

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

December 6, 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 Shanahan

INVOCATION: Father Aaron Riomas, St. Irenaeus 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
Terry Kim, Police Captain
Sea Shelton, Administrative Services Director
Kimberly Kenney, Deputy City Clerk

Mayor Goedhart recognized former La Palma Mayors Ed Byrne, Alta Duke, Larry Herman, and Christine Barnes. He also recognized Sandra Lee, Cypress School District Board Member, and Cypress City Council Member Stacy Berry.

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 November 15, 2016, Regular Meeting of the City Council and the November 29, 2016, Special Meeting of the City Council.

Council Member Kim made a motion to approve Consent Calendar Items 1 and 2.

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

3. Second Reading and Adoption of Initiative Ordinance No. 2016-01 Adding Article IX to Chapter 14 of the La Palma City Code, Imposing a Transactions (sales) and Use Tax to be Administered by the State Board of Equalization Establishing a One Percent Transactions and Use Tax

City Attorney Kuperberg introduced the item; noted that cities were receiving miscommunication from the State Board of Equalization (SBOE) which constituted this unusual procedure; and recommended ordering the second reading and moving adoption of Initiative Ordinance 2016-01.

Public Input:

No members of the public wished to speak.

Order the second reading and adopt Initiative Ordinance No. 2016-01 adding Article IX to Chapter 14 of the La Palma City Code, imposing a transactions and use tax to be administered by the State Board of Equalization.

Council Member Shanahan made a motion to order the Second Reading and Adopt Initiative Ordinance No. 2016-01 Adding Article IX to Chapter 14 of the La Palma City Code, Imposing a Transactions (sales) and Use Tax to be Administered by the State Board of Equalization Establishing a One Percent Transactions and Use Tax.

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: Council Member Hwangbo

PROCEDURAL ITEMS:

PI-1. Resolution Declaring Result of the November 8, 2016, General Municipal Election

City Manager Murray gave the presentation and Staff Report.

- a) Adopt a Resolution reciting the facts of the General Municipal Election held on November 8, 2016, and declaring the result; and declaring that Initiative Ordinance 2016-01, an Initiative Ordinance of the City of La Palma establishing a one percent Transactions (Sales) and Use Tax was approved by the voters.

Council Member Kim made a motion to adopt Resolution No. 2016-72 reciting the facts of the General Municipal Election held on November 8, 2016, and declaring the result; and declaring that Initiative Ordinance 2016-01, an Initiative Ordinance of the City of La Palma establishing a one percent Transactions (Sales) and Use Tax was approved by the voters.

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

- b) Presentations to outgoing Council Member Steve Shanahan.

Mayor Goedhart and the City Council presented a plaque to outgoing Council Member Steve Shanahan for his eight years of outstanding service and dedication to the City of La Palma.

Outgoing Council Member Shanahan thanked the City Council and Staff for all the accomplishments over the past eight years and thanked his family for their support.

Michael Vuong, representing Congresswoman Linda Sanchez' office, presented Steve Shanahan with a Certificate of Recognition for his eight years of dedicated service to the citizens of La Palma.

Tim Whitacre, representing Supervisor Michelle Steel, presented Steve Shanahan a Certificate of Recognition for his eight years of dedicated service to the citizens of La Palma.

- c) City Clerk's administration of the official Oath of Office and Induction of Gerard Goedhart, Marshall Goodman, and Peter Kim.

Deputy City Clerk Kenney administered the official Oath of Office and Induction to Gerard Goedhart.

Deputy City Clerk Kenney administered the official Oath of Office and Induction to Marshall Goodman.

Deputy City Clerk Kenney administered the official Oath of Office and Induction to Peter Kim.

Council Member Kim thanked his family, residents, and colleagues for their support.

Council Member Goodman thanked his family for their support and announced that he looks forward to the opportunity.

Mayor Goedhart congratulated Council Members Goodman and Kim on their election and thanked his family and colleagues for their support.

PI-2. City Council Reorganization

- a) Conduct its annual reorganization by selecting the positions of Mayor and Mayor Pro Tem; and

City Manager Murray entertained nominations for Mayor.

Council Member Hwangbo made a motion to nominate Mayor Pro Tem Steggell as Mayor.

Council Member Kim made a motion to close the nominations for Mayor and appoint Mayor Pro Tem Steggell as Mayor.

The motion carried on the following vote:

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

NOES: None

Mayor Steggell thanked the residents, her family, and colleagues for their support.

Mayor Steggell entertained nominations for Mayor Pro Tem.

Council Member Goodman nominated Council Member Hwangbo as Mayor Pro Tem.

Council Member Kim made a motion to close the nominations for Mayor Pro Tem and appoint Council Member Hwangbo as Mayor Pro Tem.

