

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

April 20, 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, and Councilmember Waldman

Councilmembers absent: None

City Officials present: Dominic Lazzaretto, City Manager/Executive Director
Joel Kuperberg, City Attorney
Ed Ethell, Chief of Police
Jan Hobson, Recreation & Community Services Director
Jeff Moneda, Public Works Director/City Engineer
Keith Neves, Finance Director
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Mayor Shanahan presented a Proclamation in Recognition of Donate Life Month to Cora Johnson. Ms. Johnson announced that the Donate Life Event would be held on May 1, 2010, at California State University, Fullerton.

ORAL COMMUNICATIONS

Dee Vincenti, 7931 Ash Lane, addressed the City Council regarding her opposition to the Block Wall Painting Project and requested that the City Council consider ivy, texturing, or use of a guaranteed paint. She also spoke in opposition to the repairs being requested of residents by the City.

Mayor Shanahan asked City Manager Lazzaretto for clarification on the deadline dates.

City Manager Lazzaretto replied that the first notices were mailed in early February, that the second notification was sent out in March, and that April 30 was the deadline.

Stella Lares, 5301 Seville Circle, addressed the City Council regarding a blue painted curb that was painted in front of a neighbor's residence and asked why the residents were not notified that it was going to be painted. She closed by stating that there is ample parking on the street and that the resident should also take advantage of parking in their garage.

Public Works Director Moneda reported on the procedure for a resident to receive a handicapped parking space in front of their home.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:17 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the April 6, 2010, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2010-08 approving a Register of Demands for April 20, 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

C. Five Year Implementation Plan

a) Chairperson Shanahan opened the Public Hearing at 7:18 p.m.

b) Executive Director Lazzaretto gave the Staff Report

c) Receive Public Input:

No members of the public wished to speak

d) Chairperson Shanahan closed the Public Hearing at 7:24 p.m.

e) Commission Comments and Questions

Commission Member Herman asked Executive Director Lazzaretto about the number of restaurants that are non-compliant with the grease interceptor requirements.

Executive Director Lazzaretto reported that approximately ten to twelve restaurants are non-compliant.

Discussion ensued regarding the cost per unit to correct non-compliance; how staff plans to approach the business owners that are non-compliant; possibly giving the businesses a rebate to help restaurants install the grease interceptors; having more leverage when the business changes ownership; and a desire to not utilize eminent domain to fix or correct the non-compliant properties.

f) Adopt Resolution No. CDC 2010-09 adopting the 2009-2014 Redevelopment Implementation Plan.

Vice Chairperson Rodriguez made a motion to adopt Resolution No. CDC 2010-09 adopting the 2009-2014 Redevelopment Implementation Plan.

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

REGULAR ITEMS

None Scheduled.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:28 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the April 6, 2010, Regular Meeting of the La Palma Planning Commission.

Commission Member Waldman made a motion to approve Consent Calendar Item PL-1.

The motion was seconded by Commission Member Charoen 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 RECONVENE AS THE CITY COUNCIL AT 7:29 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 March 23, 2010, Joint Meeting of the City Council and Community Activities and Beautification Committee; the April 6, 2010, Special Meeting of the City Council; and the April 6, 2010, Regular Meeting of the City Council.

3. Approval of Register of Demands

Resolution No. 2010-18 approving the Register of Demands for April 20, 2010.

Mayor Pro Tem Rodriguez made a motion to approve Consent Calendar Items 1, 2, and 3.

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

ITEMS PULLED FROM CONSENT CALENDAR

4. Appointments to the Community Activities and Beautification Committee

Councilmember Herman requested to have Item 4 pulled from the Agenda to express his support for Kristin Benda and Brian Nakamura as new members of the Community Activities and Beautification Committee.

Approval of the appointments of Kristin Benda and Brian Nakamura to the Community Activities and Beautification Committee; both with four-year terms expiring on December 31, 2013.

Councilmember Herman made a motion to appoint Kristin Benda and Brian Nakamura to the Community Activities and Beautification Committee; both with four-year terms expiring December 31, 2013.

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

Mayor Shanahan introduced Kristen Benda, who addressed the City Council about her appointment to the Community Activities and Beautification Committee.

5. Award of Contract to C.J. Construction, Inc. for the Removal and Replacement of Curb, Gutter, and Sidewalk at Various Locations Citywide, City Project No. ST-298

Councilmember Herman requested to have Item 5 pulled from the Agenda to compliment the Public Works Department and to ask for clarification on the locations where the project will be conducted.

Public Works Director Moneda indicated that a list of locations is available.

Award a contract in the amount of \$46,268.80 to the low responsible bidder, C.J. Construction, Inc. of Santa Fe Springs, California, and authorize the Mayor to execute the agreement for the Removal and Replacement of Curb, Gutter, and Sidewalk at Various Locations Citywide, City Project No. ST-298.

Councilmember Herman made a motion to Award a contract in the amount of \$46,268.80 to the low responsible bidder, C.J. Construction, Inc. of Santa Fe Springs, California, and authorize the Mayor to execute the agreement for the removal and replacement of curb, gutter, and sidewalk

at various locations Citywide, City Project No. ST-298. The motion was seconded by Councilmember Waldman.

Mayor Pro Tem Rodriguez inquired if the project is in the next scheduled zone of the Curb, Gutter, and Sidewalk Master Plan.

City Manager Lazzaretto clarified that the project was all areas identified as priority in the Curb, Gutter, and Sidewalk Master Plan.

The motion 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

6. Study Session: Fiscal Year 2010-11 Capital Improvement Plan

Public Works Director Moneda gave a presentation on the proposed water system improvements.

Discussion ensued regarding clarification that the blockwall and wrought iron fence is for the City Yard; that the height of the wall will be eight feet; that it is being installed for water quality and security issues regarding the water system; that staff will consider the requests of the neighboring properties in regards to aesthetics and replacing the dead vegetation once the City Yard Master Plan is complete; that the studies were recommended by the consultants and identified in the Water Master Plan; that an actual diver would examine the well tanks and evaluate any necessary repairs; that fire hydrant replacements were being conducted because the life expectancy on the current hydrants is twenty years and many of them are over forty years old; that not all hydrants are being replaced; concerns with a county-required survey of the City Yard site; that all of the water meters need to be replaced because they have also exceeded their life expectancy of ten years and because technology has changed; what the change in cost for water meters is in the past ten years; funding for water system improvements coming from water rates;

concerns that leaks and meter box issues may not be detected with automated reading; the methodology for replacing meter boxes and valves; if higher quality or more expensive water meters are available and if efficiencies or savings could be realized if they were purchased instead of the proposed meters; and the annual failure rate of meters at this time; Public Works Director Moneda gave a presentation on the storm drain and sewer improvements.

Discussion ensued regarding why the encrustation removal expenses are in the Capital Improvement plan rather than being in regular operational expenses; sewer line repairs on Houston Avenue and the need to reline the entire length of the pipe; the reasoning behind relining pipes; that the Houston project went over the estimated budget because the repairs needed to be completed prior to the resurfacing of the street; installation of National Pollution Discharge Elimination System (NPDES) devices as needed and as financing is available; replacement of the original filters with new technologies and to meet new requirements; if there would be further discussions regarding sewer repair methodologies—pipe replacement versus lining—and what methods the City will use; increasing the life span of current pipes by utilizing lining technologies; that staff will provide the City Council with information on the lining technology.

Public Works Director Moneda gave a presentation on the street median enhancements.

Discussion ensued regarding other options for the Center Median on Moody Street if grant funding is not available; completing the plan specifications whether the grant funds become available or not; and the possibility of using Redevelopment Funds to pay for the median enhancements.

Public Works Director Moneda gave a presentation on intersection improvements and arterial street rehabilitation.

City Manager Lazzaretto commented on the current lack of federal funding for street projects; using General Fund Reserves and Redevelopment funds to take advantage of current prices rather than waiting three to five years for grant funding to become available, which would put some City streets in danger of failing.

Discussion ensued regarding the Pavement Condition Index (PCI) city-wide; ranking the projects so that those streets with the lowest PCI are repaired first; clarification on when the Moody Street repairs, medians, and sewer repairs would be done; the methodology for assigning PCI's; the methodology for grouping projects to attract a larger variety of contractors in order to receive competitive bids; the PCI rating system, how it is used,

and the City goal of a PCI of 75; grant funding not being available and that other cities are using stimulus funds, Measure M funds, and deferring maintenance when funds are not available; and receiving a projection of how the City's reserves will be affected if grant funds are not received over the next five years.

Public Works Director Moneda gave a presentation on the Community Center and City Parks, City Hall Facilities, and Police Department Facilities.

Discussion ensued regarding the age of the current Police Department air conditioner unit and that approximately \$85,000 of grant funds may be available for the new air conditioning unit and lighting modifications.

Public Works Director Moneda gave a presentation on the City Yard Master Plan and Facilities and Local Street Projects.

Discussion ensued regarding the costs for these projects having already been discussed; and the cost differences in the Curb, Gutter, and Sidewalk improvements.

Public Works Director Moneda gave a presentation on the Bridge Projects.

Discussion ensued regarding the total project cost versus available funding; possible funding coming from the Highway Bridge Rehabilitation/Replacement Program (HBRRP); if HBRRP funding is not received timely, that funding from the Orange County Transportation Authority (OCTA) will expire; and that the City cannot move forward with the bridge project unless all of the agencies involved receive the HBRRP funding.

Public Works Director Moneda gave a presentation on the CIP Summary of Funds by project type.

Finance Director Neves closed by giving a presentation on the CIP Project Funding Sources.

Discussion ensued regarding the City Council receiving a detailed analysis of the funding sources.

City Manager Lazzaretto reported that the City Council will get a detailed report of funding sources when the 2010-11 Budget discussions commence and that the City Council previously approved funding some of the proposed projects.

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

Councilmember Charoen had nothing to report.

Councilmember Waldman attended the Orange County League of California Cities (OCLOCC) general meeting; the Ground Water Replenishment Steering Committee meeting; the Orange County Sanitation District (OCSD) meeting; and the Southeast Area Animal Control Authority (SEAACA) Open House.

Councilmember Herman attended the City of Stanton's first Prayer Breakfast; the SEAACA Open House; and the bid opening for the Street Rehabilitation Project for Houston Avenue and north. He asked Public Works Director Moneda what the estimated cost of the project was versus the bids received.

Public Works Director Moneda responded that although the project was originally estimated for \$1.3 million, the bids came in at approximately \$840,000.

Councilmember Herman continued by reporting that he attended an Orange County Vector Control District (OCVCD) meeting. He commented on the blue curb on Seville Circle; and on the upcoming Park Disposal Spring Clean-Up event. He announced that he plans to attend the upcoming State of the City Address and the upcoming Walker Junior High School Open House. He closed by reporting on the volume of pollution found in a recently-beached whale's stomach.

Mayor Pro Tem Rodriguez attended the League of California Cities (LOCC) Transportation, Communication, and Public Works Committee meeting; the John F. Kennedy High School Scholarship Interviews; an American Cancer Society Relay for Life meeting; and the OCLOCC general meeting. He announced that he plans to attend the upcoming budget meetings for the Library Advisory Board; the upcoming Walker Junior High School Open House; and the upcoming John F. Kennedy High School Open House. He congratulated Steven Luther and Miller Elementary Schools for being named "*California's Distinguished Schools*." He commented on the chalk artwork in the John F. Kennedy High School walkways and announced the upcoming Spring Carnival Event on May 1, 2010, at Steve Luther Elementary School.

Mayor Shanahan announced that he plans to attend a LOCC meeting regarding the management of cell phone towers and the upcoming State of the City Address.

CITY MANAGER REMARKS

City Manager Lazzaretto asked Recreation and Community Services Director Hobson to report on a meeting with members of the Parkview Estates Homeowners Association regarding the proposed relocation of the baseball diamond.

Recreation and Community Services Director Hobson reported that residents were concerned about safety if the baseball diamond were to be redesigned and indicated that the City will investigate other alternatives and report back to the City Council when the design plan is brought forward for approval.

City Manager Lazzaretto commented on the power outage and asked Police Chief Ethell to report on the afternoon's events.

Police Chief Ethell reported that a vehicle accident at La Palma Avenue and Walker Street sheered off a power pole. Although no one was injured in the accident, power and cable were knocked out at the Civic Center complex, neighboring businesses and to the adjacent neighborhood. Power remains out to the adjacent neighborhood and Southern California Edison is working to make repairs. They hope to have those repairs completed by 4:00 a.m. If the repairs are not completed by that time, access to Walker Junior High School and John F. Kennedy High School will be affected and that alternative routes will be provided for student safety.

Councilmember Herman clarified that the goal of the Block Wall Painting Project is not a long term solution, but is to make improvements until funding for a vine project is available. He asked what the cost of a Ivy Block Wall Project would be.

City Manager Lazzaretto responded that the Ivy Project would cost \$1.8 million for installation of the Ivy and another \$21,000 per month to maintain. He further commented on the upcoming State of the City Address and reported that upcoming agenda items would include the User Fee Study, a Councilmember request to discuss mandatory transition of the Mayor, and amending Council Policy 21 to adopt a community college scholarship.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 9:12 p.m.

/s/

Steve Shanahan, Mayor

Attest:

/s/

Laurie A. Murray, City Clerk