

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

June 6, 2006

Mayor Barnes called the regular meeting of the La Palma City Council to order at 7:01 p.m. on Tuesday, June 6, 2006, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Councilmember Blake

INVOCATION: Pastor Sandra Heer, A Fountain of Living Water Methodist Church

ROLL CALL: Council and 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. Proclamation presented to Chief Mike McCoy of the Orange County Fire Authority recognizing May 29 (Memorial Day) through September 4 (Labor Day) as "Children Drown Without A Sound - Watch the Water" Campaign to increase public awareness.

Mayor Barnes presented the proclamation to Chief Mike McCoy.

2. Proclamation presented to Chief Mike McCoy and Nurse Educator Chris Richey of the Orange County Fire Authority recognizing the week of May 14 - 20, 2006 as "Emergency Medical Services Week" in the City of La Palma.

Mayor Barnes presented the proclamation to Chief Mike McCoy and Nurse Educator Chris Richey.

3. The La Palma Community Activities and Beautification Committee recognized the home of Caesar and Helena Luevanos at 5592 Oak, La Palma.

Director of Recreation and Community Services Hobson introduced the Chair of the Communities Activities and Beautification (CAB) Committee, Noella Lew, who presented the Home Spotlight Award to Helena Luevanos at 5592 Oak, La Palma.

4. Recognition of Lisa Nestoff, as a City of La Palma 2006 Scholarship Award recipient.

Mayor Pro Tem Waldman and Councilmember Herman presented Lisa Nestoff with the Student Recognition Scholarship Award.

ORAL COMMUNICATIONS

Mayor Barnes introduced Rajul Massan, who had interviewed the Mayor for an elementary school project in the City of Cerritos.

Ted Reina, 8081 Lancashire, thanked City employees for the Memorial Day Service. He suggested adding more shade structures and having the person giving the pledge of allegiance stand up front for everyone to see.

RECESS CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION: 7:22 P.M.

CONSENT CALENDAR

- A. Approved the Community Development Commission Minutes
- B. Approved the Register of Demands
- C. Cash and Investment Report as of March 31, 2006

Councilmember Herman made a motion to approve the May 18, 2006 Community Development Commission Minutes; to adopt Resolution No. CDC 2006-12 of the June 6, 2006 Register of Demands; and to receive and file the Cash and Investment Report as of March 31, 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

REGULAR ITEM

D. Adoption of Residential Code Enforcement Relief Program

Assistant Executive Director/Director of Community Development Lazzaretto gave the staff report.

Commissionmember Rodriguez asked who will make the decisions based on merit of the code enforcement/loan grant program.

Assistant Executive Director/Director of Community Development Lazzaretto stated he would make the decisions as to what code enforcement cases would immediately qualify and would give preference to those residents who have had issues longer than others.

Commissionmember Rodriguez asked if residents could appeal any decisions made on behalf of the assistance program.

Assistant Executive Director/Director of Community Development Lazzaretto answered an appeal statement could be entered in the code enforcement relief program document so the Community Development Commission (CDC) Board could make any decisions in terms of funding.

Commissionmember Rodriguez stated the combined administrative costs come to \$600 per home, and asked if there were any anticipated additional costs.

Assistant Executive Director/Director of Community Development Lazzaretto answered that he would have the City Attorney write up a contract document in terms of additional costs including recording fees.

Chairman Pro Tem Waldman asked if there were any outstanding code violations over a two year period and asked if residents were in compliance would the fines be alleviated.

Assistant Executive Director/Director of Community Development Lazzaretto stated there were outstanding violations, and that he would waive fees assessed over the grant amount.

Chairman Barnes asked how financial verification will be identified for residents who apply to the code enforcement relief program.

Assistant Executive Director/Director of Community Development Lazzaretto answered that requirements of certain documentation will need to be provided such as income stream, bank statements, salary, alimony payments, social security benefits, retirement benefits, and tax returns.

Chairman Barnes asked about the hiring of licensed contractors, and if they would be required to pay prevailing wages for all work performed.

Assistant Executive Director/Director of Community Development Lazzaretto answered that contractors will not necessarily have to pay prevailing wages. He stated that there is a provision in the California Redevelopment Law stating that while using Affordable Housing Funds, homeowners are exempt from the prevailing wage requirements.

Commissionmember Rodriguez asked if this program will be implemented in the budget each year.

Assistant Executive Director/Director of Community Development Lazzaretto answered affirmatively.

Councilmember Herman made a motion to adopt Resolution No. CDC 2006-13 to establish the Residential Code Enforcement Relief Program and to direct the Community Development Commission staff to amend the fiscal year 2006-07 draft budget to include \$35,000 in funding from the Affordable Housing Fund to carry out the program.

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

ADJOURN COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS THE PLANNING COMMISSION: 7:42 P.M.

PUBLIC HEARING

PL-1 Conditional Use Permit 337 to Operate a Machine Shop, Pump Repair, Metal Fabrication, and General Contracting Business at 5901

Fresca Drive

Chairman Barnes opened the public hearing at 7:42 p.m.

Assistant Executive Director/Director of Community Development Lazzaretto gave the staff report.

