

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

December 16, 2008

CALL TO ORDER: Mayor Waldman called the Regular Meeting of the City Council to order at 7:00 p.m. on Tuesday, December 16, 2008, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California with all members present.

PLEDGE OF ALLEGIANCE: Councilmember Charoen

INVOCATION: Pastor Matthew Mitchell, Faith Fellowship Church

ROLL CALL: Council and Commission Members

Councilmembers present: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, Mayor Pro Tem Shanahan, and Mayor 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
Jeff Moneda, Public Works Director/City Engineer
Keith Neves, Finance Director
Laurie Murray, Administrative Services Manager/ City Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Mayor Waldman presented a proclamation to Sonal Patankar, a volunteer with the Earth Resource Foundation, in honor of their "A Day Without a Bag" project.

ORAL COMMUNICATIONS

No members of the public wished to speak.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:08 P.M.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

Minutes of the December 2, 2008, Regular Meeting of the La Palma Community Development Commission.
- B. Approval of Register of Demands

Resolution No. CDC 2008-27 approving the Register of Demands for December 16, 2008.
- C. Annual Financial and Compliance Audit Reports and Annual Financial Transactions Report of the La Palma Community Development Commission for the Fiscal Year Ended June 30, 2008

Receive and File the annual financial and compliance audit reports and the annual Redevelopment Agencies Financial Transaction Report of the Community Development Commission for the fiscal year ended June 30, 2008.

Commission Member Charoen made a motion to approve Consent Calendar Items A, B, and C.

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

AYES: Commission Member Charoen, Commission Member Herman, Commission Member Rodriguez, Vice Chairperson Shanahan, and

Chairperson Waldman

NOES: None

PUBLIC HEARINGS

None Scheduled.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND
CONVENE AS THE PLANNING COMMISSION AT 7:08 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

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

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

The motion was seconded by Vice Chairperson Shanahan and carried on the following vote:

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

NOES: None

PUBLIC HEARINGS

PL-2. Twelve Month Review of Conditional Use Permit 340, for the Sale of Alcohol and Live Entertainment and a Stage at Café Herb Garden Located at 4961 La Palma Avenue

- a) Chairperson Waldman opened the Public Hearing at 7:09 p.m.
- b) Community Development Director Di Mario gave the Staff Report
- c) Receive Public Input

No members of the public wished to speak.

- d) Chairperson Waldman closed the Public Hearing at 7:10 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding the applicant's compliance with previous conditions; the lack of active restaurant functions until recently; lack of public comment; and compliance with the Department of Alcohol Beverage Control.

- f) Receive and File Report

Commission Member Rodriguez made a motion to receive and file the twelve month review of Conditional Use Permit 340, for the sale of alcohol and live entertainment and a stage at Cafe Herb Garden located at 4961 La Palma Avenue.

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

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

NOES: None

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE THE CITY COUNCIL AT 7:14 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.

4. Acceptance of the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2008

Receive and file the Comprehensive Annual Financial Report (CAFR) of the City of La Palma for the fiscal year ended June 30, 2008.

5. Notice of Completion and Acceptance of Work for the On-Site Sodium Hypochlorite Generation Systems at Walker Well and City Yard Sites, City Project No. 03-WTR-02

Accept the work and authorize the Public Works Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the On-Site Sodium Hypochlorite Generation Systems at Walker Well and City Yard Sites, City Project No. 03-WTR-02.

6. Annual Review of the General Plan - Fiscal Year 2006-07

Receive and file the 2006-2007 Annual Report on the status of the General Plan.

8. Resolution Authorizing Signatories for the Deposit, Investment, and Payment of Public Funds

Resolution No. 2008-55 approving the amendment to Resolution No. 2008-02 authorizing the deposit, investment, and payment of public funds.

Councilmember Charoen made a motion to approve Consent Calendar Items 1, 4, 5, 6, and 8.

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

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

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

2. Approval of Council Minutes

Minutes of the December 2, 2008, Regular Meeting of the City Council.

Item pulled at the request of staff.

3. Approval of Register of Demands

Resolution No. 2008-54 approving the Register of Demands for December 16, 2008.

Councilmember Rodriguez requested that the item be pulled to ask for clarification.

Councilmember Rodriguez made a motion to approve Consent Calendar Item 3.

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

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

NOES: None

7. Agreement with the County of Orange for Animal Care Services

Approve recommendation that the City Council approve the Agreement for Animal Care Services with the County of Orange and authorize the Mayor to execute the Agreement.

Councilmember Herman requested that the item be pulled to ask for clarification.

Councilmember Herman made a motion to approve Consent Calendar Item 7.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

9. Amendment to City Council Policy 29 - Requests for Contributions/ Donations from the City of La Palma.

City Manager Lazzaretto gave the staff report.

Public Input

Christine Barnes, 4971 Berton Circle, addressed the City Council regarding her opposition to amending Council Policy 29.

Gerard Goedhart, 4922 Berton circle, addressed the City Council regarding his opposition to amending Council Policy 29.

Council Comments and Questions

Discussion ensued regarding the desire for a formal application; a marketing plan; removing the requirement for payment after the fact; an application timeline; screening processes; the differences between social and fundraising events; handling applications on a case by case basis; facility use requests; removal of Item 14 regarding annual calls for requests; and setting funding limits.

Councilmember Herman made a motion to amend City Council Policy 29 - Requests for Contributions/Donations from the City of La Palma with modifications as follows: Strike Items 13 and 14, and place a copy of the application on the City's website.

