

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

February 2, 2010

CALL TO ORDER: Mayor Shanahan called the Regular Meeting of the City Council to order at 7:00 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Councilmember Waldman

INVOCATION: Pastor Matthew Mitchell, Faith Fellowship Church

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  
Jan Hobson, Recreation & Community Services Director  
Jeff Moneda, Public Works Director/City Engineer  
Keith Neves, Finance Director  
Laurie Murray, Administrative Services Manager/ City Clerk  
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Chor-Swan Ngjin, Ph.D., representing the Orange County Human Relations and Commission, presented a Certificate of Recognition to the City of La Palma for promoting a safe, inclusive community in collaboration with the Orange County Human Relations in 2008-09.

ORAL COMMUNICATIONS

Ismile Noorbaksh, 7541 Trabuco Lane, addressed the City Council regarding his opposition to the Block Wall Painting Project and suggested that the City Council continue with its original plan to plant ivy on the block walls; which he stated deters graffiti, requires less maintenance; and is more aesthetically pleasing.

Noella Lew, La Palma Chamber of Commerce Chairperson, announced and invited the City Council to attend the Chamber's upcoming Wine Tasting Event on March 6, 2010, at Aroma's.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:16 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the January 19, 2010, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2010-03 approving the Register of Demands for February 2, 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 THE COMMUNITY DEVELOPMENT COMMISSION, AND  
CONVENE AS THE PLANNING COMMISSION AT 7:17 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 19, 2010, Regular Meeting of the La Palma Planning 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

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION AND CONVENE AS THE CITY  
COUNCIL AT 7:18 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 19, 2010, Regular and Special Meetings of the City Council.

3. Approval of Register of Demands

Resolution No. 2010-08 approving the Register of Demands for February 2, 2010.

Councilmember Waldman made a motion to approve Consent Calendar Items 1 through 3.

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

ITEMS PULLED FROM CONSENT CALENDAR

4. Resolution Approving Sponsorship of the 2010 Cypress College Foundation Americana Awards at the Benefactor Level, and Authorizing the Distribution of Tickets to City Officials and City Volunteers to Attend the Event

Resolution No. 2010-09 approving sponsorship of the 2010 Cypress College Foundation Americana Awards at the Benefactor level, and authorizing the distribution of tickets to City officials and City volunteers to attend the event.

Councilmember Herman requested to have Item 4 pulled from the Agenda to express his support for sponsoring the 2010 Cypress College Foundation Americana Awards.

Councilmember Herman made a motion to approve Resolution No. 2010-09 Approving Sponsorship of the 2010 Cypress College Foundation Americana Awards at the Benefactor Level, and Authorizing the Distribution of Tickets to City Officials and City Volunteers to Attend the Event.

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

### PUBLIC HEARINGS

None Scheduled.

### REGULAR ITEMS

5. Adopt a Resolution in Support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010

Administrative Services Manager Murray gave the Staff Report.

Resolution No. 2010-10 supporting the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010 and authorizes the listing of the City of La Palma in support of the initiative.

Councilmember Charoen made a motion to adopt Resolution No. 2010-10 in Support of the Local Taxpayer, Public Safety, and Transportation Protection Act of 2010

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

6. Study Session: Pavement Management Program

City Manager Lazzaretto introduced the item.

Public Works Director Moneda introduced Mike Kapanpour of Harris & Associates, who gave a detailed presentation.

Council Comments and Questions:

Discussion ensued regarding repairing priority zones first; the budget; the 75 Pavement Condition Index (PCI) goal; the funding required to conduct all the recommended street repairs; residential streets north of Houston Avenue needing immediate attention; the difference between the cost of slurry seal versus complete reconstruction; the funding requirement of \$700,000 annually to achieve the 75 PCI standard; that the worst areas will completely fail if not repaired; the recommendation to go proceed with the project by zone rather than by urgency; an overview of the project timeline for each zone; that recently rehabilitated areas are aesthetically pleasing; funding sources being the General Fund Reserve, Measure M Turn Back funds, and gas taxes; that the State will pay the City its gas generated sales tax in May 2010; that any deficit in funding will need to be appropriated from General Fund Reserves; not transferring funds until needed as the City may receive grant funding for some of the projects; widening certain sections of the City's Right-of-ways; the City's review period for analyzing road conditions; the cost for regular PCI evaluations; that the City's biannual evaluation being more frequent than the four year requirement of the Orange County Transportation Authority (OCTA); the trend of road construction costs being less due to the current economic climate; building in flexibility for the use of budgeted funds to target urgent areas; reevaluating critical areas; arterial streets needing to be addressed first because of the amount of heavy traffic; the City using stimulus funds for street rehabilitation projects; slurry seals providing additional years of use; ensuring that better quality control is used during the next street rehabilitation project; using Capital Outlay Reserve (COR) funds that have been already allocated for pavement projects; and a potential need to restructure the City's budget to maximize allocations for the proposed pavement plan.

By consensus, the City Council agreed that a 75% PCI is the goal for the City's arterial and residential streets; to the \$700,000 annual budget plan and asking staff to report to the City Council if additional funds are needed; and to follow the proposed zones as recommended by staff.

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

**Councilmember Waldman** attended the Orange County Division of the League of California Cities (LOCC) Executive Committee meeting; the Orange County Sanitation District (OCSD) meeting; the Orange County Council of Governments (OCCOG) meeting with OCTA regarding AB375; and the Wok Experience Grand Opening and Ribbon Cutting event.

**Councilmember Herman** attended the Orange County Vector Control District (OCVCD) meeting; the City Council Goal Setting Session; the Cypress State of the City Address; the American Cancer Society Relay for Life Kick-Off event; and the Wok Experience Grand Opening and Ribbon Cutting event. He announced that he plans to attend an upcoming OCVCD meeting.

**Councilmember Charoen** attended the Wok Experience Grand Opening and Ribbon Cutting event; the City Council Goal Setting Session; and the Orange County Fire Authority (OCFA) meeting.

**Mayor Pro Tem Rodriguez** attended the Wok Experience Grand Opening and Ribbon Cutting event; the American Cancer Society Relay for Life Kick-Off event; the La Palma Toastmasters meeting; and the League of California Cities Policy Committee meeting. He closed by inquiring about the status of the City's recent real estate purchase and when it will be available for use.

City Manager Lazzaretto responded that the City is currently looking for tenants for the western side of the property and will be requesting proposals for the build out of the eastern side.

Recreation and Community Services Hobson stated that cost estimates will be brought to the City Council in March 2010.

Mayor Pro Tem Rodriguez asked for clarification as to when community groups will be able to use the site.

City Manager Lazzaretto stated that the project will not likely start during the current fiscal year.

**Mayor Shanahan** attended the City Council Goal Setting Session; the American Cancer Society Relay for Life Kick-Off event; and the Wok Experience Grand Opening and Ribbon Cutting event.

CITY MANAGER REMARKS

**City Manager Lazzaretto** introduced Dr. Fran Flavel from Port Stevens Council in Australia. Dr. Flavel is in the area as part of the exchange program that City Manager Lazzaretto participated in last fall. He reported that she will be with the City of La Palma for a few days, will join him at the LOCC City Managers Conference, will be taking several tours with other cities, and will attend the upcoming Orange County Water Replenishment District tour. He announced that he will be attending the City Manager's Conference for the remainder of the week and that Recreation and Community Services Director Hobson will be the acting City Manager during his absence. He reported that upcoming Agenda items will include the mid-year financial forecast and Traffic and Safety Committee recommendations.

CITY ATTORNEY REMARKS

**City Attorney Kuperberg** reported that the Superior Court ruled against the City of Anaheim in their Tenant Occupancy Tax (TOT) litigation and that the State Controller's Office has submitted regulations for reimbursements for State mandated claims.

Mayor Shanahan asked for clarification that the City of Anaheim was the lead agency for the TOT litigation and asked how much TOT income they could lose.

City Attorney Kuperberg responded that Anaheim is the leading Orange County City for resorts and hotels and that he does not know the exact number they are in jeopardy of losing.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 8:58 p.m.

/s/

Steve Shanahan, Mayor

Attest:

/s/

Laurie A. Murray, City Clerk