Commissionmember Herman requested to speak to the applicant before closing the public hearing.

Jagat Mehta, future owner of 5901 Fresca, introduced himself to the Councilmembers.

Commissionmember Herman asked Mr. Mehta if he had any problems implementing the 30 items listed in the conditional use permit.

Mr. Mehta answered no.

Commissionmember Herman asked what type of oils and lubricants would be stored at the facility.

Mr. Mehta answered motor oil and flammable gas for cutting metals.

Commissionmember Blake asked if the construction vehicles would be onsite in the loading dock area.

Mr. Mehta answered most of the construction vehicles will be on the site and will park in that central area.

Chairman Barnes closed the public hearing at 7:52 p.m.

Councilmember Rodriguez made a motion to adopt Resolution No. PC 2006-04 approving Conditional Use Permit 337 to operate a machine shop, pump, repair, metal fabrication, and general contracting business at 5901 Fresca Drive, La Palma.

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

ADJOURN PLANNING COMMISSION AND CONVENE AS THE CITY COUNCIL: 7:53 P.M.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances
2. Approval of Council Minutes
May 16, 2006 Minutes of the Regular Meeting of the City Council.
4. Cash and Investment Report as of March 31, 2006
5. Annual 2006 Water Quality Report
6. Award of Contract to Computer Service Company of Corona, California for Citywide Traffic Signal Maintenance Services, City Project No. ST-275
7. Adoption of a Resolution of the City Council of the City of La Palma Concerning the Status of the Circulation Element for the City of La Palma
Resolution No. 2006-23
8. Resolutions Required for November 7, 2006 Election
 - a) A Resolution of the City Council of the City of La Palma, California, Calling and Giving Notice of the Holding of a General Municipal Election to be held on Tuesday, November 7, 2006, for the Election of Certain Officers as Required by the Provisions of the Laws of the State of California Relating to General Law Cities; and,
Resolution No. 2006-24
 - b) A Resolution of the City Council of the City of La Palma Requesting the Board of Supervisors of the County of Orange to Consolidate a Municipal Election to be held on November 7, 2006, with the Statewide General Election to be held on the Date Pursuant to Section 10403 of the Elections Code; and,
Resolution No. 2006-25
 - c) A Resolution of the City Council of the City of La Palma Adopting Regulations for Candidates for Elective Office Pertaining to Candidates' Statements Submitted to the Voters at an Election to be held on Tuesday, November 7, 2006.

Resolution No. 2006-26

9. Notification of Rate Adjustment for Sanitation Services

Councilmember Blake made a motion to approve and authorize item No.'s 1,2, 4-9.

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

3. Approval of Register of Demands

Councilmember Herman requested this item be pulled and asked for an explanation of the \$500 management wellness benefit.

City Manager Standiford answered that it is an annual wellness benefit for management for costs not reimbursed by normal insurance costs, up to \$500 per year.

Councilmember Herman made a motion to adopt Resolution No. 2006-22 of the Register of Demands for June 6, 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

REGULAR ITEMS

10. Methods for Resolving a Tie Vote in City Elections

Administrative Services Manager/City Clerk Murray gave the staff report.

Mayor Pro Tem Waldman stated the special election solutions provided

were not something the City should implement.

Councilmember Blake commented that he would not want taxpayers to pay for a \$15,000 special election.

Councilmember Herman stated that if he was a candidate; in the result of a tie-vote he would be in favor of the special election.

Mayor Barnes stated she also did not want the taxpayers to pay for a \$15,000 special election, but would want a special election if she was a candidate in a tie-vote situation.

Councilmember Herman made a motion to adopt Resolution No. 2006-27 providing for the conduct of a Special Runoff Election for Elective Offices in the Event of a Tie Vote at any Municipal Election.

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

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

NOES: Councilmember Blake

Mayor Barnes recessed the City Council meeting at 8:01 p.m. for a short break.

Mayor Barnes reconvened the City Council Meeting at 8:10 p.m. with Councilmember Rodriguez absent.

11. Approval of a Recommendation to Replace the Protective Permissive Signal Phasing to Fully Protected Left Turn Signal Phasing for Northbound and Southbound Traffic on Walker Street at Orangethorpe Avenue

Councilmember Rodriguez return to dais at 8:14 p.m.

Director of Public Works Noorbaksh gave the staff report.

Mayor Pro Tem Waldman stated he was in support of the signal phasing on Walker and Orangethorpe.

Councilmember Blake stated he has seen several accidents at the gas station on Orangethorpe, and asked if the gas station is considered private property and if the police department takes accident reports there.

Chief Ethell stated that the police department does take reports for private property accidents if requested, but does not necessarily have to take accident reports.

Councilmember Herman stated the service station is quite congested and suggested staff install a no right turn on red from Walker onto Orangethorpe.

Director of Public Works Noorbaksh answered that he discussed with Chief Ed Ethell filing for a High Accident Prevention Grant with the State of California in regards to the Walker/Orangethorpe area.

Councilmember Rodriguez commented on how most of the accidents over the Walker/Orangethorpe area were spread out over the course of a day and was in support of the signal phasing on Walker and Orangethorpe.

