

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

February 7, 2012

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the City Council to order at 6:01 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with all members present.

CLOSED SESSION

Mayor Charoen recessed to Closed Session at 6:01 regarding the following:

CS-1. The City Council will meet in Closed Session pursuant to Government Code Section 54957:

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Position Title: City Manager

Mayor Charoen recessed the Closed Session at 6:58 p.m.

OPEN SESSION:

Mayor Charoen reconvened the City Council in Open Session at 7:00 p.m. with all members present and no reportable actions.

PLEDGE OF ALLEGIANCE: Council Member Rodriguez

INVOCATION: Pastor Jim Riggan, La Palma Christian Center

ROLL CALL: Council and Commission Members

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

Council/Commission None
Members absent:

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

PRESENTATIONS

1. Mayor Charoen presented a Proclamation to Brian O'Neal, Anaheim Union High School District Board Member, on the North Orange County Regional Occupational Program and in recognition of Career Technical Education Month.

ORAL COMMUNICATIONS

Gary DeForest, 5162 Del Norte Circle, addressed the City Council regarding his opposition to issuing parking tickets for street sweeping on the Martin Luther King, Jr. holiday.

CONVENE AS THE CITY OF LA PALMA AS SUCCESSOR AGENCY TO THE COMMUNITY DEVELOPMENT COMMISSION AT 7:13 P.M.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

Minutes of the January 17, 2012, Regular Meeting and the January 23, 2012, Special Meeting of the La Palma Community Development Commission.
- B. Approval of Register of Demands

Resolution CDC SA 2012-01 approving the Successor Agency Register of Demands for February 7, 2012.

- C. Investment of Monies in the Local Agency Investment Fund by the City of La Palma, Acting as Successor Agency of the La Palma Community Development Commission

Resolution No. CDC SA 2012-02 authorizing the investment of monies in the Local Agency Investment Fund (LAIF).

Council Member Waldman made a motion to approve Consent Calendar Items A, B, and C.

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

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

NOES: None

PUBLIC HEARINGS

None scheduled.

REGULAR ITEMS

None scheduled.

RECESS THE CITY COUNCIL AND CONVENE AS THE PLANNING COMMISSION AT 7:14 P.M.

Administrative Services Manager Murray stated that, "the City Council will now recess the Community Development Commission meeting, and convene as the La Palma Planning Commission. Members of the La Palma City Council receive no compensation or stipend as a result of convening or participating in this Planning Commission meeting, or otherwise as serving as members of the La Palma Planning Commission."

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 17, 2012, Regular Meeting of the La Palma Planning Commission.

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:15 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 January 17, 2012, Regular Meeting and the two January 23, 2012, Special Meetings of the City Council.

3. Approval of Register of Demands

Resolution No. 2012-12 approving the Register of Demands for February 7, 2012.

Council Member Rodriguez made a motion to approve Consent Calendar Items 1 through 3.

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

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

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

4. Award of Contract to All American Asphalt for Pavement Rehabilitation of Residential Streets with Conventional Asphalt Concrete Overlay, City Project No. ST-319

Council Member Shanahan requested to have Item 4 pulled from the Consent Calendar to commend Staff on the bidding process and his appreciation of the cost being one-third of the Engineer's estimate.

Authorize the Mayor to execute a contract in the amount of \$206,000 to All American Asphalt for the Pavement Rehabilitation of Residential Streets with Conventional Asphalt Concrete Overlay, City Project No. ST-319.

Council Member Shanahan made a motion to approve and authorize the Mayor to execute a contract to All American Asphalt for Pavement Rehabilitation of Residential Streets with Conventional Asphalt Concrete Overlay, City Project No. ST-319

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

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

NOES: None

5. Purchase of One Replacement Police Motorcycle

Mayor Pro Tem Hwangbo requested to have Item 5 pulled from the Consent Calendar to clarify the purpose of retaining a motorcycle in the Police Department.

Police Chief Nunez explained the importance of having a Motor Officer and indicated that motorcycles are much more effective and agile in tight places than police cars.

Approve the purchase of one (1) replacement police emergency equipped motorcycle and authorize the City Manager, or his designee, to sign and deliver all necessary requests and other documents therewith on behalf of the City.

Mayor Pro Tem Hwangbo made a motion to approve the purchase of one (1) replacement Police emergency equipped motorcycle and authorize the City Manager to sign and deliver all necessary requests and other documents therewith on behalf of the City.

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

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

6. Single-Family Residential Source-Separated Commingled Recycling

City Manager Lazzaretto introduced the item and Administrative Services Manager Murray gave the Staff Report.

Public Comment:

Robert Carruth, 7201 Monterey Lane, addressed the City Council via e-mail regarding his support for waste diversion and adoption of the City's proposed source-separated commingled recycling program.

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding his support for the adoption of the City's proposed source-separated commingled recycling program.

Council Comments and Questions:

Discussion ensued regarding EDCO's contract; that the State could enact additional diversion goals in the future; that the recycling program is completely voluntary; and what happens if residents fill the recycle bins with regular waste.

Efrain Ramirez, Vice President and General Manager of EDCO Disposal, responded that EDCO would put courtesy notices on the containers and work to educate the consumer to prevent regular waste from being put into the recyclable containers.

Further discussion ensued regarding the City Council's support of waste recycling; that EDCO's educational plan seems promising; that residents are complimentary of EDCO's work; that there is no cost to residents or the City to implement the program; that a CNG (natural gas) vehicle will be picking up the recyclables separately from the ordinary trash pick-up; support for source separation commingled recycling; optimism that residents will be receptive to the recycling program; and the logistics of where recycle carts would be placed for pick up.

Mr. Ramirez reported that the carts can be in front of the regular trash cans, but that EDCO will provide literature to educate the residents on the logistics of the new program.

Further discussion ensued regarding the failure of the 2005 proposal; that the previous proposal focused on green waste only, had higher costs, utilized 96 gallon containers, and was mandatory program; that other cities have adopted similar recycling programs with great success; and that EDCO strives to provide excellent service to the City of La Palma.

Approve the implementation of a single-family residential source-separated commingled recycling program as proposed by EDCO.

Council Member Waldman made a motion to approve the implementation of a single-family residential source-separated commingled recycling program as proposed by EDCO Disposal.

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

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

NOES: None

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

Council Member Waldman attended two Orange County Sanitation District (OCSD) meetings and the Orange County Council of Governments (OCCOG) meeting.

Council Member Shanahan attended the FY 2012-13 Goal Setting Session; the Contingency Plan Study Session; and announced that he plans to donate \$100 of his stipend to a local family who is struggling with the health issues of their child.

Council Member Rodriguez attended the Buena Park State of the City Luncheon; the FY 2012-13 Goal Setting Session; the Contingency Plan Study Session; the Orange County Fire Authority (OCFA) board Meeting; the Relay for Life Kick-Off event; the John F. Kennedy High School versus Cypress High School Girls' basketball game; the League of California Cities (LOCC) Transportation, Communication, and Public Works Policy Committee meeting; and the LOCC Housing, Community, and Economic Development Policy Committee meeting. He offered that the American Cancer Society can assist the local family and asked Staff to address Mr. DeForest's concerns.

Mayor Pro Tem Hwangbo attended the Orange County Vector Control District (OCVCD) meeting; the LOCC Employee Relations Policy Committee meeting; the FY 2012-13 Goal Setting Session; the Contingency Plan Study Session; and the Buena Park and Cypress State of the City events.

Mayor Charoen attended the FY 2012-13 Goal Setting Session; the Contingency Plan Study Session; the Garden Grove State of the City Address; the Buena Park State of the City Address; the Library Advisory Board meeting; the Relay for Life Kick-Off event; and announced that he plans to attend the upcoming State of the County Address, the Thai Chamber of Commerce event, and the Neighborhood Watch Award Ceremony.

CITY MANAGER REMARKS

City Manager Lazzaretto stated that the City Council's goals are to engage in proactive economic development, maintain financial stability, begin a Citywide technology upgrade by providing free public Wi-Fi in Central Park and the Civic Center, continue multicultural outreach efforts, improve social media outreach, and investigate new community building projects. He noted that the City Council Policy calls out specific holidays where street sweeping parking tickets are not issued and that Martin Luther King, Jr.'s birthday is not currently listed as one of those recognized holidays; and he stated that an amended policy could be brought forward for City Council approval. He announced that upcoming agenda items will include the Mid-Year Budget Adjustments and the Chase Bank Precise Plan. He reported that Assembly Member Perez enrolled Assembly Bill (AB) 1585 to clean up the redevelopment closure requirements and suggested that the

Mayor adjourn in memory of former Community Activities and Beautification (CAB) Committee Member Arvind Patel who recently passed away.

CITY ATTORNEY REMARKS

City Attorney Kuperberg reported he is continuing to follow the redevelopment ongoing issues; reported that AB1585 would protect the City's obligation payments; and that he is following the Fair Political Practices Commission (FPPC) concerning Council Appointments to external committees and that the FPPC will formally consider an amendment at their March meeting.

ADJOURNMENT

Mayor Charoen adjourned the Regular Meeting of the City Council at 8:07 p.m. in memory of former CAB Committee Member Arvind Patel.

G. Henry Charoen
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk