

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

October 7, 2008

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the La Palma City Council to order at 6:18 p.m. on Tuesday, October 7, 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 6:19 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

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 6:27 p.m.

Mayor Charoen reconvened the City Council in open session at 7:01 p.m. with no reportable actions and all members present.

PLEDGE OF ALLEGIANCE: Councilmember Waldman

INVOCATION: Pastor Jose Padilla, Jr., United Methodist Church

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
Jan Hobson, Recreation & Community Services Director
Keith Neves, Finance Director
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. City Manager Lazzaretto introduced Jesus "Jesse" Fernandez as the new Public Works Maintenance Worker.
2. City Manager Lazzaretto introduced Sophea Phann as the new Public Works Water Worker I.
3. Mayor Charoen presented a Proclamation to Sergeant Raul Morales declaring the week of October 19 through October 25, 2008, as Red Ribbon Week.
4. Recreation and Community Services Director Hobson introduced La Palma Pageant Chairperson, Alta Duke, who presented the La Palma Pageant contestants; Lauren Dockery, Tina Estrada, Deven Guardado, Brittany Hanania, Kristiana Mindiola, Erin Nakawatase, Stephanie Rodriguez, and Justine Scanlon.

ORAL COMMUNICATIONS

Kevin Dodge, 5792 Calaveras Circle, addressed the City Council in regards to his opposition to an ordinance regulating color standards for single family homes.

RECESS CITY COUNCIL AND CONVENE AS THE COMMUNITY
DEVELOPMENT COMMISSION AT 7:24 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the September 16, 2008, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2008-23 approving the Register of Demands for October 7, 2008.

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

The motion was seconded by Vice Chairperson Barnes 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 7:25 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the September 16, 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. Amendment to Precise Plan 250, A Request to Install a Healy EVR Phase II Vac-Assist System at an Existing ARCO Gas Station Located at 5472 Orangethorpe Avenue

- a) Mayor Charoen opened the Public Hearing at 7:25 p.m.
- b) Associate Planner Scott Hutter gave the Staff Report.
- c) Public Input

Discussion ensued regarding the impact to the Sunrise Senior Center; the height of the pipes along the roofline; new laws requiring all gas stations to have Vac-Assist systems in 2009; the schedule and duration of the construction project; input from the nearby businesses; existing trees being protected; and the mechanical maintenance of the equipment.

Rob Adams, 19 Technology Drive, Irvine, addressed the City Council regarding accepting all of the conditions of approval.

- d) Mayor Charoen closed the Public Hearing at 7:39 p.m.

- e) Commission Comments and Questions
- f) Adopt a Resolution approving Amendment to Precise Plan 250 for the proposed Healy EVR Phase II Vac-Assist system at 5472 Orangethorpe Avenue.

Resolution No. 2008-10 P.C. approving Amendment to Precise Plan 250 for the proposed Healy EVR Phase II Vac-Assist system at 5472 Orangethorpe Avenue.

Commission Member Waldman made a motion to adopt Resolution No. 2008-10 PC approving Amendment to Precise Plan 250 for the proposed Healy EVR Phase II Vac-Assist system at 5472 Orangethorpe Avenue.

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

PL-3. Use of Artificial Turf in the Single Family Residential District

- a) Mayor Charoen opened the Public Hearing at 7:40 p.m.
- b) Community Development Director Di Mario gave the Staff Report.
- c) Public Input

Gerard Goedhart, 4727 Canehill, Lakewood, addressed the City Council regarding his future relocation to La Palma and his support of the proposed ordinance.

Kevin Dodge, 5792 Calaveras Circle, addressed the City Council regarding his support for the proposed ordinance.

Abe Waheed, 5271 Andrew Drive, addressed the City Council regarding using desert tolerant landscaping as an alternative to the ordinance.

- d) Mayor Charoen closed the Public Hearing at 7:46 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding the pollution involved with using live grass; the fact that 12 to 20 residents currently have artificial turf; suggested California drought tolerant landscaping; standardizing types of artificial turf; potential health hazards; installation expense; and the city's high water table.

- f) City Council directed Staff to further research and investigate amending the City's Code to allow artificial turf in residential areas and return to the Planning Commission with recommendations.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND CONVENE AS THE CITY COUNCIL AT 7:52 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 September 16, 2008, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2008-41 approving the Register of Demands for October 7, 2008.

Mayor Pro Tem Barnes made a motion to approve Consent Calendar Items 1 through 3.

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

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

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

4. Destruction of Obsolete Finance Department Records

Resolution No. 2008-42 authorizing the destruction of obsolete finance records as provided by California Government Code Section 34090.

Councilmember Herman made a motion to approve Consent Calendar Item 4.

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

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

NOES: None

5. Purchase of One (1) Replacement Vehicle for the Police Department

Resolution No. 2008-43 authorizing the purchase of a replacement vehicle for the Police Department.

Councilmember Herman made a motion to approve the Purchase of One (1) Replacement Vehicle for the Police Department.

The motion was seconded by Councilmember Rodriguez 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. Memorandums of Understanding for the La Palma General Employees Association, La Palma Police Association, and La Palma Professional Employees Association

City Manager Lazzaretto gave the Staff Report.

- a) Adopt a Resolution adopting the Memorandum of Understanding between the City of La Palma and the La Palma General Employees Association

Resolution No. 2008-44 adopting the Memorandum of Understanding between the City of La Palma and the La Palma General Employees Association.

- b) Adopt a Resolution adopting the Memorandum of Understanding between the City of La Palma and the La Palma Police Association

Resolution No. 2008-45 adopting the Memorandum of Understanding between the City of La Palma and the La Palma Police Association.

Les Parsons, 1825 West Chateau, Anaheim, President of the La Palma Police Association (LPPA), addressed the City Council regarding his support for the proposed Memorandum of Understanding (MOU) for the LPPA.

Abe Waheed, 5271 Ivywood Drive, addressed the City Council regarding his support of the proposed MOU with the LPPA.

- c) Adopt a Resolution adopting the Memorandum of Understanding between the City of La Palma and the La Palma Professional Employees Association

Resolution No. 2008-46 adopting the Memorandum of Understanding between the City of La Palma and the La Palma Professional Employees Association.

Mayor Pro Tem Barnes made a motion to approve Item 6A, 6B, and 6C.

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

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

NOES: Mayor Charoen

7. Community Project at Denni Street Pocket Park

Councilmember Waldman recused himself from the meeting at 8:06 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.

Councilmember Rodriguez made a motion to approve an allocation of up to \$18,200 from the General Fund Reserve to match BP/ARCO's contribution for the Community Project at Denni Street Pocket Park.

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

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

NOES: None

ABSTAINED: Councilmember Waldman

Mayor Charoen called for a short recess at 8:21 p.m.

Mayor Charoen reconvened the City Council at 8:30 p.m. with all members present.

8. Community Center Rehabilitation Project Status Update

City Manager Lazzaretto gave the Staff Report.

Michael Pinto, Osborn Architecture, addressed the City Council regarding the blue paint and recommended that it not be changed. He also reviewed the process to change it, if the City Council so desired.

Discussion ensued regarding the color scheme; how good the colors look at night; the color of the light monitors; positive public input on the color scheme; and the need for upkeep on the Walker Street side of the building.

9. Councilmember Request: Support of Proposition 11 - Redistricting Initiative Constitutional Amendment and Statute

Councilmember Herman gave the staff report.

Councilmember Herman made a motion to approve support for Proposition 11, the Redistricting Initiative Constitutional Amendment and Statute.

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

AYES: Councilmember Herman, Councilmember Rodriguez, and Councilmember Waldman

NOES: None

ABSTAINED: Mayor Charoen, and Mayor Pro Tem Barnes

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

Mayor Pro Tem Barnes attended the Orange County League of California Cities (OCLOCC) annual Conference; Southern California Association of Governments (SCAG) meeting; and the Orange County Fire Authority (OCFA) meeting. She reported on the upcoming Crime Survivors training at the Los Alamitos Joint Forces Training Base.

Councilmember Herman attended the Orange County Vector Control District (OCVCD) meeting and reported on six new cases of West Nile Virus and the OCVCD Capital Improvements Project, including the fish hatchery.

At the request of Councilmember Herman, Gerard Goedhart, District Manager for the OCVCD, addressed the City Council regarding SB 1326 in response to the mismanagement of the Coachella Valley Vector Control District.

Councilmember Herman also attended the OCLOCC annual conference; the Anaheim YMCA Board meeting; and Ismile Noorbaksh's retirement party. He reported that he plans to attend the Community Center Dedication and Grand Opening Ceremony and the upcoming Candidate's Night at Luther Elementary School. He reported on the recurring animal fecal matter on Houston; the Governor vetoing numerous bills; and on the status of the Iraq and Afghanistan Wars.

Councilmember Rodriguez attended the OCLOCC annual Conference; the Rutan and Tucker dinner; and the Library Advisory Board meeting. He reported that he planned to attend the Chamber of Commerce Casino night and the HOPE Food Bank dinner.

Councilmember Waldman attended the Orange County Sanitation District (OCSD) meeting; the OCSD Internal Audit Subcommittee meeting; the OCLOCC conference; mandatory AB 1234 ethics training; and Ismile Noorbaksh's retirement party.

Mayor Charoen attended the OCLOCC annual conference.

CITY MANAGER REMARKS

City Manager Lazzaretto reported that the new Public Works Director/City Engineer, Jeff Moneda, starts to work for the City of La Palma on October 20, 2008. He advised the City Council about funeral Services for VIP member, Virginia Hartzell. He reported on the recent Design/Build bill that was just passed. Given the current economic status of the country, he closed by asking Finance Director Neves to update City Council on the City's financial status.

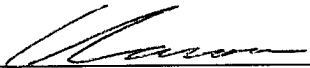
Finance Director Neves reported that the City's funds are safe; the State Treasurer not allowing the government to take the City's money out of our Local Agency Investment Fund (LAIF); the balance of the Community Development Department's account and the balance of the General Fund; our Bond Reserve money; on-going operations balance; and the City's interest earning CD's. He commented that LAIF does not have any investments in the subprime industry or in Washington Mutual. He reported that sales tax income is strong in the first quarter and the City is not seeing foreclosures like other Orange County cities.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported that because several bills were vetoed, there will be less legal restrictions next year and commented he was glad that City Council could attend the dinner last week.

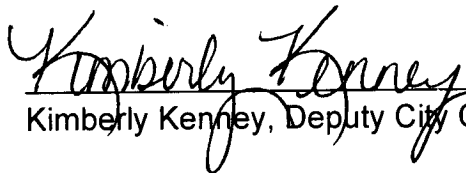
ADJOURNMENT

Mayor Charoen adjourned the Regular Meeting of the City Council at 9:17 p.m.



G. Henry Charoen, Mayor

Attest:



Kimberly Kenney, Deputy City Clerk