

MINUTES OF THE SPECIAL MEETING
OF THE LA PALMA CITY COUNCIL

March 5, 2009

CALL TO ORDER: Mayor Waldman called the Special Meeting of the City Council to order at 7:00 p.m. in the Royal Palm Room, La Palma Community Center, 7821 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Councilmember Herman

ROLL CALL: Council Members

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

City Officials Present: Dominic Lazzaretto, City Manager
John Di Mario, Community Development Director
Laurie Murray, Administrative Services Manager/ City Clerk
Kimberly Kenney, Minutes Clerk

ORAL COMMUNICATIONS:

Rex Hand, 7301 Douglas Circle, addressed the City Council regarding appropriating funds for arming the Police Department properly.

REGULAR ITEM

1. Consideration of Developing Exterior Paint Color Standards for Homes in the Single Family Residential (R-1) Zone of the City.

Community Development Director Di Mario gave the staff report.

Public Input:

Rex Hand, 7301 Douglas Circle, addressed the City Council regarding his support for developing an ordinance regulating color standards for single family homes.

Marian Astle, 7692 Cory Circle, addressed the City Council regarding her opposition to developing an ordinance regulating color standards for single family homes and her support for taking no action on this issue.

Ismile Noorbaksh, 7541 Trabuco Lane, addressed the City Council regarding his opposition to developing an ordinance regulating color standards for single family homes and his support for taking no action on this issue.

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding his opposition to developing an ordinance regulating color standards for single family homes and his support for taking no action on this issue.

Chris Barnes, 4971 Berton Circle addressed the City Council regarding her opposition to developing an ordinance regulating color standards for single family homes and her support for taking no action on this issue.

James Cruz, 7111 La Paz, addressed the City Council regarding her opposition to developing an ordinance regulating color standards for single family homes and her support for taking no action on this issue.

Joe Mendoza, 5122 Shirley Drive, addressed the City Council regarding his opposition to developing an ordinance regulating color standards for single family homes and his support for taking no action on this issue.

Richard Lutz, 8182 Bellhaven Street, addressed the City Council regarding his opposition to developing an ordinance regulating color standards for single family homes and his support for taking no action on this issue.

Linda Frese, 4552 Sharon Drive, addressed the City Council regarding her support of developing voluntary guidelines and tips for color standards for single family homes.

Jenny Verrett, 5336 Houston Avenue, addressed the City Council regarding her support of developing voluntary guidelines and tips for color standards for single family homes.

Margo Rofe, 5231 Marview Drive, regarding her opposition to developing an ordinance regulating color standards for single family homes.

Marilynn Byrne, 5052 Malaga Drive, addressed the City Council regarding her support for developing an ordinance regulating color standards for single family homes.

Patrick Donnelly, 4591 Cambury Drive, addressed the City Council regarding his opposition to developing an ordinance regulating color standards for single family homes and his support for taking no action on this issue.

Cheryl Pappas, 7652 Black Star Lane addressed the City Council regarding her support for developing an ordinance regulating color standards for single family homes.

Sally Alvis, 7902 Birchwood Circle, addressed the City Council regarding her opposition to developing an ordinance regulating color standards for single family homes and her support for taking no action on this issue.

Todd Huett, 4551 Sharon Drive, addressed the City Council regarding his support for developing an ordinance regulating color standards for single family homes.

Arnold Frerking, 7151 Tiara Lane, addressed the City Council regarding his opposition to developing an ordinance regulating color standards for single family homes and his support for taking no action on this issue.

Debra Sumrow, 5001 Sharon Drive, addressed the City Council regarding her support for developing an ordinance regulating color standards for single family homes.

Rebecca Sumrow-Rodriguez, 5001 Sharon Drive, addressed the City Council regarding supporting an option that would retain property values.

Joseph Toturo, 5041 Pine Circle, addressed the City Council regarding his support for developing an ordinance regulating color standards for single family homes.

Council Comments and Questions:

Councilmember Herman explained that the subject came to light in March 2008 when several neighbors approached him due to the color scheme of a house on Andrew Drive. He noted his concerns with certain colors of homes and added that there is no clear solution to the problem that will satisfy both sides. He stated it is up to each neighbor to be considerate and closed by commenting that house color does affect property values.

Mayor Pro Tem Shanahan noted that the subject matter makes the decision difficult because it balances personal choices versus infringing on neighbors' rights. He added that he will evaluate personal choices and freedom with the ability to maintain property values and supports taking no formal action.

Councilmember Rodriguez stated that he does not want to put the City Council between residents and their personal decisions. The City Council should only get involved when there is a safety or quality of life issue and no such issue exists in this case. He also commented that the cost of potential litigation involved with passing an ordinance would not be a good use of City funds. He closed by noting that he disagrees with comments about the color of the home being a branch of one's ethnicity or culture.

Councilmember Charoen stated that this is not an issue about right or wrong, it is an issue of personal liberty. He noted that the City Council was elected to office by the majority vote of the citizens of the community and the Council is to serve the will of the people. He added that the results of the survey and straw vote clearly show the direction that the majority of residents want to take. He closed by commenting that La Palma was voted the 16th best City to live in the United States by *Money Magazine* and voted the best small City in Orange County to raise children by *Parenting Magazine* which means the City is doing something right.

Mayor Waldman stated that the process was lengthy because the City Council wanted to give La Palmans an opportunity to voice their opinions. He noted that the City Council picked the colors of the Community Center not because of personal taste, but because they could not agree on any other colors. He also stated that he will support Alternative Number One, to take no formal action.

Mayor Pro Tem Shanahan made a motion to accept Alternative Number One, to take no further action and file the report.

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

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

NOES: Councilmember Herman

ADJOURNMENT

Mayor Waldman adjourned the Special Meeting at 8:46 p.m. to its Regular Meeting on March 17, 2009.

/s/

Mark I. Waldman, Mayor

Attest:

/s/

Laurie A. Murray, City Clerk