

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

June 15, 2010

CALL TO ORDER: Mayor Shanahan called the Regular Meeting of the La Palma City Council to order at 7:04 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: St. Irenaeus Parish School Fourth Grader
Reina Sambrano

INVOCATION: Pastor Matthew Mitchell, Faith Fellowship
Church

City Manager Lazzaretto announced that this was the final invocation of Pastor Matthew Mitchell as he will be leaving Faith Fellowship after approximately two years of service to the La Palma community and as the La Palma Police Chaplain.

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
Douglas Dumhart, Community Development Director
Ed Ethell, Police Chief
Jan Hobson, Recreation and Community Services Director
Jeff Moneda, Public Works Director
Keith Neves, Finance Director
Laurie Murray, Administrative Services Manager
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

Recreation and Community Services Director Hobson gave a short presentation and announced that Allison Riach and Allan Arslanian will be leaving the City to pursue their careers.

1. Mayor Shanahan presented a proclamation to Recreation and Community Services Director Hobson and Community Activities and Beautification (CAB) Committee Chairperson Nitesh Patel declaring July as Parks and Recreation Month.
2. Mayor Shanahan presented a proclamation to Principal M. J. Beatty in honor of Steve Luther Elementary School having been named a "2010 California Distinguished School."
3. Mayor Shanahan, Mayor Pro Tem Rodriguez, and Councilmember Waldman presented a proclamation to Principal M. J. Beatty of Steve Luther Elementary School in recognition of her six years of service to the children and families of the La Palma community.
4. Mayor Shanahan presented a proclamation to Bob Anthony of John F. Kennedy High School in recognition of his retirement.
5. Mayor Shanahan presented Student Recognition Awards to Gabriel Bergado, Cindy Huyn, and Chelsea Wegener.

ORAL COMMUNICATIONS

Michelle Waldman, La Palma, California, presented Principal M. J. Beatty with a poem in recognition of her service at Steve Luther Elementary School.

RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:36 P.M.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

Minutes of the April 20, 2010, and June 1, 2010, Regular Meetings of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2010-13 approving the Register of Demands for June 15, 2010.

Commission Member Herman made a motion to approve Consent Calendar Items A and B.

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.

RECESS THE COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS THE PLANNING COMMISSION AT 7:37 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the April 20, 2010, and June 1, 2010, Regular Meetings 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. Conditional Use Permit 348, a Request from All American Jiu Jitsu for Approval to Operate a Martial Arts Studio Use (5,000 square feet in area or less) at 5030 La Palma Avenue

- a) Chairperson Shanahan opened the Public Hearing at 7:37 p.m.
- b) Associate Planner Hutter gave the Staff Report
- c) Public Input

No members of the public wished to speak.

- d) Mayor Shanahan closed the Public Hearing at 7:43 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding whether the Applicant has other locations; that local residents and businesses were notified of the public hearing; that no public comments or concerns were received; that the owner of the adjacent business is the property owner; and Commission Members asked for clarification on what Jiu Jitsu is.

Chairperson Shanahan reopened the public hearing at 7:45 p.m.

Applicant Mike Kim explained that Jiu Jitsu is a form of Judo, wrestling, and grappling – without punching or kicking.

Further discussion ensued regarding the lack of operating hours on the weekend being due to tournaments.

Chairperson Shanahan closed the public hearing at 7:47 p.m.

Further discussion ensued regarding martial arts programs that are offered at the Community Center; if the bathroom is shared between both businesses; and that the floor plan for the adjacent business shown on the presentation had been modified.

- f) Adopt a Resolution approving Conditional Use Permit 348, a request from All American Jiu Jitsu to operate a martial arts studio use (5,000 square feet in area or less) at 5031 La Palma Avenue.

Vice Chairperson Rodriguez made a motion to adopt Resolution No. PC 2010-04 approving Conditional Use Permit 348, a request from All American Jiu Jitsu to operate a martial arts studio use (5,000 square feet in area or less) at 5031 La Palma Avenue.

