

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

January 5, 2016

CALL TO ORDER: Mayor Goedhart 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 Hwangbo

INVOCATION: Pastor Jerry Bennett, Faith Fellowship Church

ROLL CALL: Council and Commission Members

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

Council/Commission Members absent: None

City Officials present: Laurie A. Murray, City Manager
Michelle Molko, Assistant City Attorney
Michael Belknap, Community Services Director
Douglas Dumhart, Community Development Director
Eric Nunez, Police Chief
James Tsumura, Water Supervisor
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Mayor Goedhart presented a proclamation to Brian Ka Kim, President of the Korean American Federation of Orange County, in recognition of Korean American Day.
2. Orange County Fire Authority (OCFA) Division Chief Dave Steffen gave a presentation on El Nino.

Mayor Goedhart inquired on the status of the City's El Nino preparations.

Police Chief Nunez responded that the Police Department has put together an information brochure; that Staff has educated and alerted those living in the homeless encampments in the area of the potential dangers; that thew33e individuals who have been contacted have removed themselves from possible impacted areas; and that the Police Department has provided those affected with a list of available homeless shelters. He closed by commenting on the quick response from the OCFA on a recent swift water rescue incident.

ORAL COMMUNICATIONS

Fran Saint Germain Wright, a La Palma resident, addressed the City Council regarding her opposition to the parking situation along Conifer Drive; the impact of the numerous parked high profile vehicles; and asked for consideration to issue parking permits for the residents who live on Conifer Drive or find another solution to address the parking concerns.

Mayor Goedhart noted that Staff will research and review the situation and respond back to the resident and City Council on the status and outcome of her concerns.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:22 P.M.

Deputy City Clerk Kenney 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 December 15, 2015, Regular Meeting of the Successor Agency.

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

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

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

NOES: None

ABSTAINED: Council Member Shanahan

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

RECESS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED
COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING
COMMISSION AT 7:23 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the December 15, 2015, Regular Meeting of the Planning Commission.

Commission Member Kim made a motion to approve Consent Calendar Item PL-1. The motion was seconded by Commission Member Hwangbo.

Commission Member Shanahan explained that he is abstaining from voting on the Minutes as he was not in attendance at that meeting.

The motion carried on the following vote:

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

NOES: None

ABSTAINED: Commission Member Shanahan

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL
AT 7:24 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.

3. Approval of Register of Demands

Resolution No. 2016-01 approving the Register of Demands for January 5, 2016.

4. Water Conservation Monthly Report for November 2015

Receive and file the Water Conservation Monthly Report for November 2015.

Council Member Kim made a motion to approve Consent Calendar Items 1, 3, and 4.

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

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

NOES: None

ITEMS PULLED FROM THE CONSENT CALENDAR

2. Approval of Council Minutes

Minutes of the December 15, 2015, Regular Meeting of the City Council.

Council Member Shanahan requested to have the Item pulled from the Consent Calendar so he may abstain from voting on the Item due to his absence from the meeting.

Council Member Kim made a motion to approve Consent Calendar Item 2.

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

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

PUBLIC HEARINGS

5. Development Code Amendments - Introduction and First Reading of Various Ordinances Amending Certain Provisions within Chapter 44 of the La Palma Municipal Code pertaining to Floodplain Management, Cannabis Prohibition, and State Model Water Efficient Landscaping
 - a) Mayor Goedhart opened the Public Hearing at 7:25 p.m.
 - b) Community Development Director Dumhart gave the Staff Report
 - c) City Council Comments and Questions:
None.
 - d) Public Input:
No members of the public wished to speak.
 - e) Mayor Goedhart closed the Public Hearing at 7:29 p.m.
 - f) Introduce for first reading, an Ordinance 2016-01 of the City Council of the City of La Palma amending and adding provisions to the La Palma Municipal Code Chapter 44 (Zoning) concerning Floodplain Management.
 - g) Introduce for first reading, an Ordinance 2016-02 of the City Council of the City of La Palma amending and adding certain provisions to the La Palma

Municipal Code Chapter 44 (Zoning) to prohibit "Cannabis Related Businesses" as a land use in all zones.

- h) Introduce for first reading, an Ordinance 2016-03 of the City Council of the City of La Palma amending and adding certain provisions within Chapter 44 of the La Palma City Code to update Model Water Efficient Landscape Standards in compliance with State codes.

Council Member Kim made a motion to Introduce for first reading, an Ordinance 2016-01 of the City Council of the City of La Palma amending and adding provisions to the La Palma Municipal Code Chapter 44 (Zoning) concerning Floodplain Management; Introduce for first reading, an Ordinance 2016-02 of the City Council of the City of La Palma amending and adding certain provisions to the La Palma Municipal Code Chapter 44 (Zoning) to prohibit "Cannabis Related Businesses" as a land use in all zones; and Introduce for first reading, an Ordinance 2016-03 of the City Council of the City of La Palma amending and adding certain provisions within Chapter 44 of the La Palma City Code to update Model Water Efficient Landscape Standards in compliance with State codes.

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

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

NOES: None

RECONVENE THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION FOR A JOINT MEETING WITH THE CITY COUNCIL AT 7:30 P.M.

REGULAR ITEMS

6. Approval of Sixth Amendment to Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Centerpointe La Palma for Shared Parking between Certain Lots

Community Development Director Dumhart gave the Staff Report.

City Council and Successor Agency Comments and Questions:

None.

Public Input:

Fran Saint Germain Wright, a La Palma resident, inquired as to the amount of sales tax increment the new business would bring to the City of La Palma.

Community Development Director Dumhart responded that since the business is service-based, it would not generate any sales tax revenue for La Palma; that the 288 employees would use City facilities and services that would contribute to an increase in the City's overall sales tax revenue; that the business would increase permit revenue due to tenant improvements; and that the tenant improvements would cause the Orange County Assessor's office to reevaluate the property which could incrementally increase property tax revenue.

Council Member Hwangbo made a motion to approve the Sixth Amendment to Declaration of Covenants, Conditions, Restrictions, and Reservation of Easements for Centerpointe La Palma for Shared Parking between Certain Lots

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

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

NOES: None

ADJOURN THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED
COMMUNITY DEVELOPMENT COMMISSION AT 7:35 P.M.

7. Award of Contract to General Pump Company for Engineering, Modification and Installation Services of Well Pump Suction Pipe and BESST Inc. for Inspection and Project Management of Engineered Pump Suction Feasibility Test at Meadowlark Well, City Project 14-WTR-02.

Community Services Director Belknap introduced Water Services Supervisor James Tsumura who gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the explanation of the arsenic levels inside the well column in the graph presented; that the area in the well column that is high in arsenic will hopefully be isolated; that if this proposal fails and does not reduce the arsenic levels, the City would revert back to what it is currently doing as the levels are not over the allowed levels, but the City would need to construct a water

treatment plant at the cost of \$2-\$5 million; the high risk of tearing and breaking the well casing in an effort to eliminate water suction at the arsenic levels; that drilling a new well would cost \$1.3-\$1.5 million; that the cost to drill a new well does not include piping the water to the reservoirs nor take into account the easements that would be required; that water production is always a concern; that BESST Technologies has been able to prove that this procedure works; that no one can predict how the process will affect hydraulic flow, which is why this project is being labeled as a feasibility test and not being proposed as a permanent option at this time; that there are only three companies that conduct this type of technology; that Staff is monitoring the arsenic levels on a monthly basis; that the State requires reporting the arsenic on an annual average which happens to be below ten; that the City has not experienced anything significant with the arsenic levels except for an occasional spike; that other options of drilling an adjacent well to combine the water from each well has been looked at; that going shallow for the water source is cheaper but that higher quality water is at deeper levels; that Water Supervisor Tsumura is comfortable with BESST technologies and has been working closely with them on this technology; that the end product will help for a while and allow some time for Staff to figure out what to do next; that if this project is approved and successful, the repair would be done at a similar cost in order to make this a more permanent installation; and that the project is a wise investment in an effort to save the City a significant amount of money.

Public Input:

Jim Johnson, a La Palma resident, addressed the City Council regarding his concern for the continual drawing of arsenic from the well as the water level decreases caused by the drought.

Water Supervisor Tsumura responded that there are specific areas where that water exists; that there is very little crossover in the water levels; that isolating the arsenic level from the rest of the water sources is a positive outcome from this project; that there is a large aquifer and it covers most of northern Orange County; that the health of the Aquifer is monitored by the Orange County Metropolitan Water District; and that the Staff is confident that this well will provide the City with water for quite a long time.

Council Member Hwangbo made a motion to approve and authorize the award of Contract to General Pump Company for Engineering, Modification and Installation Services of Well Pump Suction Pipe and BESST Inc. for Inspection and Project Management of Engineered Pump Suction Feasibility Test at Meadowlark Well, City Project 14-WTR-02.

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

AYES: Mayor Goedhart, Council Member Hwangbo, Council Member Kim, Council Member Shanahan, Mayor Pro Tem Steggell, and James Tsumura, Water Supervisor

NOES: None

8. Appointments to External Committees and Internal Subcommittees

Mayor Goedhart introduced the Item and opened up discussion for appointments.

Mayor Pro Tem Steggell announced that she would like to step down from the appointment to the California Joint Powers Insurance Powers Authority (CJPIA).

By consensus, the City Council agreed to appoint Council Member Shanahan as the City's representative to the CJPIA and Mayor Goedhart as the alternate.

Discussion ensued regarding Mayor Pro Tem Steggell's appointment to the OCFA being made back in November 2015, and that no other resolution or action is required.

By consensus, the City Council agreed to keep the existing appointments of Council Member Kim as the City's representative to the Orange County Sanitation District (OCSD) and Mayor Pro Tem Steggell as the alternate.

By consensus, the City Council agreed to reappoint Council Member Hwangbo as the City's representative to the Orange County Vector Control District (OCVCD) for a two year term with no alternate required.

By consensus, the City Council agreed to keep the existing appointment of Council Member Kim as the City's representative to the Metropolitan Water District of Orange County (MWDOC) and Council Member Shanahan as the alternate.

By consensus, the City Council agreed to keep the existing appointments of Mayor Pro Tem Steggell as the City's representative to the Orange County Library Advisory Board (OCLAB) and Mayor Goedhart as the alternate.

By consensus, the City Council agreed to appoint Council Member Hwangbo as the City's designate to the Southern California Association of Governments (SCAG) General Assembly meeting.

By consensus, the City Council agreed to appoint Mayor Goedhart and Mayor Pro Tem Steggell as the City's Business Task Force Members.

By consensus, the City Council agreed to appoint Mayor Goedhart and Council Member Kim as the City's Public School Liaison because of the previous work on

AB523 – High School Open Enrollment Act - and current work with the City's school districts.

By consensus, the City Council agreed to appoint Mayor Goedhart and Mayor Pro Tem Steggell as the Council Policy SubCommittee Members.

By consensus, the City Council agreed to appoint Mayor Goedhart and Mayor Pro Tem Steggell as the City's Citizen Committee Selection Sub-Committee Members.

Council Member Hwangbo made a motion to approve the Appointments to the External Committees and Internal Subcommittees agreed upon by consensus of the City Council.

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

AYES: Mayor Goedhart, Council Member Hwangbo,
Council Member Kim, Council Member
Shanahan, Mayor Pro Tem Steggell, and
James Tsumura, Water Supervisor

NOES: None

9. 2016 Cypress College Foundation Americana Awards

City Manager Murray gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding Council Member Shanahan serving on the Cypress College Foundation Americana Awards Board; that this year's designee, Christine Barnes, is a well-deserved recipient; that this primary fundraiser benefits their scholarship program; that Council Member Shanahan cannot support the measure in light of the City's fiscal situation; and that the City will still create a proclamation for this year's honoree.

Council Member Shanahan made a motion to not support the sponsorship of a table at the 2016 Cypress College Foundation Americana Awards. The motion was seconded by Council Member Hwangbo.

Mayor Goedhart agreed with the motion; noted that if the City regains its financial footing again, the City will support the sponsorship; and that in lieu of the all the budget cuts in order to balance the budget, this unfortunately needs to be addressed.

The motion carried on the following vote:

AYES: Mayor Goedhart, Council Member Hwangbo, Council Member Kim, Council Member Shanahan, Mayor Pro Tem Steggell, and James Tsumura, Water Supervisor

NOES: None

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

Council Member Shanahan apologized for his absence at the last meeting; congratulated Mayor Goedhart and Mayor Pro Tem Steggell on their appointments; and wished everyone a happy New Year.

Mayor Pro Tem Steggell had nothing to report.

Council Member Hwangbo attended the Orange County Vector Control District Meeting; and wished everyone a prosperous year.

Council Member Kim attended the Orange County Sanitation District Board meeting.

Mayor Goedhart announced that he is establishing office hours on Wednesdays from 1:00-4:00 p.m. at City Hall and is available to residents without appointment to meet and discuss and concerns. He asked the City Council to adjourn the meeting in memory of Linda Frese as she passed away on December 28, 2015.

CITY MANAGER REMARKS

City Manager Murray relayed her condolences to the Frese family; announced the upcoming Strategic Planning meeting secured for January 29, 2016, at 12:30 p.m. in the Fan Palma Room; that the Financial Sustainability Committee will be finalizing their report; announced upcoming agenda items; and wished everyone a happy New Year.

CITY ATTORNEY REMARKS

Assistant City Attorney Molko wished everyone a happy New Year.

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: Laurie Murray, City Manager
Steve Filarsky, Agency Labor
Counsel

Employee Organizations: La Palma General Employees
Association
La Palma Police Association
La Palma Professional
Employees Association

Unrepresented Employees: Executive Management

Mayor Goedhart recessed to Closed Session at 8:04 p.m.

Mayor Goedhart reconvened at 8:37 p.m. in Open Session and asked for a report.

City Manager Murray announced that there were no reportable actions out of Closed Session.

ADJOURNMENT

Mayor Goedhart adjourned the Regular Meeting of the La Palma City Council at 8:38 p.m. in memory of Linda Frese and asked that the family receive a copy of the Minutes of this meeting.

City Manager Murray responded that she will send the family a letter informing them of adjourning in her memory.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk