

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

September 2, 2014

CALL TO ORDER: Mayor Shanahan called the Regular Meeting of the La Palma City Council to order at 7:01 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with Council Member Charoen being absent.

PLEDGE OF ALLEGIANCE: Council Member Goedhart

INVOCATION: Father Patrick Moses, St. Irenaeus Catholic Church

ROLL CALL: Council and Commission Members

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

Council/Commission Members absent: Council/Commission Member Charoen (joined the meeting at 7:06 p.m.)

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

PRESENTATIONS

1. Michele Steggell, representing the La Palma Community Activities and Beautification Committee, Home Spotlight Committee, presented Janelle Frese with the Quarterly Home Spotlight Award for her home at 5438 Andrew Drive, La Palma.

Council Member Charoen joined the meeting at 7:06 p.m.

2. Recreation Specialist Christine Juarez recognized the 2014 Volunteers and, along with Mayor Shanahan, presented them with Certificates of Recognition and Stipends.
3. Bob Cummings, Orange County Vector Control District (OCVCD) Director of Scientific Services, gave a presentation on the West Nile Virus.

Discussion ensued regarding the decreased West Nile Virus activity in Los Angeles County; the increase in Orange County; that OCVCD communicates with other agencies that have issues with standing water; safety measures to protect against the virus; and that warm weather increases the exposure for human-vector contact.

4. Police Chief Nunez introduced Terry Kim as the new La Palma Police Department Captain of Operations.

#### 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 DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:27 P.M.

Administrative Services Director/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

None Scheduled.

#### 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 7:28 P.M.

CONSENT CALENDAR

None Scheduled.

PUBLIC HEARINGS

None Scheduled.

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 Register of Demands  
Resolution No. 2014-48 approving the Register of Demands for September 2, 2014.
3. Resolution Approving the City's Submittal of an Application to the Orange County Transportation Authority (OCTA) for Funding under the Environmental Cleanup, Tier 1 Grant Program

Resolution No. 2014-49 approving the submittal of an application to the Orange County Transportation Authority (OCTA) for funding under the Environmental Cleanup, Tier 1 Grant Program.

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

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

#### PUBLIC HEARINGS

4. Second Reading and Adoption of an Ordinance Amending Chapter 42, Article VII of the Municipal Code

- a) Mayor Shanahan opened the Public Hearing at 7:30 p.m.
- b) Community Services Director Belknap gave the Staff Report.
- c) Public Input:

Kyle McCune, 5439 Andrew Drive, addressed the City Council regarding his support for overall water conservation efforts; that he had served on the the Sustainable City Commission in Long Beach and they had several incentives for artificial turf, rain barrels, and other conservation methods that he requested that the City Council offer; and support for approval of the Ordinance.

Wallace Yelle, 7461 Puerto Rico Drive, addressed the City Council regarding clarification of the watering regulations of the Ordinance, and his support for the Ordinance.

James Tsumura, Water Supervisor, addressed the City Council regarding revised watering day after the 30 Day adoption and the ability to add another day of watering.

Discussion ensued regarding the outdoor watering schedule; that the City has the option to add a third day after the Ordinance is adopted.

- d) Mayor Shanahan closed the Public Hearing at 7:43 p.m.

e) Council Comments and Questions:

Discussion ensued regarding the variety of water conservation programs that would be available for residents; reporting on the City's water reduction status to the community; that the City could be subject to fines if it does not achieve the 20% water reduction; Staff's recommendation to suspend the landscape requirements to keep a green lawn; that members of the public are confused by the new water regulations; that residents who are on the water bill auto-pay from ACS do not receive any mailers or notifications that the City inserts into water bills; that Staff is pursuing aggressive public education efforts; the variety of watering methodologies and logic behind the City's formula; that the plan is in place to monitor water usage and make it easier to address offenders; that there are options for changing the watering formula in the future; that Staff will investigate auto-pay residents not receiving mailers from ACS; and support for having other alternatives presented when Stage 1 goes into effect.

f) Adopt an Ordinance of the City of La Palma amending Chapter 42, Article VII of the Municipal Code Regarding Conservation and Water Management

Council Member Charoen made a motion to adopt Ordinance No. 2014-02 of the City of La Palma amending Chapter 42, Article VII of the Municipal Code Regarding Conservation and Water Management.

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 opened the Oral Comment period again at 8:00 p.m.:

Wallace Yelle, 7641 Puerto Rico Drive, addressed the City Council regarding his concern for stop sign violators at the intersection of Oak Drive and Puerto Rico Drive. He asked for Police Department presence and enforcement to address the traffic safety concerns.

Police Chief Nunez responded by reporting on the current trend of distracted driving; the increase in texting and cell phone operations during driving; the ongoing campaigns against distracted driving; reporting on Project Safe Streets campaigns; and that the La Palma Police Department has continually kept the Oak and Puerto Rico Drive intersection monitored because of the traffic safety history and concerns.

## REGULAR ITEMS

### 5. 2014 City Council Goals - Mid-Year Review (Continued from August 19 Meeting)

City Manager Volmert gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding Council Member Goedhart's concern for not achieving the goal of La Palma children having the ability to go to La Palma schools; the number of La Palma school children being bussed outside of La Palma; his request for a significant change to this goal; his request to survey the residents north of Houston to find out if they even want their children to attend La Palma schools; his request for a workshop regarding how to achieve this goal; that the budget is tenuous because of the Billboard revenue expectations complications; and support for an outreach program to the residents north of Houston who want their children to attend La Palma schools.

Public Comment:

Christine Barnes, 4971 Berton Circle, addressed the City Council regarding her experience and involvement with a variety of school districts and boards; her previous history of campaigning at the State level in support of a bill for La Palma children's ability to attend La Palma schools; the opposition that request received from School Districts, other factions, and legislators who voted in opposition to the proposed bill; that pursuing a cooperative route could be more successful; and that the City does not have any regulatory authority over School Districts.

Further discussion ensued regarding educating new home owners north of Houston regarding the school boundary situation; that there are continual, ongoing efforts regarding the matter; Mayor Pro Tem's support for a community survey; that School Districts favor La Palma students; and that the school issue will be a continued issue.

By consensus, the City Council agreed to receive and file the report.

Mayor Shanahan requested to take a short recess at 8:41 p.m.

Mayor Shanahan reconvened the City Council at 8:48 p.m. with all members present.

6. Request for Public Convenience and Necessity (PCN) Determination for Type-20 Beer and Wine Sales at 8471 Walker Street - Crescent Car Wash

Community Development Director Dumhart gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding all fuel stations in City limits having Type 20 liquor licenses; that the City Council is hearing this matter because the Department of Alcohol Beverage Control (ABC) declared a moratorium in 2011; the history of Type 20 liquor licensing in La Palma; that the business owner has a good business history and is now sole owner of the Car Wash; that there is stiff competition for business since there are three car washes within City limits; that there are additional restrictions in place that include increased monitoring of the alcohol area, prohibition of minors into the cooler area, and other self-imposed measures.

Henry Azer, Crescent Car Wash owner, responded that he will be locking the alcohol coolers from 1-4 p.m. and that all his employees will undergo ABC training related to alcohol sales.

Further discussion ensued regarding support for the applicant's endeavors and the application.

Mayor Pro Tem Kim made a motion to approve the request for Public Convenience and Necessity (PCN) Determination for Type-20 Beer and Wine Sales at 8471 Walker Street - Crescent Car Wash.

Further discussion ensued regarding confidence that the applicant has done his due diligence; Mayor Pro Tem Kim and Mayor Shanahan's support for the proposal; Council Member Goedhart's opposition to the proposal because of the liquor license oversaturation and proximity to John F. Kennedy High School; that it was originally a gas station; adding a full service convenience store to better serve the community and stay in competition with other gas stations; and support for the safeguards of having the alcohol cooler locked from 1-4 PM.

The motion was seconded by Mayor Shanahan and failed on the following vote:

AYES: Mayor Pro Tem Kim and Mayor Shanahan.

NOES: Council Member Charoen, Council Member Goedhart, and Council Member Hwangbo.

7. Community Services Reorganization Review

City Manager Volmert gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding that proper procedures for city engineer review and approval are being conducted by the contracted engineer from Onward Engineering; support for the Community Services reorganization; commendation for Staff members who have adjusted and accommodated the transition; opposition to the Community Services reorganization because of the need to keep a City Engineer on staff; request that Staff make the Engineering Services Survey public; the negative impact of contracting engineering services; details of the number of cities who contract engineering services; the potential conflict of interest when working with a contractor; that technical questions go unanswered by not having a City Engineer on Staff; support for cost savings from the Community Services reorganization; and that as long as this program is working and is cost effective, then it will receive support.

- a) Receive and File the Community Services Department Reorganization Review; and
- b) Authorize the City Manager or Mayor to execute a one-year agreement, including two (2) one-year extensions, with Onward Engineering for contracted City Engineering Services, for a total amount that shall not exceed \$150,000.

Council Member Goedhart made a motion to receive and file the Community Services Department Reorganization Review; and authorize the Mayor to execute a one-year agreement, including two (2) one-year extensions, with Onward Engineering for contracted City Engineering Services, for a total 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,  
Mayor Pro Tem Kim, and Mayor Shanahan

NOES: Council Member Hwangbo

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) meeting.

**Council Member Hwangbo** attended the OCVCD meeting. He announced that he plans to attend the annual League of California Cities (LOCC) Conference.

**Mayor Pro Tem Kim** attended the Orange County Sanitation District (OCSD) Board meeting.

**Mayor Shanahan** announced that he plans to attend the Annual LOCC Conference.

CITY MANAGER REMARKS

**City Manager Volmert** reported that she will be missing the upcoming September 16 City Council meeting in order to welcome the birth of her first grandchild.

CITY ATTORNEY REMARKS

**Assistant City Attorney Molko** announced that she plans to attend the Annual LOCC Conference.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 9:37 p.m.

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Steve Shanahan  
Mayor

Attest:

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Laurie A. Murray, CMC  
City Clerk