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 PLANNING COMMISSION AND RECONVENE THE CITY COUNCIL AND THE COMMUNITY DEVELOPMENT COMMISSION FOR A JOINT MEETING AT 7:49 P.M.

PUBLIC HEARINGS

1. Adoption of Fiscal Year 2010-11 Budget
 - a) Mayor/Chairperson Shanahan open the Public Hearing at 7:49 p.m.
 - b) City Manager/Executive Director Lazzaretto gave the Staff Report
 - c) Public Input

No members of the public wished to speak.
 - d) Mayor/Chairperson Shanahan closed the Public Hearing at 7:55 p.m.

e) Council/Commission Comments and Questions

Discussion ensued regarding the City Council's decision to reduce the Utility User's Tax in order to give back to residents during these poor economic times; the City Council's appreciation of staff's budget preparation and presentation; and that drawing from the City's reserves will maintain service levels.

- f) Adopt Resolution No. 2010-32 approving and adopting a Budget for Fiscal Year 2010-11, which includes the City's Financial Policy Statements
- g) Adopt Resolution No. 2010-33 approving the City's Annual Appropriations Limit for Fiscal Year 2010-11
- h) Adopt Resolution No. CDC 2010-14 approving and adopting a Community Development Commission Budget for Fiscal Year 2010-11.

Council/Commission Member Charoen made a motion to move Staff recommendation.

The motion was seconded by Council/Commission Member Herman and carried on the following vote:

AYES: Council/Commission Member Charoen,
Council/Commission Member Herman, Mayor
Pro Tem/Vice Chairperson Rodriguez,
Mayor/Chairperson Shanahan, and
Council/Commission Member Waldman

NOES: None

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION AT 7:58 P.M.

CONSENT CALENDAR

2. Waive the Reading of All Ordinances

Waive the reading of all Ordinances in their entirety and read by title only.

3. Approval of Council Minutes

Minutes of the April 20, 2010, and June 1, 2010, Regular Meetings of the City Council and the Minutes of the May 18, 2010, Special Meeting of the La Palma City Council.

5. Approval of Expenditure Plan for Citizen's Option for Public Safety (COPS) Funding

Approve the expenditure plan for Citizen's Option for Public Safety (COPS) funding.

6. Amendment of Agreement with All City Management Services, Inc., for School Crossing Guard Services

Approve and authorize the Mayor to execute an amendment to the Agreement with All City Management Services, Inc., for school crossing guard services for a one-year period, commencing on July 1, 2010, through June 30, 2011.

7. 2010 Annual Water Quality Report

Receive and file the 2010 Annual Water Quality Report.

8. Submittal of an Application to the Orange County Transportation Authority (OCTA) for Funding Under the Transportation Enhancement (TE) Program for the Moody Street Median Improvement Project, City Project No. ST-301

Resolution No. 2010-35 approving the submittal of an application to the Orange County Transportation Authority (OCTA) for funding under the Transportation Enhancement (TE) Program for the Moody Street Median Improvement Project, City Project No. ST-301

10. Resolution Concerning the Status of the General Plan Circulation Element

Approve Resolution No. 2010-36 concerning the status of the General Plan Circulation Element

11. 2010 Urban Water Management Plan Agreement with the Municipal Water District of Orange County

Approve and authorize the City Manager to execute an agreement for sharing consultant costs for the 2010 Urban Water Management Plan in the amount of \$32,226.

12. Renewal of Employment Agreement for City Manager Services

Approve and authorize the Mayor to execute an Employment Agreement between the City of La Palma and Dominic Lazzaretto for City Manager Services.

13. Amendment to Agreement with the City of Brea for Computer Support Services

Approve and authorize the Mayor to execute an amendment to the Professional Services Agreement with the City of Brea's Information Technology Division (Brea IT) for computing and technology services, extending the term of the agreement an additional three years through June 30, 2013.

Councilmember Herman made a motion to approve Consent Calendar Items 2, 3, 5, 6, 7, 8, 10, 11, 12, and 13.

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. Approval of Register of Demands

Councilmember Herman requested to have Agenda Item 4 pulled to comment on the Chess Club expenses and to ask clarification on the table and cart replacement costs for the Community Center.

City Manager Lazzaretto reported that no new tables were purchased during the Community Center remodel and that tables need to be replaced approximately every five years.

Recreation and Community Services Director Hobson also commented that only a few tables are being replaced.

Councilmember Herman made a motion to approve Consent Calendar Item 4.

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

9. Award of Contract to Sadie Construction Inc., for the Removal and Replacement of Residential Street Name Signs and Welcome to the City of La Palma Signs, City Project No. ST-290

Councilmember Herman requested to have Agenda Item 9 pulled to ask for clarification on why the bid was so low and to ask Public Works Director Moneda to describe the design and size of the new street signs.

Public Works Director Moneda responded that the contractor is an owner/operator, which saves overhead costs, and that the new signs meet the requirements of the California Manual of Uniform Traffic Control Devices with reflective blue background and white lettering.

Councilmember Herman commented that the old street signs should be offered to the public.

Councilmember Herman made a motion to award the contract to Sadie Construction Inc., for the Removal and Replacement of Residential Street Name Signs and Welcome to the City of La Palma Signs, City Project No. ST-290.

The motion was seconded by Mayor Pro Tem Rodriguez.

Discussion ensued regarding the City Council's support of the conservative estimate; getting the project completed prior to the La Palma Days event; and that the method developed to offer previous street signs to the public should be fair.

City Manager Lazzaretto stated that Staff will form a policy regarding offering previous street signs to the public and will report back to the City Council.

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

14. Neighborhood Grant Program

City Manager Lazzaretto gave the Staff Report.

Council Comments and Questions:

Discussion ensued regarding the neighborhood uses of the proposed program being residential and street beautification; that cooperation of a minimum of three neighbors is required; the number of tree rebates already given and how much funding is still available; that the program will start on July 1; that the City will market the grant to residents through the website, inserts in water bills, the *Mosaic*, and through the electronic readerboard; having City Departments interact with the participating neighborhoods; that the grant can be used to beautify local schools; that the City Council currently has a policy of working with non-profit organizations for projects that are larger than the grant funding allows; that the City would absorb staff fees for the neighborhood events; that neighborhood recycling events can only be on a small scale due to the City's Waste Management Agreement; that the readerboard could be used to seek volunteers for local projects; support for the project; that Eagle Scout or Girl Scout projects could qualify for a local neighborhood grant project; and the use of a yard signs to promote local neighborhood grant projects.

City Manager Lazzaretto stated his appreciation to Management Analyst Corbin for his research and work on the project.

Councilmember Charoen made a motion to approve the Neighborhood Grant Program.

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

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

Councilmember Waldman attended the Southern California Association of Governments (SCAG) Energy and Environmental Committee meeting; the Orange County Council of Governments (OCCOG) Executive Committee meeting; the Orange County Sanitation District (OCSD) Administration Committee meeting; and the Orange County League of California Cities (OCLOCC) Water Crisis Symposium.

Councilmember Herman attended the American Cancer Society's Relay for Life event; the Metropolitan Water District's Green Expo; and the Walker Junior High Regatta. He announced that he plans to attend the upcoming Orange County Vector Control District (OCVCD) meeting and asked for a status on the Block Wall Project.

Public Works Director Moneda reported that the Block Wall Project started on June 14, 2010, and a portion of Moody Street is already completed.

Councilmember Herman commented on previous concerns with Pave West in regards to the Houston Avenue paving project and reported positive feedback regarding Pave West's performance.

Public Works Director Moneda reported that he is receiving positive response from adjacent residents, that staff is conducting daily inspections on the Houston Avenue Street Project, and that Pave West is completing the project with satisfactory results.

Councilmember Herman asked about the status of the Central Park Restroom Remodel Project.

Public Works Director Moneda responded that the project is about 80% complete.

Councilmember Herman asked for clarification on the completion date of the Houston Avenue Street Rehabilitation project.

Public Works Director Moneda responded that June 22, 2010, is the anticipated completion date for the northern portion of the Houston Avenue Street Rehabilitation project.

Councilmember Herman asked about the status of handicap curb requests from the residents and the process of handling future applications.

Public Works Director Moneda reported that another resident has applied and that Staff is conducting research on the process with other Orange County Cities. He added that the results will go before the Traffic Safety Committee on June 21, 2010, and then will be reported to the City Council.

City Manager Lazzaretto responded that the City has an informal policy and because of the number of recent requests for residential handicap curbs, Staff is moving forward with a formal procedure of how to process those requests.

Councilmember Herman closed by announcing he received a certificate from the California Association of Retired Americans (CARA) for his participation in their Walk-a-Thon; reported on a recent article regarding a 1910 Oil Spill that lasted 17 months; and gave a status of the War in Afghanistan and Iraq.

Councilmember Charoen had nothing to report.

Mayor Pro Tem Rodriguez attended the American Cancer Society's Relay for Life event and expressed his appreciation to those who participated. He also attended the Metropolitan Water District's Green Expo and community meetings regarding the Pacific Electric Right-of-Way (PEROW). He asked for dates of the upcoming PEROW Community Meetings.

City Manager Lazzaretto responded that the upcoming PEROW Community Meetings dates are June 17, 2010, at the Cypress Community Center; June 19, 2010, at the Cerritos Park East Community Center; and June 23, 2010, at the Stanton Council Chambers. He added that the information is available on the City's website.

Mayor Pro Tem Rodriguez continued by reporting that he attended the Walker Junior High Regatta and the George Miller Elementary School Spring Carnival. He reported that the public is giving him positive feedback on the Block Wall Project and recent street rehabilitation projects. He asked about the expiration date of the Tree Rebate Program.

City Manager Lazzaretto responded that the Tree Rebate Program is ongoing, and that Southern California Edison provided the initial \$2,500.

Mayor Pro Tem Rodriguez closed by reporting that he attended the Steve Luther Elementary School third grade City Hall tour and announced that he plans to attend the upcoming League of California Cities (LOCC) Transportation, Communication, and Public Works Policy Committee meeting.

Mayor Shanahan attended the American Cancer Society's Relay for Life event; the Steve Luther Elementary School City Hall tour; and toured the La Palma Civic Center with contest winner Reina Sambrano. He asked if drivers receive citations if they do not yield to emergency vehicles.

Police Chief Ethell responded that California recently passed a law requiring a driver to slow down or switch lanes when approaching upcoming emergency vehicles on highways and noted that he will research the item and report back to the City Council.

Mayor Shanahan closed by announcing that he plans to attend the upcoming graduation ceremony at Buena Park High School.

CITY MANAGER REMARKS

City Manager Lazzaretto reported that upcoming agenda items would include the Ordinance rezoning corner parcels. He reminded the City Council of the upcoming July 3rd Run for Fun event and closed by noting his appreciation to the City Council for renewing his contract.

CITY ATTORNEY REMARKS

City Attorney Kuperberg had nothing to report.

Councilmember Herman commented on a shower timer displayed at the Green Expo and asked Administrative Services Manager Murray to explore purchasing the item to have at the upcoming Civic Expo.

ADJOURNMENT

Mayor Shanahan adjourned the Regular Meeting of the La Palma City Council at 8:52 p.m.

Steve Shanahan, Mayor

Attest:

Laurie A. Murray, City Clerk