

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 2, 2006

Mayor Barnes called the regular meeting of the La Palma City Council to order at 7:01 p.m. on Tuesday, May 2, 2006, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

INVOCATION: Father Scott Ngyuen of the St. Irenaeus Catholic Church

ROLL CALL: Council & Commission Members

ROLL CALL:

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

Councilmembers absent: None

City Officials present: Catherine Standiford, City Manager
Dominic Lazzaretto, Assistant City Manager/Director
of Community Development
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
Deborah Moreno, Director of Finance
Joel Kuperberg, City Attorney
Lynnae Sisemore, Minutes Clerk

PRESENTATIONS

1. Presentation to Hilda Braly for her dedicated service on the
Community Activities and Beautification Committee.

Mayor Barnes and Director of Recreation and Community Services Jan
Hobson presented a City tile to Hilda Braly for her dedicated service to the
Community Activities and Beautification (CAB) Committee.

ORAL COMMUNICATIONS

None

RECESS CITY COUNCIL AND CONVENE AS

COMMUNITY DEVELOPMENT COMMISSION: 7:07 p.m.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes
- B. Approval of Register of Demands

Councilmember Herman made a motion to approve the April 18, 2006 Community Development Commission Minutes and to adopt Resolution No. CDC 2006-10 of the May 2, 2006 Register of Demands.

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

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

NOES: None

ADJOURN COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS CITY COUNCIL: 7:10 p.m.

CONSENT CALENDAR

- 1. Approval of Council Minutes

Councilmember Rodriguez requested this item be pulled.

Councilmember Rodriguez questioned the draft minutes of the April 11, 2006 adjourned meeting and asked staff to make sure the motion was correct. He referenced page two, paragraph three, stating Councilmember Herman made a second motion to allocate \$13,898.00, but asked if the actual motion was for the full amount of \$15,738.

City Manager Catherine Standiford replied that the request from the Community Activities and Beautification (CAB) Committee was for \$13,898 for the concerts in the park and an additional \$2,000 for banners.

Administrative Services Manager Laurie Murray replied the amount stated in the motion was true and correct from the notes taken at the meeting.

Councilmember Rodriguez accepted answer.

2. Approval of Register of Demands

Councilmember Rodriguez requested this item be pulled to inquire about computer related costs with CDWG Inc. regarding a server upgrade.

City Manager Standiford replied the server upgrade is for City Hall.

Councilmember Rodriguez asked if the equipment for the Building, Planning, and Community Development Department system had been received and paid for.

Assistant City Manager/Director of Community Development, Dominic Lazzaretto replied that the only equipment that needed to be purchased for that software was a specific laptop for the Code Enforcement Officer and it has been received.

Councilmember Herman referred to page three of the Register of Demands, regarding item no. 85674, and asked if the City's health insurance provided hypnosis treatments.

City Manager Standiford replied that the hypnosis referred to is not through the City's health insurance, but are Recreation classes that aid in weight loss and quitting smoking.

Councilmember Herman asked about item no. 85740, Women in Leisure Services Inc., for clarification on the three different expenditures.

Director of Recreation and Community Services Jan Hobson replied that Women in Leisure Services is a professional organization and staff attended their special event luncheon.

Councilmember Rodriguez made a motion to approve the April 11, 2006 Minutes of the Joint Meeting of the Community Activities and Beautification and City Council Meeting and the April 18, 2006 Minutes of the Regular Meeting of the La Palma City Council and to adopt Resolution No. 2006-18 of the Register of Demands for May 2, 2006.

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

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

NOES: None

3. Approval of Plans and Specifications, and Authorization to Solicit Competitive Bids for the Removal and Replacement of Curb & Gutter and Sidewalk on Various City Streets, City Project No. ST-276

Councilmember Blake made a motion to approve and authorize the Plans and Specifications to Solicit Competitive Bids for the Removal and Replacement of Curb & Gutter and Sidewalk on Various City Streets, City Project No. ST-276.

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

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

NOES: None

REGULAR ITEMS

Mayor Barnes asked the Councilmembers to entertain a motion to move item no. 6 before item no. 4 to accommodate the Orange County Transportation Authority (OCTA).

Councilmember Rodriguez made a motion to move agenda item no. 6 prior to item no. 4.

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

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

NOES: None

4. Consideration of a Resolution Approving the Expenditure Plan for the Revenues Expected to be Derived from the Proposed Extension of Measure M.

City Manager Standiford gave a brief overview of Measure M and asked Councilmember Rodriguez to speak on this issue as he is a member of the Measure M Super Committee.

Mayor Barnes introduced Art Leahy, Chief Executive Officer, and Ellen Burton from the Orange County Transportation Authority (OCTA) to answer questions on Measure M.

Councilmember Rodriguez addressed the transportation projects and programs.

Art Leahy, CEO of the OCTA, spoke briefly on freeway repair in Orange County and stated that Measure M has come to a close with complete success.

