

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

December 18, 2007

CALL TO ORDER: Mayor Waldman called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, December 18, 2007, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Charoen

INVOCATION: Pastor Jose Padilla Jr., A Fountain of Living Water Church

ROLL CALL: Council and Commission Members

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

Councilmembers absent: None

City Officials present: Dominic Lazzaretto, City Manager
Joel Kuperberg, City Attorney
John Di Mario, Community Development Director
Ed Ethell, Chief of Police
Jan Hobson, Director of Recreation & Community Services
Keith Neves, Finance Director
Ismile Noorbaksh, Director of Public Works/City Engineer
Laurie Murray, Administrative Services Manager/City Clerk
Crystal Wilkerson, Minutes Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. City Manager Lazzaretto introduced Keith Neves as the new Finance Director.
2. Police Captain Nunez, presented certificates of recognition to Red Ribbon Week participants and Challenge winners, as follows:

Bryan Ameszquita, Valarie Armijo, Laurie Arrigona, Allen Arslanian, Debra Bianchi, Myrna Camarena, Joe Cooper, Karen Cruz, Debra Culver, Cristina Gutierrez, Mary Fabela, Alice Hall, Tony Kim, Zalene Lovetere, Kristine Luevanos, Emily McKinney, Dianna Medina, William Meil, Nicole Nakao, Yvette Ortiz, Dina Parker, Erin Peters, Monica Quiaano, Pat Rez, Cindy Robinson, and Tamera York.

3. Kiwanis President, Captain Nunez presented award certificates to the Kiwanis Holiday Home Decorating Contest winners as follows:

Fantasy of Lights winners: First Place, Adam & Nicole Guillen; Second Place, the Quijano Family; and Third Place, Mike & Doley Wegener.

The Spirit of Christmas winners - First Place, the Verrett Family; Second Place, Brian and Linda McDonald; Third Place, the Hayes Family.

Santa's Workshop winners - First Place, Peter Benze; Second Place, Allan Bullard.

Christmas in Motion winners - First Place, Toni & Jim Dossi; Second Place, Leora Van Hoke; Third Place, Mitsue Barnes.

Christmas Fantasy winners - First Place, the Francisco Family; Second Place, Al Ezra & Tim Holland; Third Place, Norma Grable.

Best Decorated Street - Dallas Drive.

4. Mayor Mark Waldman presented certificates of accomplishment to the West Coast AAU Junior Olympic Participants.

Certificates of Recognition were presented to Coach Richard Neder and athletes, Lindsey Pike, Lauren Wada, and Abigail Zhong.

PROCEDURAL ITEMS

Mayor Waldman asked Administrative Services Manager/City Clerk Murray to conduct the election for Mayor.

Administrative Services Manager/City Clerk Murray entertained nominations for Mayor.

Councilmember Barnes nominated Mayor Pro Tem Charoen for Mayor.

Councilmember Herman nominated Councilmember Rodriguez for Mayor.

Councilmember Barnes made a motion to close the nominations. The motion was seconded by Mayor Waldman and carried on the following vote:

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

NOES: None

The nomination for G. Henry Charoen as Mayor carried on the following vote:

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

NOES: Councilmember Herman and Councilmember Rodriguez

Outgoing Mayor Waldman handed the gavel to newly-elected Mayor Charoen to conduct the election for Mayor Pro Tem.

Councilmember Waldman nominated Councilmember Barnes for Mayor Pro Tem.

Councilmember Barnes made a motion to close the nominations. The motion was seconded by Councilmember Waldman and carried on the following vote:

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

NOES: None

As there was only one nomination for Mayor Pro Tem, Mayor Charoen declared Councilmember Barnes as the new Mayor Pro Tem.

Mayor Charoen presented outgoing Mayor Waldman with a plaque representing his outstanding service and dedication to the La Palma community as Mayor for 2007.

Councilmember Waldman expressed his gratitude to the Council, staff, his family, and the community for their support during the past year.

Mayor Charoen recessed the meeting for a short break at 7:47 p.m.

Mayor Charoen reconvened the meeting with all members present at 8:03 p.m.

ORAL COMMUNICATIONS (Time Limit: 5 Minutes Each)

Councilmember Herman read a letter from Brian O'Neal, 5042 Cartagena Circle, expressing his opinions on the qualities of a Mayor; his opposition to Mayor Pro Tem Charoen being selected as Mayor because of his lack of experience; and his support of Councilmember Rodriguez being selected as Mayor.