Further discussion ensued.

Councilmember Herman withdrew the motion.

Public Input

Gerard Goedhart again addressed the City Council regarding his opposition to amending Council Policy 29.

Christine Barnes again addressed the City Council regarding her opposition to amending Council Policy 29.

Councilmember Herman made a motion to defer the item and direct staff to create a formal application and application process.

Councilmember Rodriguez made a substitute motion to amend City Council Policy 29 - Requests for Contributions/Donations from the City of La Palma and strike items 13 and 14 from the amended policy.

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

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

NOES: None

10. Declaration of Stage One Water Conservation

Public Works Director Moneda gave the staff report.

Councilmember Rodriguez made a motion to approve the Declaration of Stage One Water Conservation Voluntary Compliance throughout the entire City of La Palma water service boundaries.

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

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

NOES: None

11. Councilmember Request: Consideration of Funding for the Senior Holiday Luncheon

Councilmember Rodriguez introduced the item.

Public Comment

Ted Reina, 8081 Lancashire Circle, addressed the City Council regarding to his support of the City funding the Senior Holiday Luncheon.

Ismile Noorbaksh, 7541 Trabuco Lane, addressed the City Council regarding his support of the City funding the Senior Holiday Luncheon.

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding his support of the City funding the Senior Holiday Luncheon.

Kitty Mallet, 5071 Cadiz Circle addressed the City Council regarding her support for expanding senior services.

Discussion ensued regarding senior services; the Senior Services budget; and using current budgeted funds for the Senior Holiday Luncheon.

Councilmember Herman made a motion that the City fund the Senior Holiday Luncheon from existing funds in the Senior Program.

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

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

NOES: None

12. Councilmember Request: City Appointed Representatives to Outside Agencies

Mayor Waldman introduced the item.

Discussion ensued regarding the current appointment process; that the entire City Council should make the appointments rather than the Mayor; that the process should be conducted in the same manner as the selection of the Mayor Pro Tem; consideration of extending the process to the internal committees as well; if the process of appointing internal committees is covered by Council Policy; and the potential process.

Council directed staff to update Council Policy 30 and bring it to the City Council at its next meeting for approval.

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

Mayor Pro Tem Shanahan attended the Eagle Scout Court of Honor; the La Palma Police Association Holiday event; the City's Employee Recognition luncheon; and the American Public Works Association (APWA) luncheon.

Councilmember Rodriguez attended the Holiday Tree Lighting event; the APWA luncheon; the Eagle Scout Court of Honor; the City of Stanton Mayoral transition and swearing in ceremony; the City's Employee Recognition luncheon; Brian O'Neil's swearing in ceremony at the Anaheim Union High School District Board meeting; the La Palma/Cypress HOPE food bank event; and the Holiday Decorating Contest. He reported that he plans to attend the quarterly La Palma Chamber of Commerce breakfast. He closed by commenting on the report in *The Source* regarding negative public reaction to a resident's choice of paint color for their home.

Councilmember Herman attended the Holiday Tree Lighting event; the APWA luncheon; Senator Harman's Open House; the Eagle Scout Court of Honor; the City of Stanton Mayoral transition and swearing in ceremony; the City's Employee Recognition luncheon; and the Orange County Vector Control District (OCVCD) Christmas Party. He reported that he plans to attend the upcoming OCVCD meeting, the upcoming HOPE food distribution event; and will be helping the Kiwanis Club assemble food boxes. He suggested that the City open the south driveway at Central Park; discussed the condition of the north driveway at La Palma Community Hospital, and asked about usage levels for the new conference room at the Community Center. He stated his support for the "A Day Without a Bag" event and the importance of going Green by reducing pollution. He closed by commenting on the status of the Iraq war.

Councilmember Charoen attended the City's Employee Recognition luncheon; the Holiday Tree Lighting event; and the La Palma Chamber of Commerce Holiday Mixer.

Mayor Waldman attended the Holiday Tree Lighting event; the APWA luncheon; the Eagle Scout Court of Honor; the Orange County League of California Cities (OCLOCC) Holiday Party; the Employee Recognition Luncheon; and the Orange County Sanitation District Administration Committee meeting. He reported a corroded street light and the outage of another street light.

CITY MANAGER REMARKS

City Manager Lazzaretto reported that former Public Works Director Ismile Noorbaksh received the Top Leader of the Year award at the APWA luncheon. He thanked the City Council for hosting the Employee Recognition luncheon. He

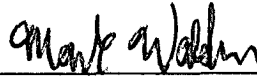
reported that there will be a long term revenue study session prior to the January 20 City Council meeting. He stated that staff was attempting to schedule interviews for Council Appointed Committees. He closed by extending warm holiday wishes to the City Council.

CITY ATTORNEY REMARKS

City Attorney Kuperberg thanked the City Council and staff for their invitation to the Employee Recognition luncheon and wished everyone a happy holiday season.

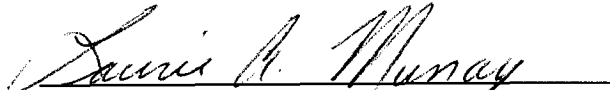
ADJOURNMENT

Mayor Waldman adjourned the Regular Meeting of the City Council at 9:26 p.m.



Mark I. Waldman, Mayor

Attest:



Laurie A. Murray, City Clerk