

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

February 3, 2009

CALL TO ORDER: Mayor Waldman called the Regular Meeting of the City Council to order at 6:45 p.m. on Tuesday, February 3, 2009, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with all members present.

CLOSED SESSION

Mayor Waldman recessed the City Council to Closed Session at 6:45 p.m.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Government Code Section 54956.9, subdivision (b): One Case Section 54956.95: LIABILITY CLAIMS

Claimant: Colannino

Agency Claimed Against: City of La Palma

Mayor Waldman recessed the Closed Session at 6:55 p.m.

Mayor Waldman reconvened the City Council at 7:00 p.m. in open session with all members present.

City Attorney Kuperberg reported that the City Council voted unanimously to reject the claim submitted by Phyllis Colannino.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Shanahan

INVOCATION: Pastor Jose "Paddy" Padilla, Jr., United Methodist 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  
Keith Neves, Finance Director  
Laurie Murray, Administrative Services Manager/  
City Clerk  
Kimberly Kenney, Minutes Clerk

ORAL COMMUNICATIONS

Kamran Mashayekhi, P.O. Box 663, Stanton, addressed the City Council regarding a gang-related criminal incident in Buena Park where he was the victim. He requested a donation from the City Council to assist in his relocation.

Gary De Forest, 5162 Del Norte Circle, addressed the City Council regarding a parking violation of a large boat on Santa Margarita and receiving parking tickets on federal holidays for street sweeping violations.

Fan Kung, 7791 Bouma Circle, addressed the City Council regarding a neighbor's loud music and a barking dog.

A female resident addressed the City Council regarding opening up a senior center in the vacant Drug Emporium building at the Hanam Center.

Mayor Waldman moved Agenda Item 5 forward.

5. Paul Andresen from the Anaheim Family YMCA gave a presentation on the history of and services offered by the YMCA.

RECESS CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:34 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the January 20, 2009, Regular Meeting of the Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2009-03 approving the Register of Demands for February 3, 2009.

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

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 7:35 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 20, 2009, Regular Meeting of the Planning Commission.

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

The motion was seconded by Commission Member Rodriguez 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

None Scheduled.

### REGULAR ITEMS

PL-2. Study Session: Artificial Turf in the Single Family Residential (R-1) Zone

- a) Community Development Director Di Mario gave the Staff Report
- b) Public Input

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding his support of the ordinance and concerns regarding the expense of professional installation.

- c) Commission Comments and Questions

Discussion ensued regarding existing properties with artificial turf already installed; preparation and installation requirements; rebates given for artificial turf; labor costs involved with installation; establishment of a permit system and inspection process for artificial turf; fee structure required to cover the inspection process; types of properties that would require infill prior to installation; the expense of having a certified contractor doing the installation; meeting the safety standards for installation; color restrictions for artificial turf; the lifespan of artificial turf; that the City doesn't regulate back yard landscaping; toxicity levels of artificial turf; current permits that require installation by professional contractors; potential problems with not having a licensed contractor do the installation; choosing lead free artificial turf; potential water runoff

issues from potential toxins, such as lead, leeching into the ground water; waiving applicants' fees for the first year; and removing the requirement to have a professional contractor do the installation.

City Attorney Kuperberg commented that there is no industry certification standard for a professional contractor installing artificial turf.

- d) Direct Staff to prepare an Ordinance amending the City's Code to permit artificial turf in the front and side yards of residential properties in the R-1 Zone with certain standards/requirements pertaining to aesthetics, lead content, installation, and maintenance with an administrative approval process.

Commission Member Rodriguez made a motion to direct staff to prepare an Ordinance amending the City's Code to permit artificial turf in the front and side yards of residential properties in the R-1 Zone with certain standards/requirements pertaining to aesthetics, lead content, installation, and maintenance with an administrative approval process using alternative three from the staff report, modified as discussed.

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

Mayor Waldman called for short recess at 8:20 p.m.

Mayor Waldman reconvened the Planning Commission at 8:28 p.m. with all members present.

