

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

January 15, 2013

CALL TO ORDER: Mayor Hwangbo 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.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Shanahan

INVOCATION: Pastor Jerry Bennett, Faith Fellowship Church

ROLL CALL: Council and Commission Members

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

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. Children from the La Palma Korean United Methodist Church performed traditional Korean Dance and provided a martial arts demonstration. Following the demonstration, Mayor Hwangbo presented a proclamation to Sang-Won

Park, Korean-American Foundation President, in recognition of January 13 as Korean-American Day.

2. Cheody Fortunado, representing the La Palma Community Activities and Beautification Committee, Home Spotlight Committee, presented Jack and Judi Evans with the Quarterly Home Spotlight Award for their home at 5702 San Simeon Drive, La Palma.
3. Cypress College Foundation and Southern California Edison representative, Jenelle Godges, gave a presentation on the upcoming Americana Awards event and announced that John Alvis is the La Palma Citizens of the Year. She closed the presentation by asking Becky Ishii to introduce the City Committee, requested sponsorship, and thanked the La Palma City Council for their previous support of the event.

John Alvis, 2013 La Palma Citizen of the Year, also addressed the City Council regarding the event.

ORAL COMMUNICATIONS

Calvin Sung, Field Representative for Assembly Woman Sharon Quirk-Silva, introduced himself to the City Council.

David Ethington, 8211 Suffield Street, addressed the City Council regarding his dissatisfaction with the previous slurry seal projects on his street and the need for the Landmark Tract streets to be rehabilitated.

Robert Carruth, 7201 Monterey Lane, addressed the City Council regarding the City's Government Accounting Standards Board (GASB) 45 unfunded liability; the City's Other Post Employment Benefits (OPEB) obligations; and that the City has not addressed its previous commitment to resolve this debt.

Council Member Goedhart asked when the Pavement Management Plan scheduled the Landmark Tract Street rehabilitation.

Public Works Director Moneda responded that weather permitting, concrete work to include curb and gutter begins in March, 2013, and then resurfacing will begin in June, 2013, during the hotter months.

RECESS THE CITY COUNCIL AND CONVENE AS THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF LA PALMA AT 7:42 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 December 18, 2012, Regular Meeting of the Successor Agency to the Dissolved Community Development Commission of the City of La Palma.

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, Council Member
Goedhart, Mayor Hwangbo, Council Member
Kim, and Mayor Pro Tem Shanahan

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

B. Approval of Register of Demands

Council Member Goedhart requested to have the item pulled to clarify the amount paid to the County of Orange due to the Dissolution of Redevelopment Agencies and asked how that impacts the future budget.

Community Development Director Dumhart responded that the State mandated \$3 million payment was from the affordable housing dollars from the former Redevelopment Agency; that all Redevelopment Agencies state-wide have to remand affordable housing payments; that the City's ability to provide affordable housing has been negatively impacted; and listed the numerous Orange County cities that have already remanded their affordable housing payments.

Resolution No. SA 2013-01 approving the Successor Agency Registers of Demands for January 2, 2013, and January 15, 2013.

Council Member Goedhart made a motion to approve Resolution No. SA 2013-01 approving the Register of Demands for January 2, 2013, and January 15, 2013.

Mayor Hwangbo asked what consequences the City would incur by not making the payment.

City Attorney Kuperberg responded that it would be a legal violation and the City would incur significant legal fees; that payment is clearly stated in State Law; and that the State and the County Auditor would extract future property tax revenues in lieu of non-payment.

The motion 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 Mayor Pro Tem Shanahan
NOES:	None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF LA PALMA AND CONVENE AS THE PLANNING COMMISSION AT 7:47 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the December 18, 2012, Regular Meeting of the La Palma Planning Commission.

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

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:48 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 December 18, 2012, Regular Meeting of the La Palma City Council.

3. Approval of Register of Demands

Resolution No. 2013-01 approving the Registers of Demands for January 2, 2013, and January 15, 2013.

Council Member Charoen made a motion to approve Consent Calendar Items 1 through 3.

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

4. Notice of Completion for the Traffic Signal, Striping, and Median Modifications on La Palma Avenue at Walker Street Project, City Project No. ST-318

Council Member Kim requested to have the Item pulled to relay residents concerns regarding the tree removals during the street median upgrade. He requested that Staff be cognizant of keeping trees on future street rehabilitation projects.

