

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

January 19, 2016

CALL TO ORDER: Mayor Goedhart called the Regular Meeting of the La Palma City Council to order at 6:45 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with Council Member Hwangbo being absent.

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 Professional Employees Association  
La Palma Police Association

Unrepresented Employees: City Management

The City Council recessed to Closed Session at 6:46 p.m.

REGULAR SESSION (SCHEDULED TO BEGIN AT 7:00 P.M.)

Mayor Goedhart reconvened the City Council in Open Session at 7:00 p.m. and asked for a report.

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

PLEDGE OF ALLEGIANCE: Council Member Kim

INVOCATION: Pastor John Kim, Cottonwood Church

ROLL CALL:

Council and Commission Members

Council/Commission  
Members present:

Mayor/Chairperson Goedhart,  
Council/Commission Member Kim,  
Council/Commission Member Shanahan, and  
Mayor Pro Tem/Vice Chairperson Steggell

Council/Commission  
Members absent:

Council/Commission Member Hwangbo

City Officials present:

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

PRESENTATIONS

1. City Manager Murray gave a presentation and Mayor Goedhart presented a plaque to outgoing Police Chief Eric Nuñez in recognition of his 25 years of service.

Andrew Awad, Field Representative to Assemblywoman Young Kim, presented Police Chief Nuñez with a Certificate of Recognition for his years of service.

Outgoing Police Chief Nuñez thanked the community, Staff, City Council, and his family for their support during his many years of service.

ORAL COMMUNICATIONS

Bob Simpson, Cypress College President, addressed the City Council regarding appreciation for the City's past sponsorship of the Cypress College Foundation Americana Awards; appreciation for Council Member Shanahan's membership on the Board; that the College's Automotive Technician program has been recognized by the Toyota Corporation as a top automotive program in the nation; that the College was selected as one of the top 15 City Colleges that offer a bachelor's degree program; announced his appreciation for supporting the Facilities Bond allowing them to modernize the campus; promoted the annual Americana Awards ceremony and announced Christine Barnes as the 2016 Citizen of the Year for La Palma; requested the City Council's attendance at the event; and stated their encouragement for an ongoing relationship with the City of La Palma.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:19 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 January 5, 2016, Regular Meeting of the Successor Agency.

B. Approval of Register of Demands

Resolution No. SA 2016-01 approving the Successor Agency Registers of Demands for January 19, 2016

C. Adoption of the Tenth Recognized Obligation Payment Schedule July 1, 2016, to June 30, 2017 (ROPS 16-17A/B)

Resolution No. SA 2016-02 approving the Tenth Recognized Obligation Payment Schedule (ROPS 16-17A/B) - July 1, 2016, to June 30, 2017.

Council Member Kim made a motion to approve Consent Calendar Items A, B, and C.

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

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

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 7:20 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 5, 2016, Regular Meeting of the Planning Commission.

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

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

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

PUBLIC HEARINGS

PL-2. Consideration of Adoption of an Initial Study/Mitigated Negative Declaration, and Approving Conditional Use Permit 361, and Precise Plan 275 for a Double-sided Digital Display Billboard at 5545 Orangethorpe Avenue, La Palma, CA 90623 (APN #276-073-04)

- a) Chairperson Goedhart opened the Public Hearing at 7:21 p.m.
- b) Community Development Director Dumhart gave the Staff Report.

- c) Commissioner Comments and Questions:  
  
None.
- d) Public Input:  
  
No members of the public wished to speak.
- e) Chairperson Goedhart closed the Public Hearing at 7:32 p.m.
- f) Adopt Resolution No. PC 2016-01 adopting an Initial Study/Mitigated Negative Declaration (IS/MND) for the construction, operation, and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 5545 Orangethorpe Avenue.

Commission Member Kim made a motion to adopt Resolution No. PC 2016-01 adopting an Initial Study/Mitigated Negative Declaration (IS/MND) for the construction, operation, and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 5545 Orangethorpe Avenue.

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

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

- g) Adopt Resolution No. PC 2016-02 approving Conditional Use Permit 361 for the construction, operation, and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 5545 Orangethorpe Avenue.

Commission Member Kim made a motion to adopt Resolution No. PC 2016-02 approving Conditional Use Permit 361 for the construction, operation, and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 5545 Orangethorpe Avenue.

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

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

NOES: None

ABSENT: Commission Member Hwangbo

- h) Adopt Resolution No. PC 2016-03 approving Precise Plan 275 for the construction, operation, and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 5545 Orangethorpe Avenue.

Commission Member Kim made a motion to adopt Resolution No. PC 2016-03 approving Precise Plan 275 for the construction, operation, and maintenance of a double-sided digital display billboard to be located on a portion of the real property at 5545 Orangethorpe Avenue.

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

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

NOES: None

ABSENT: Commission Member Hwangbo

PL-3. Consideration of a Resolution Recommending that the City Council Adopt an Ordinance Approving a Development Agreement Between the City of La Palma and Foster Interstate Media, Inc., for a Double-sided Digital Display Billboard at 5545 Orangethorpe Avenue, La Palma, CA 90623.

- a) Chairperson Goedhart opened the Public Hearing at 7:35 p.m.
- b) Community Development Director Dumhart gave the Staff Report.
- c) Commission Comments and Questions:

Discussion ensued regarding clarification of air time; that the City would get specific air time on the digital billboard to promote the community; clarification on the indemnification provisions; and if the agreement protects the City and its interests.

Assistant City Attorney Molko concurred that the agreement protects the City's interest, even with the minor change to the indemnification provisions.

d) Public Input:

Ralph Rodriguez, a La Palma resident, asked about using the digital display billboard for emergency event postings.

Community Development Director Dumhart responded that there are provisions for public service announcements as well as emergency broadcasts in the agreement.

e) Chairperson Goedhart closed the Public Hearing at 7:52 p.m.

f) Adopt Resolution No. PC 2016-04 recommending that the City of La Palma City Council adopt an Ordinance approving the Development Agreement between the City of La Palma and Foster Interstate Media, Inc., for a double-sided digital display billboard at 5545 Orangethorpe Avenue.

Commission Member Kim made a motion to adopt Resolution No. PC 2016-04 recommending that the City of La Palma City Council adopt an Ordinance approving the Development Agreement between the City of La Palma and Foster Interstate Media, Inc., for a double-sided digital display billboard at 5545 Orangethorpe Avenue.

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

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

REGULAR ITEMS

None Scheduled.

Mayor Goedhart requested to take a short recess at 7:53 p.m.

Mayor Goedhart reconvened the City Council at 7:56 p.m.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL  
AT 7:57 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 5, 2016, Regular Meeting of the City Council.
3. Approval of Register of Demands  
  
Resolution No 2016-02 approving the Register of Demands for January 19, 2016.
4. Award of Contract to RJ Noble Company for the Valley View Street Rehabilitation Project from 183rd Street to Orangethorpe Avenue, City Project No. ST-335, Federal Project No. STPL 5319(017)
  - a) Approve the Award of Contact in the amount of \$338,310 to RJ Noble for the Valley View Street Rehabilitation Project from 183rd Street to Orangethorpe Avenue, City Project No. ST-335.
  - b) Authorize the appropriation of funds as detailed in Figure 2 (Fiscal Impact)

Council Member Kim made a motion to approve Consent Calendar Items 1 through 4.

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

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



## PUBLIC HEARINGS

5. Adopt a Resolution Approving the Proposed Water, Fire Flow, and Sewer Rates; and Introduction and First Reading of an Ordinance of the City of La Palma amending Chapter 14, Article I (Finance and Taxation In General) of the La Palma Municipal Code

- a) Mayor Goedhart opened the Public Hearing at 7:58 p.m.
- b) Community Services Director Belknap gave an overview of the Item and introduced Robert Ryall, representing Willdan Financial Services, who gave the Staff Report.

Community Services Director Belknap noted, in response to a question received from the public, that the City has 12 water customers who have 3 inch meters and 1 customer that has a 6 inch meter.

Mr. Ryall continued with the Staff Report.

Community Services Director Belknap closed the presentation with a report on the City's water and sewer revenues and expenditures from 2007 to the current year; and included projects and operational costs that have led to the City's deficit to the Water and Sewer funds.

- c) Council Comments and Questions:

Discussion ensued regarding the presentation being informative; that the Water Enterprise is currently operating at a deficit; and that in five years, the Water and Sewer funds should be operating without a deficit.

- d) Public Input:

Ralph Rodriguez, a La Palma resident, addressed the City Council regarding the City's previous Water Rate Study; that there was a problem on how the City measured it's water use at that time; that the City had no accountability for water use at that time; that the City embarked on installing meters at City locations to monitor the City's water use; and that as a water rate-paying customer, he would like to clearly see if he is absorbing the City's water use cost.

Community Services Director Belknap responded that the City's overall water use has been reduced by 46%.

Water Supervisor Tsumura also noted the City's water use for 2015 is about 1800 acre feet - which is about 2.5% of the City's total; that all City facilities have had water meters installed and the use is being monitored.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding the last proposal in 2010 and the projects that have not been completed; that the Water Rate Study is hard to understand for the normal public user; that Willdan Financial has been contracted to conduct the study but does not verify the accuracy of data they have accumulated; concerns for extensive operating costs and overhead; that the City needs to be financially conservative; that if we previously did not receive enough revenue to cover the costs, why are we reducing the reserve amount with the upcoming costs; support for a reasonable cost increase for necessary fixes; and that the City needs to watch its usage.

Wally Zimmerman, a La Palma resident, addressed the City Council regarding the previous tiered rates encouraging conservation; that in using more water, the product does not get more expensive, but the use on the system is incremental; a desire to see the water quality report; that because of the mandated water reductions, the City is not flushing the system as much anymore and wants to see what the water quality is coming out of the actual tap; the actual cost to address the aging infrastructure; that in ten years, there is an extreme rate increase; that wealthier cities can afford to subsidize rates; and that the funds can only be used for water and sewer related uses.

Mr. Rodriguez commented again regarding the study not including the background of the previous rate hike; that the City no longer receives revenues from the Redevelopment Agency; and his support to have those details included into the background information of this report.

- e) Mayor Goedhart closed the Public Hearing at 8:31 p.m.

Discussion ensued regarding the City owning and operating its own water system; that adjacent cities are paying 40% more for their water; that economic difficulties in 2010 influenced that rate change; that ultimately, the system has gone into deficit and if the City does not raise rates, it will not be able to address future issues; that the tiered structure is no longer legal; that this proposal is an effort to get the Water System operating without a deficit; residents can adjust their usage to minimize the impacts; support for the Water Rate Study; that the City may have to raise rates again in five years but that is unknown; a brief explanation of the water testing process in La Palma; water quality tests are conducted throughout the City on a weekly basis and every three years, tests are conducted at random end user locations.

- f) Adopt Resolution No. 2016-03 approving the Proposed Water, Fire Flow, and Sewer Rates

Assistant City Attorney Molko requested that the City Council make two separate motions - one for each item.

Community Services Director Belknap also wanted to note for the record that the City received 4 official letters of protest.

Mayor Goedhart made a motion to adopt Resolution No. 2016-03 approving the Proposed Water, Fire Flow, and Sewer Rates.

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

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

NOES: None

ABSENT: Council Member Hwangbo

- g) Introduce for first reading and read by title only an Ordinance of the City of La Palma amending Chapter 14, Article I of the Municipal Code reducing the Water Funds Emergency Reserve requirement to five (5) percent.

Council Member Shanahan made a motion to introduce for first reading and read by title only an Ordinance of the City of La Palma amending Chapter 14, Article I of the Municipal Code reducing the Water Funds Emergency Reserve requirement to five (5) percent.

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

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

NOES: None

ABSENT: Council Member Hwangbo

## REGULAR ITEMS

6. Interim Police Chief Employment Agreement

City Manager Murray gave the Staff Report.

Interim Police Chief Mike McCrary introduced himself; noted his long standing relationship with outgoing Police Chief Nunez; and announced that he looks forward to working with and reviewing the organization for efficiencies.

Approve and authorize the Mayor to sign an Employment Agreement with Mike McCrary for Interim Police Chief services in an amount not to exceed \$78,000.

Council Member Kim made a motion to approve and authorize the Mayor to sign an Employment Agreement with Mike McCrary for Interim Police Chief services in an amount not to exceed \$78,000.

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

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

7. Memorandum of Understanding for the La Palma Police Association

City Manager Murray gave the Staff Report.

Comments and Questions:

Discussion ensued regarding thanking the La Palma Police Association for working towards a solution; that sacrifices are difficult; recognition of all the hard work put into this; that these are challenging times for the City including reforms and cut-backs; that the City is hopefully heading towards a solution; and that cooperation from the groups and the City Manager's efforts are appreciated.

Resolution No. 2016-04 approving the Memorandum of Understanding between the City of La Palma and the La Palma Police Association.

Council Member Kim made a motion to adopt Resolution No. 2016-04 approving the Memorandum of Understanding between the City of La Palma and the La Palma Police Association.

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

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

NOES: None

ABSENT: Council Member Hwangbo

8. Adoption 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

Community Development Director Dumhart gave the Staff Report.

- a) Adopt and order the second reading of 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.

Council Member Shanahan made a motion to adopt and order the second reading of 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.

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

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

NOES: None

ABSENT: Council Member Hwangbo

- b) Adopt and order the second reading of 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.

Council Member Shanahan made a motion to adopt and order the second reading of 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.

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

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

NOES: None

ABSENT: Council Member Hwangbo

- c) Adopt and order the second reading of 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 Shanahan made a motion to adopt and order the second reading of 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 Kim and carried on the following vote:

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

NOES: None

ABSENT: Council Member Hwangbo

9. Council Member Request: Reinstate City Manager Authority to Fill Employment Vacancies

Mayor Goedhart gave a brief report as it was his request and noted that as position eliminations have been made, it is no longer necessary to have vacancies come before the City Council for approval and requested to reinstate the City Manager's authority to fill employment vacancies.

Mayor Pro Tem Steggell made a motion to approve the Reinstatement of the City Manager Authority to Fill Employment Vacancies

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

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

NOES: None

ABSENT: Council Member Hwangbo

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

**Council Member Shanahan** had nothing to report.

**Mayor Pro Tem Steggell** had nothing to report and wished the Mayor a happy Birthday.

**Council Member Kim** had nothing to report and thanked outgoing Police Chief Nunez for his dedication and service.

**Mayor Goedhart** had nothing to report.

CITY MANAGER REMARKS

**City Manager Murray** announced the upcoming Swearing-In Ceremony for two new Police Officers on January 22 and announced the upcoming Strategic Planning meeting on January 29 in the Fan Palm Room.

CITY ATTORNEY REMARKS

**Assistant City Attorney Molko** had nothing to report.

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 Professional

Employees Association  
La Palma Police Association

Unrepresented Employees:

City Management

Mayor Goedhart recessed to Closed Session at 8:54 p.m.

Mayor Goedhart reconvened the City Council in Open Session at 9:08 p.m. and asked for a report.

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

ADJOURNMENT

Mayor Goedhart adjourned the Regular Meeting of the La Palma City Council at 9:10 p.m.

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Gerard Goedhart  
Mayor

Attest:

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Kimberly Kenney  
Deputy City Clerk