

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

October 19, 2004

Mayor Duke called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, October 19, 2004, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Blake led the Pledge of Allegiance to the United States Flag.

INVOCATION

Pastor Sandra Heer with A Fountain of Living Water Methodist Church gave the Invocation.

ROLL CALL:

Councilmembers present: Christine M. Barnes, Kenneth A. Blake, Alta E. Duke,
Larry A. Herman, Paul F. Walker

Councilmembers absent: None

City Officials present: Ed Ethell, Chief of Police
Tami Piscotty, Assistant to the City Manager/City Clerk
Ismile Noorbaksh, Director of Public Works/City Engineer
Jan Hobson, Director of Recreation & Community Services
Dominic Lazzaretto, Director of Community Development
Joel Kuperberg, City Attorney

PRESENTATIONS

The Mayor designated October 18 to October 28, 2004 as Red Ribbon Week in La Palma.

ORAL COMMUNICATIONS

None.

RECESS

Mayor Duke recessed the City Council to convene as the Community Development Commission at 7:03 p.m. (See separate Community Development Commission Minutes.)

Mayor Duke recessed the Community Development Commission at 7:04 p.m. to convene as the City Council.

CONSENT CALENDAR

Councilmember Herman made a motion to approve the following items on the Consent Calendar:

APPROVED THE MINUTES OF OCTOBER 5, 2004 (change recommended by Councilmember Herman to Page 6, first paragraph, second sentence to read: "Projecting the same calculation to the City of La Palma should be \$969.00.")

ADOPTED RESOLUTION APPROVING A REGISTER OF DEMANDS FOR OCTOBER 19, 2004

ADOPTED A RESOLUTION AUTHORIZING APPROVAL OF THE FISCAL YEAR 2004-2005 COPS GRANT EXPENDITURE PLAN AND GRANT ACCEPTANCE

The motion was seconded by Councilmember Walker and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman, Walker

NOES: None

ABSENT: None

COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES/COUNCIL REMARKS

Councilmember Walker reported that he will attend his last Orange County Sanitation District meeting next week, and will report at the November 2nd Council Meeting.

Councilmember Herman reported that there has been another death attributed to the West Nile Virus. He asked Mr. Noorbaksh to look into the surplus of grass in the gutter at Bransford Drive and Monterey Lane, and grass that appears dead at the entrance of the subdivision near the Walker Well. Councilmember Herman stated that he wished to clarify his comments made at the last meeting regarding the Council Norms, specifically the "City Election Year" section of this document. He asked Mr. Kuperberg to confirm that this text is unconstitutional since it attempts to make invalid a person's First Amendment rights and that if a councilmember chooses to support a La Palma Council candidate, it is not illegal.

Mr. Kuperberg responded that the Council Norms are a policy of the City Council, and represents a way the Council wishes to conduct itself. If a councilmember chooses not to abide by a portion of the Council Norms, it is not illegal.

Mr. Herman asked if Mr. Kuperberg reviews these policies before they adopted, to which Mr. Kuperberg responded that he reviews ordinances, resolutions, contracts, and other legal documents, but that Council Policies are not legal in nature, so he only performs a cursory review of the documents, as part of his overall review of the agenda packet.

Mr. Herman inquired of Mr. Kuperberg if he thought the Norms were good or bad, to which Mr. Kuperberg responded that he was not in a position to make this judgment; he typically reviews only the legal aspects of issues.

Mayor Pro Tem Blake attended the California Joint Powers Insurance Authority Conference, which addressed a number of workers compensation issues due to the new reform legislation.

Councilmember Barnes attended the School Oversight Committee addressing construction concerns. She stated that she abides by the Council Norms whether or not in black and white or if written, but from a personal commitment to follow them because it would be good for the Council as a whole, and that the Council Norms do not preclude a councilmember from making a financial contribution to a candidate.


Mayor Duke discussed the Performing Arts Center booth at La Palma Days. She noted that the Cypress Americana Awards Program is recognizing previous recipients as part of its 30th anniversary.

CITY MANAGER COMMENTS

None.

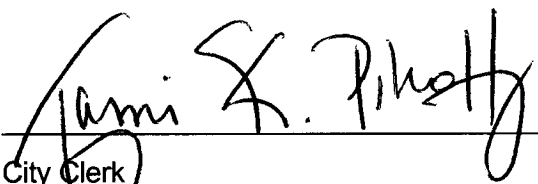
ADJOURNMENT

Mayor Duke adjourned the meeting at 7:34 p.m. until the next scheduled meeting on November 2, 2004.



Mayor

ATTEST:



City Clerk