Public Works Director Moneda stated that the trees needed to be removed to mitigate traffic issues.

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 Traffic Signal, Striping, and Median Modifications on La Palma Avenue at Walker Street Project, City Project No. ST-318.

Council Member Kim made a motion to approve the Notice of Completion for the Traffic Signal, Striping, and Median Modifications on La Palma Avenue at Walker Street Project, City Project No. ST-318.

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

Mayor Hwangbo moved up Item 8 to allow the representatives from Association of California Cities - Orange County (ACC-OC) to comment on the item.

8. Council Member Request: Review of Association of California Cities - Orange County (ACC-OC) Membership

Council Member Goedhart gave a brief overview of the item.

Administrative Services Manager Murray reported that several Staff members have used ACC-OC's services for policy research, regulatory issues, and legislative matters. She also stated that the ACC-OC is currently gathering personnel policies from other agencies at the request of Staff.

Lacy Kelly, ACC-OC C.E.O., gave a presentation about the organization's relationship with State Legislature and City Staff; support they offer to local Agencies; and their regional advocacy with regulatory agencies.

Fred Smith, 8412 Crescent Avenue, Buena Park, and ACC-OC Board Member, addressed the City Council to advise them that he is La Palma's liaison to the ACC-OC; that Staff has used ACC-OC's tools, education, and research to complete its projects.

Council Comments and Questions:

Discussion ensued regarding a lack of financial transparency and information on ACC-OC's website and the City's membership in the organization.

Council Member Goedhart made a motion to approve the elimination of the City's Association of California Cities - Orange County (ACC-OC) Membership.

The motion died for lack of a second.

City Manager Volmert noted that no motion was necessary to continue the City's ACC-OC membership as it was in the approved FY 2012-13 budget.

5. City Council Appointed Committees

City Manager Volmert gave the Staff Report.

Provide direction to Staff regarding the continuation of each of the referenced Committees for budget planning purposes and determine the need for the current recruitment processes underway.

Council Comments and Questions:

Discussion ensued regarding the effectiveness and importance of the committees and that there is no need to make changes in the current committee structure; and that Council Members support Citizen Committees.

Council Member Goedhart made a motion to receive and file the report. The motion was seconded by Council Member Kim.

Further discussion ensued regarding the frequency of Committee meetings and keeping the Citizen Committees.

The motion carried on the following vote:

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

NOES: None

6. February 11, 2013, Fee Work Session

City Manager Volmert gave the Staff Report.

Provide direction to staff regarding the agenda (purpose) and data needs for the February 11, 2013, fees work session.

Council Comments and Questions:

Discussion ensued regarding the February 11, 2013, study session on fees.

By consensus, the City Council directed Staff to present direct distinct from total cost; showing the cost assumptions; and spending the majority of the session reviewing recreation fees.

Mayor Hwangbo requested to take a short recess at 8:54 p.m.

Mayor Hwangbo reconvened the City Council at 9:02 p.m. with all members present.

7. Adoption of City Council Goals

City Manager Volmert gave the Staff Report.

Adopt 2013 goals as described in the report and provide direction to Staff relative to performance measures for each.

Council Comments and Questions

Discussion ensued regarding the 2013 City Council Goals and the proposed performance measures.

Council Member Charoen made a motion to adopt the 2013 City Council Goals.

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

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

NOES: Council Member Goedhart

9. Council Member Request: Ad Hoc Citizens Committee to Review Finances, Programs, and Services

Mayor Hwangbo gave a brief overview of the item.

Public Comment:

Keith Nelson, 5311 La Luna Drive, addressed the City Council regarding the 1993 and 1998 Ad-Hoc Citizen Committees; and support that the current City Council balance the budget and create a Citizen Committee to address the City's financial issues.

Robert Carruth, 7201 Monterey Lane, addressed the City Council regarding balancing the budget; and support for a Citizens Committee.

Council Comments and Questions:

Discussion ensued regarding support for and the importance of community feedback and involvement.

Mayor Hwangbo made a motion to create an Ad Hoc Blue Ribbon Citizens Committee to Review the City's financial condition, programs, and services.

Council Member Kim asked for a friendly amendment to eliminate the provision of the City Manager appointing a Committee Member to remove any conflict of interest, and proposed that instead, the Mayor and Mayor Pro Tem get two appointees.

Further discussion ensued regarding changing the Committee from seven members to five members leaving each Council Member to appoint one representative.

Mayor Hwangbo made a substitute motion to create a five member Ad Hoc Blue Ribbon Citizens Committee to Review the City's financial condition, programs, and services, with one appointee being selected by each Council Member.

Council Member Kim seconded the substitute motion.

Further discussion ensued regarding a lack of support for an Ad Hoc Blue Ribbon Citizens Committee; and support for community input.

Keith Nelson, 5311 La Luna Drive, addressed the City Council regarding public comment not impacting City Council decisions historically because by the time the public comes to speak to them, the City Council has already made their decision; that the City does not have a good advertising vehicle to announce upcoming work sessions to the community; and in support of a Citizens' Committee.

The motion failed on the following vote:

AYES: Mayor Hwangbo, and Council Member Kim.

NOES: Council Member Charoen, Council Member Goedhart, and Mayor Pro Tem Shanahan.

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

Council Member Charoen attended the Goal Setting Session and thanked City Manager for facilitating the session.

Council Member Goedhart attended the Orange County Fire Authority (OCFA) Budget and Finance Committee meeting; the ACC-OC meeting. He closed by stating that in the future, confidential information regarding Closed Session matters should be provided to the City Council prior to the meetings.

City Attorney Kuperberg stated that Staff can provide confidential information prior to the Closed Session and the importance of keeping that information confidential.

Council Member Kim attended the Orange County Sanitation District (OCSD) General Meeting and the Goal Setting Sessions. He closed by thanking City Manager Volmert for facilitating those sessions.

Mayor Pro Tem Shanahan attended the Goal Setting Sessions and the Orange County Library Advisory Board meeting.

Mayor Hwangbo attended the Orange County Vector Control District (OCVCD) meeting; the Goal Setting Sessions; the installation of Orange County Supervisors; the ACC-OC meeting; and a La Palma United Methodist Church luncheon in recognition of Korean American Day. He inquired as to why Closed Sessions have been scheduled after regular meetings and requested that they be earlier for the City Council's sake and in order to address the Labor Attorney's charges.

City Manager Volmert responded that the Labor Attorney is paid for his time; that Staff tries to schedule the Closed Sessions when all five Council Members can be present; that labor and real estate matters are longer sessions; and that Staff could try to accommodate the request by scheduling Closed Sessions as Special Meetings at earlier times.

CITY MANAGER REMARKS

City Manager Volmert had nothing to report.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report and wished the City Council a happy New Year.

CLOSED SESSION

Mayor Hwangbo recessed to Closed Session at 10:14 p.m.

CS-1. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS Pursuant to Government Code Section 54956.8

Property:	6 Centerpointe Drive, La Palma, California Parcel Number 276-081-62
Agency Negotiator:	Joel Kuperberg, City Attorney Ellen Volmert, Executive Director Douglas Dumhart, Community Development Director
Negotiating Parties:	Tesoro Companies Under Negotiation: Price and Terms

CS-2. The City Council will meet in Closed Session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives:	Ellen Volmert, City Manager Laurie Murray, Administrative Services Manager Steve Filarsky, Agency Labor Counsel
Employee Organization:	La Palma General Employees Association La Palma Police Association La Palma Professional Employees Association
Unrepresented Employees:	Executive Management

CS-3. The City Council will meet in Closed Session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives:	Ellen Volmert, City Manager Laurie Murray, Administrative Services Manager Steve Filarsky, Agency Labor Counsel
Employee Organization:	La Palma General Employees Association La Palma Police Association La Palma Professional Employees Association
Unrepresented Employees:	Executive Management

Mayor Hwangbo adjourned the Closed Session, reconvened in Open Session at 11:43 p.m., and asked for a report.

Administrative Services Manager/City Clerk Murray responded that there were no reportable actions on items CS-1 and CS-2. She closed by reporting that on CS-3, the City Council voted unanimously to eliminate the Management Aide position and voted 4-1 to eliminate the Management Analyst, Recreation Coordinator, and Police Sergeant positions with Mayor Pro Tem Shanahan voting no. She added that those positions are currently vacant and not funded in the FY 2012-13 budget.

ADJOURNMENT

Mayor Hwangbo adjourned the Regular Meeting of the La Palma City Council at 11:46 p.m.

Steve Hwangbo
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk