection Act of 2011.

The motion failed for lack of a second. By consensus, the City Council agreed to take no action on the resolution.

- b) A Resolution requesting consideration of suspension of implementation or revision of the California Global Warming Solutions Act (AB32 of 2006);

Council Member Waldman made a motion to support a Resolution requesting consideration of suspension of implementation or revision of the California Global Warming Solutions Act (AB32 of 2006).

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

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

NOES: Council Member Rodriguez

ABSENT: Council Member Shanahan

- c) A Resolution calling upon the Governor and Legislature to enact legislation that would correct inefficiencies in the audit system, distribution system, and inequities in the formulas for distributing court ordered arrest and citation fines, fees, and assessments generated by local government;

Mayor Pro Tem Hwangbo made a motion to support a Resolution calling upon the Governor and Legislature to enact legislation that would correct inefficiencies in the audit system, distribution system, and inequities in the formulas for



distributing court ordered arrest and citation fines, fees, and assessments generated by local government.

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

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

NOES: None

ABSENT: Council Member Shanahan

- d) A Resolution raising public awareness and supporting tougher laws related to internet crimes against children;

Mayor Pro Tem Hwangbo made a motion to support a Resolution raising public awareness and supporting tougher laws related to internet crimes against children.

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

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

NOES: None

ABSENT: Council Member Shanahan

- e) A Resolution calling for an emergency management mission for California cities.

Council Member Rodriguez made a motion to support a Resolution calling for an emergency management mission for California cities.

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

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

NOES: None

ABSENT: Council Member Shanahan

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

**Council Member Waldman** attended the Orange County Sanitation District (OCSD) general meeting; the Orange County Water District and OCSD Open House; and reported that he has attended every Concert in the Park this year.

**Council Member Rodriguez** attended the Orange County Fire Authority (OCFA) meeting; entertained International Exchange Students from Beijing University in China; and reported that he has attended every Concert in the Park this year. He announced that he plans to attend the John F. Kennedy High School Football Boosters program on August 11, 2012, and plans to attend the upcoming National Night Out event.

**Mayor Pro Tem Hwangbo** attended the Orange County Vector Control District (OCVCD) Trustees meeting; received a visit from 30 high school students from Korea; the City Manager interviews; the Concerts in the Park; and the Orange County Korean-American Association installation of their new President. He inquired about cooling stations within La Palma for elderly residents during the upcoming heat wave.

Recreation and Community Services Director Belknap responded that the City will be preparing to open a cooling center if the weather index reaches 103 degrees; however, the forecast does not anticipate the weather to be that hot.

Council Member Hwangbo closed by asking for an update on the Pavement Management program.

Public Works Director Moneda gave an updated status report on the pavement projects occurring within the City of La Palma.

**Mayor Charoen** attended the previous two Concerts in the Park; the Thai Association of Southern California meeting; the Lunch with the Mayor; and thanked Mr. Matz for his services as the interim City Manager.

CITY MANAGER REMARKS

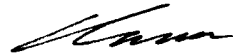
**Interim City Manager Matz** announced the upcoming Civic Expo and National Night Out event at the upcoming Concert in the Park on August 11, 2012, and thanked the City Council for the opportunity to serve the City. He closed by noting that Police Chief Nunez will be acting City Manager during his absence prior to the new City Manager's arrival.

CITY ATTORNEY REMARKS

**City Attorney Kuperberg** reported on the status of the State suspending Brown Act mandates in order to balance the State's budget; that most agencies will continue to practice their Brown Act rules because it is already ingrained into their processes; he closed by thanking Mr. Matz for his service.

ADJOURNMENT

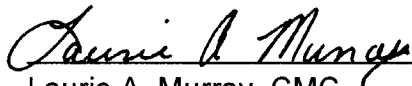
Mayor Charoen adjourned the Regular Meeting of the La Palma City Council in memory of Bruna Emillia Caballero at 9:04 p.m.



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G. Henry Charoen  
Mayor

Attest:



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Laurie A. Murray, CMC  
City Clerk