

MINUTES OF THE ADJOURNED MEETING  
OF THE LA PALMA CITY COUNCIL

July 3, 2001

Mayor Aragona called the adjourned meeting of the La Palma City Council to order at 5:05 p.m. on Tuesday, July 3, 2001, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

Councilmember Duke, assisted by Amanda Aragona, led the Pledge of Allegiance to the United States Flag.

INVOCATION

Councilmember Blake gave the Invocation.

ROLL CALL:

Councilmembers present: Lauree Aragona, Christine Barnes, Kenneth A. Blake, Alta E. Duke, Paul F. Walker

Councilmembers absent: None

City Officials present: Len Wood, Interim City Manager  
Vince Giampa, Chief of Police  
Jeff Kirkpatrick, Police Captain  
Ed Ethell, Police Captain  
Ismile Noorbaksh, Director of Public Works/City Engineer  
Tami K. Piscotty, Assistant to the City Manager  
Jan Hobson, Director of Recreation and Community Services  
Robbeyn Bird, Director of Finance  
Joan Hoesterey, Principal Planner  
Joel Kuperberg, City Attorney  
Peggie Turnage, Executive Assistant

PRESENTATIONS

Mayor Aragona, assisted by Mayor Pro Tem Walker, presented a Proclamation recognizing July as Recreation and Parks Month to Director of Recreation and Community Services Jan Hobson. Ms. Hobson thanked the Council for this recognition.

ORAL COMMUNICATIONS

Vector Control Representative Larry Herman presented an update on the Red Imported Fire Ant reporting that as of June 15<sup>th</sup> there are approximately 78 acres of La Palma under treatment for the fire ants. There are 31 parcels that originally had 37 mounds and at this time none of these parcels have any visible mounds. He stated that these sites will go into a survey cycle, which will allow for four treatments to complete eradication. He also reported on an alert that had been

released dealing with the Asian Tiger Mosquito, which were apparently brought into the United States through the import of "good luck" bamboo plants. He explained that this is a concern because any type of mosquito is capable of carrying disease.

Mr. Larry Herman, 5122 Andrew Drive, La Palma, addressed the Council to thank the City and staff for publishing the Swimming Pool Safety Tips in the latest issue of the La Palman and suggested that perhaps the City should determine who the pool owners are in the City so that this information about the Fire Department's Water Watcher program could be delivered directly to them.

Mayor Aragona deferred this item to staff for action.

Chief Giampa stated that Neighborhood Watch is already looking into this and attempting to identify the pool owners in the City and will work with the Fire Authority to get the notices out to the pool owners.

Councilmember Barnes suggested it might be better to send the notice to all homeowners because sometimes those without pools might not be aware of the dangers.

Mr. Herman also suggested that a possible topic for a future newsletter might be to warn people against leaving children in cars during the summer time.

#### RECESS

Mayor Aragona recessed the City Council to convene as the Community Development Commission at 5:20 p.m. (See separate Community Development Commission Minutes.)

#### RECONVENING

Mayor Aragona reconvened the meeting in regular session at 5:30 p.m.

#### CONSENT CALENDAR

Councilmember Walker requested that Item No. 4 be pulled from the Consent Calendar.

Councilmember Duke made a motion to approve the following items on the Consent Calendar:

APPROVED THE JUNE 19, 2001 CITY COUNCIL MEETING MINUTES

ADOPTED RESOLUTION NO. 2001-29 APPROVING A REGISTER OF DEMANDS FOR JULY 3, 2001

AUTHORIZED COUNCILMEMBERS ARAGONA, BARNES, BLAKE, AND DUKE'S ATTENDANCE AT THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE IN SACRAMENTO AND DESIGNATED MAYOR ARAGONA AS THE CITY'S VOTING DELEGATE AT THE LEAGUE'S GENERAL ASSEMBLY

ADOPTED RESOLUTION NO. 2001-31 APPROVING AN AGREEMENT FOR CITY MANAGER SERVICES

ADOPTED RESOLUTION NO. 2001-32 APPROVING THE CITY'S APPROPRIATIONS LIMIT FOR FISCAL YEAR 2001-02

ADOPTED RESOLUTION NO. 2001-33 REAFFIRMING THE CITY'S STATEMENT OF INVESTMENT POLICY FOR FISCAL YEAR 2001-02

The motion was seconded by Councilmember Blake and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker  
NOES: None  
ABSENT: None

RESOLUTION NO. 2001-30 APPROVING THE ISSUANCE OF LONG-TERM BONDED INDEBTEDNESS BY THE ORANGE COUNTY FIRE AUTHORITY FOR THE PURPOSE OF FINANCING THE REGIONAL FIRE OPERATIONS AND TRAINING CENTER

Councilmember Walker explained that he pulled this item because he is an employee of the Orange County Fire Authority and would therefore abstain from voting.

Councilmember Blake made a motion to adopt Resolution No. 2001-30 approving the issuance of long-term bonded indebtedness by the Orange County Fire Authority for the purpose of financing the Regional Fire Operations and training Center. The motion was seconded by Councilmember Duke and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke  
NOES: None  
ABSENT: None  
ABSTAIN: Walker

PUBLIC HEARING

APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR 2001/2002

Mayor/Chairman Aragona reconvened the Community Development Commission in joint session with the City Council and called on Interim City Manager Len Wood to present the staff report.

Mr. Wood stated that on June 5 and June 19, 2001, the City Council and Community Development Commission received presentations on the Fiscal Year 2001/2002 Budget, which

included a detailed report on projected revenues and requested expenditures for Fiscal Year 2001/2002. In addition a presentation was also made of each City department's budget. He stated that at those meetings, some questions came up and in response to those questions some additional reports have been prepared. He then provided copies of those reports to the Commission/Council for their review. He added that the Capital Improvement Projects report, which was prepared by the Public Works Department, could be used as an on-going report to provide a monthly or quarterly status. He also stated that the report on the Proposed Community Center Operating Expenses provides four options for consideration. Mr. Wood stated that this budget is essentially the same budget as last year; however, costs have been increased where required such as minimum wage increases mandated by other levels of government, increased energy costs, or contractual increases.

Councilmember/Commissionmember Duke made a motion to close the public hearing. The motion was seconded by Mayor/Chairman Pro Tem Walker and carried unanimously.

Councilmember/Commissionmember Barnes thanked staff for the extensive amount of time and work put into the budget. She commented that one of the policies recommended the budget be reviewed quarterly and added she feels it is very wise to do that.

Mayor/Chairman Pro Tem Walker stated he appreciates the time that went into the preparation of the budget and added that his questions have all been answered.

Mayor/Chairman Aragona stated she appreciates Mr. Wood and Ms. Piscotty's open door policy and their willingness to meet with Council/Commission and the public to respond to questions. She stated she found it very helpful to have the list of the goals that the Council/Commission had prioritized. She stated that there is an item for Red Ribbon Week for a new banner in the amount of \$700.00, which she suggested, is not needed and should be removed from the budget. She also referred to the item for Council expenses and suggested there are some items included that do not need to be in the budget. She suggested that the Council/Commission be prudent and wise in their selection of training sessions. She added that each year the City purchases a table for Americana but only sends five Council people and suggested that either staff should be encouraged to go so that the table is full or take a second look at how much should be spent on this event. Mayor Aragona stated another area of concern is the COPS program because of the uncertainty of the grant funds that are currently received and suggested that the Council/Commission take another look in the long range budget planning at the cost of a second motorcycle officer including the workers compensation and benefits issues. She stated her last area of concern is with the proposed Community Center. She added she feels that the Council/Commission needs to look at the Community Center and have a clear understanding of what it expects that building to do. She questioned if enough is being charged for the recreation programs and how much is being subsidized by the City. She added that she is concerned with the overtime costs in Recreation. She also suggested she would like to see a more reasonable approach to Volunteer Recognition, maybe a short time after the event rather than once a year. She also suggested that more be done to reach out for fund raising and grants for things such as the Concerts in the Park.

Councilmember/Commissionmember Blake thanked staff and Mr. Wood and stated it was very easy to review the budget with all the summary pages that were provided. He added he concurs with most of Mayor/Chairman Aragona's comments with the exception of the motorcycle officer because he feels the officer is a revenue generating position.

Councilmember/Commissionmember Duke stated she believes there is a policy on the books for the fee structure and suggested that perhaps that should be part of their review and, as she recalls, at one time the Council set those fees.

Interim City Manager Len Wood responded that there is a process currently on-going which is a study looking at all the fees citywide. He added he believes that last time the fees were reviewed was in 1995. As the costs go up, fees should be adjusted as well and this study will provide the Council the tools to determine what subsidies it wishes to continue.

Councilmember/Commissionmember Barnes made a motion to eliminate the purchase of the Red Ribbon Banner in the amount of \$700.00. The motion was seconded by Councilmember/Commissionmember Blake and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker  
NOES: None  
ABSENT: None

Mayor/Chairman Pro Tem Walker made a motion to adopt Resolution No. 2001-34, a resolution of the City Council of the City of La Palma, California approving and adopting a budget for the Fiscal Year 2001/2002 and to adopt Resolution No. CDC 2001-21, a resolution of the Community Development Commission approving and adopting a budget for the Fiscal Year 2001/2002. The motion was seconded by Councilmember/Commissionmember Barnes and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker  
NOES: None  
ABSENT: None

Mayor/Chairman Aragona called on Mr. Wood to present the staff report on the policies presented to Council for consideration.

Mr. Wood stated that there are eleven policies that were outlined during the previous budget presentations and staff is recommending they be adopted as guiding principles for the staff.

Mayor/Chairman Aragona stated she would like to pull Items 7 and 8 for discussion.

Mayor/Chairman Pro Tem Walker made a motion to approve policy numbers 1 through 6 and 9 through 11. The motion was seconded by Councilmember/Commissionmember Blake and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker  
NOES: None  
ABSENT: None

Mayor/Chairman Aragona stated Item No. 7 deals with the study session on the Community Center Building and she feels there should be two study sessions; one on clarification of what the building is for, and the second for the actual design consideration. Mayor/Chairman Aragona stated she has a problem with the recommendation on Item No. 8, which is to go to a seven-year slurry seal program. She suggested this recommendation be sent back to staff and returned to Council with other options rather than moving from a five to seven year program.

Mayor/Chairman Pro Tem Walker made a motion to approve the policy issue in Items 7 and 8 and send the recommendation on Policy No. 8 back to staff. The motion was seconded by Councilmember/Commissionmember Blake and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker  
NOES: None  
ABSENT: None

Councilmember/Commissionmember Duke stated that we are all aware of the recent Supreme Court decision that calls into question the future viability of the Utility User Tax, which represents over 15% of the general fund budget. Given the enormous impact that the loss of utility user tax revenues could have on this community, she made the following motion:

To direct the City Manager to report in writing to the City Council at the second meeting in September regarding:

1. The fiscal impact to the City of the potential loss of the utility user tax;
2. Alternative courses of action to take to address the possible loss of utility tax revenues; and
3. Recommendations regarding the timing of placing the utility user tax on the ballot for voter approval.

The motion was seconded by Councilmember/Commissionmember Barnes and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker

NOES: None

ABSENT: None

INTRODUCTION OF ORDINANCE 2001-04 FOR PUBLIC INSTITUTIONAL ZONE  
DEVELOPMENT STANDARDS AND LAND USE DESIGNATIONS

Mayor Aragona opened the Public Hearing and called on Interim City Manager Len Wood to present the staff report.

Mr. Wood stated this item was briefed under the Planning Commission item that recommended the Council introduce the ordinance.

There being no one in the audience who wished to address the Council on this item, Councilmember Blake made a motion to close the Public Hearing. The motion was seconded by Councilmember Barnes and carried unanimously.

Councilmember Walker made a motion to introduce Ordinance No. 2001-04, an Ordinance of the City Council of the City of La Palma Amending Chapter 26 of the Municipal Code to Add the Public/Institutional Zoning Designation and Public/Institutional Development Standards and Change the Land Use Designation for Certain Properties to Public/Institutional. The motion was seconded by Councilmember Blake and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker

NOES: None

ABSENT: None

REGULAR ITEMS

CLAIMS ORDINANCE

City Attorney Joel Kuperberg explained that under California law if someone wants to sue the City for money damages that individual has to file a claim for most types of injuries or damages. The claim alerts the City to the nature of the dispute and allows the City the opportunity to resolve the dispute before it gets to litigation. There are some types of disputes that are not subject to the claims requirement; however, state law provides that a City may, by ordinance, make those other types of disputes also subject to the claims requirement. He stated his firm's general policy is that every City should adopt an ordinance making all disputes subject to the claims ordinance and also to make the claims requirement applicable to all potential claimants. He explained that in absence of the proposed ordinance if another governmental entity wanted to sue the City of La Palma for money damages the entity would not have to file a claim. This ordinance creates a higher level of consistency.

A motion was made by Councilmember Barnes to introduce Ordinance No. 2001-05, an Ordinance of the City Council of the City of La Palma, California, Adding a New Article IX to Chapter 2 of the La Palma Municipal Code to Establish a Local Claims Procedure. The motion was seconded by Councilmember Walker and carried on the following roll call vote:

AYES: Aragona, Barnes, Blake, Duke, Walker  
NOES: None  
ABSENT: None

LEAGUE OF CALIFORNIA CITIES GRASSROOTS NETWORK PROPOSAL

Assistant to the City Manager Tami Piscotty stated that Council has received quite a bit of literature about the proposed Grassroots Network by the League of California Cities. She explained that the purpose of the Grassroots Network would be to coordinate City official's efforts locally to influence legislators and legislation. She added that ten field offices, staffed by fourteen individuals would be the outcome of the Grassroots Network if this proposal is passed by the League of California Cities membership. She also added that the cost to the City of La Palma for eighteen months is \$2,652.00 and this amount has been included in the budget as it is anticipated the majority of the cities in the League will vote for it.

Mayor Aragona stated she has spent a lot of time meeting with various officials on this issue but in light of the recent Supreme Court ruling on the utility users tax and the loss of the City's second highest sales tax producing company, she is comfortable with this issue. She added she hopes that this Network will also work to resolve the ERAF situation.

Councilmember Duke stated the formation of the Grassroots Network will allow the League to raise money and be out there advocating for the ERAF ballot issue and she is therefore in support of this proposal.

Councilmember Blake stated that the Orange County Division is very organized and has its own staff but other counties are not as fortunate. This network is set up to help all the other divisions but Orange County will benefit with an additional individual at no cost to the Division. He expressed his support of the proposal.

Councilmember Barnes stated she does not like the increase in dues but feels that the united voice is needed against the other lobbies that are out there.

Councilmember Blake made a motion to instruct the Mayor to vote Yes on the by-laws amendment establishing the Grassroots Network. The motion was seconded by Councilmember Barnes and carried on the following roll call vote:



AYES: Aragona, Barnes, Blake, Duke  
NOES: Walker  
ABSENT: None

SCHEDULING OF STUDY SESSION FOR THE DESIGN OF THE COMMUNITY ACTIVITIES CENTER

Interim City Manager Len Wood stated that staff is recommending that the Council hold two study sessions. One study session would deal with operations and maintenance costs of the Community Activities Center. The other session would be a meeting with the architect on the design.

The Council concurred to set the dates of August 13, 2001 and August 20, 2001 at 6:00 p.m. for the purpose of holding study sessions for the design of the Community Activities Center.

COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES /COUNCIL REMARKS

Councilmember Barnes reported that she accompanied the Mayor to make the presentation of a Proclamation to the City of Cerritos. She also congratulated the Holman's on their 67<sup>th</sup> Wedding Anniversary.

Mayor Pro Tem Walker reported that he has been nominated to serve on the Urban Runoff Committee.

Mayor Aragona thanked the Recreation Department and Seniors Club for inviting the City Council and City staff to their luncheon on June 21<sup>st</sup>. She reported she attended a teen program that was excellent. She also explained that the Proclamation presented to the City of Cerritos was in honor of their 45<sup>th</sup> Anniversary. She stated La Palma received some very nice compliments from the Cerritos Council about the improved relationship between the two cities. She commented there was an item on their Agenda for a park which would adjoin La Palma's El Rancho Verde Park and it was interesting to hear that several Cerritos residents spoke in favor a passive park and wanted a park like La Palma has. She stated that the Council listened to the residents and approved a passive park. Mayor Aragona stated she attended a solo dance program by a member of the YATC and it was excellent. Mayor Aragona announced that Tom Harman will be having an open house for his new office on July 13<sup>th</sup> from 4 p.m. to 7 p.m. She added that La Palma will be presenting a framed City Tile and pictures in a very nice layout. She reported that the new Emergency Call boxes have now been installed through a grant from CJPIA with matching funds from the City. She concluded by stating that the 5K Walk/10K Run, Family Fun Fitness will be tomorrow morning and there are a lot of volunteers and staff working hard on it and she encouraged everyone to come.

Councilmember Blake reported that he attended the Orange County Fire Authority Executive Committee and approved the purchase of an external rescue hoist for the helicopter and they also

amended the contract to install exhaust systems at the fire stations to add air scrubbers. At the General Board Meeting they approved an agreement with the County of Orange for fire protection and emergency medical services at the old El Toro Marine Base, they approved an energy conservation project to change all the lighting and air conditioning units in all the stations. He explained that the cost of the contract is \$923,000.00 but with a guaranteed payback of approximately one million five within ten years. A Fire and Medical Service Agreement for the new City of Aliso Viejo was also approved and the draft of the Strategic Plan was reviewed. The Plan will come back to the full board for approval on July 26<sup>th</sup>. Councilmember Blake announced that the new Superintendent for the Centralia School District is Bobbi Marler.

Councilmember Duke reported that the first Concert in the Park will be July 14<sup>th</sup> at 6:30 p.m. and will feature the Sounds of Liberty. The concerts will continue each Saturday night through August 25<sup>th</sup>.

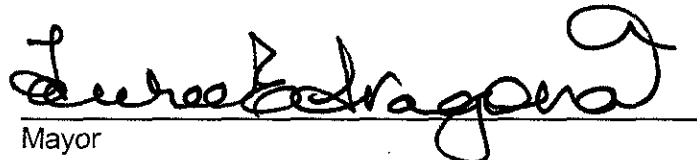
Mayor Aragona reported she has received a Memorandum of Coverage from CJPIA and it is available for review for anyone who is interested.

CITY MANAGER REMARKS


Mr. Wood thanked the City Council for adopting the annual budget and all the work that they put into it. He also thanked all the department heads and the budget team for their work in pulling together all the numbers and react to all the changes that were going on.

ADJOURNMENT

The City Council adjourned at 6:35 p.m.

  
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Mayor

ATTEST:

  
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Deputy City Clerk