RECESS CITY COUNCIL AND RECONVENE AS COMMUNITY DEVELOPMENT COMMISSION AT 8:07 p.m.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes
December 4, 2007, Minutes of the Community Development Commission.
- B. Approval of Register of Demands
CDC Resolution 2007-24 approving the Register of Demands for December 18, 2007.
- C. Annual Financial and Compliance Audit Reports and Annual Financial Transactions Report of the Community Development Commission for the Fiscal Year Ended June 30, 2007

Approve recommendation that the Community Development Commission (CDC) receive and file the annual financial and compliance audit reports and the annual Redevelopment Agencies Financial Transactions Report of the CDC for the fiscal year ended June 3, 2007.

Vice Chairperson Barnes made a motion to approve Consent Calendar Items A through C.

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

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

NOES: None

ADJOURN COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS
PLANNING COMMISSION AT 8:08 p.m

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

December 4, 2007, Minutes of the Planning Commission.

Commission Member Herman made a motion to approve Consent Calendar Item PL-1.

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

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

NOES: None

ADJOURN PLANNING COMMISSION AND CONVENE AS CITY COUNCIL AT 8:09
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

December 4, 2007, Minutes of the City Council.

3. Approval of Register of Demands

Resolution No. 2007-46 approving the Register of Demands for December 18, 2007.

4. Amendment to Consultant Services Agreement with Moreland & Associates, Inc. for Interim Finance Director Services

Authorize the City Manager to amend the Consultant Services Agreement with Moreland & Associates to raise the not-to-exceed amount to \$40,000 for Finance Director Services.

5. Resolution Amending the Salary Schedule for Part-time Employees

Resolution No. 2007-47 amending the salary schedule for part-time employees.

6. Appointment to Orange County Vector Control Board of Trustees

Reappointment of Councilmember Herman as the City's representative to the Orange County Vector Control Board of Trustees, for a two year term commencing on January 1, 2008.

7. Resolution Certifying Funding for Transportation Improvement Program Projects

Resolution No. 2007-48 certifying that the City of La Palma has the resources to fund the projects submitted for inclusion in the FY 2008-09 - 2013-14 Transportation Improvement Program.

Councilmember Waldman made a motion to approve Consent Calendar items 1 through 7.

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

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

NOES: None

8. Purchase of a Shade Structure for the Tiny Tot Playground from USA Shade & Fabric Structures, Inc.

Agenda Item 8 was pulled from the Consent Calendar at the request of Mayor Pro Tem Barnes and Councilmember Rodriguez.

Mayor Pro Tem Barnes made a motion to approve Consent Calendar Item 8.

The motion was seconded by Councilmember Waldman.

Councilmember Herman made a Substitute Motion to continue Consent Calendar Item 8 so staff could attempt to obtain additional bids.

The motion was seconded by Councilmember Rodriguez.

Karen Blake, President of the Centralia School Board, discussed several designs and styles that the Centralia School Board is considering for installation as lunch shelters.

The Substitute Motion failed on the following vote:

AYES: Councilmember Herman and Councilmember Rodriguez

NOES: Mayor Charoen, Mayor Pro Tem Barnes, and
Councilmember Waldman

The original motion to approve Consent Calendar Item 8 carried on the following vote:

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

NOES: Councilmember Herman

PUBLIC HEARINGS

9. Second Reading of an Ordinance Adopting the Latest Edition of the California Building Codes, Including Required Local Amendments
 - a) Mayor Charoen opened the Public Hearing at 8:28 p.m.
 - b) Community Development Director Di Mario gave the Staff Report
 - c) No public input was received
 - d) Mayor Charoen closed the Public Hearing
 - e) Council Comments and Questions
 - f) Adopt an Ordinance repealing Divisions 3, 4, 5, 6, 8, 9, and 10 of Chapter 7, and amending Division 1 of Chapter 7 of the La Palma City Code, and adding thereto new Divisions 3, 4, 5, 6, 8, 9, 10 and 12 of Chapter 7 adopting by reference The Uniform Administrative Code, 1997 Edition; The 2007 California Building Code, incorporating The International Building Code Volumes 1 and 2, 2006 Edition, including appendices I and J thereto; The 2007 California Mechanical Code, incorporating The Uniform Mechanical Code, 2006 Edition; The 2007 California

Plumbing Code, incorporating The Uniform Plumbing Code, 2006 Edition; The 2007 California Electrical Code, incorporating The National Electrical Code, 2005 Edition; all as amended by the California Building Standards Commission and set forth in 24 C.C.R., Parts 2, 3, 4, and 5; The Uniform Housing Code, 1997 Edition; The Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition; The International Property Maintenance Code, 2006 Edition; The Uniform Code for The Abatement of Dangerous Buildings, 1997 Edition; Together with certain amendments, deletions, and exceptions.

Councilmember Waldman made a motion to adopt an Ordinance No. 2007-07 repealing Divisions 3, 4, 5, 6, 8, 9, and 10 of Chapter 7, and amending Division 1 of Chapter 7 of the La Palma City Code, and adding thereto new Divisions 3, 4, 5, 6, 8, 9, 10 and 12 of Chapter 7 adopting by reference The Uniform Administrative Code, 1997 Edition; The 2007 California Building Code, incorporating The International Building Code Volumes 1 and 2, 2006 Edition, including appendices I and J thereto; The 2007 California Mechanical Code, incorporating The Uniform Mechanical Code, 2006 Edition; The 2007 California Plumbing Code, incorporating The Uniform Plumbing Code, 2006 Edition; The 2007 California Electrical Code, incorporating The National Electrical Code, 2005 Edition; all as amended by the California Building Standards Commission and set forth in 24 C.C.R., Parts 2, 3, 4, and 5; The Uniform Housing Code, 1997 Edition; The Uniform Swimming Pool, Spa and Hot Tub Code, 2006 Edition; The International Property Maintenance Code, 2006 Edition; The Uniform Code for The Abatement of Dangerous Buildings, 1997 Edition; Together with certain amendments, deletions, and exceptions.

The motion was seconded by Mayor Pro Tem Barnes and carried on the following vote:

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

NOES: None

- g) Adopt a Resolution setting forth findings with respect to local conditions.

Mayor Pro Tem Barnes made a motion to adopt Resolution 2007-49 setting forth findings with respect to local conditions.

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

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

Waldman

NOES: None

REGULAR ITEMS

10. Councilmember Request: Request for Information Regarding Orange County Sanitation District Board of Directors' Stipend Increase

Discussion ensued regarding the City Council not having received prior notice about the proposed Orange County Sanitation District's (OCSD) stipend increase.

No action was taken.

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

Mayor Pro Tem Barnes attended the Regional Southern California Association of Governments (SCAG) meeting; the SCAG MAGLEV (Magnetic Levitating Train) Task Force meeting; the City of La Palma Holiday Tree Lighting Ceremony; the Employee Recognition Luncheon; and the American Public Works Association (APWA) Luncheon. She reported that she would be attending the California Transportation Plan Conference in February 2008.

Mayor Charoen attended the City of La Palma Holiday Tree Lighting Ceremony; the Employee Recognition Luncheon; the La Palma Police Association Holiday Party; and League of California Cities (LOCC) general meeting.

Councilmember Herman attended the neighborhood visit by the La Palma Police Department; OCVCD family holiday event in Garden Grove; the Employee Recognition luncheon; the APWA luncheon; and the Kiwanis Holiday Decorating Contest. He relayed his congratulations to both the new Mayor and Mayor Pro Tem and thanked the City Council for appointing him to the Orange County Vector Control District (OCVCD) Board for another two years. Councilmember Herman also reported on the effects and casualties of the Iraq War.

Councilmember Rodriguez attended the City of La Palma Holiday Tree Lighting Ceremony; the Employee Recognition Luncheon; the APWA Luncheon; a pancake breakfast in support of the Hope Food Bank Project; the Kiwanis Holiday Home Decorating Contest as a judge; and the Intercounty Transportation meeting in Orange County with Councilmember Waldman. He inquired as to the status of the Verizon work and asked that the City Council be supplied a schedule.

Councilmember Waldman attended the LOCC Legislative Holiday Mixer; an Intercounty Transportation meeting; the Employee Recognition luncheon; the La Palma Police Association Holiday Party; the APWA luncheon; the City of La Palma Holiday Tree Lighting Ceremony; and the Orange County Sanitation District Finance Committee meeting.

CITY MANAGER REMARKS

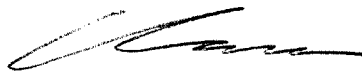
City Manager Lazzaretto reported that the December 4, 2007, City Council meeting was not broadcast live due to technical errors. New protocols have been put in place to prevent the same errors from reoccurring. He announced that the Chamber Holiday Mixer would be held on December 19 at 5:30 p.m. at La Capilla Restaurant and reminded the City Council that the current meeting should be adjourned to Wednesday, January 2, 2008.

CITY ATTORNEY REMARKS

The City Attorney had no remarks at this time.

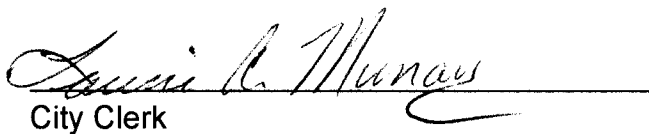
ADJOURNMENT

Mayor Charoen adjourned the City Council meeting at 9:23 p.m.



Mayor

Attest:



City Clerk