

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 17, 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 Kim

INVOCATION: President Rick Nitta, Church of Jesus Christ of Latter Day Saints

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
Mike McCrary, Interim Police Chief
Sea Shelton, Administrative Services Director
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Community Services Director Belknap introduced Recreation Specialist Megan Hana who gave a brief presentation of the Youth Action Committee program and introduced Youth Action Committee Members Divya Abraham, Esther Bae, Joel Choi, Jason Chung, Crystal Diaz, Michelle Dong, Elise Freij, Irene Jang, Yunji Jong, John Jung, Devesh Khurana, Tamanna Khurana, Sam Kim, Joie Le, Brian Lee, Michael Li, Robert Li, Jennifer Lim, Boaz Lin, Serena Nasser, Ramya

Natarajan, Nicole Nguyen, Ashlee Noh, Amanda One, Lindsey Pike, Naomi San Jose, Amber Sayoc, Christine Sun, and Camryn Worsham.

ORAL COMMUNICATIONS

Robert Carruth, a La Palma resident, addressed the City Council regarding his opposition to hiring procedures and internal promotions; opposition to increased pension costs for internal candidate promotions; and opposition to reported savings.

Mayor Goedhart asked the City Manager to respond to Mr. Carruth's comments. Assistant City Attorney Molko noted that public comment can be given for a specific time; that normal public comment can be taken under advisement by City Staff; and that there can be brief responses to public comment.

City Manager Murray responded that the City reviews each recruitment on a case-by-case basis to determine whether an outside or internal recruitment should be conducted;; that the City chooses applicants based on qualifications, skill, and the best fit for the organization; and discussed the savings regarding the Community Services departmental reorganization.

Assistant City Attorney Molko responded that this is not intended to be a time for dialogue between the City Council and public, and that Staff can take notes and provide the public with further responses.

Mr. Carruth continued by commenting on the CalPERS rate of return, which is increasing the City's CalPERS liability and the City's hiring practices.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:20 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 May 3, 2016, 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, Council Member Shanahan, and Mayor Pro Tem Steggell

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 7:21 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the May 3, 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 Hwangbo, Commission Member Kim, Commission Member Shanahan, Vice Chairperson Steggell

NOES: None

PUBLIC HEARINGS

PL-2. Precise Plan 282, Planned Unit Development (PUD) for Homes on Seven Lot Subdivision Created by Tentative Tract Map 17828

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

Discussion ensued regarding the rationale behind recommending that new homeowners be given notice that left hand turns may be prohibited in the future; that public safety issues could warrant restricted left turns; that a traffic impact study was discussed and issues addressed during the Tentative Tract Map process for this property; that only a stop bar was recommended; that Development Committee Members made the recommendation; that the City Hall property has twice as many trips as this project would have; and that any change can be made by the City Council at any point in the future.

- d) Public Input:

Ed Mountford, representing the Developer of the Project, addressed the City Council regarding the Developer being very responsive to Community input; that they are bringing a high quality product; that they agree to the conditions; that pricing for the homes has not been established yet; and that these homes will have larger floor plans and will be on larger lots than those at the Macay Place development, which is just down the street and has pricing starting at \$900,000.

Ismile Noorkbash, a La Palma resident, addressed the City Council regarding his forty years of experience in Civil Engineering; the possibility of installing a median on Walker Street; opposition to not having controlled ingress/egress to this property; opposition to the proposed street width; that he voted against the project at the Development Committee because of street safety issues; and support for installing a solid double yellow line in the median area.

Commission Member Hwangbo inquired if the same member of the public is allowed to come back and speak on a different matter.

Assistant City Attorney Molko responded that public comment is available for each agenda item.

Mr. Carruth donated his five minute public comment time to Mr. Noorbaksh.

Mr. Noorbaksh continued by stating his opposition to the street size; recommended that the City Council strongly consider making this a private street; and commented on adjacent cities standard street sizes.

Billie Thomas, a La Palma resident, addressed the City Council regarding her appreciation for the City Council's responsiveness in taking the community's comments into consideration for the project; that residents have been duly notified during this process; thanked the City Council for allowing the public to participate; that originally, there was no traffic light at Houston Avenue and Walker Street without any traffic problems; and that the traffic for the small amount of vehicles on this property will be easily worked out.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding the number of variances for this project; the conditions of approval for the project; that the City has lived with the street in its current condition; that the traffic engineer noted that there were no street safety issues on the project and only suggested a stop sign; and concerns for parking.

