

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

February 19, 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: Council Member Goedhart

INVOCATION: Council Member Kim

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

None Scheduled.

## 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 7:04 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

Approve the Minutes of the February 5, 2013, Regular Meeting of the Successor Agency.

### B. Approval of Register of Demands

Resolution No. SA 2013-03 approving the Successor Agency Register of Demands for February 19, 2013.

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

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

## PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE SUCCESSOR AGENCY AND CONVENE AS THE PLANNING COMMISSION AT 7:05 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Approve the Minutes of the February 5, 2013, Regular Meeting of the La Palma Planning Commission.

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

The motion was seconded by Commission Member Kim 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

PL-2. Ordinance Adding and Amending Certain Provisions within Chapter 26 of the La Palma City Code to Provide a Process for Making Reasonable Accommodation to Land Use and Zoning Decisions and Procedures Regulating the Citing, Funding, Development, and Use of Housing Matters for People with Disabilities

a) Chairperson Hwangbo opened the Public Hearing at 7:05 p.m.

b) Associate Planner Hutter gave the Staff Report

c) Public Input

No members of the public wished to speak

d) Chairperson Hwangbo closed the Public Hearing at 7:15 p.m.

e) Commission Comments and Questions

Discussion ensued regarding establishing fees to cover the costs of the Planning Department's review.

City Attorney Kuperberg responded that a fee is allowed; however, due to the nature of the matter, it may be prudent to waive any fees.

f) Adopt Resolution No. PC 2013-01 recommending that the City Council approve an Ordinance of the City Council of the City of La Palma adding and amending certain provisions within Chapter 26 of the La Palma City Code to provide a process for making reasonable accommodation to land use and zoning decisions and procedures regulating the citing, funding, development, and use of housing designed for, intended for occupancy by, or for supportive services for, persons with disabilities in the "Single-Family District Residential (R-1)" and "Multiple Family Residential District (R-3) and "Village Residential Overlay District (VO)"

Chairperson Hwangbo made a motion to adopt Resolution No. PC 2013-01 recommending that the City Council approve an Ordinance of the City Council of the City of La Palma adding and amending certain provisions within Chapter 26 of the La Palma City Code to provide a process for making reasonable accommodation to land use and zoning decisions and procedures regulating the citing, funding, development, and use of housing designed for, intended for occupancy by, or for supportive services for, persons with disabilities in the "Single-Family District Residential (R-1)" and "Multiple Family Residential District (R-3) and "Village Residential Overlay District (VO)".

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

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

NOES: None

PL-3. Ordinance Adding and Amending Certain Provisions within Chapter 26 of the La Palma City Code to Subject Permanently Sited Manufactured Homes on Lots Zoned For Single-Family Dwellings to the Same Rules as Site-Built Homes in the "Single-Family District Residential (R-1)"

- a) Chairperson Hwangbo opened the Public Hearing at 7:18 p.m.
- b) Associate Planner Hutter gave the Staff Report.
- c) Public Input

Kevin Sequeira, 7791 Inwood Lane, addressed the City Council regarding the proposed Ordinance.

- d) Chairperson Hwangbo closed the Public Hearing at 7:27 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding the proposed Ordinance and State legislation.

- f) Adopt Resolution No. PC 2013-02 recommending that the City Council approve an Ordinance of the City Council of the City of La Palma adding and amending certain provisions within Chapter 26 of the La Palma City Code to subject permanently sited manufactured homes on lots zoned for single-family dwellings to the same rules as site-built homes in the "Single-Family District Residential (R-1)"

Chairperson Hwangbo made a motion to adopt Resolution No. PC 2013-02 recommending that the City Council approve an Ordinance of the City Council of the City of La Palma adding and amending certain provisions within Chapter 26 of the La Palma City Code to subject permanently sited manufactured homes on lots zoned for single-family dwellings to the same rules as site-built homes in the "Single-Family District Residential (R-1)"

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

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

NOES: None

## REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:29 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

Approve the Minutes of the January 2, 2013, January 8, 2013, January 28, 2013, and February 11, 2013, Special Meetings of the La Palma City Council and the Minutes of the February 5, 2013, Regular Meeting of the La Palma City Council.

3. Approval of Register of Demands

Adopt Resolution No. 2013-09 approving the Register of Demands for February 19, 2013.

