

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

April 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 Shanahan

INVOCATION: Pastor John Kim, Cottonwood 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
Joel Kuperberg, City Attorney
Mike McCrary, Interim Police Chief
Sea Shelton, Administrative Services Director
Scott Hutter, Associate Planner
James Tsumura, Water Supervisor
Kimberly Kenney, Deputy City Clerk

PRESENTATIONS

1. Mayor Pro Tem Steggell presented a proclamation to Donate Life Ambassador Theresa Alvarez in recognition of Donate Life Month.

ORAL COMMUNICATIONS

Lisa Walker, a La Palma Resident representing Los Coyotes Elementary School Parent-Teacher-Student Organization (PTSO), invited the City Council to their annual talent show on April 22 at 6:00 p.m. in the school's multi-purpose room.

Jenelle Frese, a La Palma resident, addressed the City Council regarding the death of a family pet "Marie" due to a high speed vehicle; concern for speeding along Maroon and Sharon Drive that goes unchecked; asked the City Council to consider three speed bumps as a speed deterrent - one on Trinity Drive between Sharon and Maroon Drive, and 2 on Maroon Drive; that there are no marked crosswalks on those streets; the lack of posted speeding limits; support to post a speed limit of 15 instead of 25; support to remove the sign that indicates access through this neighborhood to La Palma Avenue from Denni Street; and advocating the street name be changed from Maroon Drive to Marie Lane in memory of her lost family pet.

Council Member Shanahan asked for clarification on the traffic sign directing through traffic access to La Palma Avenue through their neighborhood.

Ms. Frese responded that the traffic sign is blue and white that says "Access to La Palma Avenua via Trinity Lane" with an arrow pointing in the direction of her neighborhood.

Wallace Yelle, a Buena Park resident living adjacent to La Palma city limits, addressed the City Council regarding traffic safety concerns by speeders not adhering to the posted speed limit in his neighborhood and asked for more of a police presence in that area to deter speed violators.

Police Chief McCrary responded that the City will review and enhance enforcement right away in the areas of concern; that he would investigate Ms. Frese's concerns; and that he would speak with Mr. Yell about his concerns.

Larry Herman, a La Palma resident, addressed the City Council regarding his observation of traffic violators at the intersection of Indigo Lane and Andrew Drive; and suggested a sign with the traffic violation fine to deter violators; and his support for Donate Life's endeavors and encouraged support.

RECESS THE CITY COUNCIL AND CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION AT 7:25 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 March 15, 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 7:26 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the March 15, 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, Council Member Kim, Council Member Shanahan, and Mayor Pro Tem Steggell

NOES: None

PUBLIC HEARINGS

PL-2. Amendment to Precise Plan 279 Incorporating a 55 Foot Clock Tower Telecommunications Facility into the Proposed Gateway Retail Center located 5100 Orangethorpe Avenue.

a) Chairperson Goedhart opened the Public Hearing at 7:26 p.m.

b) Associate Planner Hutter gave the Staff Report

c) Commission Comments and Questions:

Discussion ensued regarding assurance that the time would be correct on the proposed clock; that the wireless carrier is responsible for the accuracy of the clock; and that the clock is computer controlled.

d) Public Input:

Lisa Desmond, representing Verizon Wireless, addressed the Planning Commission regarding the increased coverage to wireless customers by having this clock tower; that they are compliant with all FCC standards; that 40% of all homes are run on wireless phones only; assurance that amplified coverage will ensure that 9-1-1 calls get through.

Discussion ensued regarding the cell tower being placed inside the clock tower walls; that the cell tower is not visible to the public; and that the clock will be digitally controlled.

William Desmond, representing Verizon Wireless and responsible for the acquisition, engineering, and design of the facility, addressed the Planning Commission regarding the mechanism inside the clock that controls all four faces of the clock on the tower in synchronization; and that the clock's technology will automatically reset to daylight saving time when appropriate.

Jerry Lomeli, a La Palma resident, addressed the Planning Commission regarding the previously noted Cerritos residents' traffic safety concerns across the way from the McDonalds driveway; that a signal should be considered for those who are trying to come out of the adjacent housing tract.

City Manager Murray responded that the Cerritos residents in question spoke with Community Services Director Belknap and have been put in touch with Cerritos Staff to address their traffic concerns.

Wally Zimmerman, a La Palma resident, addressed the Planning Commission regarding the traffic concerns with the approved remodel of McDonalds and the additional buildings.

Discussion ensued regarding a traffic safety study that was conducted as part of the Planning Commission's original project approval; that the traffic issues were already mitigated; and that the McDonald's remodel project will be starting shortly.

- e) Chairperson Goedhart closed the Public Hearing at 7:39 p.m.
- f) Resolution No. PC 2016-06 approving the Amendment to Precise Plan 279 incorporating a 55 foot clock tower telecommunications facility into the proposed Gateway Retail Center at 5100 Orangethorpe Avenue.

Commission Member Kim made a motion to adopt Resolution No. PC 2016-06 approving the Amendment to Precise Plan 279 incorporating a 55 foot clock tower telecommunications facility into the proposed Gateway Retail Center at 5100 Orangethorpe Avenue.

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

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

NOES: None

PL-3. Amendment to Precise Plan (PPA) 056 to Allow for Façade Renovations to an Existing 2,500 Square Foot Commercial Lease Space located at 5418 La Palma Avenue, La Palma, CA 90623 (Assessor's Parcel Number: 262-102-15)

- a) Chairperson Goedhart opened the Public Hearing at 7:40 p.m.

b) Associate Planner Hutter gave the Staff Report

c) Commission Comments and Questions:

Discussion ensued regarding support to modernize that area of the shopping center; that the project has great outdoor appeal; and hopeful that this project will encourage adjacent property owners to do the same.

d) Public Input:

No members of the public wished to speak.

e) Chairperson Goedhart closed the Public Hearing 7:45 p.m.

f) Resolution No. PC 2016-07 approving Precise Plan Amendment 056 for a façade renovation at 5418 La Palma Avenue, La Palma, CA.

Commission Member Hwangbo made a motion to adopt Resolution No. PC 2016-07 approving Precise Plan Amendment 056 for a façade renovation at 5418 La Palma Avenue, La Palma, CA.

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

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

NOES: None

PL-4. Code Amendment - An Ordinance Amending Provisions of the La Palma City Code Chapters 2 (Administration), 8 (Animal Control), and 44 (Zoning) to Eliminate the Planning Commission and Transfer its Existing Authority to the City Council as the City's New Planning Agency

a) Chairperson Goedhart opened the Public Hearing at 7:46 p.m.

b) City Manager Murray gave the Staff Report

c) Commission Comments and Questions:

None.

d) Public Input:

No members of the public wished to speak.

- e) Chairperson Goedhart closed the Public Hearing at 7:47 p.m.

Discussion ensued regarding support for the elimination of the Planning Commission because of the size of the City and development activity.

- f) Resolution No. PC 2016-08 recommending that the City Council approve an Ordinance amending provisions of the La Palma City Code Chapters 2, 8, and 44 to eliminate the Planning Commission and transfer its existing authority to the City Council as the City's new Planning Agency.

Commission Member Hwangbo made a motion to adopt Resolution No. PC 2016-08 recommending that the City Council approve an Ordinance amending provisions of the La Palma City Code Chapters 2, 8, and 44 to eliminate the Planning Commission and transfer its existing authority to the City Council as the City's new Planning Agency.

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

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

NOES: None

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:49 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 March 15, 2016, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2016-18 approving the Register of Demands for April 5, 2016.

4. Water Conservation Monthly Report for February 2016

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

5. 2016 Street Closures for City Special Events

Resolution No. 2016-19 approving Street Closures for two (2) 2016 City special events: Memorial Day, Monday May 30 and Fitness Run for Fun, Monday July 4, 2016.

6. Agreement Extension with Clinical Laboratory of San Bernardino, Inc. for Laboratory Analysis Services for Testing of Drinking Water

Approve and authorize the Mayor to execute an amendment to the agreement with Clinical Laboratory of San Bernardino, Inc. for laboratory analysis services for testing of drinking water samples.

7. Award of Contract to AKAL Consultants for the Valley View Street Rehabilitation Project from 183rd Street to Orangethorpe Avenue, City Project No. ST-335, Federal Project No. STPL 5319(017)

Award a professional services agreement in an amount not to exceed \$50,000 to AKAL Consultants for Construction Administration and Management Services for the Valley View Street Rehabilitation from 183rd Street to Orangethorpe Avenue.

8. Revised Effective Date to an Amendment of the Orange County Waste Disposal Agreement

Resolution No. 2016-20 approving a revised effective date to the Waste Disposal Agreement (WDA) between the County of Orange and City of La Palma to allow for the continued importation of waste at the County's three landfills and to extend the terms of the WDA through June 30, 2025.

9. Award of Contract to Water System Optimization, Incorporated for Water Loss Control Audit Technical Services

Award and authorize the City Manager to execute a professional services agreement in an amount not to exceed \$64,912 to Water System Optimization,

Incorporated for professional and technical services for the Water Loss Control Audit Project.

10. Comprehensive Annual Financial Report (CAFR) for the Fiscal Year Ending June 30, 2015

Accept, receive, and file the Comprehensive Annual Financial Report (CAFR) of the City of La Palma for the Fiscal Year ended June 30, 2015.

