

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

September 18, 2007

Mayor Waldman called the regular meeting of the La Palma City Council to order at 6:31 p.m. on Tuesday, September 18, 2007, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California with Councilmembers Herman and Rodriguez, Mayor Pro Tem Charoen, and Mayor Waldman present and Councilmember Barnes absent.

Mayor Waldman recessed to a Closed Session at 6:32 p.m. to discuss the following matters:

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION
Initiation of Litigation pursuant to subdivision (c) of Section 54956.9: One Case
(Loss of Transient Occupancy Tax (TOT) due to Internet Sales.)

Councilmember Barnes joined the Closed Session at 6:34 p.m.

The City Council reconvened in open session at 7:00 p.m. with all members present and with the following reportable actions:

City Attorney Kuperberg reported that the City Council voted unanimously to initiate litigation by joining a class action suit filed by the City of Los Angeles against various internet hotel bundlers and to authorize the Mayor and City Clerk to enter into a contract with the Law Firm of Kiesel, Boucher, & Larson, L.L.P., to represent the City on a contingent fee basis in that matter.

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

INVOCATION: Councilmember Herman

ROLL CALL: Council and Commission Members

ROLL CALL:

Councilmembers present: Councilmember Barnes, Mayor Pro Tem Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

Councilmembers absent: None

City Officials present: Dominic Lazzaretto, City Manager/Executive Director
Ed Ethell, Chief of Police
Jan Hobson, Director of Recreation & Community Services
Ismile Noorbaksh, Director of Public Works/City Engineer
Laurie Murray, Administrative Services Manager/City Clerk
Joel Kuperberg, City Attorney
Crystal Wilkerson, Minutes Clerk

PRESENTATIONS

1. City Manager Lazzaretto introduced Ché Hill as the new Code Enforcement Officer.

ORAL COMMUNICATIONS

Marion Dottl, 7362 Bourbon Lane, addressed the City Council regarding a dog being hit and killed on Houston Avenue and the length of time it took for the deceased animal to be picked up by Animal Control Services. Ms. Dottl also addressed the City Council regarding trees and vines that have not been cut back and regarding individuals riding their bicycles on the sidewalk instead of in the designated bike lanes.

RECESS CITY COUNCIL AND CONVENE AS COMMUNITY DEVELOPMENT COMMISSION: 7:14 P.M.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

September 4, 2007, Minutes of the Community Development Commission.

B. Approval of Register of Demands

CDC Resolution 2007-19 approving the Register of Demands for September 18, 2007.

Commission Member Herman made a motion to approve Consent Calendar Items A and B.

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

AYES: Commission Member Barnes, Vice Chairperson Charoen, Commission Member Herman, Commission Member Rodriguez, and Chairperson Waldman

NOES: None

ADJOURN COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS PLANNING COMMISSION: 7:15 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

September 4, 2007, Minutes of the Planning Commission.

Vice Chairperson Charoen made a motion to approve Consent Calendar Item PL-1.

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

AYES: Commission Member Barnes, Vice Chairperson Charoen, Commission Member Herman, Commission Member Rodriguez, and Chairperson Waldman

NOES: None

PUBLIC HEARINGS

None.

ADJOURN PLANNING COMMISSION AND CONVENE AS CITY COUNCIL:
7:16 P.M.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances

Approve recommendation that the City Council waive the reading of all Ordinances in their entirety and read by title only.
2. Approval of Council Minutes

August 21, 2007, Minutes of the City Council.
3. Approval of Council Minutes

September 4, 2007, Minutes of the City Council.
4. Approval of Register of Demands

Resolution No. 2007-33 approving the Register of Demands for September 18, 2007.
6. Approval of the Expenditure Plan for Citizen's Option for Public Safety (COPS) Funding

Resolution 2007-35 approving the expenditure plan for Citizen's Option for Public Safety (COPS) funding.
7. Purchase of Four Replacement City Fleet Vehicles

Resolution 2007-36 authorizing the purchase of two hybrid electric replacement vehicles – one for the Building and Safety Division and one for Recreation and Community Services – using AB 2766 grant funds, and the purchase of two additional replacement vehicles for the Police Department.
8. Professional Services Agreements with The Mills Group for Recruiting Services

Approve recommendation that the City Council authorize the City Manager to enter into Professional Services Agreements with The Mills Group for recruitment services in an amount not-to-exceed \$30,000, plus reimbursement for expenses in an amount not-to-exceed \$5,000.

Mayor Pro Tem Charoen made a motion to approve Consent Calendar Items 1 through 4 and 6 through 8.

The motion was seconded by Councilmember Rodriguez and carried on the following vote:

AYES: Councilmember Barnes, Mayor Pro Tem Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

NOES: None

5. Submittal of Application to the Orange County Transportation Authority for Funding under the Transportation Enhancement (TE) Program to Install a Landscape Median Island on Moody Street between Malaga Drive and La Luna Drive, City Project No. ST-285
 - a) Adopt a Resolution authorizing the submittal of an application for funds to the Transportation Enhancement (TE) Program under the 2005 Safe, Accountable, Flexible, Efficient, Transportation Act: A Legacy for Users to install a landscape median island on Moody Street between Malaga Drive and La Luna Drive; and
 - b) Authorize the City Manager to execute the Project Implementation Agency - Assurances document.

Councilmember Herman made a motion to approve Consent Calendar Item 5.

The motion was seconded by Councilmember Barnes and carried on the following vote:

AYES: Councilmember Barnes, Mayor Pro Tem Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

NOES: None

PUBLIC HEARINGS

None.

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

Councilmember Barnes attended the League of California Cities Annual Conference in Sacramento and the Orange County LOCC general meeting.

Mayor Pro Tem Charoen attended the LOCC Annual Conference in Sacramento.

Councilmember Rodriguez attended the LOCC Annual Conference in Sacramento and the Chamber of Commerce Mixer held in conjunction with the Kiwanis Club.

Councilmember Herman attended the LOCC Annual Conference in Sacramento; the Orange County Vector Control District's annual picnic; the Chamber of Commerce Mixer; and participated in the 11th Annual Intercoastal and Water Shed Clean Up Day. Councilmember Herman also cautioned the public that West Nile Virus incidents have increased and commented regarding a Crepe Myrtle tree that is blocking a traffic sign on Indigo at Lynn Circle.

Mayor Waldman attended the Orange County Sanitation District Administration Committee Meeting; the LOCC Annual Conference in Sacramento; and the Orange County LOCC general meeting. Mayor Waldman also commented regarding an alleged rooster problem on Sharon Street.


CITY MANAGER REMARKS

City Manager Lazzaretto reported that the Orange County Fire Authority (OCFA) has issued a bulletin notifying the City that severe thunder storms and rain warnings are expected Thursday through Saturday morning. The bulletin will be posted on the City's website to notify the community. On Saturday, the Police Explorers are scheduled to paint over the graffiti on the block wall along the Southern end of the City on the OCTA right-of-way from 9:00 a.m. to 1:00 p.m. Hopefully the event will not be postponed due to the impending rain.

CITY ATTORNEY REMARKS

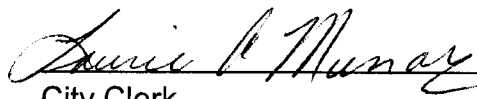
City Attorney Kuperberg thanked the City Council for joining him for dinner at the LOCC Annual Conference and reminded them that a portion of the dinner would be reportable on their annual conflict of interest form.

Mayor Waldman adjourned the City Council meeting at 7:29 p.m.



Mayor

Attest:



City Clerk