5. Assignment of Hogle-Ireland, Inc. Contract for Planning Services to Moore Iacofano Goltsman, Inc.

Approve and authorize the Mayor to execute the assignment of the Agreement for consultant services with Hogle-Ireland, Inc. to Moore Iacofano Goltsman, Inc.

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

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

ITEMS PULLED FROM CONSENT CALENDAR

4. Award of Contract to Cinbad Industry, Inc. for Construction Services for the Renovation of the Community Center Floors at Central Park, City Project No. 12-BLDG-04

The item was pulled in order to receive a Staff Report and have a discussion on the item.

Public Works Director Moneda gave the Staff Report.

Discussion ensued regarding the renovation of the Community Center floors.

Public Comment:

The following individuals addressed the City Council regarding the proposed flooring project:

Larry Herman, 5122 Andrew Drive.

Kevin Sequeira, 7791 Inwood Lane.

Further discussion ensued regarding the renovation of the Community Center floors, cost savings if the entire project were not completed, and a request for the bid outcomes on each Community Center room.

Mayor Hwangbo called for a short recess at 7:52 p.m.

Mayor Hwangbo reconvened the City Council at 7:56 p.m. with all members present.

Public Works Director Moneda reported that the Royal Palm Room and Lobby floor replacement would be \$51,706 including the 15% contingency.

Further discussion ensued regarding the renovation of the Community Center floors, and the potential liabilities if the floor is left in its current condition.

Award a contract in the amount of \$66,482.61 to Cinbad Industry, Inc. for construction services for the renovation of the Community Center floors at Central Park, City Project No. 12-BLDG-04.

Mayor Pro Tem Shanahan made a motion to approve the Award of Contract to Cinbad Industry, Inc. for Construction Services for the Renovation of the Community Center Floors at Central Park, City Project No. 12-BLDG-04.

The motion was seconded by Council Member Charoen.

Council Member Goedhart noted that he would not support the item because that there are other alternatives that do not include the replacement of the entire Community Center flooring.

The motion carried on the following vote:

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

NOES: Council Member Goedhart

### PUBLIC HEARINGS

#### 6. Adoption of Updated User Fee Schedule, Continuance of Public Hearing

Finance Director Solorza gave the Staff Report

- a) Mayor Hwangbo opened the Public Hearing at 8:25 p.m.
- b) Public Input

No members of the public wished to speak.

Council Comments and Questions:

Discussion ensued regarding continuing the item until more study has been conducted.

City Attorney Kuperberg offered that the City Council could continue the public hearing to a later date in order to meet the noticing requirements.

- c) Continue Public Hearing to March 5, 2013

By consensus, the City Council agreed to continue the item to the March 5, 2013, City Council meeting.

Larry Herman, 5122 Andrew Drive, addressed the City Council to request that the audience be supplied with copies of the items being studied.



REGULAR ITEMS

7. 2014-2021 Update of the City's Housing Element

a) Associate Planner Hutter introduced the item and Laura Stetson, MIG-Hogel Ireland Principal, gave the detailed presentation.

b) Public Input

No members of the public wished to speak.

c) Council Comments and Questions

Discussion ensued regarding the updated 2013 Draft Housing Element; and that the City risks lawsuits if it does not comply with State mandates.

d) Authorize Staff to submit the updated 2013 Draft Housing Element to the California Department of Housing and Community Development for review.

Council Member Goedhart made a motion to approve and authorize Staff to submit the updated 2013 Draft Housing Element to the California Department of Housing and Community Development for review.

The motion was seconded by Mayor Hwangbo 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

Mayor Hwangbo called for a short recess at 9:03 p.m.

Mayor Hwangbo reconvened the City Council at 9:10 p.m. with all members present.

8. Long-Term Capital Improvement Program (CIP) Funding Plan

Review the long-term (ten year) Capital Improvement Plan (CIP) projected project and funding plan and provide feedback on the projected use of various funding sources to meet the City's long-term infrastructure needs. City Council feedback will help Staff in finalizing the CIP as part of the budget process. Formal

presentation of the CIP will occur as part of the regular Fiscal Year 2013-14 budget development process (April) with anticipated adoption occurring in June.

Finance Director Solorza and Public Works Director Moneda gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the long-term CIP projected project and funding plan; various components of the plan, and a need to re-evaluate the Park Master Plan.

The City Council received and filed the report.

