

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

August 16, 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: Mayor Pro Tem Steggell

INVOCATION: Pastor Jerry Bennett, Faith Fellowship Church

ROLL CALL: Council Members

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

Council Members absent: None

City Officials present: Laurie A. Murray, City Manager
Joel Kuperberg, 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. Mayor Goedhart presented a proclamation to La Palma resident, Carol Marsh, representing the American Association of University Women, in Recognition of Women's Equality Day.
2. Recreation Coordinator jaNell Adams and Recreation Specialist Min Rattanchandani recognized the 2016 Volunteens and, along with Mayor Goedhart, presented them with Certificates of Recognition and Stipends.

Cecilia Iglesias, representing Senator Bob Huff's Office, also presented the 2016 Volunteens with Certificates of Recognition.

ORAL COMMUNICATIONS

Keith Nelson, a La Palma resident, addressed the City Council regarding his previous and current experience with City Staff; his public records requests; his opposition to the timeliness and manner of how he is receiving responses; and asked for reasoning of those responses.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:14 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. Members of the La Palma City Council receive no compensation or stipend as a result of convening or participating in the Successor Agency or otherwise as serving as members of the Successor Agency."

CONSENT CALENDAR

A. Approval of Successor Agency Minutes

Minutes of the August 2, 2016, Regular Meeting of the Successor Agency.

B. Successor Agency 4th Quarter Cash and Investment Report, Fiscal Year 2015-16, as of June 30, 2016

Receive and file the Cash and Investment Report for the fourth quarter of Fiscal Year 2015-16.

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

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 RECONVENE AS THE CITY COUNCIL AT 7:15 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 from the August 2, 2016, Regular Meeting of the City Council.
3. Approval of Register of Demands
Resolution No. 2016-56 approving the Register of Demands for August 16, 2016.
4. City of La Palma 4th Quarter Cash and Investment Report, Fiscal Year 2015-16, as of June 30, 2016
Receive and file the Cash and Investment Report for the fourth quarter of Fiscal Year 2015-16.

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

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

PUBLIC HEARINGS

5. Consideration of Amendment to Tentative Parcel Map (TPM) 2015-156 to Amend Condition No. 14 Thereof for the Purpose of Removing the “Rolled Curb” Requirement for the Cul-de-sac’s Construction.

a) Mayor Goedhart opened the Public Hearing at 7:15 p.m.

b) Community Development Director gave the Staff Report

c) Council Comments and Questions:

None.

d) Public Input:

Terryl Weber, a La Palma resident, addressed the City Council, regarding his opposition to the Developer's request; that the City Council approved the project with the rolled curb requirement; the need for future parking; that other options were given for the design of the cul-de-sac; that the current design is a waste of space; and his support to deny the developer's request.

Hal Woods, CenterStone Communities West Developer and Architect, addressed the City Council apologizing for the oversight and that the rolled curb should have been removed from the conditions when the parking option for Lot A was eliminated; that the Orange County Fire Authority worked closely with them to develop a three point turn in that area; that the Developer placed a standard 8 inch curb to accommodate street sweeping which has been approved by the City Engineer; that the homes allow for five vehicle parking; and that, retrospectively, they should have taken care of the curb issue when Lot A's parking was eliminated.

Wally Zimmerman, a La Palma resident, addressed the City Council in opposition to the developer wanting to change plans that were already approved; that the rolled curb is what the City agreed to; and requested that they deny the developer's request.

Jerry Lomeli, a La Palma resident, addressed the City Council regarding City project concerns; that the public wanted more parking and rolled curb; the Development Committee recommendation; the requirements not being met by the developer; and requested that they deny the developer's request.

Mr. Woods addressed the City Council regarding their decision to eliminate parking on Lot A and that is when they should have had that condition modified; that these plans have been approved for safety by the OCFA; that

the City Engineer approved the plans; and that the installed curb is the standard norm.

Community Development Director stated that during the Development Committee meeting, the concern was having sufficient space for a three-point turn; that the cul-de-sac is the City standard of 38 feet; that they heard the need from the community for additional parking; and that the OCFA approved the plans.

Mr. Lomeli responded that the public requested a rolled curb.

Mayor Goedhart read into the record an email that was submitted from members of the Development Committee that opposed the developer's request.

- e) Mayor Goedhart closed the Public Hearing at 7:40 p.m.

Council Comments and Questions:

Discussion ensued regarding the difference between rolled and standard curbs; that the curb functions the same to carry water out to the storm drain; that if Lot A was to be a parking lot, the rolled curb would eliminate the need to cut for a driveway; that it is the City Council's prerogative to keep or change it; and that the Engineer said the existing standard curb would not be a problem and conforms with the rest of the city.

- f) Adopt a Resolution approving an Amendment to Tentative Parcel Map (TPM) 2015-156 to Amend Condition No. 14 thereof for the purpose of removing the "rolled curb" requirement for the cul-de-sac's construction.

Mayor Goedhart made a motion to adopt Resolution No. 2016-57 approving an Amendment to Tentative Parcel Map (TPM) 2015-156 to Amend Condition No. 14 thereof for the purpose of removing the "rolled curb" requirement for the cul-de-sac's construction. The motion was seconded by Council Member Kim.

Further discussion ensued regarding the residents wanting a rolled curb; support for having a rolled curb; support for the standard existing curb since the elimination of parking on Lot A; that the red curb is to accommodate the three point turn radius for the OCFA and they approved it; that the City does not have any rolled curbs within City limits; that the curb was poured on July 8 and if the City Council decides to require a rolled curb, the developer would have to change it; that the City Council acknowledged the mistake, but the cost would only be about \$2,000 to make it a rolled curb in the future in order to allow for a driveway; support

for the standard curb that is installed because it is more aesthetically pleasing; and support for the developer's reasonable request.

The motion carried on the following vote:

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

NOES: Council Member Shanahan

REGULAR ITEMS

6. Notice of Completion and Acceptance of Work for the Climatec Energy Project, City Project No. 15-BLDG-04 and Streetlight Project Update

Community Services Director Belknap gave the Staff Report.

Discussion ensued regarding the time needed to conduct the measurement study; that the Community Services Department will give Climatec access to all of the City's bills to do a comparison and savings report; and that the City would get those reports quarterly.

Community Services Director Belknap continued with the Staff Report including the costs involved with purchasing the City's street lights and a status update on that project.

City Manager Murray clarified that there is a \$1 million dollar cost to replace the light poles in a 15 year period, but the total cost to replace all of them is \$3 million.

Council Comments and Questions:

Discussion ensued regarding the different outcome than what was originally presented; support to not purchase the lights; that the City should not get involved with purchasing and maintaining its own light infrastructure; the manufacturer's origin for the LED lights; that City Council wants to be informed of the LED manufacturer; explanation that tonight's decision is the final action by the City Council; concern for the brightness of an LED bulb; the increased safety that the LED lighting provided in intersections, which is good for public safety; that if approved tonight, the Climatec project will be complete except for the measurement verification study; that the projected savings would be approximately \$16,000 per year for the next 15 years; that if the City spends \$7,500 to conduct the measurement study, the actual savings would decrease to only \$8,500; whether the City is required to pay the \$7,500 fee for the measurement study and if we can cancel the study in the contract; that the City could postpone

the Climatec Notice of Completion (NOC) until the measurement study fees in the contract can be figured out and notify Southern California Edison of the City's intent to not purchase the street lights; that the true savings needs to be determined with analysis; and that the Climatec NOC can be continued to the September 6 City Council meeting.

- a) Accept the work and authorize the Community Services Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the Climatec Energy Project, excluding streetlight retrofit and water pumping efficiency, City Project No. 15-BLDG-04;
- b) Authorize staff to inform Southern California Edison of the City's decision not to purchase street lights; and
- c) Authorize staff to request Southern California Edison to place the City in the LS-1 Option E queue to replace current street light lamps with Light Emitting Diode (LED) lamps.

Council Member Hwangbo made a motion to approve b) authorize staff to inform Southern California Edison of the City's decision not to purchase street lights; and c) authorize staff to request Southern California Edison to place the City in the LS-1 Option E queue to replace current street light lamps with Light Emitting Diode (LED) lamps.

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 attended the last Concert in the Park; reported on a sprinkler break at his residence; announced his surprise and disappointment that there are only three candidates who filed for candidacy with such a vocal group of displeased residents.

Mayor Pro Tem Steggell announced her support for the candidates.

Council Member Hwangbo had nothing to report.

Council Member Kim attended the Orange County Sanitation District (OCSD) Open House.

Mayor Goedhart announced that even though there are only three seats and three candidates, there is still going to be an election because of the important measure on the ballot.

Council Member Hwangbo asked for clarification on the need for and cost of an election.

City Attorney Kuperberg responded that the Election Code states that a city needs to have an election if the city has a Ballot Measure; otherwise, the election would be cancelled.

City Manager Murray concurred that the cost for the election is still the same as what the City Council budgeted for.

CITY MANAGER REMARKS

City Manager Murray reported on the La Palma Avenue Pavement Project schedule; that the City plans to minimize the impact on school traffic by having the work done on Saturdays; and that the project should be complete by September 16.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Goedhart adjourned the Regular Meeting of the City Council at 8:20 p.m.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk