

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

March 1, 2011

CALL TO ORDER: Mayor Rodriguez called the Regular Meeting of the City Council to order at 7:02 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California with all members present.

PLEDGE OF ALLEGIANCE: Camp Fire USA - Long Beach Area Council  
Honeybees Group

INVOCATION: Rajinder Singh, The Guru Nanak Sikh Temple of USA

ROLL CALL: Council and Commission Members

Council/Commission Members present: Mayor Pro Tem/Vice Chairperson Charoen, Council/Commission Member Hwangbo, Mayor/Chairperson Rodriguez, Council/Commission Member Shanahan, and Council/Commission Member Waldman

Council/Commission Members absent: None

City Officials present: Dominic Lazzaretto, City Manager/Executive Director  
Joel Kuperberg, City Attorney  
Michael Belknap, Recreation & Community Services Director  
Douglas Dumhart, Community Development Director  
Jeff Moneda, Public Works Director/City Engineer  
Keith Neves, Finance Director  
Eric Nuñez, Police Chief  
Laurie Murray, Administrative Services Manager/City Clerk  
Kimberly Kenney, Minutes Clerk

ORAL COMMUNICATIONS

Ron and Elfriede Mac Iver, 5171 Del Sol Circle, addressed the City Council regarding their appreciation for the City Council and Staff's support of their designation as Citizens of the Year at the annual Cypress College Foundation Americana Awards.

RECESS THE CITY COUNCIL, ADJOURN THE PLANNING COMMISSION, AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:12 P.M.

CONSENT CALENDAR

A. Approval of Register of Demands

Resolution No. CDC 2011-08 approving the Register of Demands for March 1, 2011.

Vice Chairperson Charoen made a motion to approve Consent Calendar Item A.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND RECONVENE AS THE CITY COUNCIL AT 7:13 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 Register of Demands

Resolution No. 2011-08 approving the Register of Demands for March 1, 2011.

3. 2011 Street Closures for City Special Events

Resolution No. 2011-09 approving street closures for three (3) 2011 City special events: Memorial Day, Monday, May 30; Fitness Run for Fun, Monday, July 4; and La Palma Days, Saturday, November 12, 2011.

4. Agreement for Implementation of Water Quality Monitoring, Reporting, and Studies for Coyote Creek with the County of Orange and Orange County Flood Control District

Approve and authorize the Mayor to execute the Agreement for implementation of water quality monitoring, reporting, and studies for Coyote Creek with the County of Orange and Orange County Flood Control District to comply with the requirements of the San Gabriel River/Coyote Creek Total Maximum Daily Loads (TMDLs) for Copper, Lead, and Zinc.

5. Crescent Avenue Sewer Line Cooperative Maintenance Project Agreement

Approve and authorize the Mayor to execute the Agreement between the Cities of La Palma and Cypress for the Crescent Avenue Sewer Line Cooperative Maintenance Project.

6. Award of Contract to S. Parker Engineering, Inc. for Construction Services for Removal and Replacement of Curb, Gutter, Sidewalk, and Curb Ramps, City Project No. ST-310

Award a contract in the amount of \$99,020 to S. Parker Engineering, Inc. for construction services for Removal and Replacement of Curb, Gutter, Sidewalk, and Curb Ramps, City Project No. ST-310.

Mayor Pro Tem Charoen made a motion to approve Consent Calendar Items 1 through 6.

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

AYES: Mayor Pro Tem Charoen, Council Member Hwangbo, Mayor Rodriguez, Council Member Shanahan, and Council Member Waldman

NOES: None

## PUBLIC HEARINGS

7. Proposed Ordinance Amending Chapters 17 and 26 of the City Code Pertaining to Fences, Walls, and Hedges

- a) Mayor Rodriguez opened the Public Hearing at 7:14 p.m.
- b) Community Development Director Dumhart gave the Staff Report
- c) Public Input

No members of the public wished to speak.

- d) Mayor Rodriguez closed the Public Hearing at 7:21 p.m.
- e) City Council Comments and Questions

Discussion ensued regarding keeping the requirement for vegetation on the lattice extensions; that Staff would work with residents who plant vegetation on new lattice extensions, knowing that the growth will not be immediate; that vegetation on lattice extensions should not be required and codified, but rather suggested and encouraged; and that requiring residents to add vegetation onto lattice extensions would lead to nonconformity in areas where there are no lattice extensions.

City Manager Lazzaretto clarified that the proposed Ordinance does not encourage uniformity; that the proposed Ordinance does allow both block and lattice extensions; and that lattice extensions with vegetation are more prevalent in the community than lattice alone.

Further discussion ensued regarding the number of homes that would be impacted by the vegetation requirement; that the proposed Ordinance states vegetation on lattice is mandatory; that the proposed Ordinance has a provision for block wall extensions to be painted the color of the block wall; that lattice extensions would either have to be white or the color of the block wall which is currently "Totally Tan;" that residents should be given the choice of adding lattice with or without vegetation; that Staff will only address thorny vegetation if it interferes with the public right-of-way; that Staff will work with residents to make sure that their vegetation is maintained; and that if lattice extensions are painted the same color as the block wall, the resident should not be required to install vegetation.

- f) Introduce for first reading an Ordinance amending Chapters 17 and 26 of the La Palma City Code pertaining to fences, walls, and hedges.

Council Member Waldman made a motion to introduce for first reading an Ordinance amending Chapters 17 and 26 of the La Palma City Code pertaining to fences, walls, and hedges as recommended in the Staff Report.

The motion failed due to lack of a second.

Mayor Pro Tem Charoen noted that he does not support the proposed Ordinance.

Council Member Shanahan made a substitute motion to introduce for first reading an Ordinance amending Chapters 17 and 26 of the La Palma City Code pertaining to fences, walls, and hedges, modifying Section 26-45 (c) (8) to read "If a lattice extension includes trained vegetation growing onto the lattice, then such vegetation shall not include thorns or other features that would cause injury to public passing in the right-of-way".

Discussion ensued regarding Council's support of vegetation that does not threaten the public; that Code Enforcement will continue to pursue action on threatening vegetation that encroaches the public right-of-way or that is not properly maintained; and that vegetation on private property is not within the City's jurisdiction.

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

AYES: Council Member Hwangbo, Mayor Rodriguez,  
Council Member Shanahan, and Council  
Member Waldman

NOES: Mayor Pro Tem Charoen

## REGULAR ITEMS

8. Adoption of an Ordinance Amending Section 16-65 of the Municipal Code as to Penalties for Parking Violations

Police Chief Nuñez gave the Staff Report.

Public Input:

No members of the public wished to speak.

Council Comments and Questions:

Discussion ensued regarding clarification that the imposed increase is not passed on to every resident, but only to those who violate the law and that if the City pays for the difference, then the City is paying for those violations.

Council Member Hwangbo made a motion to adopt Ordinance No. 2011-01 of the City Council of the La Palma amending Section 16-65 of the La Palma Municipal Code as to Penalties for Parking Violations.

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

AYES: Council Member Hwangbo, Mayor Rodriguez,  
Council Member Shanahan, and Council  
Member Waldman

NOES: Mayor Pro Tem Charoen

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

**Mayor Pro Tem Charoen** attended the Neighborhood Watch Awards Banquet; the Cypress College Foundation Americana Awards; and the Annual City Council Goal Setting Session.

**Council Member Hwangbo** attended the California Foundation for Fiscal Responsibility's Pension Boot Camp for Elected Officials; the Neighborhood Watch Awards Banquet; the State of Education Meeting in Orange County; the Municipal Water District of Orange County (MWDOC) Water Policy Forum; the City Council Goal Setting Session; the Continental Little League kick-off event; and the Cypress College Foundation Americana Awards.

**Council Member Shanahan** attended the Neighborhood Watch Awards Dinner; the City Council Goal Setting Session; and the Cypress College Foundation Americana Awards. He reported that he received a stipend of \$360 last month for his attendance at various meetings.

**Council Member Waldman** attended the Neighborhood Watch Awards Banquet; the Orange County Sanitation District (OCSD) General Meeting; the Orange County Council of Governments (OCCOG) meeting, where he will continue to serve as Chairperson; the City Council Goal Setting Session; the Cypress College Foundation Americana Awards; and the La Palma Chamber of Commerce Subcommittee meeting.

**Mayor Rodriguez** commented on the positive feedback from residents regarding Police Department patrols during the American Cancer Society's recent bus trip. He announced that he attended the Association of California Cities-Orange County (ACC-OC) Open House event; the Neighborhood Watch Awards Banquet; the Orange County Fire Authority (OCFA) orientation; the City Council Goal Setting Session; the Continental Little League kick-off event; and the La Palma Chamber of Commerce Subcommittee meeting. He commented that he received a notice from the Library Advisory Board regarding their inability to form a quorum, having to cancel meetings, and requested to get feedback on the matter. He reported on an upcoming Library Advisory Board meeting that could affect the La Palma Branch Library. He announced the upcoming State of the City Address on April 14, 2011, and noted that he and his wife will be receiving a "Friends of Education" award. He closed by reporting that he received a stipend of \$460 last month for his attendance at various meetings.

#### CITY MANAGER REMARKS

**City Manager Lazzaretto** reported that the City Council, at its recent Goal Setting Session, set the following goals: balance the City budget; continue economic development efforts; continue cooperative agreements with local school districts; and continue to seek ways to enhance public communication by networking the City's various publications including social media efforts.

#### CITY ATTORNEY REMARKS

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

Mayor Rodriguez reported on the upcoming Ralph's Grocery Store's plan to cease operations and reported on the impact to the La Palma community.

City Manager Lazzaretto responded that he, Council Member Hwangbo, and Community Development Director Dumhart have met with the Ralph's property owners who are interested in reoccupying and upgrading the space. He also commented that Staff is working with all the property owners in that center to continue to upgrade that site.

#### ADJOURNMENT

Mayor Rodriguez adjourned the Regular Meeting of the La Palma City Council at 8:01 p.m.

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Ralph D. Rodriguez  
Mayor

Attest:

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Laurie A. Murray, CMC  
City Clerk