

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

February 4, 2014

CALL TO ORDER: Mayor Shanahan called the Regular Meeting of the La Palma City Council to order at 7:00 p.m. in the Council Chambers at La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Kim

INVOCATION: Dr. Paul Kim, United Methodist Church

ROLL CALL: Council and Commission Members

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

Council/Commission Members absent: None

City Officials present: Ellen Volmert, City Manager/Executive Director
Michelle Molko, Assistant City Attorney
Michael Belknap, Community Services Director
Douglas Dumhart, Community Development Director
Eric Nuñez, Police Chief
Laurie Murray, Administrative Services Manager/City Clerk

PRESENTATIONS

1. Mayor Shanahan presented a proclamation to the North Orange County Regional Occupational Program Board of Directors, Brian O'Neal, in recognition of Career and Technical Education Month.

ORAL COMMUNICATIONS

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding his appreciation of the street repairs completed by Public Works on Andrew Drive; opposition to the carcinogens and health risks associated with e-cigarettes; and his support to regulate e-cigarettes in the same manner as regular tobacco products. He closed by suggesting other location options for the mailbox located near the Library.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:16 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 January 21, 2014, Regular Meeting of the Successor Agency.

B. Adoption of the Sixth Recognized Obligation Payment Schedule - January 1, 2014 to June 30, 2014 (ROPS 14-15A)

Resolution No. SA 2014-03 approving the Sixth Recognized Obligation Payment Schedule (ROPS 14-15A) - July 1, 2014, to December 31, 2014.

Mayor Pro Tem Kim made a motion to approve Consent Calendar Items A and B.

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

AYES: Council Member Charoen, Council Member Goedhart, Council Member Hwangbo, Mayor Pro Tem Kim, and Mayor 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 7:17 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 21, 2014, Regular Meeting of the La Palma Planning Commission.

Vice Chairperson 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, Commission Member
Hwangbo, Vice Chairperson 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 7:18 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 January 21, 2014, Regular Meeting and the Minutes of the January 16, 2014, and January 21, 2014, Special Meetings of the La Palma City Council.

3. Approval of Register of Demands

Resolution No. 2014-06 approving the Register of Demands for February, 2014.

4. Purchase of Replacement Police Vehicles

Authorize the purchase of two (2) 2013 Dodge Charger Police Package Vehicles from McPeck's Dodge of Anaheim available under the cooperative purchase provision of the City of Los Angeles Contract Number 0001402136, equip them with new platforms, and authorize the Community Services Director to decommission and auction the two vehicles being replaced.

5. Contract Extension: Interim Finance Director Services

Approve the attached amendment to the agreement with Don Pruyn for Interim Finance Director services and authorize the City Manager to sign the amendment.

Mayor Pro Tem Kim made a motion to approve Consent Calendar Items 1 through 5.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

6. Award of Contract: Police Operations Study

City Manager Volmert gave the Staff Report.

Richard Brady, representing Matrix Consulting Group, gave a brief overview of the methodology of the proposed Operations Study.

Council Comments and Questions:

Discussion ensued regarding Matrix Consulting's history of working with Police Departments; the size of La Palma's Police Department in retrospect to the Operation Study; the value the consultant can bring forward; suggestions to resolve overtime; the consultant's experience with other Orange County cities; cost sharing and cooperative agreements with other policing agencies; specific agencies response to the outcome of the Consultant's studies; the problems facing smaller communities; turnover rates in police departments; details of the other firms that were interviewed; selection criteria; reference checks completed on the top three consultants; reviewing public safety staffing levels; details of La Palma Police Department personnel; opposition to the study; support for Police Chief Nuñez to conduct his own review; and support for having an outside, unbiased perspective.

- a) Approve and authorize the City Manager to sign an agreement to perform a Police Operations Study with Matrix Consulting Group; and
- b) Adopt a Resolution amending the FY 2013-14 Budget to provide funding for the study.

Mayor Shanahan made a motion to approve and authorize the City Manager to sign an agreement to perform a Police Operations Study with Matrix Consulting Group and Adopt a Resolution amending the FY 2013-14 Budget to provide funding for the study. The motion was seconded by Council Member Charoen.

Further discussion ensued regarding restating support for having Police Chief Nuñez conduct the Operation Study; Police Chief Nuñez's support for an outside, unbiased review due to current staffing levels within his department; the importance of having an outside agency conduct the

audit; that the Police Department conducted a review last year during contingency planning; Council Member Goedhart's support to have the Police Chief conduct his own operational review; and that the Study is not budgeted.

The motion failed on the following vote:

AYES: Council Member Charoen and Mayor Shanahan.

NOES: Council Member Goedhart, Mayor Pro Tem Kim, and Council Member Hwangbo.

7. Purchase of Replacement Phone System

Administrative Services Manager Murray gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding funds budgeted to complete this project; support to upgrade the City's telephone system; the City's current phone system structure and how that will change with the improvements.

Paul Peacock, representing Packet Fusion, explained the relationship with both the phone and cable system carriers.

