

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

February 5, 2008

CALL TO ORDER: Mayor Charoen called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, February 5, 2008, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Councilmember Waldman

INVOCATION: Mayor Pro Tem Barnes

ROLL CALL: Council and Commission Members

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, Recreation & Community Services Director
Keith Neves, Finance Director
Ismile Noorbaksh, Public Works Director/ City Engineer
Laurie Murray, Administrative Services Manager/ City Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

None Scheduled.

ORAL COMMUNICATIONS

No members of the public wished to speak.

RECESS CITY COUNCIL AND CONVENE AS COMMUNITY DEVELOPMENT COMMISSION AT 7:04 p.m.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes
January 15, 2008, Minutes of the Community Development Commission.
- B. Approval of Register of Demands
Resolution No. CDC 2008-05 approving the Register of Demands for February 5, 2008.

Commission Member Rodriguez made a motion to approve Consent Calendar Items A and B.

The motion was seconded by Vice Chairperson/Mayor Pro Tem Barnes 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

None Scheduled.

REGULAR ITEMS

- C. Payment to the La Palma Chamber of Commerce for Invoices Submitted for 2007

Commission Member Waldman made a motion to continue Agenda Item C to the February 19, 2008, City Council meeting as there was no representative present from the Chamber of Commerce.

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

CONVENE AS CITY COUNCIL AT 7:14 p.m.

D. Fiscal Year 2007-08 Midyear Budget Adjustments

Councilmember/Commission Member Rodriguez made a motion to approve a Midyear Budget adjustment to provide funding in the amount of \$7,500 for a Mass Notification System (CodeRED).

The motion was seconded by Councilmember/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

Commission Member Rodriguez made a motion to approve a Midyear Budget Adjustment in the amount of \$30,000 to provide funding for the Employee Benefits Internal Service Fund Budget and in the amount of \$7,000 to provide funding for the Insurance Internal Service Fund Budget. The motion was seconded by Commission Member Herman.

Commission Member Waldman made a substitute motion to adopt a resolution approving the Fiscal Year 2007-08 Midyear Adjustments. The motion was seconded by Vice Chairperson Barnes.

Commission Member Rodriguez asked for a friendly amendment to the substitute motion to adopt a resolution approving the Fiscal Year 2007-08 Midyear Adjustments except for the Community Center Rehabilitation Project in the amount of \$555,600 and the City Council's Meetings and Training Budget in the amount of \$10,000. Commission Member Herman seconded the friendly amendment.

Commission Member Waldman as the maker of the substitute motion accepted the friendly amendment. Vice Chairperson/Mayor Pro Tem Barnes, as the seconder of the substitute motion accepted the friendly amendment.

Resolution No. CC 2008-06 approving the Fiscal Year 2007-08 Midyear Budget Adjustments as amended for the City Council.

Resolution No. CDC 2008-06 approving the Fiscal Year 2007-08 Midyear Budget Adjustments as amended for the Community Development Commission.

The substitute motion, as amended, carried on the following vote:

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

NOES: None.

Commission Member Waldman made a motion to approve a Midyear Budget Adjustment in the amount of \$555,6000 to provide funding for the Community Center Rehabilitation Project.

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

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

NOES: Commission Member Rodriguez

Vice Chairperson Barnes made a motion to approve a Midyear Budget Adjustment in the amount of \$10,000 to provide funding for the City Council's Meetings and Training Budget. The motion failed for lack of a second.

RECESS CITY COUNCIL, ADJOURN COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS PLANNING COMMISSION AT 7:48 p.m.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

January 15, 2008, Minutes of the Planning Commission.

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

The motion was seconded by Vice Chairperson Barnes 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

None Scheduled.

ADJOURN PLANNING COMMISSION AND CONVENE AS CITY COUNCIL AT
7:49 p.m.

CONSENT CALENDAR

Councilmember Herman asked to have Agenda Items 2 and 5 pulled from the 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.

3. Approval of Register of Demands

Resolution No. CC 2008-07 approving the Register of Demands for February 5, 2008.

4. Approval of Orange County Fire Authority Amended Joint Powers Agreement

Approve and authorize the City Manager to execute the submitted First Amendment to Amended Joint Point Powers Authority Agreement - Orange County Fire Authority (OCFA).

6. Award of Contract for Construction Observation Services for the Rehabilitation of Orangethorpe Avenue from the Coyote Creek Channel to State Route 91, City Project No. ST-270, Federal Project No. STPL-5319 (010)

7. Rejection of Claim Submitted by Francisco Velazquez

8. Rejection of Claim Submitted by John Nguyen

Mayor Pro Tem Herman made a motion to approve Consent Calendar Items 1, 3, 4, 5, 6, 7, and 8.

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

ITEMS PULLED FROM THE CONSENT CALENDAR

2. Approval of Council Minutes

January 15, 2008, Minutes of the City Council.

Councilmember Herman made a motion to approve the January 15, 2008, Minutes of the City Council.

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

5. Approval of Plans and Specifications, and Authorization to Solicit Competitive Bids for the Removal and Replacement of Curb and Gutter, Sidewalk, and Trees on Moody Street from Crescent Avenue to Houston Avenue, City Project No. ST-283

Councilmember Herman made a motion to approve Consent Calendar Item 5.

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. Public Hearing and Second Reading of an Ordinance Adopting the 2007 California Fire Code, Including Local Amendments

- a) Open the Public Hearing at 7:52 p.m.
- b) Community Development Director Di Mario gave the Staff Report
- c) Receive Public Input

No members of the public wished to speak.

- d) Close Public Hearing at 7:53 p.m.
- e) Council Comments and Questions
- f) Adopt an Ordinance repealing Article 1 of Chapter 9 of the La Palma City Code, and adding thereto the new Article 1 of Chapter 9 adopting by reference The 2007 California Fire Code incorporating The 2006 International Fire Code, with certain amendments, deletions, and exceptions; and

Ordinance No. 2008-02 repealing Article 1 of Chapter 9 of the La Palma City Code, an adding thereto the new Article 1 of Chapter 9 adopting by reference the 2007 California Fire Code incorporating the

2006 International Fire Code, with certain amendments, deletions, and exceptions.

- g) Adopt a Resolution setting forth findings with respect to local conditions.

Resolution No. CC 2008-08 setting forth findings with respect to local conditions.

Councilmember Waldman made a motion to adopt Ordinance No. 2008-02 repealing Article 1 of Chapter 9 of the La Palma City Code, and adding thereto the new Article 1 of Chapter 9 adopting by reference the 2007 California Fire Code incorporating the 2006 International Fire Code, with certain amendments, deletions and exceptions and adopt a Resolution setting forth findings with respect to local conditions.

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

REGULAR ITEMS

Councilmember Rodriguez requested that the Agenda be reordered so that Agenda Item 12 could be heard earlier in meeting. Mayor Charoen agreed to the reordering.

12. Second Reading of an Ordinance to Allow Certain Streets to be Permit Parking Only

Ordinance 2008-01 amending the La Palma City Code to allow certain streets to be restricted to permit parking.

Councilmember Rodriguez made a motion to adopt an Ordinance to allow certain streets to be permit parking only.

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

10. Presentation of the 2008 Regional Transportation Plan

Sarah Katz, a consultant for Southern California Association of Governments (SCAG), presented the agency's Regional Transportation Plan (RTP) to the City Council.

No Action was taken.

Mayor Charoen recessed the City Council for a short break at 8:32 p.m.

Mayor Charoen reconvened the City Council at 8:37 p.m. with all members present.

11. Cooperation with City Historical Publications

City Manager Lazzaretto gave the staff report.

Jerry Roberts, Regional Acquisitions Editor for the Los Angeles Region of Arcadia Publishing addressed the City Council regarding his company's proposal and agreement with Ron and Elfriede Mac Iver.

Elfriede Mac Iver, 5171 Del Sol Circle, addressed the City Council regarding their past efforts on behalf of the City.

Geoffrey Bolt, President and Publisher of Pioneer Publications, addressed the City Council regarding his company's proposal.

The City Council provided direction to staff to move forward with the Arcadia Publishing proposal and to further investigate the Pioneer Publication proposal and whether it was something that could be done in conjunction with the Chamber of Commerce directory.

13. First Reading of an Ordinance Amending Chapter 13 of the La Palma City Code Pertaining to Business Licenses

Introduction of Ordinance 2008-03 amending Chapter 13 of the La Palma City Code.

Councilmember Waldman made a motion to introduce for first reading an Ordinance Amending Chapter 13 of the La Palma City Code Pertaining to Business Licenses.

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

14. City Environmental Policy (Green Policy)

Administrative Services Manager Murray gave the staff report.

Mayor Pro Tem Barnes made a motion to receive and file the City Environmental Policy (Green Policy). No second was required.

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

Councilmember Waldman attended the grand opening of the ground water replenishment system; the general meeting of the Orange County Sanitation District (OCSD); the City of Cypress State of the City event; and a meeting with Mayor Kim from Korea.

Councilmember Rodriguez attended the grand opening of the ground water replenishment system; the Library Advisory Board meeting; and the American Public Works Association (APWA) meeting. He reported that he had worked at the voting polls today and will be returning to the polls at the close of the City Council meeting.

Councilmember Herman asked to be enrolled for the February 29 AED/CPR training. He attended the Mosquito Vector Control Association of California (MVCAC) conference; the City of Cypress E-Waste event; the City of Cypress State of the City event; the grand opening of the Orange County Ground Water Replenishment System; the meeting with Mayor Kim from Korea; and the APWA event. He inquired as to the status of the shade structure at Central Park. City Manager Lazzaretto responded that the City has received three additional quotes. Councilmember Herman also reported on the status of the Iraq War and thanked staff for preparing a proclamation for Dr. James Webb's retirement from Orange County Vector Control.

Mayor Pro Tem Barnes attended the meeting with Mayor Kim from Korea; the City of Cypress State of the City event; the Orange County Fire Authority (OCFA) groundbreaking ceremony for Station 17; the APWA event; the retirement event for Mark Pisano from the Southern California Association of Governments (SCAG); and the OCFA meeting.

Mayor Charoen attended the APWA event; the Los Alamitos State of the City event; the City of Cypress State of the City event; and the meeting with Mayor Kim from Korea.

CITY MANAGER REMARKS

City Manager Lazzaretto reported that the City's Administrative Intern position is now available to allow high school seniors or college students an opportunity to get an exposure to how City Government, City Councils, and City Staff operate. He reminded the City Council that he will be out of town the remainder of the week at a conference. He reminded the City Council to adjourn this meeting to a Goal Setting Session on February 11 at 8:00 a.m.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

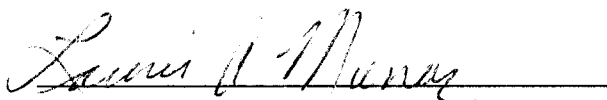
ADJOURNMENT

Mayor Charoen adjourned the City Council meeting at 10:12 p.m. to a Special Meeting at 8:00 a.m. on February 11, 2008, at California Joint Powers Insurance Authority, El Capitan Room, 8081 Moody Street, La Palma, California 90623.



Mayor

Attest:



City Clerk