9. Second Quarter Operating Report and Mid Year Budget Adjustments, Fiscal Year 2012-13

a) Receive the presentation on the Second Quarter Operating Report

Finance Director Solorza gave the Staff Report

Discussion ensued regarding the Second Quarter Operating Report and Mid Year Budget Adjustments for Fiscal Year 2012-13; the proposed funding for a "Citizen Outreach Survey;" and the enhanced reporting on Council Goals.

b) Approve a Resolution amending the Fiscal Year 2012-13 Budget to adjust certain Department and Program budgets which do not increase total appropriations as outlined in Exhibit A to Attachment 4

Council Member Kim made a motion to adopt Resolution No. 2013-10 amending the Fiscal Year 2012-13 Budget to adjust certain Department and Program budgets which do not increase total appropriations as outlined in Exhibit A to Attachment 4 excluding the \$10,000 funding for the Citizen Outreach Survey.

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

10. Financial Strategy Engagement/Outreach Plan

City Manager Volmert gave the Staff Report

Public Input

Kevin Sequeira, 7791 Inwood Lane, addressed the City Council regarding finding a way to report how sales tax would be impacted if residents purchased products/services from La Palma versus outside the City; finding other alternatives to reach out to the older adult community who aren't computer savvy; and utilizing the news-blasts technology through the City's website.

a) Provide direction regarding the draft plan; and

Discussion ensued regarding the draft Financial Strategy Engagement/Outreach Plan; the use of "Smart Phone" applications and social media technology; a community outreach survey; town hall meetings; and newsletters.

b) Adopt the draft plan, with or without amendments; or alternatively

c) Bring the draft plan back for adoption at a later meeting, incorporating feedback

By consensus, the City Council directed Staff to conduct more research regarding the proposed comprehensive outreach survey and asked that the survey be cost efficient.

Council Member Goedhart commented that he had concerns regarding the plan and did not support it.

City Manager Volmert commented that the key audience will define the strategy of the survey and without that, Staff cannot move forward with the survey project.

Further discussion ensued regarding directing Staff to follow through with the research for the survey; include how much Staff time is involved; and to include what outreach efforts are not currently being utilized now.

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

**Mayor Pro Tem Shanahan** attended the State of the County Address.

**Council Member Kim** attended the Association of California Cities - Orange County

(ACC-OC) newly elected officials orientation; the La Palma Neighborhood Watch Appreciation Banquet; the City Council User Fee Study Session; and the Orange County Sanitation District (OCSD) Administration Committee meeting.

**Mayor Hwangbo** asked that Staff request a presentation from OCSD on the proposed fee increase.

**City Manager Volmert** reported that Staff had scheduled a presentation for the March 19, 2013, City Council meeting.

**Council Member Goedhart** attended an Orange County Fire Authority (OCFA) budget meeting.

**Council Member Charoen** attended the User Fee Study Session and plans to attend the upcoming Committee Member interviews.

**Mayor Hwangbo** attended the Cypress School District Oversight Committee meeting; the State of the County Address; the La Palma Neighborhood Watch Appreciation Banquet; the User Fee Study Session; and a League of California Cities Orange County (LOCC-OC) meeting. He reported that Staff had been treated to lunch by one of the local Korean restaurants and requested a status report on the upcoming Chase Bank.

Community Development Director Dumhart responded that Chase Bank should be completed by the end of May. He also commented that the Walmart Neighborhood Market should be completed in that same time frame.

#### CITY MANAGER REMARKS

**City Manager Volmert** attended the User Fee Study Session; the La Palma Neighborhood Watch Appreciation Banquet; and the ACC-OC City Manager's meeting.

#### CITY ATTORNEY REMARKS

**City Attorney Kuperberg** commented on the problems that cities are having with the Department of Finance in relation to the cities' Successor Agencies; that La Palma is faring better than most California cities in that regards; and the ACC-OC convened a meeting with agency attorneys to discuss and strategize regarding the challenges that the State has implemented.

CLOSED SESSION

CS-1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Position Title: City Manager

Mayor Hwangbo recessed to Closed Session at 10:55 p.m.

Mayor Hwangbo reconvened in Open Session at 11:10 p.m.

Administrative Services Manager Murray stated that there was nothing to report from Closed Session.

ADJOURNMENT

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

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Steve Hwangbo  
Mayor

Attest:

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Laurie A. Murray, CMC  
City Clerk