The motion carried on the following vote:

AYES: Council Member Goodman, Council Member Hwangbo, and Council Member Kim

NOES: Council Member Goedhart and Mayor Steggell

Mayor Pro Tem Hwangbo thanked the residents and his family for their support and reported on upcoming challenges.

- b) Make a presentation to outgoing Mayor Gerard Goedhart.

Mayor Steggell made a presentation to outgoing Mayor Goedhart for his year of dedicated service.

Tim Whitacre, representing Supervisor Michelle Steel's office gave a speech in appreciation of outgoing Mayor Goedhart's dedicated service.

Michael Vuong, representing Congresswoman Linda Sanchez' office, presented a Certificate of Recognition for outgoing Mayor Goedhart's dedicated service.

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS

Jerry Lomeli, a La Palma resident, congratulated the City Council on the election; addressed his concerns regarding an oil spill by trash trucks; opposition to the actions the City has taken; options that are available to remedy the oil stains that don't damage asphalt; use of the trash company's bond to fix the problem; and concern that the problem will not be addressed prior to the road's decay.

Larry Herman, a La Palma resident, congratulated Michele Steggell on her Mayoral appointment.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:52 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 November 15, 2016, Regular Meeting of the Successor Agency.

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

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

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE CITY OF LA PALMA AS SUCCESSOR AGENCY, AND RECONVENE AS THE CITY COUNCIL AT 7:53 P.M.

CONSENT CALENDAR

4. Approval of Register of Demands

Resolution No. 2016-73 approving the Registers of Demands for December 6, 2016.

Council Member Kim abstained from Consent Calendar Item 4 due a financial conflict of interest.

5. Water Conservation Monthly Report for October 2016

Receive and file the Water Conservation Monthly Report for October 2016.

6. State Board of Equalization Agreements

- a) Adopt a Resolution authorizing the City Manager to execute a Preparatory Agreement and an Administration Agreement with the State Board of Equalization (SBOE) to administer the collection of revenue from the Transaction and Use Tax adopted by the voters on November 8, 2016; and
- b) Adopt a Resolution authorizing specified City officials and Hinderliter, de Llamas & Associates, to examine records relating to Sales and Use Tax (Bradley-Burns Tax) collected by the Board of Equalization; and
- c) Adopt a Resolution authorizing specified City officials and Hinderliter, de Llamas & Associates, to examine records relating to the Transactions and Use Tax, collected by the Board of Equalization; and
- d) Approve and authorize the Mayor to sign an agreement with Hinderliter, de Llamas & Associates for Transaction and Use Tax consulting services.

Council Member Kim abstained from Consent Calendar Item 6 due to a conflict with his employment at the SBOE.

7. Authorize the Purchase of 800 MHz Radios

Approve a budget amendment and authorize the purchase of Citywide replacement radios from Motorola Solutions as part of the County's 800 MHz Next Generation P25 upgrade project

Mayor Goedhart made a motion to approve Consent Calendar Items 4 through 7. Mayor Pro Tem Hwangbo seconded the motion.

Mayor Pro Tem Hwangbo asked if there was a permanent blanket abstention for any future SBOE and Bank of America items that Council Member Kim could utilize instead of having to abstain from every individual item that could occur on future Agendas.

City Attorney Kuperberg responded that there is no mechanism for a permanent abstention.

The motion was carried on the following vote:

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

NOES: None

REGULAR ITEMS

None Scheduled.

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

Council Member Hwangbo announced the recent marriage of his son; and congratulated the City Council on the election.

Council Member Kim congratulated Mayor Steggell and Mayor Pro Tem Hwangbo on their appointments; attended the Orange County Sanitation District (OCSD) Board meeting; and the Special City Council meeting.

Council Member Goedhart attended the John F. Kennedy High School parent meeting regarding a recent situation.

Council Member Goodman thanked his family for their support.

Mayor Steggell attended the Orange County Fire Authority (OCFA) Board meeting; congratulated fellow Council members on the election and their appointments; and thanked her family and friends for their support.

CITY MANAGER REMARKS

City Manager Murray thanked outgoing Council Member Shanahan for his eight years of dedicated service; thanked Council Member Goedhart for his year of Mayoral leadership and support; congratulated Council Members Goedhart, Goodman and Kim on their election; and congratulated Mayor Steggell and Mayor Pro Tem Hwangbo on their appointments.

CITY ATTORNEY REMARKS

City Attorney Kuperberg thanked outgoing Council Member Shanahan for his eight years of dedicated service; congratulated Council Member Goodman on his election; congratulated Council Member Goedhart and Kim on their re-election; and congratulated Mayor Steggell and Mayor Pro Tem Hwangbo on their appointments.

ADJOURNMENT

Mayor Steggell announced the reception in the Community Center after the meeting and adjourned the Regular Meeting of the City Council at 7:59 p.m.

Michele Steggell
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk