

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

November 18, 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 Hwangbo

INVOCATION: Pastor Jerry Bennett, Faith Fellowship 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

City Officials present: Ellen Volmert, City Manager
Joel Kuperberg, City Attorney
Michael Belknap, Community Services Director
Douglas Dumhart, Community Development Director
Jim Engen, Police Captain
Laurie Murray, Administrative Services Director/City Clerk

PRESENTATIONS

1. Mayor Shanahan presented a Proclamation to Victor Perrin, West Orange County Regional Chamber of Commerce Board of Directors, and Roy Cordova, Owner of Centerstage Salon, in recognition of Small Business Saturday.
2. Community Development Director Dumhart introduced Laura Bradburn as the new Code Enforcement/Business License Officer.

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 7:11 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

A. Approval of Successor Agency Minutes

Minutes of the October 7, 2014, and October 21, 2014, Regular Meetings of the Successor Agency.

B. Approval of Register of Demands

Resolution No. SA 2014-11 approving the Successor Agency Register of Demands for November 4, 2014.

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

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

| | |
|---------|--|
| AYES: | Council Member Goedhart, Council Member Hwangbo, Mayor Pro Tem Kim, and Mayor Shanahan |
| NOES: | None |
| ABSENT: | Council Member Charoen |

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 7:12 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the October 7, 2014, and October 21, 2014, Regular Meetings of the Planning Commission.

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

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

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|---------|---|
| AYES: | Commission Member Goedhart, Commission Member Hwangbo, Vice Chairperson Kim, and Chairperson Shanahan |
| NOES: | None |
| ABSENT: | Commission Member Charoen |

PUBLIC HEARINGS

PL-2. Consideration of Precise Plan 278 to permit the remodel for a Coffee Bean and Tea Leaf at 5510 La Palma Avenue

- a) Chairperson Shanahan opened the Public Hearing at 7:12 p.m.
- b) Community Development Director Dumhart gave the Staff Report

c) Public Input

No members of the Public wished to speak.

d) Planning Commission Comments and Questions

Discussion ensued regarding support for the project as the lot has been empty for some time; concern for commercial lighting complaints; that there will be no bright LED lighting on the south side of the building that abuts residential homes; that Coffee Bean will not have lit signage on the south side of the building besides the small menu confirmation board; that the previous tenant was a 24 hours a day - 7 day a week service business; that the residents within 300 feet of the property were notified with direct mailers and the public hearing notice was also advertised in the newspaper and the City has received no negative response; and asked if traffic impacts were taken into consideration.

Dave Bailey, Coffee Bean and Tea Leaf Project Manager, responded that a traffic study was conducted and noted that 60% of traffic is drive-through traffic; that most of the traffic happens during early morning commute hours; and that the majority of their shops in the Los Angeles area are owner owned and operated, with only a few being franchised. He closed by stating that the Coffee Bean and Tea Leaf would love to open in the first quarter of next year.

Further discussion ensued regarding sound pollution concerns of the drive through; a requirement for a menu confirmation board to be added to limit the amount of discussion over the speaker box; the Municipal Code decibel requirement that must be met for volume calibration; concern for delivery truck traffic; that deliveries are made from a small van prior to opening; that the Planning Commission could add a condition to have deliveries made through the front door prior to the store being open to alleviate any delivery traffic adjacent to residential homes; support for the project; that the heaviest traffic happens after 6:00 a.m.; the refuse enclosure that will be placed to address trash concerns; and that the Planning Commission welcomes the Coffee Bean and Tea Leaf to the City of La Palma.

e) Chairperson Shanahan closed the Public Hearing at 7:36 p.m.

f) Adopt Resolution No. PC 2014-07 recommending approval of Precise Plan 278 for a Coffee Bean & Tea Leaf remodel at 5510 La Palma Avenue.

Commission Member Hwangbo made a motion to adopt Resolution No. PC 2014-07 recommending approval of Precise Plan 278 for a Coffee Bean &

Tea Leaf remodel at 5510 La Palma Avenue; adding the condition that deliveries be made through the front door prior to opening.

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

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| AYES: | Commission Member Goedhart, Commission Member Hwangbo, Vice Chairperson Kim, and Chairperson Shanahan |
| NOES: | None |
| ABSENT: | Commission Member Charoen |

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:39 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 City Council Minutes

Minutes of the September 30, 2014, Special Meeting of the City Council; the October 7, 2014, and October 21, 2014, Regular Meetings of the La Palma City Council; and the Minutes of the November 10, 2014, Special Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2014-56 approving the Register of Demands for November 4, and November 18, 2014.

4. Award of Contract to R.J. Noble for the Pavement Rehabilitation of Residential Streets with Asphalt Rubber Overlay (ARHM), City Project No. ST-337

Award a contract in the amount of \$426,945 to R.J. Noble Company of Orange, California, for the Pavement Rehabilitation of Residential Streets with Asphalt Rubber Overlay (ARHM), City Project No. ST-337; and appropriate an additional \$50,000 from the Capital Outlay Reserves (COR) fund for project contingencies.

5. Adoption of the City of La Palma Engineering and Traffic Survey for Speed Limits Update

Adopt the "City of La Palma Engineering and Traffic Survey Update" report, prepared by Hartzog & Crabill, Inc., dated October 2014.

6. Request to Fill a Water Service Worker II Vacancy

Authorize staff to fill the vacant Water Service Worker II position using a transfer of a qualified internal candidate from the Maintenance Division and then recruit for a Maintenance Worker.

7. Integrated Law & Justice Agency for Orange County Contract Amendment

- a) Approve the addition of the California State University Fullerton on behalf of their Police Department, as a new Member of the Integrated Law & Justice Agency for Orange County (ILJAOC);
- b) Approve the recommended amendments to the Governance Document of the ILJAOC Joint Powers Authority; and
- c) Direct the City Clerk to provide a minute order to the ILJAOC Recording Secretary confirming the City Council's action.

8. Agreement with Filarsky & Watt LLP

Approve and authorize the Mayor to execute an agreement with Filarsky & Watt LLP in an amount not to exceed \$40,000 between November 18, 2014, and June 30, 2017.

Council Member Goedhart made a motion to approve Consent Calendar Item 1 through 8.

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

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| AYES: | Council Member Goedhart, Council Member Hwangbo, Mayor Pro Tem Kim, and Mayor Shanahan |
| NOES: | None |

ABSENT: Council Member Charoen

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

9. Blais & Associates Grants Consultant Services

City Manager Volmert gave the presentation.

Council Comments and Questions:

Discussion ensued regarding Blais & Associates clients.

Neil Blais, Blais and Associates President & CEO, responded that his firm serves the cities of Torrance, Anaheim, Huntington Beach, Norwalk, Fullerton, Placentia, Corona, Colton, Fontana, and about 20 other California Municipal Clients; that types of grants that La Palma would qualify for depends on a needs assessment study that they would conduct; that their firm looks at all Federal, State, Local, and Foundation grants, and ensures that the City is qualified for these grants; the types of grants they would review are water quality grants, green grants, policing grants, to name a few; and that they would not pursue any that the City is not qualified for.

City Manager Volmert noted that during the selection process, Department Directors itemized the types of grants including funding for cable casting, public engagement technology projects, Emergency Operations plans, seismic structure improvements, water capital projects, parks/recreation improvements, and Code Enforcement assistance programs, and many others.

Further discussion ensued regarding the types of grants Blais & Associates has submitted for Fullerton; that the staff report does not detail financial specifics of the process; that \$3,100 is for a one-time needs assessment study, \$400 a month for grant monitoring and other financial specifics of the grant writing costs; that Staff estimated \$7,500 per grant in writing costs; that most grants take at least six months to a year to get a response; that Blais & Associates will prepare a 'not to exceed' budget if there is a grant that the City wishes to pursue; that the needs assessment study is anticipated to take about 31 hours; opposition to the lack of detail in the proposed contract; methodology used to ensure qualifications for certain grants; designating a specific, customized grant writer for La Palma and the process for approval; that Blais' clients consistently get a \$20-\$70 return on

every investment dollar spent; Department Directors' lack of time to pursue the existing grant database subscription; that Staff will review the grant proposal prior to submission; the complexity of grant writing and submissions; how Blais & Associates addressed municipal competition by customizing and tailoring the grant writing; that Blais applied for 14 transportation grants and all 14 agencies received the grant; that within two years, La Palma should see a good return on its investment with Blais & Associates; the numerous grants Blais succeeded to get for a small city in California; that most of Blais' clients have been with them for five to seven years; that this is part of overall long term financial planning of finding ways to diversify revenue and fund projects; support for approving the Grant Consulting Services because of Blais & Associates proven track record; that Blais currently has three contracts with Anaheim who has internal grant writers, allowing Anaheim to increase their research capacity; that the grant database subscription cost about \$11 thousand last year and did not require City Council approval; concern for the grant approval process and how the City Council can be involved prior to submission; that most federal grants require full City Council approval; that Staff could bring the proposed grants before the City Council on the Consent Calendar; Blais' concerns for any delays in grant submission deadlines; and Council Member Goedhart suggestion to continue the matter for two weeks to allow for research and a more detailed contract with a process for how to submit grant applications.

Council Member Goedhart made a motion to continue the Item to the December 2, 2014, City Council meeting to enable reference checks, produce a more detailed contract with specific expenditures, and outline a process for approving grant submittals (subject to deadlines) with Blais & Associates Grants Consultant Services.

Further discussion ensued regarding opposition to the level of detail requested from Staff in order to submit a grant; and clarification that Council Member Goedhart's motion is not to delay the grant process, but to add accountability for the money spent.

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

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| AYES: | Council Member Goedhart, Council Member Hwangbo, Mayor Pro Tem Kim, and Mayor Shanahan |
| NOES: | None |
| ABSENT: | Council Member Charoen |

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

Council Member Goedhart had nothing to report and wished everyone a happy Thanksgiving.

City Council Member Hwangbo attended the Grand Reopening for Arnold School grand reopening after its modernization; the Orange County Vector Control District (OCVCD) meeting; the Red Ribbon Week (RRW) event; Stanton's State of the City address; participated in the 2014 General Election; the 30th Anniversary La Palma Days parade; the November 10 Special Meeting; and wished everyone a happy Thanksgiving.

Mayor Pro Tem Kim attended the Orange County Sanitation District (OCSD) meeting; the RRW event; the Stanton State of the City address; the Halloween Carnival; the 2014 La Palma pageant; the 30th Anniversary La Palma Days parade; the November 10 Special Meeting; the OCSD Administrative Committee meeting; the City Selection Committee meeting; the Orange County Fire Authority (OCFA) meeting; and the Bulgogi House Grand Opening event.

Mayor Shanahan attended the Meadowbrook Insurance Company Grand Opening; the Halloween Carnival; the 30th Anniversary La Palma Days parade, for which he thanked Staff for all their hard work; the Bulgogi House Grand Opening; congratulated Council Member Elect Steggell; and wished everyone a happy Thanksgiving.

CITY MANAGER REMARKS

City Manager Volmert thanked Staff for their hard work on La Palma Days; reminded the City Council of the upcoming SCORE workshop; and wished everyone a happy Thanksgiving.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported on new legislation for public works provisions regarding notifying contractors for special registration and how to deal with certified payroll records; will be notifying Staff regarding a new legislative rule regarding compensation information on the City's website; and wished everyone a happy Thanksgiving.

CLOSED SESSION

CS-1. CONFERENCE WITH REAL PROPERTY NEGOTIATIONS

Pursuant to Government Code Section 54956.8

Property: 5410-14 La Palma Avenue, La Palma, California,
APN # 262-102-14

City Negotiators: Joel Kuperberg, City Attorney
Ellen Volmert, City Manager
Douglas Dumhart, Community Development Director

Negotiating Parties (A): Shin and Susie Rho, as Individuals
(B): Joe Ung, an Individual
(C): Joon Lee, LeaseNegotiations.com

Under Negotiations: Price and Terms for Commercial Lease

CS-2. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of litigation pursuant to paragraph (1) of subdivision (d) of Section 54956.9: One (1) potential case for claimant, City of Carson.

Mayor Shanahan recessed to Closed Session at 8:40 p.m.

Mayor Shanahan reconvened in Open Session at 9:10 p.m. and asked for a report.

Administrative Services Director Murray announced that there was no reportable actions on Item CS-1 and that Item CS-2 was denied by unanimous vote of the City Council.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 9:11 p.m.

Mayor

Attest:

Laurie A. Murray, CMC
City Clerk