Mayor Barnes stated she was in support of the signal phasing on Walker and Orangethorpe.

Councilmember Rodriguez made a motion to approve replacing the protective permissive signal phasing to fully protect the left turn signal phasing for northbound and southbound traffic on Walker Street at Orangethorpe Avenue.

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

12. 2006/2007 Budget Review

Councilmember Rodriguez requested staff place this item on the agenda for discussion and review of the 2006/2007 budget.

Councilmember Rodriguez asked if funds for Measure M are carried over each year to use as needed.

City Manager Standiford answered that Measure M funds remain in the fund as long as they are not expended for specific projects.

Councilmember Rodriguez asked how to decipher the Measure M expense of \$538,800 to determine what funds are already planned for this expenditure.

Finance Director Moreno stated that if the Measure M expenditure is of a capital nature it would show on the Capital Improvement Plan (CIP), which would show where the funds were taken from.

City Manager Standiford answered that the \$538,800 is what the staff is projecting the beginning fund balance of Measure M to be. She stated it is the money that has not been spent as of the end of the current 2005/06 fiscal year. She stated that if a project extends past the close of the fiscal year the City may have accounted for the remaining balance to be paid on that project as part of a retention payment.

Finance Director Moreno stated that there are also operating expenditures to take into account.

City Manager Standiford stated reports are generated on a monthly basis by program, fund, and project. She stated that this report would provide a snapshot of what has been expended and that the "little big sheet" is the best projection of what projects are planned in the future.

Councilmember Rodriguez asked about the Enterprise Funds, and stated he was concerned of the rate increase that was implemented last fall.

Finance Director Moreno answered the fund balance is the best estimate and is slightly conservative at this particular time.

Councilmember Rodriguez asked what the effect of the increase in rates were last year.

Finance Director Moreno answered the budgeted number for 2005/2006 water sales fund is \$2,042,500.00, an increase of about \$500,000.

Councilmember Rodriguez stated some projects were dependant on revenue streams from grants that are encumbered by criteria, and asked for a report to show where the grant money comes from and what the grants entail.

Finance Director Moreno answered that this type of report can be done and is planned.

Councilmember Herman asked if \$500,000 will be left over in the Measure M fund for the end of the 2005/2006 fiscal year.

Finance Director Moreno answered affirmatively.

Councilmember Herman asked where the other revenue sources come from that build up the street projects.

Finance Director Moreno answered they come from gas tax revenues.

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

Councilmember Herman asked if the City of Cerritos has an automated fingerprinting system.

Chief Ethell answered that the La Palma Police Department has an automated fingerprinting system, but for police officer use only, and that the system is a statewide program that every police agency has from county to state.

Councilmember Herman asked if the T-Mobile project has been installed in the Edison right-of-way yet.

Assistant City Manager/Director of Community Development Lazzaretto answered the T-Mobile project is in process of plan check.

Councilmember Herman inquired about a company that had conditional use permit corrections to make.

Assistant City Manager/Director of Community Development Lazzaretto stated that the company, who is north of the 91 Freeway, has let their maintenance lapse and staff will be addressing the problems with them.

Councilmember Herman attended the Orange County Vector Control District meeting and gave his condolences regarding the passing of two Orange County Vector Control Trustees; Grant McCombs with the City of Laguna Beach, and Steve Ambriz with the City of Orange.

Councilmember Rodriguez attended the Korean Mid-Cities Chamber of Commerce event; the La Palma Memorial Day service; the John F. Kennedy High School Scholarship awards banquet; the Kiwanis Hope for America Scholarship dinner; the La Palma Chamber of Commerce June mixer; and the Metrolink weekend train service opening at the Santa Ana Depot.

Mayor Pro Tem Waldman attended the Kiwanis Hope for America Scholarship dinner; the Orange County Sanitation District meeting; and the John F. Kennedy Scholarship awards banquet.

Councilmember Blake attended the Day in the Life of a Paramedic, hosted by all of the Orange County Fire Departments at the headquarters of the Orange County Fire Authority (OCFA); an OCFA meeting; and the La Palma Police Department awards banquet.

Councilmember Herman stated that political signs were being placed all over City property and asked why the signs have not been removed.

Assistant City Manager/Director of Community Development Lazzaretto answered that the code enforcement officer removes the political signs typically on Mondays

because of the overflow of signs being put up over the weekend.

Mayor Barnes attended the La Palma Memorial Day service; the Police Department awards banquet; the Southern California Association of Governments (SCAG) retreat in Marina Del Rey; and Solider Appreciation Day at the Los Alamitos Joint Forces Training Base.

CITY MANAGER REMARKS


City Manager Standiford stated that the Mayor referenced a policy related to the Regional Housing Needs Assessment (RHNA) and that staff received a copy of the proposed policy by email. She stated that if Councilmembers were interested in obtaining a copy she would provide it to them.

CITY ATTORNEY REMARKS

None

ADJOURNMENT

Mayor Barnes adjourned the meeting in memory of Grant McCombs and Steve Ambriz at 8:54 p.m.



Mayor

Attest:



City Clerk