

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

March 17, 2009

CALL TO ORDER: Mayor Waldman called the Regular Meeting of the City Council to order at 6:45 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

CLOSED SESSION

Mayor Waldman recessed to Closed Session at 6:47 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: Beyers

Agency Claimed Against: City of La Palma

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

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

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

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  
Keith Neves, Finance Director  
Jeff Moneda, Public Works Director/City Engineer  
Laurie Murray, Administrative Services Manager/ City Clerk  
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding its recent meeting to discuss house color regulations and regarding the City Council's goals for 2009.

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 advised the City Council of the court date and requested financial assistance for his relocation.

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 March 3, 2009, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2009-07 approving the Register of Demands for March 17, 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.

REGULAR ITEMS

None Scheduled.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:17 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the March 3, 2009, Regular Meeting of the La Palma Planning Commission.

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

The motion was seconded by Commission Member Charoen 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

PL-2 Six-month Review of Amendment No. 1 to Conditional Use Permit 341, for the Sale of Alcohol and Live Entertainment at Texas Loosey's Chili Parlor & Saloon Restaurant Located at 40 Centerpointe Drive

- a) Chairperson Waldman opened the Public Hearing at 7:17 p.m.
- b) Community Development Director Di Mario gave the staff report.
- c) Public Input

No members of the public wished to speak.

- d) Chairperson Waldman closed the Public Hearing at 7:20 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding the success of his business.

Chairperson Waldman reopened the public hearing at 7:21 p.m.

Dave Moss, owner of Texas Loosey's, commented that, considering the current economic state, his business is surviving.

Chairperson Waldman closed the public hearing at 7:22 p.m.

- f) Receive and File Report

Commission Member Rodriguez made a motion to receive and file the six month review of Amendment No. 1 to Conditional Use Permit 341, for the sale of alcohol and live entertainment at Texas

Loosey's Chili Parlor and Saloon Restaurant located at 40 Centerpointe Drive.

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 Chairperson Waldman

NOES: None

### REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE THE CITY COUNCIL AT 7:23 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 March 3, 2009, Regular Meeting of the City Council, the Minutes of the March 5, 2009, Special Meeting of the City Council regarding House Colors, and the March 5, 2009, Special Meeting of the City Council Goal Setting Session.

5. Annual Review of the General Plan - Fiscal Year 2007-08

Receive and file the 2007-08 Annual Report on the status of the General Plan.

6. Approval of Plans and Specifications, and Authorization to Solicit Competitive Bids for the Re-stripping of City Arterial and Residential Streets, City Project No. ST-289

Approve the plans and specifications, and authorize the Public Works Director to solicit competitive bids for the re-striping of City arterial and residential streets, City Project No. ST-289.

7. Revision to Council Policy 17 - Representation of the City at Special Events to Incorporate the Ticket Distribution Policy

Approve the proposed changes to Council Policy 17 – representation of the City at special events to incorporate the recently adopted Ticket Distribution Policy.

Mayor Pro Tem Shanahan made a motion to approve Consent Calendar Items 1, 2, 5, 6, and 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

#### ITEMS PULLED FROM CONSENT CALENDAR

3. Approval of Register of Demands

Councilmember Herman requested that Agenda Item 3 be pulled to ask for clarification.

Resolution No. 2009-11 approving the Register of Demands for March 17, 2009.

Councilmember Herman made a motion to approve Consent Calendar Item number 3.

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

4. Authorization to Purchase a Replacement Street Sweeper (LP-23)

Mayor Pro Tem Shanahan requested that Agenda Item 4 be pulled to ask for clarification.

Authorize the purchase of a replacement street sweeper from Mar-Co Equipment Company in the amount of \$215,829.53.

Councilmember Herman made a motion to approve the authorization to Purchase a Replacement Street Sweeper (LP-23).

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

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

NOES: Councilmember Charoen

PUBLIC HEARINGS

8. Introduce an Ordinance Repealing Chapter 14 of the La Palma Municipal Code and Adding Thereto a New Chapter 14 Relating to Emergency Organization and Functions to Include the National Incident Management System (NIMS)

a) Mayor Waldman opened the Public Hearing at 7:31 p.m.

b) Chief Ethell gave the staff report.

c) Public Input

No members of the public wished to speak.

d) Mayor Waldman closed the Public Hearing at 7:49 p.m.

e) Council Comments and Questions

Discussion ensued regarding certification for emergency responders; a training program for Councilmembers; the internet as a resource for communications; the Los Alamitos Training Base being the regional operations center; who would determine priorities during an emergency; emergent issues being given priority not because of city population but by emergency

status; NIMS having been used during the Brea wildfires; and how the Orange County Fire Authority (OCFA) is organized with the NIMS process and how the proposed Ordinance affects that process.

- f) Introduction of Ordinance No. 2009-01 repealing Chapter 14 of the La Palma Municipal Code and adding thereto a new Chapter 14 relating to emergency organization and functions.

Councilmember Rodriguez made a motion to Introduce Ordinance No. 2009-01 repealing Chapter 14 of the La Palma Municipal Code and adding thereto a new Chapter 14 relating to emergency organization and functions.

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

#### REGULAR ITEMS

None Scheduled.

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

**Councilmember Charoen** attended the AB1234 Ethics Training and announced that he plans to attend the upcoming OCFA general meeting.

**Councilmember Herman** attended the City Goal Setting session; the Cerritos Mayoral transition; the John F. Kennedy High School Scholarship interviews; and participated in the American Cancer Society Daffodil Days event. He announced that he plans to attend the upcoming Anahiem Family YMCA open house and ribbon cutting event and the upcoming Orange County Vector Control District meeting.

**Mayor Waldman** attended the Orange County League of California Cities (OCLOCC) Advocacy Committee meeting; will attend the Local Agency Formation Commission (LAFCO) Best Practices meeting; attended the Orange



County Sanitation District Administration Committee meeting; and attended the OCLOCC general meeting.

**Councilmember Rodriguez** thanked City staff for their participation in Read Across America Day at Luther Elementary School. He reported that he attended the Goal Setting Session and the Special Session regarding House Colors. He announced that he plans to attend the upcoming OCFA orientation meeting and the upcoming John F. Kennedy Foundation meeting to review scholarship applications. He commented on the upcoming Presidential visit and closed by announcing that he will be unable to attend the upcoming joint City Council and Community Activities and Beautification (CAB) Committee meeting.

**Mayor Pro Tem Shanahan** attended the OCLOCC general meeting; the Goal Setting Session; and the Special Session regarding House Colors. He thanked Chief Ethell for the memo regarding traffic signals. He announced that he plans to attend the upcoming joint City Council and CAB Committee meeting. He commented on the unclaimed property of California residents and closed by wishing the City Council and staff a Happy St. Patrick's Day.

#### CITY MANAGER REMARKS

**City Manager Lazzaretto** reminded the City Council that the Executive Management Team will be at a team building and goal setting retreat the remainder of the week. He closed by reporting that staff attended the LAFCO boundary study meeting.

#### CITY ATTORNEY REMARKS

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

#### ADJOURNMENT

Mayor Waldman adjourned the Regular Meeting of the City Council at 8:14 p.m. to a joint City Council/CAB Committee meeting on March 24, 2009.

/s/

Mayor

Attest:

 /s/

City Clerk