

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

May 18, 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 Charoen

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, 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
Laurie Murray, Administrative Services Manager/ City Clerk
Scott Hutter, Associate Planner
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. City Manager Lazzaretto introduced Douglas Dumhart as the new Community Development Director.

2. Mayor Shanahan presented a proclamation to Public Works Director Moneda in recognition of Public Works Week.

ORAL COMMUNICATIONS

Bill Novak, 7811 Herman Lane, addressed the City Council regarding the new Park Master Plan and expressed concerns with relocating the baseball diamond, his opposition to the cost of moving the baseball diamond, and questioned who would be liable for property damage. He closed by requesting that the Consultant produce alternative plans.

City Manager Lazzaretto reported that the Consultant heard the public comments and is currently generating alternatives that will be presented to the City Council in July 2010.

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

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

Minutes of the May 4, 2010, Regular Meeting of the La Palma Community Development Commission.
- B. Approval of Register of Demands

Resolution No. CDC 2010-11 approving the Register of Demands for May 18, 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

RECESS THE COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE
AS THE PLANNING COMMISSION AT 7:15 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the May 4, 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

PL-2. Amendment No. 2 to Conditional Use Permit 287, A Request from Sprint for Approval to Modify an Existing Wireless Facility located at 6800 Walker Street

- a) Chairperson Shanahan opened the Public Hearing at 7:15 p.m.
- b) Associate Planner Scott Hutter gave the Staff Report
- c) Public Input

John Moreland, Zoning Manager of Core Development Services, who represents the Applicant, addressed the City Council regarding his support of the project and stated that the upgrades are necessary to meet their clients' demands. He also stated that Sprint agrees to the Conditions of Approval.

- d) Chairperson Shanahan closed the Public Hearing at 7:23 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding the construction being all above ground and the number of years the monopole has been at the site.

- f) Resolution No. PC 2010-03 approving Amendment No. 2 to Conditional Use Permit 287, for modifications to an existing wireless facility located at 6800 Walker Street.

Commission Member Waldman made a motion to approve Resolution No. PC 2010-03 approving Amendment No. 2 to Conditional Use Permit 287, for modifications to an existing wireless facility located at 6800 Walker Street.

The motion was seconded by Vice Chairperson Rodriguez and carried on the following vote:

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

NOES: None

REGULAR ITEMS

None Scheduled

ADJOURN THE PLANNING COMMISSION AND RECONVENE AS THE CITY COUNCIL AT 7:25 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.

3. Approval of Register of Demands

Resolution No. 2010-21 approving the Register of Demands for May 18, 2010.

5. Extension of the Citywide Single Family Residential Planning, Public Works, and Building Permit Fee Holiday Program for Existing Homes

Resolution No. 2010-23 extending the Citywide Single Family Residential Planning, Public Works, and Building Permit Fee Holiday Program for Existing Homes through the end of the Fiscal Year.

6. Authorization for Councilmembers to Attend the League of California Cities Annual Conference and Designation of Voting Delegates

a) Approve the attendance of Mayor Pro Tem Ralph Rodriguez and Councilmember Mark Waldman at the League of California Cities Annual Conference, September 15-17, 2010, in San Diego; and

b) Designate Mayor Pro Tem Ralph Rodriguez as the City of La Palma's Voting Delegate at the League's Annual Conference, and Councilmember Mark Waldman as the Alternate Voting Delegate.

7. Authorization for Mayor Pro Tem Rodriguez to Attend the League of California Cities Transportation, Communications, and Public Works Policy Committee Meeting

Approve the attendance of Mayor Pro Tem Ralph Rodriguez at the League of California Cities (LOCC) Transportation, Communications, and Public Works Policy Committee Meeting, to be held on June 16, 2010, in Sacramento.

Mayor Pro Tem Rodriguez made a motion to approve Consent Calendar Items 1, 3, 5, 6, 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

2. Approval of Council Minutes

Minutes of the May 4, 2010, Regular Meeting of the La Palma City Council.

Councilmember Herman requested to have the item pulled to follow up as to how City staff is ensuring that the applicant is complying with the Conditions of Approval.

City Manager Lazzaretto stated that City staff has the authorization to periodically inspect the property to validate that the Conditions of Approval are met.

Councilmember Herman made a motion to approve Consent Calendar Item 2.

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

4. Utility Users' Tax (UUT) Rate for Fiscal Year 2010-11

Resolution No. 2010-22 adopting a Utility Users' Tax (UUT) Rate for Fiscal Year 2010-11.

