

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

January 2, 2008

CALL TO ORDER: Mayor Charoen called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Wednesday, January 2, 2008, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Councilmember Herman

INVOCATION: Father Ven Amidar, St. Irenaeus Catholic Church

ROLL CALL: Council and Commission Members

ROLL CALL:

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

Councilmembers absent: None

City Officials present: Dominic Lazzaretto, City Manager
Joel Kuperberg, City Attorney
John Di Mario, Community Development Director
Ed Ethell, Chief of Police
Jan Hobson, Director of Recreation and Community Services
Keith Neves, Finance Director
Ismile Noorbaksh, Director of Public Works/City Engineer
Laurie Murray, Administrative Services Manager/
City Clerk
Kimberly Kenney, Minutes Clerk
Crystal Wilkerson, Minutes Clerk

PRESENTATIONS

1. Mayor Charoen and City Manager Lazzaretto presented the Employee of the Year award to Julian Gonzales.
2. Mayor Charoen and City Manager Lazzaretto presented the Supervisor/Professional Employee of the Year award to Cindy Robinson.
3. Noella Lew, Chairperson of the La Palma Community Activities and Beautification Home Spotlight Subcommittee presented Greg and Kathy Flachmeier with the Quarterly Home Spotlight Award for their home at 4561 Trafalgar Drive.

ORAL COMMUNICATIONS

The Honorable Michelle Steel, Board Member of the State Board of Equalization, Third District, presented Mayor Charoen with a proclamation congratulating him on being appointed Mayor of La Palma.

RECESS CITY COUNCIL AND CONVENE AS COMMUNITY DEVELOPMENT COMMISSION AT 7:19 p.m.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes
December 18, 2007 Minutes of the Community Development Commission.
- B. Approval of Register of Demands
Resolution No. CDC 2008-01 approving the Register of Demands for January 2, 2008.
- C. Resolution Pertaining to the Authorization for the Transfer of Funds
Resolution No. CDC 2008-02 approving the amendment to Resolution No. CDC 2006-04 authorizing the transfer of funds between the City's general checking account and the Local Agency Investment Fund (LAIF).

Commission Member Herman made a motion to approve Consent Items A through C.

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

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

NOES: None

PUBLIC HEARINGS

- D. Mid-Term Review of the Five-Year Implementation Plan 2005-2009
- a) Chairperson Charoen opened the Public Hearing at 7:20 p.m.
 - b) Community Development Director Di Mario gave the Staff Report
 - c) No Public Input was Received
 - d) Chairperson Charoen closed the Public Hearing at 7:40 p.m.
 - e) Commission Comments and Questions
 - f) Adopt a Resolution approving the Mid-Term Review of the Adopted Five-Year Implementation Plan 2005-2009

Resolution No. CDC 2008-03 approving the Mid Term Review of the Adopted Five-Year Implementation Plan 2005-2009.

Vice Chairperson Barnes made a motion to adopt Resolution No. CDC 2008-03 approving the Mid-Term Review of the Adopted Five-Year Implementation Plan 2005-2009.

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

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

NOES: None

ADJOURN COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS
PLANNING COMMISSION AT 7:40 p.m.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

December 18, 2007, Minutes of the Planning Commission.

Commission Member Waldman made a motion to approve the December 18, 2007, Minutes of the Planning Commission.

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

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

NOES: None

PUBLIC HEARINGS

PL-2. Amendment No. 2 to Conditional Use Permit 336, Requesting Approval to Omit Required Landscaping Conditions and To Install Decorative Tiles and Images on the Exterior Walls of the Equipment Shelter for a Telecommunications Facility in the Southern California Edison Right-of-Way 435 Feet West of Moody Street (APN: 263-155-01)

- a) Chairperson Charoen opened the Public Hearing at 7:42 p.m.
- b) Community Development Director Di Mario gave the Staff Report.
- c) Public Input was received.

Tami Bui, Regional Manager for Southern California Edison (SCE), stated that SCE supports this proposal as presented and that the SCE Transmission Department has approved it.

Tim Miller, Zoning Project Manager for Trillium Consulting (on contract with T-Mobile), answered Council questions regarding design options.

- d) Chairperson Charoen closed the Public Hearing at 8:19 p.m.

Chairperson Charoen reopened the public hearing at 8:21 p.m.

Director of Recreation and Community Services Hobson reported that the Communities Activities and Beautification (CAB) Committee discussed this project over several meetings and suggested this recommendation on December 17, 2007.

Steve Shanahan, 7821 Barbi Lane, Chairperson of CAB, spoke in favor of the project as presented.

Tim Miller, Zoning Project Manager for Trillium Consulting (on contract with T-Mobile), indicated that T-Mobile would continue to work with CAB on designs for the tile work if the Commission so wished.

Chairperson Charoen closed the public hearing at 8:27 p.m.

- e) Commission Comments and Questions
- f) Adopt a Resolution approving Amendment No. 2 to Conditional Use Permit 336, Requesting Approval to Omit Required Landscaping Conditions and To Install Decorative Tiles and Images on the Exterior Walls of the Equipment Shelter for a Telecommunications Facility in the Southern California Edison Right-of-Way 435 Feet West of Moody Street (APN: 263-155-01)

Resolution No. PC 2008-01 approving Amendment No. 2 to Conditional Use Permit 336, Requesting Approval to Omit Required Landscaping Conditions and to Install Decorative Tiles and Images on the Exterior Walls of the Equipment Shelter for a Telecommunications Facility in the Southern California Edison Right-of-Way 435 Feet West of Moody Street (APN: 263-155-01).

Commission Member Rodriguez made a motion to adopt Resolution No. PC 2008-01 approving Amendment No. 2 to Conditional Use Permit 336, Requesting Approval to Omit Required Landscaping Conditions and To Install Decorative Tiles and Images on the Exterior Walls of the Equipment Shelter for a Telecommunications Facility in the Southern California Edison Right-of-Way 435 Feet West of Moody Street (APN: 263-155-01) The motion was seconded by Commission Member Waldman.

Vice Chairperson Barnes made a substitute motion to adopt Resolution No. PC 2008-01 approving Amendment No. 2 to Conditional Use Permit 336, Requesting Approval to Omit Required Landscaping Conditions and To Install Decorative Tiles and Images on the Exterior Walls of the Equipment Shelter for a Telecommunications Facility in the Southern California Edison Right-of-Way 435 Feet West of Moody Street (APN: 263-155-01) with an amendment to have the Development Committee and CAB Committee review the final artwork before it is approved. The substitute motion was seconded by Commission Member Waldman.

Vice Chairperson Barnes withdrew the substitute motion.

The Planning Commission strongly encouraged that the Community Development Director consult with CAB, the Development Committee, and the Planning Commission prior to approving the final tile designs.

The original motion carried on the following vote:

AYES: Vice Chairperson Barnes, Chairperson Charoen,
Commission Member Rodriguez, and Commission
Member Waldman

NOES: Commission Member Herman

Mayor Charoen recessed the City Council for a short break at 8:40 p.m.

Mayor Charoen reconvened the City Council at 8:47 p.m. with all members present.

ADJOURN PLANNING COMMISSION AND RECONVENE AS CITY COUNCIL
AT 8:47 p.m.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances

Approve recommendation that the City Council waive the reading of all Ordinances in their entirety and read by title only.

2. Approval of Council Minutes

December 18, 2007, Minutes of the City Council.

4. Resolution Authorizing Signatories for the Deposit, Investment, and Payment of Public Funds

Resolution No. 2008-02 amending Resolution No. 2007-30 authorizing the deposit, investment, and payment of public funds.

6. Amendment to the Consultant Services Agreement with SA Associates for the Design of the On-site Sodium Hypochlorite Generating Systems at the Walker Well and City Yard Well Sites, City Project No. 03-WTR-02

Authorize the City Manager to amend the Consultant Services Agreement with SA Associates to increase the not-to-exceed amount from \$95,000 to \$110,000 for Professional Engineering Services for the Design of On-Site Sodium Hypochlorite Generating Systems at the Walker Well and City Yard Well Sites, City Project No. 03-WTR-02.

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

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,
Councilmember Herman, Councilmember Rodriguez,
and Councilmember Waldman

NOES: None

ITEMS PULLED FROM THE CONSENT CALENDAR

3. Approval of Register of Demands

Resolution No. 2008-01 approving the Register of Demands for January 2, 2008.

Councilmember Rodriguez made a motion to approve Register of Demands for January 2, 2008.

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,
Councilmember Herman, Councilmember Rodriguez,
and Councilmember Waldman

NOES: None

5. Award of Contract to Hardy & Harper, Inc., for Rehabilitation of Orangethorpe Avenue from Coyote Creek to State Route 91, City Project No. ST-270, Federal Project

Councilmember Rodriguez made a motion to approve the award of contract to Hardy & Harper, Inc., for Rehabilitation of Orangethorpe Avenue from Coyote Creek to State Route 91, City Project No. ST-270, Federal Project No. STPL-5319 (010).

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,
Councilmember Herman, Councilmember Rodriguez,
and Councilmember Waldman

NOES: None

7. Orange County Regional Recycling and Waste Diversion Grant Program

Resolution No. 2008-03 authorizing submittal of an application for funds from the County of Orange's Inaugural Regional Recycling and Waste Division Grant Program and Authorizing the City of Cypress to serve as the administering agency of the grant funds on behalf of the City of La Palma.

Councilmember Herman made a motion to adopt Resolution No. 2008-03 authorizing submittal of an application for funds from the County of Orange's Inaugural Regional Recycling and Waste Division Grant Program and Authorizing the City of Cypress to serve as the administering agency of the grant funds on behalf of the City of La Palma.

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,
Councilmember Herman, Councilmember Rodriguez,
and Councilmember Waldman

NOES: None

8. Appointments to External and Internal Committees

Mayor Pro Tem Barnes made a motion to receive and file the report on the Mayor's recommended appointments to External and Internal City Committees.

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,
 Councilmember Herman, Councilmember Rodriguez,
 and Councilmember Waldman

NOES: None

PUBLIC HEARINGS

9. Consideration of an Ordinance to Allow Certain Streets to be Permit Parking Only, and a Resolution Designating Windermere Way, Sommerset Circle, and Coventry Circle as Residential Permit Parking Area "A"

- a) Mayor Charoen opened the Public Hearing at 8:59 p.m.
- b) Chief of Police Ethell gave the Staff Report
- c) Receive Public Input

Steve Richardson, 5302 Windemere Way, spoke in favor of the proposed Ordinance and Resolution.

Antoine Chemali, 5301 Windemere Way, spoke in favor of the proposed Ordinance and Resolution.

- d) Mayor Charoen closed the Public Hearing at 9:40 p.m.

Mayor Charoen reopened the public hearing at 9:40 pm.

Antoine Chemali, 5301 Windemere Way, spoke in favor of the proposed Ordinance and Resolution and stated that if the Ordinance and Resolution are passed, the Apartment Complex management would have to deal with the parking problems of their tenants.

Rajesh Patel, 7002 Sommerset Circle, spoke in favor of the proposed Ordinance and Resolution and indicated that tenants can rent additional parking garages.

Steve Richardson, 5302 Windermere Way, responded to Councilmember comments and stated that the trash problem is severe and that the current parking issue is not cyclical.

Mayor Charoen closed the public hearing at 9:45 p.m.

Mayor Charoen reopened the public hearing at 9:47 p.m.

John Alvis, 7902 Birchwood Circle, inquired if a resident residing in the permit parking area can park anywhere in that tract with their permit. Chief of Police Ethell answered affirmatively.

Steve Richardson, 5302 Windemere Way, restated his support of and urged the City Council to vote in favor of the proposed Ordinance and Resolution.

Antoine Chemali, 5301 Windemere Way, restated his support of and urged the City Council to vote in favor of the proposed Ordinance and Resolution.

Mayor Charoen closed the public hearing at 9:51 p.m.

- e) Council Comments and Questions
- f) Introduce an Ordinance amending the La Palma City Code to allow certain residential streets to be restricted for permit parking

Introduction of Ordinance No. 2008-01 amending the La Palma City Code to allow certain residential streets to be restricted for permit parking.

Councilmember Herman made a motion to introduce an Ordinance of the City of La Palma amending regulations for parking to allow certain residential streets to be designated for permit parking.

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

AYES: Councilmember Herman, Councilmember Rodriguez, and Councilmember Waldman

NOES: Mayor Pro Tem Barnes and Mayor Charoen

- g) Adopt a Resolution designating Windermere Way, Sommerset Circle, and Coventry Circle as Residential Permit Parking Area "A"

Resolution No. 2008-04 approving the designation of Windermere Way, Sommerset Circle, and Coventry Circle as Residential Permit Parking Area "A".

Councilmember Herman made a motion to adopt Resolution No. 2008-04 designating Windermere Way, Sommerset Circle, and Coventry Circle as Residential Permit Parking Area "A."

Councilmember Rodriguez asked that the motion be amended to direct staff to provide additional notification to La Palma residents adjacent to the location prior to the second reading of the proposed ordinance and to provide warnings to violating vehicles prior to the ordinance going into effect.

Councilmember Herman as the maker of the original motion accepted the amendment. Councilmember Waldman as the seconder of the original motion accepted the amendment.

The amended motion carried on the following vote:

AYES: Councilmember Herman, Councilmember Rodriguez, and Councilmember Waldman

NOES: Mayor Charoen, and Mayor Pro Tem Barnes

REGULAR ITEMS

10. Revisions to Council Policy 26 - Street Light Pole Banners and Approval of Recycle Used Motor Oil Banners
- a) Approve revisions to Council Policy 26 - Street Light Pole Banners; and

- b) Approve the Recycle Used Motor Oil banner design

Mayor Pro Tem Barnes made a motion to approve the revisions to Council Policy 26 - Street Light Pole Banners, amended to add the wording that "No non-City logos will be permitted, with the exception of Red Ribbon Week banners and those other non-City logos that are approved by the City Council;" and approve the Recycle Used Motor Oil banner design.

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,
Councilmember Herman, Councilmember Rodriguez,
and Councilmember Waldman

NOES: None

11. City Website Upgrade - Project Timeline

Administrative Services Manager Murray gave the staff report.

The City Council provided comments and Councilmember Rodriguez requested that Staff provide the City Council with detailed information regarding the Agreement and the services provided therein prior to the February 19 Study Session. The City Council received and filed the report.

12. Councilmember Request: Discussion of League of California Cities Appointment Opportunities

Councilmember Rodriguez reported on the status of League of California Cities (LOCC) appointment opportunities. No action was taken.

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

Mayor Pro Tem Barnes had nothing to report.

Councilmember Herman reported that he would miss the January 15 meeting as he would be attending the Orange County Vector Control conference. He reported on a new virus being carried by mosquitoes and on the status of the war in Iraq.

Councilmember Rodriguez attended the joint Chamber of Commerce/Kiwanis Club Toy Drive. He offered congratulations to the new President of the Anaheim Union School District, Anna Piercie; and to La Palma Police Captain Nunez on the birth of his new daughter, Emily. Councilmember Rodriguez also inquired about graffiti on the La Palma Avenue and Del Amo Avenue Bridge and on the status of potholes created by the Verizon work.

Councilmember Waldman attended a general meeting of the Orange County Sanitation District and reported on issues with his Time-Warner Cable service.

Mayor Charoen attended a meeting along with City Staff with BP Staff.

CITY MANAGER REMARKS


City Manager Lazzaretto reported that a meeting is being scheduled with the Orange County Transportation Authority (OCTA) and the City of Cypress to identify long-term solutions to the graffiti problems. He advised the City Council that the Green Policy will be moved from the January 15 meeting to the February 5 meeting. He also reported that the City Manager goal report will be taken off of the January 15 Agenda and will be included in a weekly report to the City Council.

CITY ATTORNEY REMARKS

City Attorney Kuperberg wished the City Council a Happy New Year and had nothing else to report.

ADJOURNMENT

Mayor Charoen adjourned the City Council meeting at 10:59 p.m.



G. Henry Charoen, Mayor

Attest:



City Clerk