12. General Government and Administrative Services Personnel Revisions and Revision to Salary Schedules

- a) Approve the personnel revisions to the General Government and Administrative Services Departments for operating efficiencies within the organization; and

- b) Approve the amended salary schedule for the La Palma General Employees Association (LPGEA).

Approve the personnel revisions to the General Government and Administrative Services Departments for operating efficiencies within the organization; and approve the amended salary schedule for the La Palma General Employees Association (LPGEA).

Council Member Kim made a motion to approve Consent Calendar Items 1 - 10 and Item 12.

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

ITEMS PULLED FROM CONSENT CALENDAR

11. Second Amendment to Agreement with Rutan and Tucker, LLP for Legal Services

Council Member Shanahan pulled the Item from the Consent Calendar in an effort to thank the Rutan & Tucker agency for their partnership.

Approve and authorize the Mayor to execute a Second Amendment to the Legal Services Agreement with Rutan and Tucker, LLP.

Council Member Shanahan made a motion to approve the Second Amendment to Agreement with Rutan and Tucker, LLP for Legal Services.

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

13. Resolution Approving an Exception to the 180 Day Wait Period to Hire CalPERS Retiree per Government Code Sections 7522.56 and 21224

Interim Police Chief McCrary gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding this being a temporary position; that the Police Department plans to hire a permanent dispatch position; that an applicant is currently in background; and that there is an additional per-diem dispatch recruitment in process.

Resolution No. 2016-21 certifying the need to make an exception to a post-retirement employment requirement (Government Code sections 7522.56 and 21224) stipulating that CalPERS retirees must wait 180 days before being employed by a CalPERS employer.

Council Member Hwangbo made a motion to adopt Resolution No. 2016-21 approving an Exception to the 180 Day Wait Period to Hire CalPERS Retiree per Government Code Sections 7522.56 and 21224

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

14. Resolution asking Anaheim Union High School District (AUHSD) to adopt a Resolution to become a District of Choice

City Manager Murray gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding meetings with the Anaheim Union High School District (AUHSD) that were successful and positive; that the City Council is hopeful that the AUHSD will move forward with this option or have another option available as a possible solution; that this school district issue has been a long, ongoing problem; that only 45 districts in the State of California have pursued this option; that this a positive action that could solve the problems for our La Palma students; that even with the City Council approval, the School District will still need to take action as it requires their approval; and support for the Resolution.

Resolution No. 2016-22 asking the Anaheim Union High School District to adopt a Resolution to become a District of Choice.

Council Member Kim made a motion to approve Resolution No. 2016-22 asking Anaheim Union High School District (AUHSD) to adopt a Resolution to become a District of Choice.

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

15. Discussion of Preliminary Fiscal Year 2016-17 Budget

Conduct an open discussion on the general content of the Preliminary Fiscal Year 2016-17 Budget as provided for the March 22 Budget Workshop and provide direction for preparation of the final budget document as appropriate.

Discussion ensued regarding about clarification of the return rate for Blais & Associates grants; that the City spent about \$25,000 in the past two fiscal years

and have been awarded \$390,000 in grant monies; that the City received two CDBG ADA block grants that total \$380,000 and would not have been received if Blais was not on contract as the applications cannot be done in-house; that Staff supports the investment the City has spent with Blais & Associates; outlined the process and schedule for the Budget process; that Staff will be firming up revenues and expenses for the next Budget presentation; and that the Budget is planned for adoption at the upcoming May 3rd City Council meeting.

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

Council Member Shanahan had nothing to report; shared memories of former Officer Brian Rapp; and passed on his condolences to his family.

Mayor Pro Tem Steggell attended the Orange County Fire Authority (OCFA) Board meeting; Officer Brian Rapp's funeral service; and the John F. Kennedy High School Mr. and Mrs. Pageant.

Council Member Hwangbo attended the League of California Cities (LOCC) Orange County Division Board meeting; the Orange County Vector Control District (OCVCD) Board meeting; the Elementary Student Math competition; that public comments regarding the speeding and traffic concerns can be addressed by technology instead of manpower; and asked that Staff look into available technology solutions.

Police Chief McCrary noted there are some tools available with the City's radar trailer and agreed that there is cost efficient modern technology available that could be utilized.

Council Member Kim attended the Special Budget Workshop; the Orange County Sanitation District (OCSD) meeting; and the JFK High School Mr. and Mrs. Pageant.

Mayor Goedhart attended Officer Brian Rapp's funeral service and a series of meetings with the AUHSD.

CITY MANAGER REMARKS

City Manager Murray thanked Council Member Shanahan for sharing memories of Officer Brian Rapp; that a college fund has been established for his surviving children; and that anyone interested in donating can contact the City for information.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Goedhart adjourned the Regular Meeting of the La Palma City Council at 8:08 p.m.

Gerard Goedhart
Mayor

Attest:

Kimberly Kenney
Deputy City Clerk