Keith Nelson, a La Palma resident, addressed the City Council regarding taking Mr. Noorbaksh's comments into consideration; support for the street to become a private street; and that the new homeowners be responsible for any street issues or repairs.

Sharon Gutjahr, a La Palma resident, addressed the City Council regarding the long process for the Ozawa development project; opposition to discussing traffic issues again after the matter was previously resolved; that the street size is the same as Dirk Circle without any issues; inquired to whether the lot at the end of the cul-de-sac could be made into additional parking spaces; opposition to the City Council meeting being used as a place for personal agendas; and thanked the City Council for their time on the project.

Larry Herman, a La Palma resident, addressed the City Council regarding support for making the ingress/egress to this property safe; support for making the street a private street; and asked which way the water flows from the cul-de-sac.

Community Development Director Dumhart responded that the water will drain to the end of Ozawa Way where it will go into a biofiltration device, then will be discharged down to the end of Andrew Drive to the inlets where Indigo Lane is located.

Mr. Herman noted his concerns for flooding at the end of Andrew Drive and asked why the water cannot be drained to Walker Street.

Community Development Director described the hydrology in the area; that the developer provided reports and evaluated tilting the entire property onto Walker Street; that in order to have the water drain onto Walker Street, the walls on the property would have to be raised to 12 feet, which was unreasonable; that according to the hydrology report, a heavy rain would only add an additional 1/2 inch higher of water higher during a storm than what currently exists; and that rain barrels will be provided to the homeowners to capture rain water.

Mr. Herman commented that he is concerned that the rain barrels will generate mosquitos; and suggested that controlling mosquitos be made a mandatory condition.

- e) Chairperson Goedhart closed the Public Hearing at 8:02 p.m.

Discussion ensued regarding addressing comments made by Mr. Noorbaksh; that the matter before the City Council is for architectural approval of the subdivision and that traffic mitigation was a concern and previously addressed at the Tentative Tract Map review; that this street is 36 feet wide and consistent with all other residential City streets; that both Dirk Circle and Andrew Drive measure 36 feet wide, which is La Palma's standard, and is what is being proposed; that there are not enough homes on the street to financially support making it a private street; that the traffic impact analysis that was previously prepared was shared with the Traffic Safety Committee and Planning Commission when originally looking at the subdivision; that the only concern from that study was to install a stop bar and stop sign at the end of Ozawa Way; and noted that off of Walker Street, there are numerous streets and driveways that allow numerous outlets to go left and right.

Chairperson Goedhart reopened the Public Hearing at 8:10 p.m.

Mr. Noorbaksh responded that the streets were designed many years ago; that because the street is close to Marview Drive, it is a traffic concern; and that there is always a possibility and probability for an accident making a left hand turn coming out of that street during peak hours.

Ms. Gutjahr noted the lack of traffic incidents at streets where there are no signals; that the amount of pedestrians has decreased over time; that residents have lived with mild flooding during heavy rain for years; noted her frustration for redundant subjects already addressed at this late stage in the process; and trust that the City will handle situations as they arise.

Mr. Herman restated his concerns for water flow as his property is impacted by mild flooding and concerns for left hand turn safety.

Mayor Goedhart closed the Public hearing at 8:16 p.m.

Discussion ensued regarding the time that Houston Avenue did not have a signal; that Yorktown is requesting to no longer be a private street; that making the corner lot additional parking should have been done during the time of approving the Tentative Tract Map; that each lot has four parking spaces on the driveways and the street supports additional parking; and that this is the last opportunity to take public comment before the development of this property begins.

- f) Adopt Resolution No. PC 2016-09 approving Precise Plan 282 Planned Unit Development (PUD) for homes on a seven lot subdivision created by Tentative Tract Map No. 17828, subject to conditions of approval.

Commission Member Kim made a motion to adopt Resolution No. PC 2016-09 approving Precise Plan 282 Planned Unit Development (PUD) for homes on a seven lot subdivision created by Tentative Tract Map No. 17828, subject to conditions of approval and striking "The Owner/Developer shall make future homeowners aware that left turns out of Ozawa Way maybe prohibited in the future via a double yellow line median" from Condition 35 of the Conditions of Approval." The motion was seconded by Commission Member Hwangbo.

Commission Member Hwangbo announced his appreciation for members of the public who came out to speak on this matter; the work by the Development Committee; that decisions by the Planning Commission and City Council will not satisfy everyone; and that he is confident that this City Council will be continue to make beneficial decisions for this community.

Chairperson Goedhart clarified that the motion is being approved as recommended by Staff, but excludes "The Owner/Developer shall make future homeowners aware that left turns out of Ozawa Way maybe prohibited in the future via a double yellow line median" from the conditions of approval.

The motion carried on the following vote:

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

NOES: None

Chairperson Goedhart requested to take a short recess at 8:24 p.m.

Chairperson Goedhart reconvened the Planning Commission in Open Session at 8:32 p.m.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL
AT 8:33 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 April 26, 2016, Special and May 3, 2016, Regular Meetings of the City Council.
3. Approval of Register of Demands

Resolution No. 2016-30 approving the Register of Demands for May 17, 2016.
4. Appropriations Limit for Fiscal Year 2016-17

Resolution No. 2016-31 approving the annual Appropriations Limit for Fiscal Year 2016-17.
5. Award of Contract to CJ Concrete Construction for the CDBG ADA Ramp Construction Project, Phase I, City Project No. ST-341
 - a) Disqualify the apparent low bidder Ruiz Concrete and Paving as non-responsive for not submitting the required CDBG Bid documents at the time of bid.
 - b) Approve Award of Contract in the amount of \$204,350 to, the second lowest bidder, CJ Concrete Construction for the CDBG ADA Ramp Construction Project, Phase I, City Project No. ST-341.

7. Amendment to the Agreement with Empire Pipe Cleaning and Equipment, Inc. for General Sewer Maintenance Services

Approve and authorize the Mayor to execute an Amendment to the Agreement with Empire Pipe Cleaning and Equipment, Inc. for General Sewer Maintenance Services, extending the term of the agreement through June 5, 2017.

8. Amendment to the Agreement with MJC Construction, Inc. for General Sewer Repair Services

Approve and authorize the Mayor to execute a Second Amendment to the Agreement with MJC Construction, Inc. for General Sewer Repair Services.

9. Third Quarter Operating Report and Budget Adjustments, Fiscal Year 2015-16

Receive and File the presentation on the Third Quarter Operating Report.

Council Member Kim made a motion to approve Consent Calendar Item 1 through 5 and 7 through 9.

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

ITEMS PULLED FROM CONSENT CALENDAR

6. Award of Contract to Computer Service Company (CSC) for Traffic Signal Maintenance Services

Mayor Pro Tem Steggell requested to have Item 6 pulled from the Consent Calendar because of traffic signal concerns; that the westbound La Palma Avenue traffic signal allowing left hand turns onto Walker Street is not long enough to allow sufficient traffic to pass through during school hours; and that parents are making unsafe u-turns on DeVries Lane in an effort to make right turns onto La Palma Avenue.

Community Services Director Belknap responded that the Orange County Transportation Authority (OCTA) sets the synchronization times for the street lights; that the La Palma Avenue left turn pocket was extended in 2011 to accommodate the traffic; that the light was protective/permissive allowing for turns

when it was safe to do so, but because of the number of accidents, the signal changed to protected; that Staff will have to consult with OCTA to find an alternative to the turn signal timing; and that the City's Measure M funding is contingent upon the City being part of the OCTA's synchronization.

City Manager Murray responded that the City Council could direct Staff to contact the OCTA, investigate the cost of a traffic study, and then bring the matter back before the City Council.

Discussion ensued regarding the original arrow signal being 15 seconds long; that when the City went to protected only, the arrow lasted 20 seconds; that the City of Anaheim increases turn signals length times during school hours at intersections closest to schools; that the City will need to investigate the best signal synchronization possible; and that traffic will be impacted during school hours regardless of changes made.

Approve and authorize the Mayor to execute an agreement with Computer Service Company (CSC) of Baldwin Park, California, for traffic signal maintenance services.

Council Member Kim made a motion to approve the Award of Contract to Computer Service Company (CSC) for Traffic Signal Maintenance Services.

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

REGULAR ITEMS

10. Approval of Final Parcel Map 2015-156 and Subdivision Improvement Agreement, for a 3-lot Subdivision Located at 8231 Moody Street (La Palma 2015, LLC)

Community Development Director Dumhart gave the Staff Report.

Resolution No. 2016-32 approving Final Parcel Map No. 2015-156 and the Subdivision Improvement Agreement with La Palma 2015, LLC.

Council Member Hwangbo made a motion to approve Resolution No. 2016-32 approving Final Parcel Map 2015-156 and Subdivision Improvement Agreement, for a 3-lot Subdivision Located at 8231 Moody Street (La Palma 2015, LLC)

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, and Mayor Pro Tem Steggell

NOES: None

11. Resolution Authorizing a "No Parking 2:00 A.M. to 6:30 A.M. Zone" and Establishing "A No Truck Parking Zone" on the South Side of Fresca Drive from Valley View Street Westerly to the Union Pacific Rail Road Right-of-Way

Community Services Director Belknap gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding truck parking on the street; that there was no parking allowed previously because there was no right-of-way sidewalk; and that there has been some truck parking activity recently.

Resolution No. 2016-33 authorizing a "No Parking 2:00 a.m. to 6:30 a.m. and Tow-Away Zone" and establishing a "No Truck Parking Zone" on the south Side of Fresca Drive from Valley View Street westerly to the Union Pacific Rail Road Right-of-Way.

Assistant City Attorney Molko noted that the "Tow Away Zone" should be stricken from the recommendation as it was a typo.

Council Member Hwangbo made a motion to approve Resolution No. 2016-33 Authorizing a "No Parking 2:00 A.M. to 6:30 A.M. Zone" and Establishing "A No Truck Parking Zone" on the South Side of Fresca Drive from Valley View Street Westerly to the Union Pacific Rail Road Right-of-Way.

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, and Mayor Pro Tem Steggell

NOES: None

12. Police Department Reorganization

Interim Police Chief McCrary gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding this option being previously discussed; that a neighboring city had this model for some time, but has since reverted to two sworn captains because of the need for historical knowledge; support for the recommendation; and that the individual will need to have government, budget, IT, and dispatch experience.

Public Input:

Keith Nelson, a La Palma resident, addressed the City Council in support of the recommendation, but asked that the City take the opportunity to conduct outside recruitments; that the Financial Sustainability Committee strongly recommended that the City look at issues regarding the Police Department; support for researching options outside of the organization; and opposition to not receiving a response from some members of the City Council to his email.

- a) Approve the reorganization of the Police Department by replacing one Police Captain with a Civilian Support Services Manager and reclassifying one Detective position to a Detective Sergeant; and
- b) Adopt Resolution No. 2016-34 of the City Council of the City of La Palma amending the salary schedule for management employees.

Council Member Hwangbo made a motion to approve the reorganization of the Police Department by replacing one Police Captain with a Civilian Support Services Manager and reclassifying one Detective position to a Detective Sergeant; and adopt Resolution No. 2016-34 of the City Council of the City of La Palma amending the salary schedule for management employees.

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, and Mayor Pro Tem Steggell

NOES: None

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

Council Member Shanahan had nothing to report.

Mayor Pro Tem Steggell attended the NY2OC Barbershop Ribbon Cutting event; the Orange County Fire Authority (OCFA) graduation ceremony; the Volunteer Recognition event; and the Cypress Police Association appreciation luncheon.

Council Member Hwangbo attended the John F. Kennedy High School Scholarship event; and the Southern California Association of Governments (SCAG) Annual Conference and Regional Council meeting.

Council Member Kim attended the NY2OC Barbershop Ribbon Cutting event; the Volunteer Recognition event; the Orange County Sanitation District (OCSA) Legislative and Public Affairs Committee; and the OCSA Administration Committee.

Mayor Goedhart attended the NY2OC Barbershop Ribbon Cutting event; the Volunteer Recognition event; and the City Selection Committee meeting. He closed his comments by reporting that the record needs to be corrected when facts are made inaccurately; that the unfunded liability for this year in the Comprehensive Annual Financial Report (CAFR) was \$11.6 million and that the year prior it was \$13.1 million; that the decrease is due to economics and because the City Council has been responsive and responsible to achieve this goal; that the City has qualified individuals in their employment and when internal recruitments are made, it is a sign of a healthy organization; that if there are qualified internal Staff that could advance in this City, they should be advanced; that the individual referenced earlier who received an increase also took on the responsibility of an additional department; that looking at the City's financials in a macro way, true savings will be seen; that he is truly proud of the City 's employees; and apologized for the manner in which the previous discussion evolved and hopes for a civil discussion in the future.

CITY MANAGER REMARKS

City Manager Murray reminded everyone about the upcoming American Cancer Society's Relay for Life event on Saturday, May 21.

Council Member Hwangbo suggested to the City Manager that she offer to meet with Mr. Carruth to discuss the discrepancies in his comments versus her comments. City Manager Murray indicated that she had already offered to meet with Mr. Carruth.

CITY ATTORNEY REMARKS

Assistant City Attorney Molko had nothing to report.

CLOSED SESSION

CS-2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Position Title: City Manager

Mayor Goedhart recessed to Closed Session at 9:04 p.m.

Mayor Goedhart reconvened the City Council in Open Session at 9:26 p.m. 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 9:27 p.m.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk