

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

April 21, 2009

CALL TO ORDER: Mayor Waldman called the Regular Meeting of the City Council to order at 7:00 p.m. in the Council Chambers at City Hall, 7822 Walker Street, La Palma, California.

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
Mike Belknap, Recreation and Community Services Superintendent
John Di Mario, Community Development Director
James Enright, Police Captain
Jeff Moneda, Public Works Director/City Engineer
Keith Neves, Finance Director
Laurie Murray, Administrative Services Manager/ City Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS

Brian O'Neal, 5042 Cartegena Circle, addressed the City Council regarding the Capital Improvement Plan and urged the City Council to start by working on the south end of Moody Street and the center divider project there.

RECESS CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:06 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the April 7, 2009, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2009-09 approving the Register of Demands for April 21, 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

1. Review of Services Agreement with the La Palma Chamber of Commerce and Payment for First Quarter 2009

- a) Approve payment in the amount of \$6,000 to the La Palma Chamber of Commerce for first quarter 2009;
- b) Direct the Executive Director to issue a 90-day termination notice to the La Palma Chamber of Commerce pursuant to Section 4.2 of the Agreement between the Community Development Commission and the La Palma Chamber of Commerce; and
- c) Provide direction to Staff regarding the CDC's involvement with the process of reviewing and evaluating alternatives for Chamber services.

City Manager Lazzaretto stated that the Chamber of Commerce requested this item be continued to May 19, 2009, to allow them time to respond.

Public Input

Amanda Rincon, Chamber of Commerce Treasurer, 2549 West Eola Drive, Anaheim, addressed the City Council regarding the Chamber of Commerce's current membership status; updated the City Council on the Chamber of Commerce's yearly calendar of events; and invited the City Council to a business breakfast with Congressman Ed Royce.

Vice Chairperson Shanahan made a motion to continue the item to the May 19, 2009 City Council agenda.

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 Chairperson Waldman

NOES: None

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND
CONVENE AS THE PLANNING COMMISSION AT 7:10 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the April 7, 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 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 PLANNING COMMISSION AND RECONVENE THE CITY COUNCIL AT 7:11 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 April 7, 2009, Regular Meeting of the La Palma City Council.

4. Identity Theft Prevention Program

Resolution No. 2009-16 approving the Identity Theft Prevention Program in order to comply with the federal implementing rules under the Fair and Accurate Credit Transactions Act of 2003.

5. County of Orange Proposition 42 City Aid Program Agreement Fiscal Year 2009-10

Approve and authorize the Mayor to execute an agreement with the County of Orange for the Proposition 42 City Aid Program for Fiscal Year 2009-10.

6. Resolution Amending the La Palma Police Association Memorandum of Understanding and Resolution Fixing the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act for Safety Employee Retirees

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

Resolution No. 2009-17 amending the La Palma Police Association Memorandum of Understanding.

- b) Adopt a Resolution Fixing the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act (PEMHCA) for Safety Employee Retirees.

Resolution No. 2009-18 Fixing the Employer's Contribution Under the Public Employee's Medical and Hospital Care Act (PEMHCA) for Safety Employee Retirees.

Councilmember Herman made a motion to approve Consent Calendar Items 1, 2, 4, 5, and 6.

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

ITEMS PULLED FROM CONSENT CALENDAR

3. Approval of Register of Demands

Councilmember Rodriguez requested that this item be pulled for further clarification.

Resolution No. 2009-15 approving the Register of Demands for April 21, 2009.

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

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

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

7. Adoption of an Ordinance Amending Section 16-65 of the Municipal Code as to Penalties for Parking Violations

City Manager Lazzaretto gave the staff report.

Councilmember Herman made a motion to adopt Ordinance 2009-02 Amending Section 16-65 of the Municipal Code as to Penalties for Parking Violations

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

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

NOES: Councilmember Charoen

8. Amendment to Council Policy 15 - Travel and Meetings

Administrative Services Manager Murray gave the staff report.

Council Comments and Questions

Discussion ensued regarding funding for joint City Council and Committee meetings; not budgeting the League of California Cities (LOCC) meetings in advance; not having LOCC meetings as a specific line item in the budget; funds not being transferrable; expenditures in excess of \$250 requiring approval of the entire City Council; a detailed financial breakdown of travel expenses, meal expenses, and registration costs for meetings; increased LOCC meeting costs; removing general meeting supplies from the City Council travel and meetings budget; the Mayor's position needing more funding for meetings as he is the City's primary representative; and City Councilmembers making requests for non-budgeted expenses to the City Council.

Mayor Waldman made a motion to approve Council Policy 15 - Travel and Meetings as amended; consolidating Councilmember travel and meeting items into one line item that is individually allocated; giving the City Manager authority to reallocate unused funds; requiring Councilmembers to request additional funds from the City Council when their allocated funds have been expended or for unbudgeted expenditures; and directed staff to include \$3,500 per Councilmember in the Fiscal Year 2009-10 Budget for individual travel and meetings.

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

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

NOES: Councilmember Charoen

9. Study Session: Fiscal Year 2009-10 Capital Improvement Plan

Public Works Director Moneda gave the detailed staff report.

Discussion ensued regarding restored vegetation along the block retaining wall at the City Yard; the cost of the drain filters required by the National Pollution Discharge Elimination System (NPDES); the Moody Street center median at the Wachovia Bank construction site; arterial street upgrades and potential funding by the Orange County Transportation Authority (OCTA); Central Park restroom upgrades; details of the Community Park Gazebo rehabilitation; including funding for painting the Library when City Hall is painted; the Residential Pavement Management Plan including La Luna Drive; gutters that need to be refurbished due to years of wear and tear; grinding streets that have numerous overlays of slurry seals; investing funds to ensure the Residential Pavement Management Plan is done correctly; suggestions to test and bring back data to the City Council on the areas that need improvement; the pavement condition north of Houston and on Houston itself; upgrading street signs to accommodate the State's requirements for lettering; repairing the uplifted sidewalk at Central Park without removing the existing Ficus trees; texturing and painting arterial block walls; and maintenance of the ivy growing on the City side of arterial block walls.

Public Input

Ed Byrne, 5052 Malaga Drive, addressed the City Council regarding providing a report to the City Council on arterial streets needing improvement; including the upgrade of arterial walls in that report; improving Moody Street; and centering arterial street trees.

Marilyn Byrne, 5052 Malaga Drive, addressed the City Council regarding upgrading the block walls on the western side of the City.

Abe Waheed, 5271 Ivywood Drive, addressed the City Council regarding beautifying the City; improving the street signs; support for replacing the Ficus trees at Central Park with palm trees; and redesigning the Central Park readerboard.

Further discussion ensued regarding the John F. Kennedy High School students that painted 100 feet of an arterial block wall; low cost improvements to the City like painting the block walls; the Moody Street median project becoming a priority and starting its design; expediting the rubberized surface at the Denni Street Park; cutting back the roots of the Ficus trees at Central Park and resurfacing the sidewalk; addressing the standing water issue on several streets; porous concrete for recurbing gutters; the City's high water table; pursuing painting the block walls and budgeting for it in the next fiscal year; and housing tract signage.

Mayor Waldman called for a short recess at 10:01 p.m.

Mayor Waldman reconvened the City Council at 10:07 p.m. with all members present.

The City Council directed staff to explore options for fixing the tract home signs; address the sidewalk issue at Central Park without removing the Ficus trees; get a cost estimate to rubberize the Denni Street Park playground; get an estimate for lighting at the Denni Street Park; proceed with the Central Park Gazebo rehabilitation; start the design for the Moody Street median project; speak to the City of Cerritos about partnering with La Palma on the Moody Street median project; and to proceed with the rest of the Capital Improvement Plan as proposed.

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

Mayor Pro Tem Shanahan reported that he toured the City Yard water facilities. He closed by reporting that he was informed by Hannam Center business owners that the leasing agent has indicated that a spa is still an option for the center and voiced his disappointment in viewing a family that littered the street with trash from their vehicle.

Councilmember Rodriguez attended the Orange County League of California Cities (OCLOCC) monthly meeting and the Library Advisory Board meeting. He thanked Roger Tomlinson for helping his family during an attack on his dog by another dog. He closed by reporting that the Chamber of Commerce is requesting that Councilmembers attend their events.

Councilmember Herman attended the Anaheim YMCA Good Friday breakfast event and the Orange County Vector Control District (OCVCD) meeting. He reported that he plans to attend the upcoming State of the City Address, the upcoming Donate Life event at California State University Fullerton, and the John F. Kennedy Scholarship dinner. He commented on the new water conserving urinals in the City Hall bathrooms and recognized the upcoming "Earth Day." He closed by reporting on the status of the Iraq war and inquired about height restrictions on residential back yard block walls.

Councilmember Charoen attended the Unisource Lunch with the Mayor and the OCLOCC monthly meeting. He reported that he plans to attend the upcoming State of the City Address and the upcoming Orange County Fire Authority meeting.

Mayor Waldman attended the Unisource Lunch with the Mayor; the Orange County Sanitation District (OCSD) Administration Committee meeting; the OCLOCC monthly meeting; and the Orange County Council of Governments (OCCOG) By-Laws Subcommittee meeting. He reported that he will be out of town the week of April 25, 2009.

CITY MANAGER REMARKS

City Manager Lazzaretto reported that the May 5 agenda would include the six-month review of the Community Center Rehabilitation project; a big picture of the proposed Fiscal Year 2009-10 budget, including an overview of revenues and expenditures and supplemental budget requests; and a Stage Two Water Conservation Ordinance. He reminded the City Council of the upcoming State of the City Address.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Waldman adjourned the Regular Meeting of the City Council at 10:40 p.m.

/s/

Mark I. Waldman, Mayor

Attest:

/s/

Laurie A. Murray, City Clerk