ADJOURN THE PLANNING COMMISSION AND RECONVENE THE CITY COUNCIL AT 8:28 P.M.

## CONSENT CALENDAR

1. Waive the Reading of All Ordinances

Approve the 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 January 20, 2009, Special Meeting of the City Council and the Minutes of the January 20, 2009, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2009-04 approving the Register of Demands for February 3, 2009.

Councilmember Rodriguez made a motion to approve Consent Calendar Items 1, 2, and 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

## PUBLIC HEARINGS

None Scheduled.

## REGULAR ITEMS

4. Approve the City Council's Participation in the Cypress College Foundation's Americana Awards

City Manager Lazzaretto gave the Staff Report.

Discussion ensued regarding supporting the Cypress College Foundation; purchasing one table for the City of La Palma; administrative costs of the Foundation; the number of people who can be seated at one table; having

City Councilmembers sit at one table; and keeping the City's participation this year the same as FY 2007-08.

City Attorney Kuperberg reported on Fair Political Practices Commission (FPPC) new regulations on gifts to public officials regarding tickets purchased and delivered to governing board members or third parties. He suggested that the City Council direct staff to prepare a resolution in regards to this matter.

Councilmember Rodriguez made a motion to direct staff to prepare a resolution and purchase a table for the Americana Awards for the City Council, City Staff as directed by the City Manager, a City representative for Volunteers in Policing, and a City representative for Neighborhood Watch; and appropriate \$900 from the General Fund Reserve to cover the costs.

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

AYES: Councilmember Herman, Councilmember Rodriguez, Mayor Pro Tem Shanahan

NOES: Councilmember Charoen and Mayor Waldman

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

**Mayor Pro Tem Shanahan** attended the League of California Cities (LOCC) New Mayors and Councilmember Academy and the Cypress State of the City Luncheon.

**Councilmember Rodriguez** attended the LOCC New Mayors and Councilmember Academy; the LOCC Policy Committee Meeting; a reception with Sacramento Mayor Kevin Johnson; and the Kick-Off event for the Buena Park/ La Palma Relay for Life. He closed by stating that he was looking forward to an upcoming HOPE food bank trip.

**Councilmember Herman** attended the American Cancer Society's Ambassadors Conference; the Mosquito and Vector Control Association of California annual conference; and the Kick-Off event for the Buena Park/ La Palma Relay for Life. He reported that he plans to attend the upcoming Orange County Vector Control District meeting; the upcoming American Public Works Association (APWA) meeting; and the upcoming Orange County (OC) LOCC Dinner meeting. He commended the "Sizzling Seniors" on their performance, thanked the City Council for their support of the Cypress College

Foundation event, and commented on the status of the war in Iraq and the increased suicide rate in members of the Military who have returned from the war.

**Councilmember Charoen** attended the Cypress State of the City Luncheon; the Orange County Fire Authority (OCFA) "The Best and the Bravest" awards ceremony, and the OCFA board meeting. He reported he will attend the upcoming APWA event and the upcoming OCLOCC Dinner.

**Mayor Waldman** attended the California Association of Sanitation Agencies (CASA) conference; the OCLOCC board meeting; and the Orange County Sanitation District (OCSD) general meeting.

CITY MANAGER REMARKS

**City Manager Lazzaretto** introduced Kenneth Taylor as the new Planning Department Intern. He reported on the status of the six-home residential development and on the press release regarding a purse snatching incident at Dance Rax. He noted that he will be out own town through the end of the week at a LOCC City Manager's conference and that Jan Hobson will be the acting City Manager in his absence. He closed by updating the City Council on upcoming agenda items regarding the Mid-Year Budget, the proposed Duane Schuster Memorial, and a resolution for the Cypress College Foundation Americana Awards.

CITY ATTORNEY REMARKS

**City Attorney Kuperberg** had nothing to report.

ADJOURNMENT

Mayor Waldman adjourned the Regular Meeting of the City Council at 9:08 p.m.

/s/

Mark I. Waldman, Mayor

Attest:

/s/

Laurie A. Murray, City Clerk