Mayor Pro Tem Rodriguez requested to have the item pulled to reaffirm his support in reducing the UUT rate for the fourth time in recent years.

Mayor Pro Tem Rodriguez made a motion to approve Consent Calendar Item 4.

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

8. Consideration of Traffic Improvements along Maroon Drive

Approve a request for striping improvement along Maroon Drive.

Councilmember Herman requested to have item pulled to comment on prior issues along Maroon Drive and announced his support for the improvements.

Councilmember Herman made a motion to approve Consent Calendar Item 8.

Discussion ensued regarding Staff's outreach to the surrounding neighborhood regarding the upcoming improvements; the parking issues; that the striping does not have a negative impact on the residents; and the City Council's support for the project.

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

PUBLIC HEARINGS

9. 2008-2014 Housing Element Update of the La Palma General Plan

- a) Mayor Shanahan opened the Public Hearing at 7:32 p.m.
- b) City Manager Lazzaretto introduced John Douglas of Conexus, who gave the presentation.
- c) Public Input

No members of the public wished to speak.
- d) Mayor Shanahan closed the Public Hearing at 7:38 p.m.
- e) Council Comments and Questions

Discussion ensued regarding the modifications to allow manufactured housing on permanent foundations in the City and the Council's support for the Consultant's work.

- f) Resolution No. 2010-24 approving the 2008-2014 Housing Element Update of the La Palma General Plan and associated Negative Declaration, and authorize Staff to submit the Housing Element to the California Department of Housing and Community Development for certification in accordance with State Law.

Councilmember Waldman made a motion to adopt Resolution No. 2010-24 approving the 2008-2014 Housing Element Update of the La Palma General Plan and associated Negative Declaration, and authorize Staff to submit the Housing Element to the California Department of Housing and Community Development for certification in accordance with State Law.

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

10. Award of Contract to Pacific Painting & Flooring Co. for the Exterior Painting of City Facilities, City Project No. 10-BLDG-02

Award a contract in the amount of \$32,160 to the low responsible bidder, Pacific Painting & Flooring Co. of Anaheim, California, and authorize the Mayor to execute the agreement for the Exterior Painting of City Facilities, City Project No. 10-BLDG-02.

Public Works Director Moneda gave the staff report.

Julia Reardon, Branch Manager of the Orange County La Palma Public Library, addressed the City Council to thank the City Council for including the La Palma Branch Public Library in City Project No. 10-BLDG-02.

Council Comments and Questions:

Discussion ensued regarding the differences in the bid amounts; Pacific

Painting & Flooring's references; that construction includes stucco patching; the last time that City Hall was painted; that this project was supposed to be completed two years ago; City Council's support for including the La Palma Branch Library; and that this painting project includes all of the Civic Center buildings.

Mayor Pro Tem Rodriguez made a motion to award a contract in the amount of \$32,160 to the low responsible bidder, Pacific Painting & Flooring Co. of Anaheim, California, and authorize the Mayor to execute the agreement for the Exterior Painting of City Facilities, City Project No. 10-BLDG-02.

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

RECONVENE THE COMMUNITY DEVELOPMENT COMMISSION FOR A JOINT MEETING OF THE CITY COUNCIL AT 7:48 P.M.

REGULAR ITEMS

11. Sidewalk Improvements on the West Side of Valley View Street from Orangethorpe Avenue North to the City Limits, City Project No. ST-305

Authorize the City Council and Community Development Commission to appropriate supplemental funds in the amount of \$33,100 from the Community Development Commission Capital Improvement Fund Balance for the Professional Engineering Services associated with the American Recovery and Reinvestment Act (ARRA) project for the preliminary engineering and design for sidewalk improvements on the west side of Valley View Street from Orangethorpe Avenue North to the City limits, City Project No. ST-305.

Public Works Director Moneda gave the Staff Report.

City Manager Lazzaretto asked for clarification as to whether this project can be completed without supplemental appropriation of funds from the Community Development Commission Capital Improvement Fund Balance.

Finance Director Neves responded that the City does not need a supplemental appropriation because the bids came in lower than expected and can use the balance of the ARRA funds.

Council Comments and Questions:

Discussion ensued regarding the funding amount from the ARRA stimulus funds and the amount from the Community Development Commission Capital Improvement Fund Balance for the project; the Community Development Commission Capital Improvement Fund balance; that the ARRA stimulus funds can be used for arterials streets; that the City Council supports the plan because it completes the Valley View Street and Orangethorpe street projects; and the expiration date of the ARRA funding.

Mayor Pro Tem Rodriguez made a motion to approve and authorize the Sidewalk Improvements on the West Side of Valley View Street from Orangethorpe Avenue North to the City Limits, City Project No. ST-305.

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

12. Presentation of the Proposed Fiscal Year 2010-11 Budget

a) Receive Presentation

City Manager Lazzaretto gave a presentation on the Budget Overview, the General Fund Review Summary, and the General Fund Expenditure Summary.

Administrative Services Manager Murray gave a presentation on the proposed Administration Division Services Budget.

Finance Director Neves gave a presentation on the proposed Finance Division Services Budget.

City Manager Lazaretto gave a presentation on the proposed Community Development Department Budget.

Recreation and Community Services Director Hobson gave a presentation on the proposed Recreation and Community Services Budget.

Police Chief Ethell gave a presentation on the proposed Police Department Budget.

Public Works Director Moneda gave a presentation on the proposed Public Works Budget.

City Manager Lazzaretto gave a presentation on the proposed Community Development Commission Budget.

b) Public Input

No members of the public wished to speak.

c) Council/Commission Comments and Questions

Discussion ensued regarding the operation of the 100 gallon weed control spray rig; that the weed control project started last year; that the Block Wall Painting Project will begin within the next three weeks; what the solar powered message board is used for; that the Block Wall Painting Project on Moody Street should be completed before the July 4th Run for Fun event; that the dual funding arterial project will go out for bid before winter; that the Police Department reporting module offers time savings to the departmental work load; the details of the Hydraulic Modeling Study; that the General Plan Amendments will be prepared by a consultant; the La Palma Intercommunity Hospital therapy pool; and the City Council's support of reaching out to community partners.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION AT 8:33 P.M.

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

Councilmember Herman attended the La Palma Toastmaster's Chartering event; the Orange County Vector Control District (OCVCD) operations meeting; the Cerritos State of the City Address; the Anaheim Unified School District student lottery; the Southern California Gas Company's "Energy Efficient Expo"; the Orange County Water Summit in Anaheim; and the John F. Kennedy High School Scholarship Awards banquet. He reported that he plans to attend an

upcoming OCVCD meeting and that he plans to participate in the California Alliance for Retired Americans (CARA) Walk-a-Thon on June 7, 2010.

Councilmember Charoen had nothing to report.

Councilmember Waldman attended the Southern California Association of Governments (SCAG) Pacific Electric Right-of-Way (PEROW) meeting; the Orange County Sanitation District (OCSD) Administrative Committee meeting; the Orange County League of California Cities (OCLOCC) meeting where he was re-elected to the Orange County Executive Board for a two-year term; and the John F. Kennedy High School Scholarship Awards banquet.

Mayor Pro Tem Rodriguez attended the La Palma Toastmaster's Chartering event; the Cerritos State of the City Address; met with City and Library Staff regarding internet services; the Southern California Gas Company's "Energy Efficient Expo"; the Library Advisory Board meeting; the Anaheim Unified School District student lottery; the Orange County Water Summit in Anaheim; the John F. Kennedy High School Scholarship Awards banquet; and the OCLOCC meeting. He announced that he plans to attend the upcoming Volunteer Recognition dinner; the Chamber of Commerce Car Show; the Library Advisory Board Ad-Hoc Committee Meeting; and the Relay for Life event at Buena Park High School on June 5 and 6, 2010.

Mayor Shanahan met with the Parkview Estates Homeowners Association regarding the Park Master Plan; the La Palma Toastmaster's Chartering event; a meeting with the City's auditors; the OCLOCC meeting; and the John F. Kennedy Scholarship Award Banquet. He commented on the Volunteer on-line application process and the requirement for each applicant to have their own e-mail address.

Mayor Pro Tem Rodriguez added that he also attended the PEROW meeting and plans to attend another PEROW community meeting at the Cypress Community Center on June 17, 2010.

Councilmember Herman asked that staff provide him with a summary of his travel and meeting expenditures.

CITY MANAGER REMARKS

City Manager Lazzaretto reminded the City Council of the upcoming Volunteer Recognition event on May 16, 2010, and the proposed Utility Users Tax (UUT) Initiative Public meeting on May 24, 2010. He reported that it is Bike to Work Week and that some staff members would be participating on Friday, May 21; that The Hub Grand Opening Ceremony is scheduled on June 1, 2010 prior to the City Council meeting. He closed by reporting that upcoming agenda

items will include the adoption of water rates, budget questions and answers, November election and the proposed UUT Initiative.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 9:03 p.m.


/s/

Steve Shanahan, Mayor

Attest:


/s/

Laurie A. Murray, City Clerk