

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

October 16, 2012

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the La Palma City Council to order at 6:45 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with Mayor Pro Tem Hwangbo absent.

CLOSED SESSION

CS-1. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Government Code Section 54956.9: One Case

Section 54956.95: LIABILITY CLAIMS

Claimant: Dorothy Scott

Agency Claimed Against: City of La Palma

Mayor Charoen recessed the Closed Session at 6:55 p.m.

OPEN SESSION

Mayor Charoen reconvened the City Council in Open Session at 7:00 p.m. with all members present.

City Attorney Kuperberg reported that the City Council, by unanimous vote with Mayor Pro Tem Hwangbo being absent, denied the Scott claim.

PLEDGE OF ALLEGIANCE: Council Member Shanahan

INVOCATION: Council Member Rodriguez

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

PRESENTATIONS

1. La Palma Pageant Committee Co-Chair Kati Childres introduced the 2013 La Palma Pageant Contestants: Kareen Bahllio, Alisha Conover, Megan Giovannetti, Mikayla Khramov, Stephanie Iwan, Summer Myers, Abby Omolafe, Kelly Ann Smith, and Danielle Vela.
2. Recreation and Community Services Director Belknap presented a proclamation in recognition of La Palma Days as the official Orange County Veterans Day Parade.
3. Mayor Charoen presented a proclamation to Police Chief Nuñez in recognition of Red Ribbon Week.

ORAL COMMUNICATIONS

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding his support for the League of Women Voters Candidate's Forum and his opposition to a candidate's campaign finances.

Steven Maikoski, 4551 Maroon Drive, addressed the City Council regarding burglaries in his neighborhood and reminded the public to report suspicious activity to the La Palma Police Department.

Mayor Charoen reordered the Agenda to consider Agenda Items 7 and 8 ahead of the remainder of the Agenda.

REGULAR ITEMS

7. Joint Use Agreement with Centralia School District for Expenditure by the City for Shade Structure at George B. Miller School

Recreation and Community Services Director Belknap gave the Staff Report.

The following individuals spoke in support of the Joint Use Agreement with Centralia School District for the expenditure by the City for a shade structure at George B. Miller School:

Jeanette Salinas, Principle of George B. Miller Elementary.

Diane Sheerhorn, Ph.D., Superintendent of Centralia School District.

Tiffany Garcia, 8609 Phlox Drive, Buena Park.

Lou Tothe, 7892 Lemonwood Circle, addressed the City Council regarding clarification of the Joint Use Agreement.

Recreation and Community Services Director Belknap clarified that the Joint Use Agreement is for the City of La Palma to use the school facility for the Summer Day Camp Program.

Council Comments and Questions:

In response to Council Member inquiries, Superintendent Sheerhorn agreed to consider allowing public access of the school site during specific hours.

Council Member Shanahan made a motion to approve the Joint Use Agreement with Centralia School District for Expenditure by the City for Shade Structure at George B. Miller School.

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

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

NOES: Mayor Pro Tem Hwangbo

ABSTAINED: Mayor Charoen

Mayor Charoen called for a short recess at 8:33 p.m.

Mayor Charoen reconvened the City Council at 8:40 p.m. with all members present.

8. General Plan Update - Land Use Element Opportunity Areas Revisited

Community Development Director Dumhart introduced the item and Associate Planner Hutter gave the detailed staff report.

The following individuals spoke in opposition to the General Plan Update density levels:

Kevin Sequeira, 7791 Inwood Lane, who also presented petition with 1,079 signatures in opposition to the General Plan Update density levels.

John Finn, 5241 Del Sur Ave.

Lou Tothe, 7892 Lemonwood Circle.

Cheryl Pappas, 5272 Duke Drive.

Robert Carruth, 7201 Monterey Lane, who also voiced that the public is opposed to high density projects in the city and encouraged better public awareness of the General Plan Update process.

Gerard Goedhart, 4922 Berton Circle, who also voiced that the public is opposed to high density projects in the city; He stated his support for the changes that Staff made to the proposed densities.

The following individuals spoke in regards to clarification of the details in the General Plan Update and support for commercial businesses:

Christine Barnes, 4971 Berton Circle.

Council Member Waldman made a motion to approve tabling the General Plan Update for the new City Council.

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

Mayor Charoen called for a short recess at 10:08 p.m.
Mayor Charoen reconvened the City Council at 10:18 p.m. with all members present.

RECESS THE CITY COUNCIL AND CONVENE AS THE SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AT 10:19 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 September 18, 2012, and October 2, 2012, Regular Meetings of the Successor Agency.

B. Approval of Register of Demands

Resolution No. SA 2012-24 approving the Register of Demands.

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

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, Council Member
Shanahan, and Council Member Waldman

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

- C. Consideration of Due Diligence Review of Successor Agency's Low and Moderate Income Housing Fund Cash Assets Pursuant to Health and Safety Code § 34179.5

Community Development Director Dumhart gave the Staff Report.

Mayor Pro Tem Hwangbo made a motion to adopt Resolution No. SA 2012-25 approving the Due Diligence Review of Successor Agency's Low and Moderate Income Housing Fund Cash Assets Pursuant to Health and Safety Code § 34179.5

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

RECONVENE THE CITY COUNCIL FOR A JOINT MEETING WITH THE SUCCESSOR AGENCY AT 10:20 P.M.

CONSENT CALENDAR

- D. Technical and Non-Substantive Update to City and Successor Agency "Statement of Investment Policy"
- a) City Council approve a Resolution amending the City's "Statement of Investment Policy" to reflect certain legal changes and other updates; and
 - b) Successor Agency approve a Resolution amending the Successor Agency's "Statement of Investment Policy" to reflect certain legal changes and other updates.