Councilmember Rodriguez made a motion to adopt Resolution No. 2006-19 to approve an Expenditure Plan for the Revenues Expected to be Derived from the Proposed Extension of Measure M.

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

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

NOES: None

5. Third Quarter Financial Report, Fiscal Year 2005-2006

City Manager Standiford gave the staff report and stated that Finance Director Deborah Moreno is available for questions.

City Manager Standiford proposed the following options for development of the Fiscal Year 2006/2007 General Fund Budget: Option A - "Do nothing," Option B - "Middle of the Road," or "Option C - "Make drastic cuts."

Councilmember Rodriguez asked how the city learned of this problem with sales tax revenues.

Finance Director Moreno replied that the City received two reports that indicated the change for all the cities and by a monthly remittance notice.

Councilmember Rodriguez asked staff if an accounting change has occurred resulting in the \$3 million hit to the sales tax revenues.

Finance Director Moreno replied that the involved businesses reporting their sales tax revenue is permanent, and that the \$3 million is staff's reasonable estimate of the immediate impact.

Councilmember Herman asked if City Manager Standiford's suggestion to suspend big expenditures included street rehabilitation.

City Manager Standiford replied that street rehabilitation projects are not appropriated from the general fund and would not be affected.

Councilmember Rodriguez stated he would like to know the status of the State Board of Equalization investigation and would like the city to consult other sources, if needed, to investigate the sales tax impact to the city.

ORAL COMMUNICATIONS

Keith Nelson, 5311 La Luna, asked if the impact was a re-allocation of tax revenue. He asked if the \$3 million has gone to some other entity or if it is an accounting concept that the business or businesses get to keep that money.

City Manager Standiford replied it is a re-allocation of the revenue, and that businesses are changing the way they report sales tax which causes it to be re-allocated to other jurisdictions.

Mayor Pro Tem Waldman made a motion to receive and file the Third Quarter Financial Report, Fiscal Year 2005-2006.

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

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

NOES: None

Councilmember Herman agreed with Staff's recommendation to support Option B for the 2006/2007 General Fund budget, which would bring the City's General Fund budget back in balance over a two to three year period, using reserves to balance revenues and expenditures as necessary.

Mayor Barnes recessed the Council Meeting at 8:40 p.m. for a short break.

Mayor Barnes reconvened the City Council Meeting at 8:48 p.m. with all members present.

Councilmember Rodriguez asked if the city is going to have cost allocation studies prepared by another company rather than the current sales tax consultant.

City Manager Standiford replied that staff is researching firms that do cost allocation studies as their primary business.

Councilmember Rodriguez stated he was in support of the proposed Option B, for the 2006/2007 General Fund budget.

Mayor Pro Tem Waldman stated he was in support of the proposed Option B, for the 2006/2007 General Fund budget.

Councilmember Blake stated he was in favor of Option B, for the 2006/2007 General Fund budget and felt it was not devastating for the reserves at this point.

Mayor Barnes stated she was in favor of Option B, for the 2006/2007 General Fund budget.

Councilmember Rodriguez suggested that Councilmembers suspend some of their event participation and/or trainings to help lower the expenditures.

Mayor Barnes stated that she recommended that each Councilmember be allowed to determine how beneficial their attendance would be.

City Manager Standiford stated this suggestion would depend on the level of sacrifice the Councilmembers would like to make in terms of meetings and trainings, and that expenses sometime occur at a different time of the fiscal year.

Councilmember Herman made a motion to direct staff to implement "Option B" to balance revenues and expenditures.

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

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

NOES: None

6. Consideration of a Request for Funding from the Centralia Elementary School District

City Manager Standiford gave the staff report.

Councilmember Herman made a motion to deny a request for funding from the Centralia Elementary School District to construct an outside lunch shelter and installation of new flooring in the multipurpose room at Miller Elementary and to construct an outside lunch shelter at Los Coyotes Elementary.

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

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

NOES: None

7. Consideration of the "2006 Cable System Regulatory Ordinance."

City Manager Standiford gave the staff report.

Del Heinz, Director of Government Affairs for Comcast Cable, spoke briefly on the proposed Cable System Ordinance.

Michael Freedman, of Telecommunications Management explained the differences between the Cable System Ordinance proposed today versus the one passed ten years ago.

Councilmember Herman made a motion to approve and authorize the first reading of the 2006 Cable System Regulatory Ordinance.

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

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

NOES: None

8. Council Policy Regarding Eagle Scout and Girl Scout Gold Award Recipient Recognitions

City Manager Standiford deferred this item to Mayor Pro Tem Waldman

since he was interested in changing the Council Policy for Eagle and Girl Scout recognitions.

Mayor Pro Tem Waldman stated his request that each Eagle Scout recipient receive a framed proclamation whether residing in La Palma or not.

Councilmember Blake stated he disagreed with the changes and that proclamations normally come from the city the Eagle Scout resides in.

Mayor Barnes, Councilmember Blake, Councilmember Herman, and Councilmember Rodriguez were all in favor of keeping Council Policy 4 the same.

ORAL COMMUNICATIONS

Jay Goldberg of 4782 El Rancho Verde Drive, a former Scout Master, suggested having Eagle Scout proclamations presented at City Council meetings.

Councilmember Herman made a motion to receive and file the staff report regarding Council Policy 4 with no changes to the policy.

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

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

NOES: None

9. Proposed Joint Powers Authority - Integrated Law and Justice Agency

Police Chief Ed Ethell gave the staff report.

Chief Ethell presented a short film clip of the proposed Coplink technology system.

Councilmember Herman made a motion to adopt Resolution No. 2006-20 authorizing the City of La Palma to participate in the Integrated Law and Justice Agency for Orange County (ILJAOC) and authorize the Mayor to execute the Joint Powers Agreement (JPA) associated with the City's participation, and to authorize the City Manager and/or Police Chief to execute any related documents consistent with implementation of this Agreement.

The motion was seconded by Councilmember Rodriguez and carried on the

following vote:

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

NOES: None

Councilmember Herman made a motion to approve and authorize the Coplink System Use Policy.

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

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

NOES: None

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

Councilmember Blake attended the Eagle Scout Awards dinner; the Orange County Business Council Luncheon with NFL Commissioner, Paul Tagliabue; the Orange County Business Council Mayor's Summit Dinner; the California Parks and Recreation Society (CPRS) District 10 Awards and Installation Banquet; the local elected officials breakfast hosted by Curt Pringle; the going away luncheon for La Palma's Public Works Administrative Secretary, Ginger Molar, and the City of Cerritos 50th Anniversary Parade.

Councilmember Blake stated a home on Stratford seems to be conducting business late in the evening.

Councilmember Herman attended the Orange County Vector Control District Meeting; and attended the CPRS District 10 Awards and Installation Banquet.

Councilmember Herman asked the City Manager if changes were forthcoming on communications at state and federal levels.

City Manager Standiford answered the proposed legislation had passed of the Utilities and Commerce Committee unanimously and now heads to Appropriations. She indicated that some form of legislation will be passed.

Councilmember Herman stated that the City of Los Alamitos passed a night sky ordinance and asked staff if it applies to residential areas where people use mercury vapor lights and spot lights that are left on all night.

Community Development Director Lazzaretto replied that staff has requested a copy of the ordinance from Los Alamitos and has no other information at this time.

Councilmember Herman asked about the status of Nextel.

City Manager Standiford replied she and City Attorney Kuperberg will be meeting with staff on Thursday, May 4, 2006.

Councilmember Herman stated the City of Lakewood has "household batteries containers" for proper handling of household batteries which was funded by the California Department of Conservation. He provided that sample container to staff. Councilmember Herman informed staff that one of the faucets in the City Hall lobby men's restroom was not functioning.

Councilmember Rodriguez attended the Cypress Civic Center re-dedication; the Orange County Council Mayor's Summit; the CPRS District 10 Awards and Installation Banquet; the Police Interaction with Youths (P.I.Y.) Graduation; the Miller Elementary Spring Carnival; and Ginger Molar's farewell luncheon. He also attended the local Relay for Life meeting and stated that there will be a Breakfast of Champions at La Quinta Inn, on May 9, 2006.

Mayor Pro Tem Waldman attended the Orange County Sanitation District (OCSD) Meeting; the Orange County Business Council Mayor's Summit Dinner; the CPRS District 10 Awards and Installation Banquet; the elected officials breakfast hosted by Curt Pringle; and the P.I.Y. Graduation. He commended the Police Department for the P.I.Y. program.

Mayor Barnes commended staff on receiving an award from the State Municipal Finance Officers Association for their annual financial report and for the Award of the 2007-05 Transportation Enhancement Grant from the Orange County Transportation Authority (OCTA). She attended the City of Cerritos 50th Anniversary celebration parade; the CPRS District 10 Awards and Installation Banquet; the SCAG rehabilitation workshop; and the Cypress Civic Center re-dedication. She also attended the P.I.Y. Graduation and commended Officer Gonzalez for his work with the program.

Councilmember Rodriguez stated that he and Councilmember Herman toured the City of Lakewood inspecting their street projects and resurfacing methods. He also asked how often striping is done throughout the City of La Palma.

Director Noorbaksh replied that the arterial street striping through the City is done every other year because of using water based paint.

Councilmember Rodriguez attended the City of Cerritos parade.

CITY MANAGER REMARKS


None

CITY ATTORNEY REMARKS

None


ADJOURNMENT

Mayor Barnes adjourned the meeting at 11:04 p.m. on May 2, 2006.



Mayor

Attest:



City Clerk