

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

September 7, 2010

CALL TO ORDER: Mayor Shanahan called the Regular Meeting of the La Palma City Council to order at 6:31 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 6:31 P.M.

CLOSED SESSION

CONFERENCE WITH REAL PROPERTY NEGOTIATIONS

Pursuant to Government Code Section 54956.8

Property: 4611 La Palma Avenue, La Palma, California
Parcel Number 263-343-30

Agency Negotiator: Dominic Lazzaretto, Executive Director; and Douglas Dumhart, Community Development Director

Negotiating Parties: Peter Michael Sereg

Under Negotiation: Price and terms of payment

CONVENE THE COMMUNITY DEVELOPMENT COMMISSION IN OPEN SESSION AT 7:15 P.M.

City Attorney Kuperberg stated that there were no reportable actions from the closed session item.

RECESS THE COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS THE CITY COUNCIL AT 7:15 P.M.

PLEDGE OF ALLEGIANCE: Councilmember Herman

INVOCATION: Councilmember Charoen

ROLL CALL: Council and Commission Members

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

Councilmembers absent: None

City Officials present: Dominic Lazzaretto, City Manager/Executive Director
Joel Kuperberg, City Attorney
Douglas Dumhart, Community Development Director
Ed Ethell, Chief of Police
Jan Hobson, Recreation & Community Services Director
Jeff Moneda, Public Works Director/City Engineer
Keith Neves, Finance Director
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Committee Member Cheody Fortunado of the La Palma Community Activities and Beautification Home Spotlight Committee presented Helen Toma with the Quarterly Home Spotlight Award for their home at 7152 Tiara Lane, La Palma.
2. Recreation Specialist Albarian recognized the 2010 Volunteens and, along with Mayor Shanahan and Recreation Coordinator Rabinovich, presented them with stipends.

ORAL COMMUNICATIONS

Ernestine Guardado, 8142 Suffield Street, addressed the City Council regarding discarded gardening trash along Moody Street.

RECESS THE CITY COUNCIL AND RECONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:37 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the August 17, 2010, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2010-19 approving the Register of Demands for September 7, 2010.

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, Vice Chairperson Rodriguez, Chairperson Shanahan, and Commission Member Waldman

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:38 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes from the August 17, 2010, Regular Meeting of the La Palma Community Development Commission.

Vice Chairperson Rodriguez made a motion to approve Consent Calendar Item PL-1.

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

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

NOES: None

PUBLIC HEARINGS

PL-2. Ordinance Amending the La Palma City Code Pertaining to Outdoor Display and Incidental Seating Areas

- a) Chairperson Shanahan opened the Public Hearing at 7:38 p.m.
 - b) Community Development Director Dumhart introduced Planning Intern, Rafael Garcia, who gave the Staff Report.
 - c) Public Input
- No members of the public wished to speak.
- d) Chairperson Shanahan closed the Public Hearing at 7:45 p.m.
 - e) Commission Comments and Questions

Discussion ensued regarding signage at the outdoor display being proportional to the size of the display; that Staff would establish rules of signage in the ordinance; that the City has not received any complaints or concerns from residents or business owners regarding the proposed Ordinance.

- f) Resolution No. PC 2010-07 recommending the City Council approve an Ordinance amending Chapter 26 of the La Palma City Code pertaining to Outdoor Display and Incidental Seating Areas.

Vice Chairperson Rodriguez made a motion to approve Resolution No. PC 2010-07 recommending the City Council approve an Ordinance amending Chapter 26 of the La Palma City Code pertaining to Outdoor Display and Incidental Seating Areas with the

amendment that Staff prescribe signage provisions that are proportional to the size of the outdoor display or incidental seating area.

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

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

NOES: None

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 8:50 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 August 17, 2010, Regular and Special Meetings of the La Palma City Council.

3. Approval of Register of Demands

Resolution No. 2010-46 approving the Register of Demands for September 7, 2010.

Mayor Pro Tem Rodriguez abstained from the approval of Check Item 100235 payable to Sammi Rodriguez.

4. Notice of Completion and Acceptance of Work for the Pavement Rehabilitation of Residential Streets and Houston Avenue with Asphalt Rubber Overlay (ARHM), City Project No. ST-296

Accept the work and authorize the Public Works Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the Pavement Rehabilitation of Residential Streets and Houston Avenue with Asphalt Rubber Overlay (ARHM), City Project No. ST-296.

5. Notice of Completion and Acceptance of Work for the Exterior Painting of City Facilities, City Project No. 10-BLDG-02

Accept the work and authorize the Public Works Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the exterior painting of City Facilities, City Project No. 10-BLDG-02.

7. Police Report Writing Module

Authorize the purchase of a Police Report Writing Module.

Mayor Pro Tem Rodriguez made a motion to approve Consent Calendar Items 1, 2, 3, 4, 5, and 7.

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

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

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

6. Agreement for Provision of Point of Dispensing Site Planning Services with the County of Orange

Councilmember Herman requested to have Item 6 pulled from the Agenda to request a brief overview of the item.

Police Chief Ethell provided a brief overview of the item to the City Council.

Approve and authorize the City Manager to execute an Agreement for Provision of Point Dispensing (POD) Site Planning Services with the County of Orange.

Councilmember Herman made a motion to approve the agreement for Provision of Point of Dispensing Site Planning Services with the County of Orange

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

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

NOES: None

PUBLIC HEARINGS

8. Proposed Ordinance Amending Chapter 26 of the La Palma City Code Adding a Planned Neighborhood Development (PND) Zoning District and Changing the Land Use Designation to PND

- a) Mayor Shanahan opened the Public Hearing at 7:55 p.m.
- b) Community Development Director Dumhart gave the Staff Report
- c) Public Input

No members of the public wished to speak.

- d) City Council Comments and Questions

None.

- e) Continue the Public Hearing to the September 21, 2010, meeting of the City Council.

Councilmember Herman made a motion to continue the Public Hearing to the September 21, 2010, meeting of the City Council.

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

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

NOES: None

REGULAR ITEMS

9. Central Park Master Plan Design

Recreation and Community Services Director Hobson introduced the item and gave a brief presentation on the proposed refined site plan.

Darren Reckter, Moore Iacofano Goltsman (MIG) Project Manager, gave a presentation on the refined design elements.

Jim Pickell, MIG Principal, gave a presentation on the modified project phasing of the refined Central Park Master Plan.

Discussion ensued regarding the cost of the proposed softball lighting system; that the current lighting system is inadequate to equally distribute light between the soccer overlay and baseball field; the estimated cost being \$300,000; the proposed new lighting system is more energy efficient and has less light spill over in the adjacent residential community; that \$300,000 for lighting is excessive for a field that gets little use; the rationale for and total cost of the baseball field/open space turf renovation; that the field/turf renovation estimates cover the entire baseball field improvements from the most eastern tip to western tip of the field including field irrigation in order to meet AB1881 and AB49 water conservation requirements; and that the turf renovation was part of the City's normal maintenance projects.

Jim Pickell continued with his presentation on the modified project phasing of the refined Central Park Master Plan.

Darren Reckter stated that the baseball field/open space turf renovation cost is \$96,000.

Further discussion ensued regarding the status of the grant filed with the State of California for this project and that an answer is not expected until late Fall.

Recreation and Community Services Director Hobson reported on the need for a Water Quality Master Plan and Storm Water Pollution Prevention Plan to be included in the scope of work.

Public Input:

Tom Wright, 7921 Westra Lane, addressed the City Council regarding his desire to either retain the original gazebo or to build another similar to the original gazebo. He also stated his support for adding historical features and requested that funds be allocated for maintenance of the gazebo.

Discussion ensued regarding the new gazebo displaying the original plaque in honor of those volunteers that originally erected the gazebo in 1976; that the Central Park Master Plan was initiated because of a desire to rehabilitate the existing gazebo; that the current gazebo cannot be saved, but a similar design will be used for its replacement, and that funds will be set aside for maintenance of the new gazebo; an informal committee being created that includes members of the original construction crew to assist in the design selections for the proposed gazebo; that establishment of a committee would impact the completion schedule for MIG and possibly create some economical impacts; the structure of the proposed gazebo being tubular steel; funds being set aside for maintenance of the redesigned park; and that no decisions need to be made until the status of the grant is known.

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding his opposition to some of the design elements and the water feature on the revised site plan. He stated his opinion that the City would not receive the grant and the need to reevaluate the proposed costs.

Council Comments and Questions:

Discussion ensued regarding opposition to the \$300,000 cost of installing a new lighting system; that both bathrooms should be renovated during the same phase; that the stone veneer on the new concession/bathroom match the base of the proposed Central Park signage; whether the grant submission was done according to the development phasing; that the City Council will have to make some difficult decisions regarding the Central Park rehabilitation if the City does not receive the grant; that the location of the volleyball courts will not impact any trees in the area; including historical features into the replacement gazebo; the need for an engineer to conduct a study regarding the costs of the new lighting system and the effectiveness of the current lighting system; that MIG recommends to at least install the conduits and circuitry so that a new lighting system could be installed in the future; support for maintaining the meditation garden and the incorporated water feature; that the meditation garden will have a "green" wall for noise mitigation; and that maintenance responsibilities may increase.

- a) Approve the refined preliminary designs prepared by Moore Iacofano Goltsman (MIG) Inc. for the Master Plan improvements to Central Park;
- b) Approve and authorize the Mayor to sign an amendment to the Agreement with MIG in the amount of \$9,125 for additional services for a Water Quality Master Plan and a Storm Water Pollution Prevention Plan; and
- c) Make a supplemental appropriation in the amount of \$9,125 from the

Capital Outlay Reserve Fund to fund the Amendment.

Mayor Pro Tem Rodriguez made a motion to approve the refined preliminary designs prepared by Moore Iacofano Goltsman (MIG) Inc. for the Master Plan improvements to Central Park; approve and authorize the Mayor to sign an amendment to the agreement with MIG in the amount of \$9,125 for additional services for a Water Quality Master Plan and a Storm Water Pollution Prevention Plan; and make a supplemental appropriation in the amount of \$9,125 from the Capital Outlay Reserve Fund to fund the Amendment.

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

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

NOES: None

Mayor Shanahan called for a short recess at 8:48 p.m.

Mayor Shanahan reconvened the City Council at 8:57 p.m. with all members present.

10. Mid-Term Review of the City Council's Goals for 2010

City Manager Lazzaretto gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the three ongoing projects being the discussions with retail properties, joint use agreements with the schools, and the enhancements to the vacant corners.

By consensus, the City Council received and filed the report.

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

Councilmember Waldman attended the Orange County Council of Governments (OCCOG) meeting; the Southern California Association of Governments (SCAG) meeting; the Orange County Sanitation District (OCSD) general meeting; the Hot Dog Give Away at the last Concert in the Park; and the La Palma Police 12th Annual Awards Ceremony. He announced he received a \$360 City Council stipend and an approximate \$400 OCSD stipend for the month of August. He announced his upcoming attendance at the annual League of California Cities conference, which is estimated to cost approximately \$1,100.

Councilmember Herman attended the Senior Barbeque; the La Palma Police 12th Annual Awards Ceremony; an Orange County Vector Control (OCVCD) meeting. He announced that he plans to attend an upcoming environmental inspection trip at Diamond Valley Lake. He reported the status of the Afghanistan war and closed by announcing that his total reimbursements received for attendance at various meetings for the month of August 2010 was \$441.28.

Councilmember Charoen attended the La Palma Police 12th Annual Awards Ceremony; the La Palma Police Department Barbeque lunch; and announced that he plans to attend an upcoming Orange County Fire Authority (OCFA) meeting.

Mayor Pro Tem Rodriguez attended the John F. Kennedy High School football season kick-off event; the Hot Dog Give Away at the last Concert in the Park; and the Kiwanis Back to School Breakfast at Walker Junior High School. He announced that he plans to attend the upcoming Rachel's Challenge event at Walker Junior High School on September 9, 2010, at 7:00 pm and the upcoming environmental inspection trip at Diamond Valley Lake. He reported that he received a \$300 stipend and another \$50 for his participation on the Community Development Commission. He announced his upcoming attendance at the annual League of California Cities conference, which is estimated to cost approximately \$1,100.

Mayor Shanahan attended the La Palma Police 12th Annual Awards Ceremony; and the Hot Dog Give Away at the last Concert in the Park. He reported that he received a \$300 City Council stipend and a \$50 Community Development stipend for the month of August.

CITY MANAGER REMARKS

City Manager Lazzaretto presented the final design for La Palma's street signs and reported on the upcoming City Council policy regarding the transition of the previous street signs. He announced that the OCFA is considering a modification

to the volunteer program that would only maintain fire stations that are more active in the volunteer programs.

Mayor Shanahan asked if the OCFA volunteers are still required to live within a limited radius of the fire station they serve and whether the volunteers can accommodate that requirement with the limited number of fire stations offering the volunteer program.

City Manager Lazzaretto responded that the remaining volunteer fire stations that would be in central locations that can accommodate the volunteers. He closed by reporting that upcoming agenda items will include a study session regarding the Comprehensive Master Plan and the first reading of the Park Smoking Ordinance. He announced that Elizabeth Novak, PhD, is the new Anaheim Union High School District Superintendent.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported on the upcoming State legislation regarding full disclosure and transparency with California Cities and La Palma's full compliance. He closed by announcing he will not be in attendance at the next City Council meeting and that a representative from his firm will be present on his behalf.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 9:30 p.m. in memory of ninth anniversary of September 11.

Steve Shanahan, Mayor

Attest:

Laurie A. Murray, City Clerk