Council Member Shanahan made a motion to approve Resolution No. SA 2012-26 amending the City's "Statement of Investment Policy" to reflect

certain legal changes and other updates; and approve Resolution No. SA 2012-27 amending the Successor Agency's "Statement of Investment Policy" to reflect certain legal changes and other updates.

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

RECESS THE CITY COUNCIL, ADJOURN THE SUCCESSOR AGENCY AND CONVENE AS THE PLANNING COMMISSION AT 10:22 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the September 18, 2012, and October 2, 2012, Regular Meetings 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, 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 10:23 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 September 18, 2012, and October 2, 2012, Regular Meetings of the La Palma City Council.

3. Approval of Register of Demands

Resolution No. 2012-54 approving the Register of Demands for October 16, 2012.

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

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

ITEMS PULLED FROM CONSENT CALENDAR

4. Amendment to Agreement for Professional Auditing Services

Mayor Pro Tem Hwangbo requested to have the item pulled to ask when the Agreement last went out to bid.

Finance Director Solorza replied that the last time the Agreement went out to bid was in April 2007.

Mayor Pro Tem Hwangbo made a motion to approve the amendment to the Agreement for Professional Auditing Services with Vavrinek, Trine, Day and Co., LLP.

The motion was seconded by Council Member Shanahan 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

5. Information Technology Infrastructure Expenditures

Council Member Shanahan requested to have the item pulled to clarify technical information sent out by Staff.

Management Analyst Corbin explained that the recommended server configuration would be more efficient than replacing them with the current configuration and Council Member Rodriguez provided a detailed description of the models being deployed.

- a) Authorize the purchase of hardware, software, and associated warranties from Dell in an amount not to exceed \$34,000; and
- b) Authorize the purchase of hardware, software, and associated warranties from CDW - Government in an amount not to exceed \$28,000.

Council Member Shanahan made a motion to approve the Information Technology Infrastructure Expenditures from Dell in the amount not to exceed \$34,000; and from CDW - Government in an amount not to exceed \$28,000.

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

REGULAR ITEMS

6. Charges for Services - Incremental Cost, Subsidy, and Comparison

City Manager Volmert gave a detailed staff report and Finance Director Solorza detailed the Revenue Impacts.

- a) Receive and discuss staff presentation of cost recovery, based on City Council direction provided on October 2, 2012, to include:

(1) Discussion and determination of the validity of the November 2009 Cost Recovery Study conducted by Revenue and Cost Specialists (RCS)

(2) Review presentation of a sample of the City's charges for services and the composition of each fee (direct versus indirect costs) which will provide insight into what the City charges for certain services and what makes up the actual cost of providing certain services

The following individual addressed the City Council regarding opposition to increasing fees for non-residents and support for incremental fee increases:

Christine Barnes, 4971 Berton Circle.

- b) Provide direction on updating the entire Master Fee Schedule based on a comparison of current fees with full-cost recovery, direct cost data, and comparison fees from neighboring jurisdictions.

By consensus, the City Council directed staff to update the Master Fee Schedule for the Public Works, Community Development, and Police Departments; and to complete a Recreation Department fee structure review.

9. Consideration of Orangethorpe Avenue and Valley View Street Median Landscape Improvements, City Project No. ST- 322

Associate Planner Hutter gave the detailed Staff Report.

Mayor Pro Tem Hwangbo made a motion to approve and authorize the execution of a contract in an amount not to exceed \$50,000 for the Orangethorpe Avenue and Valley View Street Median Landscape Improvements, City Project No. ST-322.

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.

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

Council Member Waldman attended the Orange County Sanitation District (OCSD) Administration Committee meeting.

Council Member Shanahan attended the Orange County Fire Authority (OCFA) Station 13 Open House.

Council Member Rodriguez attended the League of Women Voters Council Candidate Forum and the John F. Kennedy High School Parent Teacher Association (PTA) meeting regarding traffic congestion. He reported that the trees on Moody Street south of Sharon are pitched to the west; announced an upcoming Special Meeting by the OCFA regarding fees; and indicated that he would be placing an item regarding eliminating City Council stipends on an upcoming agenda.

Council Member Shanahan noted that a Council Member does not have to take the stipend; Administrative Services Manager/City Clerk Murray noted and City Attorney Kuperberg confirmed that the stipend is called for in the City's municipal code, but confirmed that any Council Member can refuse to take the stipend.

Mayor Pro Tem Hwangbo attended the Julianne Moore Elementary School reopening; the Korean War Veteran's Appreciation Day; and the League of Women Voters Council Candidate Forum. He announced that he plans to attend the upcoming Orange County Vector Control District (OCVCD) meeting and will not be able to attend the OCSD meeting. He also reported that the City's five schools all improved their API scores from the prior school year.

Mayor Charoen attended the League of Women Voters Council Candidate Forum; and the Southeast Asian Day in Long Beach.

CITY MANAGER REMARKS

City Manager Volmert announced that she continues to meet with various Staff and Community members; conducted a ride along with the La Palma Police Department; and announced the Annual Halloween Carnival at the Community Center on October 31.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Charoen adjourned the Regular Meeting of the La Palma City Council at 11:38 p.m. and Administrative Services Manager/City Clerk Murray reminded the public that the November 6, 2012, City Council meeting has been cancelled.

Mayor

Attest:

Laurie A. Murray, CMC
City Clerk