

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 7, 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 Kim

INVOCATION: Pastor Dave Lutes, La Palma Christian Center

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 & 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. City Manager Volmert presented a plaque to outgoing Public Works Director Moneda for his years of dedicated service to the City of La Palma.

2. Mayor Hwangbo presented a Proclamation to City Manager Volmert in recognition of Public Service Recognition Week (May 5-11).
3. Mayor Hwangbo presented a Proclamation to Corporal Johnson, Officer Pastor, Sergeant Wright, and Captain Engen in Recognition of Peace Officers' Memorial Day.
4. Leticia Mata, representing the Orange County Human Relations Commission, presented a Certificate of Recognition to the City of La Palma for promoting a safe, inclusive community in 2011-12.

ORAL COMMUNICATIONS

Ismile Noorbaksh, 7541 Trabuco Lane, addressed the City Council to congratulate outgoing Public Works Director Moneda and to provide a history of the Public Works Department, its functions, and the need to have a Public Works Director that is also a qualified engineer.

Ralph Rodriguez, 4621 Amberwood Avenue, addressed the City Council regarding the painting of curb numbers by community groups. He requested that the matter be agendaized for an upcoming City Council meeting so the public has an opportunity to comment.

Public Works Director Moneda responded that the City's policy is to ensure that groups desiring to conduct curb painting acquire an encroachment permit; provide adequate insurance; and complete the task without discrepancies. He closed by stating that any interested community groups could apply in time for the upcoming street rehabilitation in the Pavement Management Plan.

City Manager Volmert further explained that Staff was not intending to change an existing Ordinance, but to have a uniform plan, and that the City Council can agendaize the matter in order to have a discussion.

Ismile Noorbaksh, 7541 Trabuco Lane, addressed the City Council in favor of community groups painting curb numbers.

Larry Herman, 5122 Andrew Drive, congratulated Public Works Director Moneda on his new position; thanked Mayor Hwangbo for holding a Mayor's Round Table meeting and encouraged him to continue those meetings; inquired if federal funding is at risk for the Meals on Wheels program; and asked for clarification on the two Closed Session items. Mr. Herman also stated his concerns with the way curb numbers had historically been painted and in favor of ensuring all addresses were painted.

City Manager Volmert responded that the Meals on Wheels program is currently not at risk and Administrative Services Manager Murray gave a brief overview of the two Closed Session items.

City Attorney Kuperberg stated that if the City Council wants to discuss curb painting in depth, it should be agendaized at a future City Council meeting.

Based on the discussion, City Manager Volmert indicated that the curb painting issue would be placed on a future agenda.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:47 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 of 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 March 19, 2013, April 2, 2013, and April 16, 2013, Regular Meetings of the Successor Agency.

B. Approval of Register of Demands

Resolution No. 2013-06 approving the Successor Agency Register of Demands for May 7, 2013.

C. Cash and Investment Report, Third Quarter Fiscal Years 2012-13, as of March 31, 2013

Receive and File the Cash and Investment Report for the third quarter of the 2012-13 Fiscal Year (as of March 31, 2013).

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

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 CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE
DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS THE
PLANNING COMMISSION AT 7:48 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the March 19, 2013, April 2, 2013, and April 16, 2013, Regular Meetings of the La Palma Planning Commission.

Commission Member Charoen 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 Chairperson
Shanahan

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:49 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 March 11, 2013, Special Meeting of the La Palma City Council and the March 19, 2013, April 2, 2013, and April 16, 2013, Regular Meetings of the La Palma City Council.
4. Cash and Investment Report, Third Quarter Fiscal Years 2012-13, as of March 31, 2013

Receive and File the Cash and Investment Report for the third quarter of the 2012-13 Fiscal Year (as of March 31, 2013).
5. Purchase of a Caterpillar Diesel Powered Standby Electrical Generator for the City Yard Facility and Booster Pump Station

Authorize the purchase of a Caterpillar #C15 Diesel Standby Generator for the City Yard Facility and Booster Pump Station for \$107,840 from Quinn Power Systems of Industry, California, per the terms outlined in the National Joint Powers Alliance (NJPA) contact number 092409-CAT.
6. Records Destruction

Resolution No. 2013-21 authorizing the destruction of obsolete records pursuant to the California Government Code Section 34090.

