

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

June 18, 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, with Council Member Charoen being absent.

City Manager Volmert introduced Michelle Molko, representing Rutan & Tucker, as the City's Acting City Attorney.

PLEDGE OF ALLEGIANCE: Council Member Goedhart

INVOCATION: Pastor Creighton Coleman, La Palma Christian Center

ROLL CALL: Council and Commission Members

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

Council/Commission Members absent: Council/Commission Member Charoen (*joined meeting at 8:09 p.m.*)

City Officials present: Ellen Volmert, City Manager/Executive Director
Michelle Molko, Acting City Attorney
Michael Belknap, Community Services Director
Eric Nuñez, Police Chief
Michael Solorza, Finance Director
Laurie Murray, Administrative Services Manager
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Mayor Hwangbo presented a Proclamation to Recreation Supervisor Robinson, Senior Office Assistant Whalen, and Senior Recreation Leader Hana declaring July as Parks and Recreation Month.

ORAL COMMUNICATIONS

Janelle Godges, Public Affairs Regional Manager for Southern California Edison (SCE), gave a presentation on the permanent closure of the San Onofre Nuclear Power Plant; she also reported that SCE is working diligently to make infrastructure upgrades to provide sufficient resources; the possibility of rolling brownouts should a fire affect a transformer; that the community helped to conserve energy last year during the flex alerts; and encouraged residents and businesses to reduce lighting and cooling efforts.

Christine Barnes, 4971 Berton Circle and representing the West Orange County Regional Chamber of Commerce, addressed the City Council by announcing the Chase Bank Grand Opening on June 27; the upcoming installation of Officers for the Chamber of Commerce; and the Second Annual Taste of West Orange County on July 18.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:13 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 June 4, 2013, Regular Meeting of the City of La Palma as Successor Agency to the dissolved Community Development Commission.

Council Member Kim made a motion to approve Consent Calendar Item A.

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

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

NOES: None

ABSENT: Council Member Charoen

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN SUCCESSOR AGENCY AND CONVENE AS THE PLANNING COMMISSION AT 7:14 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the June 4, 2013, Regular Meeting of the La Palma Planning Commission.

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

The motion was seconded by Vice Chairperson Shanahan and carried on the following vote:

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

NOES: None

ABSENT: Commission Member Charoen

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:15 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 June 4, 2013, Regular Meeting of the La Palma City Council.
3. Approval of Register of Demands

Resolution No. 2013-27 approving the Register of Demands for June 18, 2013.
5. Fiscal Year 2013-14 Amendment to Agreement with Southeast Area Animal Control Authority for Animal Care Services

Approve and authorize the Mayor to execute an Amendment to the Agreement with the Southeast Area Animal Control Authority (SEAACA) for the provision of animal care services for the 2013-14 Fiscal Year.
6. Amendment to Agreement with the City of Brea for Month to Month Information Technology Services

Approve and authorize the Mayor to execute an Amendment to the Agreement with the City of Brea for Information Technology Services to provide for month-to-month services pending a formal request for proposal process.
7. Agreement with the City of Buena Park for Vehicle Maintenance Services

Approve and authorize the Mayor to execute an Agreement with the City of Buena Park for vehicle maintenance services
9. Circulation Element and Mitigation Fee Program

Adopt Resolution No. 2013-28 certifying that the current General Plan Circulation Element is consistent with the Master Plan of Arterial Highways and reaffirms that the City Council concurs with the existing Mitigation Fee Program.

10. 2013 Annual Water Quality Report

Receive and file the 2013 Annual Water Quality Report and direct staff to print and distribute the report to the residents of La Palma.

Mayor Pro Tem Shanahan made a motion to approve Consent Calendar Items 1, 2, 3, 5, 6, 7, 9, and 10.

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

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

NOES: None

ABSENT: Council Member Charoen

ITEMS PULLED FROM CONSENT CALENDAR

4. Amendment to Agreement with All City Management Services, Inc., for Providing School Crossing Guard Services

Council Member Goedhart requested to have the item pulled to ask for clarification on the reduction of a crossing guard at La Palma Avenue and Redford Lane near Luther Elementary School.

Police Chief Nunez responded that the crossing guard had been placed in 2006 after a request from a Council Member who also represented the Parent Student Teacher Association (PSTA); that there was no evidence of safety issues historically; and that during recent discussions with the Cypress School District, the Superintendent indicated that the District could not share the cost of crossing guards, but could contribute towards a reduction by eliminating the second crossing guard from this site, giving the City savings of \$7,500.

Council Member Goedhart commented that he cannot support the reduction of a crossing guard at Luther Elementary School due to the child safety factors on a major arterial.

Discussion ensued regarding children's safety; that the City has six streets that have crossing guards within city limits with only one guard at each crossing; and that the Manual of Uniform Traffic Control Devices (MUTCD) does not mandate crossing guards nor have there been any studies to evaluate the validation of crossing guards.

Public Comment:

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding the precedent established by having the additional crossing guard and that the reduction could be a liability for the City.

Acting City Attorney Molko commented that there is no legal requirement to place crossing guards; and therefore the risk of liability would be minimal.

Further discussion ensued.

Approve and authorize the Mayor to execute an amendment to the Agreement between All City Management Services, Inc., and the City of La Palma for providing School Crossing Guard Services for a one-year period, commencing July 1, 2013, through June 30, 2014.

Council Member Kim made a motion to approve the amendment to the agreement with All City Management Services, Inc., for Providing School Crossing Guard Services and to direct staff to talk to the School District again about cost sharing.

Council Member Goedhart restated his opposition to the reduction of a crossing guard because of safety concerns for Steven Luther Elementary School students.

Further discussion ensued regarding the timeline for Staff to bring the School District cost sharing back to the City Council; that if the Amendment is not approved, the contract would lapse, which could require going out to bid for services.

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

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

NOES: Council Member Goedhart

ABSENT: Council Member Charoen

8. Renewed Measure M (M2) Submittal Package

Council Member Goedhart requested to have the item pulled in order to clarify the documents that were submitted to the OCTA; and that approving the project means the numbers will be based on the approved and amended FY 2013-14 Budget.

Approve the submittal of the Fiscal Year 2013-14 Renewed Measure M (M2) eligibility packet to the Orange County Transportation Authority.

Council Member Goedhart made a motion to approve the Renewed Measure M (M2) Submittal Package.

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

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

NOES: None

ABSENT: Council Member Charoen

PUBLIC HEARINGS

11. Development Code Amendment 2013-03 - An Ordinance amending certain provisions within Chapter 26 of the La Palma Municipal Code to implement Housing Element Program No. 10 and comply with State Housing law Senate Bill (SB) 2
 - a) Mayor Hwangbo opened the Public Hearing at 7:40 p.m.
 - b) Associate Planner Hutter gave the Staff Report
 - c) Public Input
No members of the public wished to speak.
 - d) Mayor Hwangbo closed the Public Hearing at 7:45 p.m.
 - e) City Council Comments and Questions
None.
 - f) Introduce for first reading an Ordinance of the City Council of the City of La Palma adding and amending certain provisions within Chapter 26 of the La Palma Municipal Code to establish development/use standards and performance standards to allow "Emergency Shelters" as a permitted by-right use within the City's Public and Institutional (PI) Zone; and, list "Transitional/Supportive Housing" as a permitted by-right use within the City's Single-Family District Residential (R-1) and (R-3) zoning districts.

Council Member Kim made a motion to introduce for first reading an Ordinance of the City Council of the City of La Palma adding and amending certain provisions within Chapter 26 of the La Palma Municipal Code to establish development/use standards and performance standards to allow "Emergency Shelters" as a permitted by-right use within the City's Public and Institutional (PI) Zone; and, list "Transitional/Supportive Housing" as a permitted by-right use within the City's Single-Family District Residential (R-1) and (R-3) zoning districts.

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

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

NOES: None

ABSENT: Council Member Charoen

REGULAR ITEMS

12. Third Quarter Operating Report and City Council Goals Update, Fiscal Year 2012-13

Finance Director Solorza gave the Third Quarter Operating Staff Report.

Council Comments and Questions:

Discussion ensued regarding an increase in building permits and license revenue due to the Chase Bank and Walmart Neighborhood Market projects; Tesoro's status; the E2G2 business license partnership; that Staff should have a report back on Dispatch Services and Energy Conservation Projects in the first quarter of Fiscal Year 2013-14; and that Staff is working with local legislators to review school district options.

Receive and File the Third Quarter Operating and 2013 City Council Goals Report.

By consensus, the City Council received and filed the Third Quarter Operating and 2013 City Council Goals Report.

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

Mayor Pro Tem Shanahan had nothing to report.

Council Member Kim attended the Orange County Sanitation District (OCSD) Administrative Committee meeting; and an OCSD Special Meeting regarding labor negotiations.

Council Member Goedhart attended the Orange County Fire Authority (OCFA) Budget and Finance Committee meeting.

Council Member Charoen joined the City Council meeting at 8:09 p.m.

Council Member Charoen had nothing to report.

Mayor Hwangbo attended and spoke at the Oxford Academy ASB Assembly, attended and spoke at the Walker Junior High School graduation ceremonies; attended the League of California Cities (LOCC) Employer Relations Policy Committee meeting along with Administrative Services Manager Murray, who is the LOCC City Clerks Department appointee to the committee; and announced that he plans to attend and participate in the upcoming July 4th Fitness Run for Fun.

Administrative Service Manager clarified that the LOCC Employer Relations Policy Committee voted unanimously to send a letter to the California Public Employees Retirement System (CalPERS) in opposition to the proposed fees that CalPERS plans to charge cities for information on the unfunded liability amounts of each retirement plan. Cities are required by Governmental Accounting Board Standards (GASB) 68 to begin reporting these amounts in their comprehensive annual financial reports in FY 2014-15.

CITY MANAGER REMARKS

City Manager Volmert reported that she attended the Buena Park High School Graduation ceremony.

CITY ATTORNEY REMARKS

Acting City Attorney Molko had nothing to report and commented that she looks forward to working with the City Council and Staff in the future.

ADJOURNMENT

Mayor Hwangbo adjourned the Regular Meeting of the La Palma City Council at 8:13 p.m.

Steve Hwangbo
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk