

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

September 15, 2009

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

PLEDGE OF ALLEGIANCE: Councilmember Rodriguez

INVOCATION: Councilmember Rodriguez

ROLL CALL: Council and Commission Members

Councilmembers present: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

Councilmembers absent: Mayor Pro Tem Shanahan

City Officials present: John Di Mario, Acting City Manager and Community Development Director  
Joel Kuperberg, City Attorney  
Ed Ethell, Chief of Police  
Jan Hobson, Recreation & Community Services Director  
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

None.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY  
DEVELOPMENT COMMISSION AT 7:02 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the September 1, 2009, Regular Meeting of the Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2009-20 approving the Register of Demands for September 15, 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, and Chairperson Waldman

NOES: None

ABSENT: Vice Chairperson Shanahan

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

C. Status of a New Agreement with the La Palma Chamber of Commerce

Chairperson Waldman presented proposed partnership agreement deal points to the Community Development Department (CDC). Commission Member Rodriguez commented that to date the meetings had gone well and that additional items will be brought forward for consideration at a future date. Those items include a museum on the Chamber site; a monthly newspaper; performance based incentives; and a combination business directory/City map.

Commission Member Rodriguez made a motion to receive and file the report on the status of a new agreement with the La Palma Chamber of Commerce.

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

AYES: Commission Member Charoen, Commission Member Herman, Commission Member Rodriguez, and Chairperson Waldman

NOES: None

ABSENT: Vice Chairperson Shanahan

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 from the September 1, 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, and Chairperson Waldman

NOES: None

ABSENT: Vice Chairperson Shanahan

### PUBLIC HEARINGS

None Scheduled.

### REGULAR ITEMS

None Scheduled.

### ADJOURN THE PLANNING COMMISSION, AND CONVENE AS THE CITY COUNCIL AT 7:11 P.M.

### CONSENT CALENDAR

1. Waive the Reading of All Ordinances  
Waive the reading of all Ordinances in their entirety and read by title only.
2. Approval of Council Minutes  
Minutes of the September 1, 2009, Regular Meeting of the La Palma City Council.
4. Adoption of an Updated Records Management Policy and Schedule  
Resolution No. 2009-45 approving a Records Management Policy and Retention Schedule.
5. Resolution Adding a Senior Accounting Technician Position to the La Palma General Employees Association Salary Schedule  
Resolution No. 2009-46 approving a Senior Accounting Technician Position to the La Palma General Employees Association Salary Schedule.
6. Agreement to Transfer Funds for the Fiscal Year 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Program

- a) Approve and authorize the Mayor to execute an Agreement with the County of Orange to transfer funds for the Fiscal Year 2009 Recovery Act Edward Byrne Memorial Justice Assistance Grant (JAG) Program; and
- b) Authorize the Police Department to hire a grant funded, part-time Police Service Aide, at a cost not to exceed \$11,554.

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

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

AYES: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Mayor Pro Tem Shanahan

#### ITEMS PULLED FROM CONSENT CALENDAR

#### 3. Approval of Register of Demands

Councilmember Herman requested to have the item pulled to ask for clarification of check No. 96995 in the amount of \$460 payable to Speedy Board Up.

Community Development Director Di Mario explained that this expense was incurred to board up and secure a foreclosed residence.

Resolution No. 2009-44 approving the Register of Demands for September 15, 2009.

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

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

AYES: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, and

Mayor Waldman

NOES: None

ABSENT: Mayor Pro Tem Shanahan

### PUBLIC HEARINGS

None Scheduled.

### REGULAR ITEMS

7. Ordinance Amending Chapter 26 of the La Palma City Code to Comply With Senate Bill 731 Relating to Massage Therapy

Community Development Director Di Mario gave the staff report.

Ordinance No. 2009-05 amending Chapter 26 of the La Palma City Code pertaining to massage therapy.

Councilmember Herman made a motion to adopt Ordinance No. 2009-05 amending Chapter 26 of the La Palma City Code to comply with Senate Bill 731 relating to massage therapy.

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

AYES: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Mayor Pro Tem Shanahan

8. Resolution to Set a Public Hearing Regarding the Abatement of a Public Nuisance at 8182 Santa Margarita Lane

Community Development Director Di Mario gave the staff report.

Council Comments and Questions:

Discussion ensued regarding notification to the homeowner of the meeting and proposed public hearing date; staff's numerous attempts to gain

compliance; the numerous avenues of help offered to the homeowner; and the homeowner's lack of follow through and response.

Public Input:

Larry Caballero, 5052 Pine Circle, addressed the City Council regarding whether the City has attempted to contact family members in an effort to help this elderly resident with improvements.

Community Development Director Di Mario responded that the homeowner's adult son resides at the address.

Further discussion ensued regarding the homeowner's ability to comprehend the actions; what county services are available to assist the homeowner; designating a liaison from Recreation and Community Services to offer assistance to the elderly homeowner; the timeline for abatement posting at the residence and whether that would give the homeowner enough time to respond; and allowing the homeowner more time to make improvements before posting the site.

Resolution No. 2009-47 declaring the City's intent to conduct a Public Hearing on October 20, 2009, at 7:00 p.m. to ascertain whether a public nuisance exists on the property located at 8182 Santa Margarita Lane, Assessors Parcel No. 262-094-27.

Councilmember Rodriguez made a motion to adopt Resolution No. 2009-47 to Set a Public Hearing on October 20, 2009, at 7:00 p.m. to ascertain whether a public nuisance exists on the property located at 8182 Santa Margarita Lane, Assessors Parcel No. 262-094-27.

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

AYES: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Mayor Pro Tem Shanahan

Councilmember Herman inquired if any local companies would be interested in investing their time and funds to assist in the clean up of the site.

Community Development Director Di Mario responded that BP Arco has expressed some preliminary interest in the project.

9. Tree Planting Rebate Program

Community Development Di Mario gave the staff report.

Council Comments and Questions:

Discussion ensued regarding the program having a positive impact on the La Palma community; the program being an improvement to the livability of the City; Southern California Edison's partnership on the project; removing the limitation to the amount of trees that could be planted; and the increased number of residents using palm trees instead of hedges to border their property.

Resolution No. 2009-48 approving a Residential Tree Planting Program for the City of La Palma.

Councilmember Herman made a motion to adopt Resolution No. 2009-48 approving a Residential Tree Planting Rebate Program and removing the restriction to the number of trees a resident could plant.

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

AYES: Councilmember Charoen, Councilmember Herman, Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Mayor Pro Tem Shanahan

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

**Councilmember Charoen** attended a meeting with the Thai Press and a representative from the Thai Consul and met with Moore, Iacofano, and Goltsman (MIG) regarding La Palma's Park Master Plan.

**Councilmember Herman** inquired how MIG is interfacing with the senior community in regards to the Park Master Plan.

Recreation and Community Services Director Hobson responded that MIG is scheduled to meet with La Palma Senior Club members on September 17, 2009, for a focus group to assess their needs and desires.



Councilmember Herman attended a tour of the Orange County Fire Authority (OCFA) facilities where he met the new Chief, Keith Richter, and he attended the Kiwanis Installation dinner. He announced that Abe Waheed is the new Kiwanis President. He inquired about the recent street striping efforts.

Public Works Director Moneda responded that the street striping project was pending receipt of a signed agreement.

Councilmember Herman also inquired as to the status of Assembly Bill 1506 regarding use of State IOU's to pay debts to the State.

Community Development Director Di Mario indicated that staff would provide an update in the Weekly Report.

Councilmember Herman closed by reporting on the status of the war in Iraq.

**Councilmember Rodriguez** attended a meeting with MIG regarding the Park Master Plan; a subcommittee meeting with the La Palma Chamber of Commerce; the Ribbon Cutting event at the Soy Tofu restaurant; and the Kiwanis installation dinner. He noted that he attended a tour of the OCFA facilities where he met the new Chief, Keith Richter. He reported that he plans to attend the upcoming annual League of California Cities Conference on September 16, 2009, and asked the Mayor to adjourn the meeting in memory of former State of California Speaker of the House, Frank Vicencia, and expressed his sympathies to the family.

**Mayor Waldman** attended a negotiation meeting with the Orange County Council of Governments (OCCOG) and the Orange County Transportation Authority (OCTA); the Orange County Sanitation District (OCSD) meeting; a meeting with MIG regarding the Park Master Plan; a subcommittee meeting with the La Palma Chamber of Commerce; the Ribbon Cutting event at the Soy Tofu restaurant; and the League of California Cities installation meeting.

#### CITY MANAGER REMARKS

**Acting City Manager Di Mario** reported that the City is accepting sign ups for a Civic Academy with the first meeting to be held Wednesday, October 7, 2009.

Councilmember Rodriguez reported that residents are confused between the Civic Academy and the Community Emergency Response Team (CERT) training because of the timing of the two events and suggested that they not be held at the same time in the future.

CITY ATTORNEY REMARKS

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

ADJOURNMENT

Mayor Waldman adjourned the Regular Meeting of the La Palma City Council at 7:58 p.m. in memory of former State of California Speaker of the House, Frank Vicencia.

/s/

Mark I. Waldman, Mayor

Attest:

/s/

Laurie A. Murray, City Clerk