Council Member Kim made a motion to Consent Calendar Items 1, 2, 4, 5, and 6.

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

3. Approval of Register of Demands

Council Member Goedhart requested to have the item pulled to inquire about the payment to Southern California Edison.

Public Works Director Moneda clarified that the payment was for a valuation study for the validation of the purchase of the street lights and to determine an accurate inventory of those street lights.

City Manager Volmert responded that the valuation study is mandated in order to move forward with the street light purchase; that several meetings will be conducted with Chevron Corporation to review other energy saving projects; that the results of the valuation study should arrive by the end of May; and that the results will be returned to the City Council for a decision on City-wide energy saving projects.

Resolution No. 2013-20 approving the Register of Demands for May 7, 2013.

Council Member Goedhart made a motion to approve Consent Calendar Item 3.

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

7. Notification of Rate Adjustment for Sanitation Services

Council Member Goedhart requested to have the item pulled to allow Staff to give a brief presentation to the public.

Administrative Services Manager Murray gave a brief overview on the rate increase.

Receive and File the report regarding the rate adjustment for residential and commercial sanitation services effective July 1, 2013.

Council Member Goedhart made a motion to approve Consent Calendar Item 7.

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

8. Appointment to City Council Appointed Citizen Committees Sub Committee

Administrative Services Manager Murray gave the Staff Report.

Appoint two representatives to the City Council Appointed Citizen Committee Sub-committee pursuant to Policy 30 - Council Norms.

Mayor Hwangbo made a motion to appoint the acting Mayor and Mayor Pro Tem as members of the City Council Appointed Citizen Committees Sub Committee. The motion was seconded by Mayor Pro Tem Shanahan.

Council Member Goedhart noted that although he will vote in favor of the item, he prefers to have each City Council member involved with making decisions on Citizen Committee selections.

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

9. Presentation of the Proposed Fiscal Year 2013-14 Budget.

City Manager Volmert introduced the FY 2013-14 Budget and presented the Budget Message.

Finance Director Solorza gave a presentation on the Budget Overview, the General Fund Review Summary, and the General Fund Expenditure Summary.

Administrative Services Manager Murray gave a presentation on the proposed Administrative Services Division Budget.

Finance Director Solorza gave a presentation of the proposed Finance Division Budget.

Community Development Director Dumhart gave a presentation of the proposed Community Development Department Budget.

Recreation and Community Development Director Belknap gave a presentation on the proposed Recreation and Community Services Budget.

Police Chief Nuñez gave a presentation on the proposed Police Department Budget.

Public Works Director Moneda gave a presentation on the proposed Public Works Budget.

Finance Director Solorza closed the presentation by giving a General Fund Overview and General Fund Reserve Overview.

Discussion ensued regarding the uncertain financial outcome of the City due to the removal of Redevelopment, the loss of BP/ARCO, and the national economic downturn; how Staff plans to address the City Council budget concerns prior to the upcoming Study Session; and that the City Council may not see the Police Department Dispatch numbers in the upcoming budget presentations until a study is completed.

Mayor Hwangbo requested to take a short recess at 9:02 p.m.

Mayor Hwangbo reconvened the City Council at 9:11 p.m.

Public Comment:

Christine Barnes, 4971 Berton Circle, thanked Mayor Hwangbo for having a Mayor's Round Table meeting. She addressed the City Council in support of using General Fund reserves; support for continuing Police interactive programs with the City's youth; support for keeping the Police K-9 unit; and opposition to the proposed Staffing eliminations

A discussion ensued regarding the budget document and a question was raised regarding whether an individual Council Member has the ability to meet with the City Manager and Staff Members to address their budget concerns and questions.

City Attorney Kuperberg responded that a City Council Member is able to meet with Staff, individually, to address their questions or concerns at any time.

Robert Carruth, 7201 Monterey Lane, addressed the City Council regarding concerns for the recent CalPERS actuarial regarding employer increases for safety employees; concerns regarding the Other Post Retirement Benefits (OPEB) liability; concerns for increased employee costs with a decreased work force; in opposition to the proposed position eliminations, and in favor of eliminating management positions.

Further discussion ensued regarding fund balances, savings being included in the proposed budget without associated costs; one time use of reserves, and internal service fund balances as related to the recently adopted policy.

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

Council Member Charoen had nothing to report.

Council Member Kim attended the League of California Cities (LOCC) general membership meeting; the State of the City Address; the Arbor Day ceremony; the joint Traffic Safety Committee and Development Committee (TSC/DC) committee meeting; the joint Community Activities and Beautification (CAB) meeting; and the Orange County Sanitation District (OCSD) meeting. He closed by congratulating outgoing Public Works Director Moneda on his new position in Milpitas.

Mayor Pro Tem Shanahan attended the State of the City Address and the Volunteer Recognition ceremony.

Council Member Goedhart attended the Orange County Fire Authority (OCFA) special board meeting; filled in for Mayor Hwangbo at the ABC Unified School District, Adult School Outstanding Awards; the Volunteer Recognition Ceremony; the Community

Coffee meeting with Assemblywoman Sharon Quirk-Silva; and requested an update on the deteriorating block walls. He remarked that he requested full transparency from the Association of California Cities - Orange County (ACC-OC) on their website, but has not seen any results to date. He asked staff to follow up with the ACC-OC to keep their commitment to transparency. He closed by congratulating outgoing Public Works Director Moneda on his new position in Milpitas.

Director Moneda reported that staff was seeking bids to paint the walls.

Mayor Hwangbo attended and gave the State of the City Address, thanking Staff for their hard work to make the event successful; the Mayor's Round Table; the Southern California Donate Life 5K Run/Walk event at Cal-State Fullerton; the Southern California Association of Governments Regional Conference; the Community Coffee meeting with Assemblywoman Sharon Quirk-Silva; the Eagle Scout Court of Honor ceremony; and worked with CJ Foods who is relocating into Centerpointe. He announced that he plans to attend the Chase Bank pancake breakfast for City Employees; and the Walmart Neighborhood Market grand opening event. He closed by congratulating outgoing Public Works Director Moneda on his new position in Milpitas.

CITY MANAGER REMARKS

City Manager Volmert attended the State of the City Address; the Arbor Day ceremony; the Volunteer Recognition ceremony; the Mayor's Round Table meeting; the LOCC general membership meeting; and the Community Coffee meeting with Assemblywoman Sharon Quirk-Silva.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported on new legislation regarding Class-Action lawsuits being allowed against cities regarding their fees and taxes; and a Supreme Court decision for cities having the right to 'ban' medical marijuana facilities in their jurisdiction as was allowed by the City of Riverside. He closed by congratulating outgoing Public Works Director Moneda on his new position in Milpitas.

CLOSED SESSION

CS-1. 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, and La Palma Professional Employees Association

Unrepresented Employees: Executive Management

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 and La Palma Professional Employees Association

Unrepresented Employees: Executive Management

Mayor Hwangbo recessed to Close Session at 10:06 p.m.

Mayor Hwangbo reconvened in Open Session at 11:38 p.m. with all members present and requested a report.

Administrative Services Manager/City Clerk Murray stated that there were no reportable actions on Closed Session Items CS-1 and CS-2.

ADJOURNMENT

Mayor Hwangbo adjourned the Regular Meeting of the La Palma City Council at 11:39 p.m.

Steve Hwangbo
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk