

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

February 6, 2007

Mayor Waldman called the regular meeting of the La Palma City Council to order at 6:02 p.m. on Tuesday, February 6, 2007 in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

ROLL CALL: Council and Commission Members

ROLL CALL:

Councilmembers present: Mayor Pro Tem Charoen, Councilmember Rodriguez, and Mayor Waldman

Councilmembers absent: Councilmember Barnes, Councilmember Herman

City Officials present: Laurie Murray, Administrative Services Manager/City Clerk  
Joel Kuperberg, City Attorney

Mayor Waldman recessed to a Closed Session at 6:03 p.m. to discuss the following matters:

PUBLIC EMPLOYEE APPOINTMENT

Government Code Section 54957

Position Title: City Manager

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Government Code Section 54957

Position Title: Interim City Manager

The City Council reconvened in Open Session at 6:50 p.m. and recessed for a short break.

The City Council reconvened at 7:00 p.m. with Councilmember Herman absent and Councilmember Barnes joining the meeting.

PLEDGE OF ALLEGIANCE: Councilmember Barnes

INVOCATION: Father Ven Amidar, St. Irenaeus Catholic Church

ROLL CALL: Council and Commission Members

ROLL CALL:

Councilmembers present: Councilmember Barnes, Mayor Pro Tem Charoen,  
Councilmember Rodriguez, and Mayor Waldman

Councilmembers absent: Councilmember Herman

City Officials present: Dominic Lazzaretto, Interim City Manager/Director of  
Community Development  
Ed Ethell, Chief of Police  
Jan Hobson, Director of Recreation & Community  
Services  
Ismile Noorbaksh, Director of Public Works/City  
Engineer  
Laurie Murray, Administrative Services Manager/City  
Clerk  
Deborah Moreno, Director of Finance  
Joel Kuperberg, City Attorney  
Lynnae Sisemore, Minutes Clerk

PRESENTATIONS

1. Interim City Manager/Community Development Director Lazzaretto and Mayor Waldman presented a proclamation, City Tile, and \$250 cash to Associate Planner, Rina Leung, in recognition of receiving the 2006 Employee of the Year award.
2. Former Councilmember Kenneth Blake presented the Orange County Library District Meeting Report to the City Council.

ORAL COMMUNICATIONS

Charles Ara, 11215 Park Street, Cerritos, past president of the Hubert Humphrey Democratic Club read a resolution regarding future funding for the war in Iraq.

RECESS CITY COUNCIL AND CONVENE AS THE COMMUNITY  
DEVELOPMENT COMMISSION: 7:18 p.m.

CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

January 16, 2007 Regular Meeting of the Community Development Minutes

B. Approval of Register of Demands

Resolution Number CDC 2007-03

C. Cash and Investment Reports as of December 31, 2006

Councilmember Barnes made a motion to approve Consent Calendar Items A, B, and C.

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

AYES: Councilmember Barnes, Mayor Pro Tem Charoen,  
Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Councilmember Herman

ADJOURN COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS  
THE CITY COUNCIL: 7:18 p.m.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances
2. Approval of Council Minutes

January 16, 2007 Regular Meeting, January 17, 2007 Adjourned Meeting,  
January 23, 2007 Adjourned Meeting, and January 26, 2007 Adjourned Meeting  
of the City Council.

3. Approval of Register of Demands

Resolution Number 2007-03

4. Annual Review of the General Plan
5. Cash and Investment Reports as of December 31, 2006
6. Second Quarter Financial Report - Fiscal Year 2006-07
9. Award of Contract for City Manager Recruitment Services

Councilmember Barnes made a motion to approve and authorize Consent Calendar Items 1 through 6 and Item 9.

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

AYES: Councilmember Barnes, Mayor Pro Tem Charoen,  
Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Councilmember Herman

7. Award of Contract to Macadee Electrical Construction Inc., for Traffic Signal Improvements on Walker Street at Orangethorpe Avenue and at La Luna Drive and Installation of Count Down Type Pedestrian Heads at School Crossings, City Project No. ST-277

Mayor Pro Tem Charoen requested to pull this item and asked for a brief summary of the item.

Interim City Manager/Community Development Director Lazzaretto replied that this item includes several projects that were combined into a single project for economies of scale and ease of use. The two main components are for signal head change outs at the Walker Street and Orangethorpe intersections—both north and south bound—which are currently protective permissive left turn lanes. Staff proposes to change the signals to a fully protected intersection. This would also include a change to a protective permissive load at La Luna and Walker Street.

Mayor Pro Tem Charoen asked if a formal traffic study has been conducted in these intersections and if this item been presented to the Traffic Safety Committee.

Public Works Director Noorbaksh replied that on June 6, 2006 a study was conducted and brought forth to the City Council. The findings revealed why the removal of the protective permissive traffic signal heads on Walker and Orangethorpe should be removed and replaced with the protective left turn phasing. After a thorough study, it was found that numerous accidents supported the change. CalTrans guidelines suggest that signal head change outs be conducted when five or more accidents occur in one particular area.

Mayor Pro Tem Charoen asked if the Traffic Safety Committee has had a chance to review the signal project.

Public Works Director Noorbaksh replied that it was first reviewed by the Traffic Safety Committee before it was brought to the City Council for approval.

Mayor Pro Tem Charoen made a motion to award a contract to Macadee Electrical Construction Inc., for traffic signal improvements on Walker Street at Orangethorpe Avenue and at La Luna Drive and installation of count down type pedestrian heads at school crossings, City Project No. ST-277; and to approve an additional appropriation in the amount of \$40,500 from the Capital Outlay Reserve (COR) Fund.

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

AYES: Councilmember Barnes, Mayor Pro Tem Charoen,  
Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Councilmember Herman

8. Award of Contract of Silvia Construction, Inc., for Rehabilitation of La Palma Avenue from Valley View Street to Walker Street, City Project No. ST-271, Federal Project No. STPL-5319 (009)

Councilmember Rodriguez requested to pull this item and asked if the other streets that were previously discussed were included in the project.

Public Works Director Noorbaksh replied that Joan and Janeen Circle will both be included in the La Palma Avenue resurfacing project.

Mayor Pro Tem Charoen asked if there was a guideline that showed why the two streets were to be rehabilitated.

Public Works Director Noorbaksh replied that a detailed discussion on slurry sealing versus resurfacing was conducted with the City Council. He stated that staff inspected Joan and Janeen Circle and determined that they do meet the City's requirements for resurfacing, which is why they are included in the project.

Councilmember Rodriguez made a motion to award a contract to Silvia Construction, Inc., for rehabilitation of La Palma Avenue from Valley View Street to Walker Street, City Project No. ST-271, Federal Project No. STPL-5319 (009); and to approve an additional appropriation of \$144,500 from Traffic Congestion Relief Funds.

The motion was seconded by Mayor Pro Tem Charoen and carried on the following vote:

AYES: Councilmember Barnes, Mayor Pro Tem Charoen,  
Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Councilmember Herman

## REGULAR ITEMS

### 10. Mid-Year Budget Adjustments

Interim City Manager Lazzaretto gave the staff report.

Councilmember Barnes inquired about the Sewer and Water Replacement Reserves, asking how the rates affected the funds in light of the rate setting that went into effect on August 1, 2005.

Finance Director Moreno replied that when the rates were set the adjustment to the operating reserves was fully anticipated, but it was not executed at that time.

Mayor Pro Tem Charoen asked if the City is required by law to maintain the minimum.

Finance Director Moreno replied that the reserve amount is required by La Palma Municipal Code.

Councilmember Rodriguez asked if the dispatch console replacement is being customized for La Palma or if it is an off the shelf product.

Police Chief Ethell replied the console has already been installed and that it was custom designed to fit the space. Additionally, it allows sitting or standing options for the dispatcher, including positioning memory settings for each dispatcher.

Councilmember Rodriguez asked what the environmental changes were.

Finance Director Moreno replied that it was an air conditioning unit for the dispatch room.

Councilmember Rodriguez asked if there is a cost over run in the areas of service maintenance on the speed radar feedback signs.

Police Chief Ethell replied that it is too early to speculate as there have not been any program costs to date.

Councilmember Rodriguez asked if the overage is all physical costs related to implementation and the acquisition of the material or if it is labor driven.

Police Chief Ethell replied the overage was because the original plan called for the feedback signs to be placed on Edison poles; when that could not be done, the project was delayed and incurred overages.

Councilmember Rodriguez made a motion to adopt Resolution Number 2007-04 approving the Fiscal Year 2006-07 Mid-Year Budget Adjustments as presented.

The motion was seconded by Mayor Pro Tem Charoen and carried on the following vote:

AYES: Councilmember Barnes, Mayor Pro Tem Charoen,  
Councilmember Rodriguez, and Mayor Waldman

NOES: None

ABSENT: Councilmember Herman

#### 11. Discussion of Alternatives for the Go Local Program

Interim City Manager/Community Development Director Lazzaretto gave the staff report.

Jeanne Spinner-LaMar and Tina Moschetti from the Orange County Transportation Authority (OCTA) made a brief presentation on the Go Local Program.

Councilmember Barnes asked who wrote the sample letter that the City has not received.

Interim City Manager/Community Development Director Lazzaretto replied the sample letter is from the City of Buena Park staff report to their City Council and that the City has now received the letter.

Councilmember Barnes asked if there is a matching fund requirement for these funds.

Ms. Spinner-LaMar replied that at this time, OCTA does not expect a matching fund requirement, these funds are only for the study. There could be a matching fund requirement for a final project and that the City would have the option of not participating at that time.

Mayor Pro Tem Charoen asked what was the financial significance of La Palma partnering with Buena Park for this study.

Ms. Spinner La-Mar replied that there is no cost to the City of La Palma. OCTA wants cities to start thinking about transit and making it work to integrate it with land use and economic plans. OCTA is asking that the City allow its staff to work on the study project.

Mayor Pro Tem Charoen stated that all cities receive the same amount, \$100,000; what does this partnership with Buena Park mean for the City's \$100,000.

Ms. Spinner La-Mar replied that the decision of how the funds are spent is to be decided among the cities that partner together.

Interim City Manager/Community Development Director Lazzaretto replied La Palma's proposal will be provided at the next Council meeting. The City of Buena Park's proposal is presented in the letter requesting \$90,000 of the \$100,000 from La Palma for the study. The City would enter into an agreement with Buena Park; the City would retain the authority to review consultants, requests for proposals, and the scope of services throughout the project.

Mayor Pro Tem Charoen asked how the City of Buena Park knows that they need \$90,000 from La Palma.

Interim City Manager/Community Development Director Lazzaretto replied that he will have that answer for the City Council at the next Council meeting.

Public Works Director Noorbaksh replied that it is the City's discretion as to how much money they give to the City of Buena Park.

Mayor Pro Tem Charoen asked how the City of Buena Park knows that they need approximately \$300,000 to conduct the study.

Public Works Director Noorbaksh replied that the City of Buena Park does not know at this time what the project will cost.

Mayor Pro Tem Charoen asked for clarification that the decision to be made at this meeting is not related to money.

Public Works Director Noorbaksh replied that the decision to be made at this meeting is whether or not to partner with the City of Buena Park for the project. Once there is an agreement it will be brought back to the City Council as to how, who, and when all of the studies will be conducted.



Mayor Pro Tem Charoen asked if Cypress has already agreed to partner with Buena Park.

Public Works Director Noorbaksh answered affirmatively.

Mayor Pro Tem Charoen asked if any other city has come to La Palma with other options.

Interim City Manager/Community Development Director Lazzaretto replied not formally.

Mayor Pro Tem Charoen asked if there are any deadlines for the decision.

Public Works Director Noorbaksh replied that La Palma has to complete the report by December 2007, but it has to enter into an agreement with OCTA by the end of February 2007.

Mayor Pro Tem Charoen asked for clarification on whether the current decision is to decide whether to partner with a city and not on the monetary or contractual results.

Interim City Manager/Community Development Director answered affirmatively. Staff is looking for the City Council's general direction on who to partner with and if the City should participate in the Go Local Program.

Mayor Waldman asked if La Palma will be held to any commitments with the two neighboring cities.

Interim City Manager/Community Development Director Lazzaretto replied that the way that the Go Local Program is structured, if La Palma identifies that the project is not feasible and does not choose to move forward, the City does not have to participate in the next phase.

Ms. Spinner-La-Mar replied that the only cooperative agreement OCTA is asking the City to currently sign is for step one of the program and the \$100,000.

Mayor Waldman asked if the City's future commitment would be a fifty-fifty match.

Ms. Spinner-LaMar answered no. That OCTA considers staff time and other factors as local matches.

Councilmember Rodriguez asked if, in regards to the actual amounts the City will be committing to in this project, when this item returns if there will be documentation that speaks to the equity issue of how a two mile square city receives the same funding as larger cities.

Ms. Spinner-LaMar replied that the OCTA determined that \$100,000 will get each city a good conceptual study of any municipal scale from existing data.

Councilmember Rodriguez made a motion to approve the general project concept and to investigate and conduct a feeder service transit connection study to the Buena Park Metrolink station from within the City and neighboring cities of Buena Park and Cypress.

The motion was seconded by Councilmember Barnes and carried on the following vote:

AYES:	Councilmember Barnes, Mayor Pro Tem Charoen, Councilmember Rodriguez, and Mayor Waldman
NOES:	None
ABSENT:	Councilmember Herman

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

Mayor Pro Tem Charoen attended the Los Alamitos State of the City luncheon; the Cypress State of the City luncheon; and the American Public Works Association (APWA) dinner.

Councilmember Rodriguez attended the APWA dinner; the League of California Cities dinner; and the Cypress State of the City luncheon.

Councilmember Barnes attended the Cypress State of the City luncheon; the APWA dinner; the League of California Cities dinner and the Southern California Association of Governments (SCAG) meeting on Regional Housing Needs Assessment (RHNA).

Mayor Waldman attended the Orange County Sanitation District meeting; the APWA dinner; the League of California Cities dinner; the Los Alamitos State of the City luncheon; and the Cypress State of the City luncheon.

CITY MANAGER REMARKS

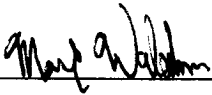
Interim City Manager/Community Development Director Lazzaretto stated that he will be at a League of California Cities Conference in San Francisco for the remainder of the week and that Police Chief Ethell will be the acting City Manager.

CITY ATTORNEY REMARKS

None

ADJOURNMENT

Mayor Waldman adjourned the meeting at 8:25 p.m.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
City Clerk