

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

September 16, 2008

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the La Palma City Council to order at 6:31 p.m. on Tuesday, September 16, 2008, in the Council Chamber of La Palma City Hall, 7822 Walker Street, La Palma, California, with all members present.

CLOSED SESSION

Mayor Charoen recessed the City Council to a Closed Session at 6:31 p.m. with all members present.

CONFERENCE WITH LABOR NEGOTIATORS

The City Council met in Closed Session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Steve Filarsky, Filarsky & Watt
Dominic Lazzaretto, City
Manager
Laurie Murray, Administrative
Services Manager

Employee Organization: La Palma Police Association
La Palma General Employees
Association
La Palma Professional
Employees Association

Unrepresented Employees: Executive Management

Mayor Charoen recessed the Closed Session at 6:56 p.m.

Mayor Charoen reconvened the City Council in open session at 7:02 p.m. with no reportable actions and all members present.

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

INVOCATION: Councilmember Waldman

ROLL CALL: Council and Commission Members

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

Councilmembers absent: None

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

PRESENTATIONS

1. Mayor Charoen presented a Proclamation to Battalion Chief Jeff Genoway, of the Orange County Fire Authority in recognition of Fire Prevention Week.

ORAL COMMUNICATIONS

Ulla Herman, 5122 Andrew Drive, addressed the City Council as the La Palma City Chair for the Cypress College Foundation and announced that the committee has selected Rosemary Scichilone and Kitty Mallett to receive the Cypress College Foundation Citizen of the Year award for La Palma.

Darryl Sweet, 8071 Janeen Circle, addressed the City Council in regards to intersection safety during school hours and inquired about cameras at the intersection of La Palma and Walker Street.

RECESS CITY COUNCIL AND CONVENE AS THE COMMUNITY
DEVELOPMENT COMMISSION AT 7:16 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the September 2, 2008, Regular Meeting of the Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2008-22 approving the Register of Demands for September 16, 2008.

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS
THE PLANNING COMMISSION AT 7:16 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the September 2, 2008, Regular Meeting of the Planning Commission.

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

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

PUBLIC HEARINGS

PL-2. Conditional Use Permit 345, Requesting Approval for a 28,226 Square Foot Warehousing and Distribution Use with Ancillary Office Space at 5572 Fresca Drive.

- a) Chairperson Charoen opened the Public Hearing at 7:16 p.m.
- b) Community Development Director Di Mario gave the Staff Report.
- c) Public Input

No members of the public wished to speak.

Discussion ensued with the applicant, Cliff Thompson, Rosendin Electric, regarding the twenty-three conditions of approval; construction timeline; parking issues; and loading procedures at the site.

- d) Chairperson Charoen closed the Public Hearing at 7:24 p.m.
- e) Commission Comments and Questions

- f) Adopt a Resolution approving Conditional Use Permit 345, a request to utilize 28,226 square feet of an existing 57,702 square foot industrial building located at 5572 Fresca Drive for a warehousing and distribution use with ancillary office space.

Resolution No. 2008-09 PC approving Conditional Use Permit 345, utilizing 28,266 square feet of an existing 57,702 square foot industrial building located at 5572 Fresca Drive for a warehousing and distribution use with ancillary office space.

Commission Member Rodriguez made a motion to approve Resolution No. 2008-09 PC approving Conditional Use Permit 345, a request to utilize 28,226 square feet of an existing 57,702 square foot industrial building located at 5572 Fresca Drive for a warehousing and distribution use with ancillary office space.

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 THE PLANNING COMMISSION AND CONVENE AS THE CITY COUNCIL AT 7:26 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

Minutes of the August 26, 2008, Special Meeting of the City Council and the September 2, 2008, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2008-40 approving the Register of Demands for September 16, 2008.

4. Approval of Cooperative Agreement Between the City of La Palma and the County of Orange for the Construction and Funding of the Shared Parking Lot at the Civic Center, City Project No. 05-BLDG-01

Approve and authorize the Mayor to execute the Cooperative Agreement between the City of La Palma and the County of Orange for the Construction and Funding of the Shared Parking Lot at the Civic Center, City Project No. 05-BLDG01.

5. Agreement for Court Liaison Services Between the City of La Palma and the City of Buena Park

Approve a two (2) year agreement for Court Liaison Services between the City of La Palma and the City of Buena Park, with an increase in fees of \$55.63 per month.

Mayor Pro Tem Barnes made a motion to approve Consent Calendar Items 1 through 5.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

6. Community Project at Denni Street Pocket Park

Councilmember Waldman recused himself from the meeting at 7:27 p.m. due to a presumed conflict of interest regarding the Community Project at Denni Street Pocket Park.

City Manager Lazzaretto gave the Staff Report.

Public Input:

Fred Domantay, 8141 Ainsworth Lane, addressed the City Council regarding his opposition to having this park developed by BP/ARCO.

Cindy Wymore, 6 Centerpointe Drive, representing BP/ARCO, addressed the City Council regarding BP/ARCO's current budget for the project and the possibility of donating solar panels to provide lighting in the park.

Council Comments and Questions:

Discussion ensued regarding loitering concerns; a dog park; irrigation issues; possible unwanted access via the Orange County Transportation Authority Right-of-Way; crime statistics; the addition of picnic tables and workout equipment as an alternative to play equipment; the target age group for the proposed playground equipment; ADA accessibility; adding landscaping to the back wall to discourage unwanted access; and Council's support and gratitude to BP/ARCO for wanting to proceed with this project.

Mayor Pro Tem Barnes made a motion to direct staff to move forward with the BP/ARCO Community Project at Denni Street Pocket Park and appropriate funds for additional landscaping to include irrigation improvements.

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

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

NOES: None

ABSTAINED: Councilmember Waldman

Councilmember Waldman returned to the dais at 8:00 p.m.

7. Community Center Rehabilitation Project Status

City Manager Lazzaretto gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the final colors chosen for the exterior of the Community Center (Kale and Lynx); the carpet tile substitution; the newly installed bathroom tile; the timeline of the parking lot reconstruction; and building signage completion date.

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

Mayor Pro Tem Barnes attended the Southern California Association of Governments (SCAG) meeting. She asked staff for an update on the opening of the new Walgreen's location.

Councilmember Herman asked about the date, time, and location of the Chamber of Commerce's Candidate Forum. He attended the Anaheim YMCA retreat; the monthly Neighborhood Watch meeting; the City Council Special Meeting regarding Community Center colors; the Orange County League of California Cities (OCLOCC) meeting; and the Future is Green Expo by BP/ARCO. He reported that he plans to attend the upcoming Orange County Vector Control District meeting. He commented on the progress of the center median project on La Palma Avenue from Denni Street to Moody Street. Lastly he reported on the climate changes of the Earth's atmosphere and on the status of the Iraq War.

Councilmember Rodriguez attended the Future is Green Expo by BP/ARCO; the OCLOCC meeting; and the Relay for Life kick-off meeting. He welcomed Walgreens to the community and asked that everyone be mindful of those who lost their lives in the recent Metrolink tragedy. He closed by commenting that the Americana Award recipients have a lifetime history of giving back to the community of La Palma.

Councilmember Waldman attended the Orange County Sanitation District meeting. He commented on the Schuster family's preferences for a memorial to former Mayor Duane Schuster. He also commented on lighting and delivery truck noise disturbing residents behind the new Walgreen's location.

Mayor Charoen had nothing to report.

CITY MANAGER REMARKS

City Manager Lazzaretto asked Police Chief Ethell to discuss the City's response to the recently reported crime rate in La Palma.


Police Chief Ethell noted that the *Orange County Register* article reported an increase in the City's aggravated assault rate. He indicated that the information was due to a clerical error in reporting the numbers to the Department of Justice and that the error has been corrected. The *Orange County Register* will print a follow up report and retraction on their website. He closed by reporting that La Palma has the second lowest crime rate in Orange County.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report and added he was looking forward to having dinner with the Council at the annual League of California Cities Conference.


ADJOURNMENT

Mayor Charoen adjourned the Regular Meeting of the City Council at 8:36 p.m.



G. Henry Charoen, Mayor

Attest:



Laurie A. Murray, City Clerk