Further discussion ensued regarding the numerous technical difficulties with only having a single source for telephone service; that the recent fiber optics project and having a second vendor with service at the City Yard will provide redundancy when the current vendor's service is disrupted; that a leasing option is not available; the life span of the equipment; that the City's computer system is compatible; that Brea IT has worked with the same equipment for other cities; that user training is included; and support for the project.

- a) Adopt a Resolution amending the Fiscal Year 2013-14 Adopted Budget, appropriating \$25,000 from the City's Computer Maintenance and Replacement Fund; and

Resolution No. 2014-07 amending the Fiscal Year 2013-14 Adopted Budget, appropriating \$25,000 from the City's Computer Maintenance and Replacement Fund.

- b) Authorize the City Manager to execute an agreement with Packet Fusion, Inc. for the purchase of a replacement telecommunications voice-over-internet-protocol (VoIP) phone system with five years premium maintenance, for a total project amount that shall not exceed \$150,000.

Council Member Hwangbo made a motion to adopt Resolution No. 2014-07 amending the Fiscal Year 2013-14 Adopted Budget, appropriating \$25,000 from the City's Computer Maintenance and Replacement Fund; and authorize the City Manager to execute an agreement with Packet Fusion, Inc. for the purchase of a replacement telecommunications voice-over-internet-protocol (VoiP) phone system with five years premium maintenance, for a total project amount that shall not exceed \$150,000.

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

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

NOES: None

8. Sedaru Utility Management Software Project

Water Supervisor Tsumura gave the Staff Report.

Community Services Director Belknap closed the report by noting the additional Staff Management module included with the software.

Council Comments and Questions:

Discussion ensued regarding the accessibility to the information from both desktop PC's and mobile devices; that during the Water System Master Plan update, Staff recognized the need for the software with upcoming Capital Improvement Projects (CIP's); that Staff is currently using 1978 GIS maps and needs to update the City's infrastructure maps; and whether the proposed software is a customized solution.

Paul Hoffman, representing ID Modeling, addressed the City Council regarding the specifications of how the paperwork will be translated into an iPad form in order to be used out in the field and that the software is compatible with the current water meter management software Equarius. He closed by reporting how Sedaru will speak with the meters and other software to allow other departments to access and share the information through the Cloud environment.

Further discussion ensued regarding the necessity to have access to accurate water information in order to address operational efficiencies; that Sedaru allows the City to collect the information digitally; the importance of being able to access accurate infrastructure information when out in the field; cities that are using

Sedaru; and that this is an investment for future savings on the Water Master Plan and increase customer service levels.

- a) Approve the Sedaru Utility Management Software Project; and
- b) Appropriate funds from the Capital Improvement Plan (CIP) Water Master Plan, City Project 13-WTR-01, Account 055-900-843.000, to complete the project; and
- c) Approve the Award of Contract in the amount of \$46,820 to ID Modeling, Inc. for hydraulic model development, GIS layer creation, software subscription and implementation for the Sedaru Utility Management Software; and
- d) Approve the Award of Contract in the amount of \$56,100 to Concord Utility Services, Inc. for the geolocational data collection on approximately 5,800 assets.

Council Member Hwangbo made a motion to approve the Sedaru Utility Management Software Project; appropriate funds from the Capital Improvement Plan (CIP) Water Master Plan, City Project 13-WTR-01, Account 055-900-843.000, to complete the project; approve the Award of Contract in the amount of \$46,820 to ID Modeling, Inc. for hydraulic model development, GIS layer creation, software subscription and implementation for the Sedaru Utility Management Software; and approve the Award of Contract in the amount of \$56,100 to Concord Utility Services, Inc. for the geolocational data collection on approximately 5,800 assets.

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

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

NOES: None

Mayor Shanahan requested to take a short recess at 9:07 p.m.

Mayor Shanahan reconvened the City Council at 9:13 p.m. with all members present.

Letter of Agreement to Proceed with 800 MHz CCCS Next Generation Project

9.

Police Chief Nuñez gave the Staff Report.

Authorize the City Manager to sign the Letter of Agreement to proceed with the 800 MHz CCCS Next Generation Project which will commit the City to allocate the necessary funds to support that portion of the project for which the City is responsible. Further discussion regarding the method of funding would be included in upcoming budget and capital improvement plan processes.

Council Member Goedhart made a motion to approve the Letter of Agreement to proceed with the 800 MHz CCCS Next Generation Project and direct the City Manager to transfer \$820,000 from the General Fund into a separate fund to provide full funding for the future purchase of the 800 MHz system.

The motion was seconded by Mayor Pro Tem Kim.

Discussion ensued regarding the Governance Committee consisting of four City Managers who oversee \$75 million for the County-wide project; and that Staff supports allocating funds into a special 800 MHz project fund.

The motion carried on the following vote:

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

NOES: None

10. Conceptual Reorganization of the Administration/Finance Departments

Approve proceeding with plans for the merger of the Administration and Finance Departments including initiating recruitment for the preliminary classifications of Accounting/Financial Services Manager, Budget/IT Manager, and part time Cashier and inviting affected employee associations to meet and confer relative to their new classifications or any other changes requiring meet and confer

City Manager Volmert gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the methodology behind adding two division managers underneath a director; that the demand for better, transparent, and more timely information requires the manager positions; Council's request to find more savings than what is presented; that the proposed managers would be

daily, front-line supervisors; that the proposal would allow Staff to be cross-trained; support for the concept; the minimal amount of savings versus funding a finance director position; support for a finance director; that the proposal will make a more efficient organization even if there were no savings.

Public Comment:

Ralph Rodriguez, 4621 Amberwood Avenue, addressed the City Council regarding his support for some elements of the plan but overall opposition to the proposed plan and in support for a finance director position.

Further discussion ensued regarding opposition to the proposed reorganization; explanation of current job duties within the Finance Department; and whether salaries for proposed management positions can be discussed in Open Session.

Assistant City Attorney Molko clarified that only items in the Staff Report can be discussed in Open Session and information on a confidential memorandum for the Closed Session can only be discussed in Closed Session.

Further discussion ensued regarding details of the Budget/IT Manager's proposed job description versus the current Management Analyst; details of the proposed Administrative Services Director's job description; details of the proposed Accounting/Finance Manager's job description; opposition to additional management positions being proposed; support for the concept of an Administrative Services Director; the proposal being Staff's best recommendation but that they can continue to look at other organizational structures; changing the titles from Manager to Supervisor; and City Council's direction to Staff to provide another proposed merged structure that provides additional cost saving solutions on an upcoming agenda.

11. Code Enforcement Services Progress Report

Community Development Director Dumhart gave the Staff Report.

Approve a purchase order in the amount of \$44,200 for contracted code enforcement services through the remainder of the 2013-14 Fiscal Year.

Council Member Goedhart made a motion to approve a purchase order in the amount \$44,200 for contracted code enforcement services through the remainder of the 2013-14 Fiscal Year.

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

AYES: Council Member Charoen, Council Member

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

NOES: None

12. Streamlining Development Review in La Palma via Development Committee
Dissolution

Community Development Director Dumhart gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding support to keep the public involved and support to keep the Development Committee.

Mayor Pro Tem Kim made a motion to keep the Development Committee and reduce fees for level A and B Development Reviews. The motion was seconded by Council Member Goedhart.

Discussion ensued regarding whether adjusting the Development Review fees was relevant to the item.

Assistant City Attorney Molko responded that the item only requires the City Council to direct Staff to bring the necessary action items for future approval, including any resolutions modifying any fees.

Further discussion ensued regarding opposition to eliminating the Development Committee; the possibility of eliminating the Planning Commission because La Palma is fully developed; that there is no legal requirement to have a Planning Commission; the goal of trying to consolidate the decision making process.

Assistant City Attorney Molko clarified that if the City Council decided to convert the Development Committee into the Planning Commission, the new Planning Commission would still be required to keep all the public hearing noticing requirements.

Mayor Pro Tem Kim amended his original motion to direct Staff to bring back an report to discuss the elimination of the Planning Commission, keep the Development Committee, and reduce the fee of Development Projects in level C to the fee level of A and B.

Council Member Goedhart, as the seconder of the motion, accepted the amendment.

The amended motion carried on the following vote:

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

NOES: None

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

Council Member Charoen had nothing to report.

Council Member Goedhart attended the Orange County Fire Authority (OCFA) board meeting.

Council Member Hwangbo attended the Cypress State of the City luncheon; the League of California Cities (LOCC) Employee Relations Policy Committee meeting; the La Palma United Methodist Church City Employee appreciation luncheon.

Mayor Pro Tem Kim attended the Cypress State of the City luncheon; the Orange County Sanitation District (OCSD) meeting; and the Buena Park State of the City address.

Mayor Shanahan attended the Orange County Library Advisory Board Executive Committee meeting; and the La Palma United Methodist Church City Employee appreciation luncheon. He closed by asking the City Attorney for clarification on questionable discussions regarding Closed Session items being brought forward in an Open Session.

Assistant City Attorney Molko responded that Closed Session confidential items being discussed in Open Session are violations of the Brown Act.

CITY MANAGER REMARKS

City Manager Volmert attended the La Palma United Methodist Church City Employee appreciation luncheon; the Cypress and Buena Park State of the City presentations; and announced that she would be attending the California City Managers Association conference and that Administrative Services Manager Murray would be Acting City Manager in her absence.

CITY ATTORNEY REMARKS

Assistant City Attorney Molko had nothing to report.

CLOSED SESSION

Mayor Shanahan recessed to Closed Session at 10:56 p.m. with Council Member Hwangbo being absent.

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
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
La Palma Professional Employees Association

Unrepresented Employees: Executive Management

Mayor Shanahan reconvened in Open Session at 11:14 p.m.

Administrative Services Manager Murray stated that there were no reportable actions from the Closed Session.

ADJOURNMENT

Mayor Pro Tem Kim adjourned the Regular Meeting of the La Palma City Council at 11:15 p.m.

Steve Shanahan
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk