

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

June 17, 2008

CALL TO ORDER: Mayor Charoen called the Regular Meeting of the La Palma City Council to order at 5:30 p.m. on Tuesday, June 17, 2008, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California with all members present.

CLOSED SESSION

Mayor Charoen recessed to a Closed Session at 5:31 p.m. to discuss the following matters:

CONFERENCE WITH LABOR NEGOTIATORS

The City Council met in Closed Session pursuant to Government Code Section 54957.6: CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated  
Representatives:

Steve Filarsky, Filarsky & Watt  
Dominic Lazzaretto, City Manager  
Laurie Murray, Administrative Services  
Manager

Employee Organization:

La Palma Police Association  
La Palma General Employees  
Association  
La Palma Professional Employees  
Association

Unrepresented Employees:

Executive Management

The City Council reconvened at 7:00 p.m. with all members present and with no reportable actions.

PLEDGE OF ALLEGIANCE: Councilmember Barnes

INVOCATION: Pastor Duane DenBoer, Ambassador Church

ROLL CALL: Council and Commission Members

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

Councilmembers absent: None

City Officials present: Dominic Lazzaretto, City Manager/ Executive Director  
Joel Kuperberg, City Attorney  
John Di Mario, Community Development Director  
Ed Ethell, Chief of Police  
Jan Hobson, Recreation & Community Services Director  
Keith Neves, Finance Director  
Ismile Noorbaksh, Public Works Director/ City Engineer  
Laurie Murray, Administrative Services Manager/ City Clerk  
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

None scheduled.

ORAL COMMUNICATIONS

No one wished to speak.

RECESS CITY COUNCIL AND CONVENE AS COMMUNITY DEVELOPMENT COMMISSION AT 7:03 P.M.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

June 3, 2008, Minutes of the Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2008-15 approving the Register of Demands for June 17, 2008.

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

The motion was seconded by Commission Member Waldman and carried on the following vote:

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

NOES: None

PUBLIC HEARINGS

None scheduled.

REGULAR ITEMS

None scheduled.

RECESS COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS  
PLANNING COMMISSION AT 7:04 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

June 3, 2008, Minutes of the Regular Meeting of the Planning Commission.

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

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

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

NOES: None

### PUBLIC HEARINGS

PL-2. Review of Precise Plan 267 for a Proposed Wachovia Bank Development and Conditional Use Permit 343 for a Proposed Drive-thru ATM at 5014 Orangethorpe Avenue

- a) Chairperson Charoen opened the Public Hearing at 7:04p.m.
- b) Community Development Director Di Mario gave the staff report.
- c) Public Input

Mackey Deasy, 560-101 Milton Court, Long Beach, representing Callison Architecture, addressed the City Council regarding project specifications.

- d) Chairperson Charoen closed the Public Hearing at 7:46 p.m.
- e) Commission Comments and Questions

Discussion ensued regarding fencing, the remediation process, median improvements to Moody Street, lighting, the width of the Automated Teller Machine (ATM) drive-thru lane, landscape modifications, and parking requirements.

- f) Adopt a Resolution approving Precise Plan 267 and Conditional Use Permit 343, a request to construct a new Wachovia Bank building, with a drive-thru ATM at 5014 Orangethorpe.

Resolution No. PC 2008-05 approving Precise Plan 267 and Conditional Use Permit 343, a request to construct a new Wachovia Bank building, with a drive-thru ATM at 5014 Orangethorpe.

Commission Member Rodriguez asked for a consensus on approving the landscape plan as presented. The Commission concurred.

Commission Member Waldman made a motion to adopt a Resolution approving Precise Plan 267 and Conditional Use Permit 343, a request to construct a new Wachovia Bank building, with a drive-thru ATM at 5014 Orangethorpe with an amendment to Condition 46 stating that "The Applicant shall plant and maintain a dense hedge between the drive-thru and public rights-of-way at a minimum of three feet in height, or higher, as determined by the Community Development Director."

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

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

NOES: None

#### REGULAR ITEMS

None scheduled.

#### ADJOURN PLANNING COMMISSION AT 7:51 P.M.

#### RECONVENE CITY COUNCIL AND COMMUNITY DEVELOPMENT COMMISSION AT 7:51 P.M. FOR A JOINT MEETING OF THE CITY AND COMMUNITY DEVELOPMENT COMMISSION

#### PUBLIC HEARINGS

1. Adoption of Fiscal Year 2008-09 Budget
  - a) Mayor Charoen opened the Public Hearing at 7:51 p.m.
  - b) City Manager Lazzaretto gave the staff report.
  - c) Public Input

Keith Nelson, 5331 La Luna, addressed the City Council regarding the number of residents subscribing to cable and his support for lowering the Utility User Tax by 1% for Fiscal Year 2008-09.

- d) Mayor Charoen closed the Public Hearing at 8:30 p.m.
- e) Council/Commission Comments and Questions

Discussion ensued regarding reducing the UUT by 1%; earmarking \$1.7 million for future years of the Residential Street Rehabilitation Program; eliminating the Fit N Fun revenue component, and eliminating the proposed Community Investment Fund so that items can be brought before Council on a case by case basis.

- f) City Council: Adopt a Resolution approving and adopting a Budget for Fiscal Year 2008-09 and maintaining the Utility Users' Tax rate at 5%

Councilmember Rodriguez made a motion to reduce the Utility Users Tax by 1% for the Fiscal Year 2008-2009.

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

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

NOES: None

Councilmember Waldman made a motion to approve the budget as submitted, except for the Indigo Lane Item, which will be voted on separately; remove the Fit N Fun revenue component, approve the additional expenditures related to the Police Services K-9, and allocate \$1,752,790 for a Street Maintenance Reserve Fund.

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

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

NOES: None

- g) City Council: Adopt a Resolution approving the City's Annual Appropriations Limit for Fiscal Year 2008-09

Resolution No. CC 2008-27 approving the City's Annual Appropriations Limit for Fiscal Year 2008-09.

Councilmember Rodriguez made a motion to approve the City's Annual Appropriations Limit for Fiscal Year 2008-09.

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

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

NOES: None

- h) Community Development Commission: Adopt a Resolution approving and adopting a Budget for Fiscal Year 2008-09

Resolution No. CDC 2008-16 approving and adopting a Budget for Fiscal Year 2008-09.

Commission Member Rodriguez made a motion to adopt a Resolution approving and adopting a Budget for Fiscal Year 2008-09.

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

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

NOES: None

Commission Member Waldman made a motion to approve the addition of \$46,000 for a median from the Community Development Commission Capital Projects Fund to be completed this Fiscal Year.

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

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

NOES: None

Mayor Charoen and Councilmember Herman recused themselves from the meeting due to a conflict of interest regarding the Indigo Lane Storm Drain Item.

Mayor Pro Tem Barnes took the chair.

Councilmember Waldman made a motion to approve an increase in funds of \$31,000 for the Indigo Lane Storm Drain Project.

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

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

NOES: None

ABSTAINED: Mayor Charoen, and Councilmember Herman

Mayor Pro Tem Barnes called for a short recess at 8:41 p.m.

Mayor Charoen reconvened the joint meeting at 8:50 p.m. with all members present.

### CONSENT CALENDAR

#### 2. Amendment to Legal Services Agreement

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

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

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



NOES: None

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION AT 8:51 P.M.

CITY COUNCIL

CONSENT CALENDAR

3. Waive the Reading of All Ordinances

Approve recommendation that the City Council waive the reading of all Ordinances in their entirety and read by title only.

4. Approval of Council Minutes

June 3, 2008, Minutes of the Regular Meeting of the City Council.

5. Approval of Register of Demands

Resolution No. CC 2008-28 approving the Register of Demands for June 17, 2008.

6. Renewal of Agreement with the City of Brea for Computer Support Services

Approve and authorize the Mayor to execute a Professional Services Agreement with the City of Brea's Information Technology Division (Brea IT) for computing and technology services for the period of July 1, 2008, through June 30, 2010.

7. Notification of Rate Adjustment for Sanitation Services and Request to Increase Maximum Rate Because of Increased Costs Related to Compliance with South Coast Air Quality Management District (SCAQMD) Regulations

a) Receive and file report regarding the rate adjustment for residential and commercial sanitation services effective July 1, 2008

b) Approve a petition from Park Disposal to increase the street sweeping portion of the contractor component of the rates commensurate with increased costs associated with compliance of South Coast Air Quality Management District (SCAQMD) Rule 1186.1, which requires the use of alternative-fueled street sweeping

vehicles.

8. 2008 Annual Water Quality Report

Receive and file the 2008 Annual Water Quality Report.

9. Award of Contract to Newtech Engineering, Inc.

Award the contract in the amount of \$155,360 to the low responsible bidder, Newtech Engineering, Inc., of Glendale, California, and authorize the Mayor to execute the Agreement for the Indigo Lane Storm Drain Improvements, City Project No. 07-SD-01.

10. Approval of Submittal for the Fiscal Year 2008-09 Measure M Eligibility Packet to the Orange County Transportation Authority

Approve the Fiscal Year 2008-09 Measure M eligibility packet to the County Transportation Authority.

11. 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.

12. Amendment of Agreement with All City Management Services, Inc.

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 July 1, 2008, through June 30, 2009.

13. Letter of Support for Assembly Bill 642 (Wolk): Design Build, Counties, Cities, Special Districts

Authorize the Mayor to sign a letter of support for AB 642 (Wolk): Design-build, Counties, Cities, and Special Districts on behalf of the City of La Palma.

Councilmember Waldman made a motion to approve the Consent Calendar. Mayor Charoen and Councilmember Herman abstained from Item 9.

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

AYES: Mayor Pro Tem Barnes, Mayor Charoen,

Councilmember Herman, Councilmember Rodriguez,  
and Councilmember Waldman

NOES: None

#### REGULAR ITEMS

14. Final Report for City-initiated Transit Extensions to Metrolink - Go Local Program Step 1

Rick Sandzimier, representing Parsons Brinckerhoff, gave the OCTA Go Local Transit Study report.

Theresa Dau-Ngo, representing Parsons Brinckerhoff, addressed the City Council regarding cosmetic changes for bus shelters, satellite parking modifications, and survey results from train users.

Discussion ensued regarding the proposed shuttle route program to the Buena Park Metrolink Station, the proposed satellite parking plan, bus shelters along shuttle routes, rider workshop attendance, the possibility of using the Centerpointe parking garage instead of a satellite parking lot, and cost estimates for the program.

Recommendations for the report, arising out of the City Council's discussion, were for no parking lots and for local shuttle stops near residential areas in lieu of the proposed parking lots.

Councilmember Herman made a motion to approve and authorize the City Manager to submit the Final Report for City-initiated Transit Extensions to Metrolink - Go Local Program Step 1 to the Orange County Transportation Authority.

The motion was seconded by Mayor Pro Tem Barnes.

Councilmember Waldman asked for an amendment to reflect the City Council's recommendations and changes for the City-initiated Transit Extensions to Metrolink – Go Local Program Step 1.

The amendment was accepted by Councilmember Herman as the maker of the motion and by Mayor Pro Tem Barnes as the seconder and carried on the following vote:

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

NOES: None

15. City Website Preview

Administrative Services Manager Murray gave the staff report.

Discussion ensued regarding translation issues, the FAQ section, facility reservations, advisory committee information, job postings, and links to interior pages.

Steve Shanahan, 7821 Barbi Lane, addressed the City Council regarding audio casting Council Meetings live over the internet.

The City Council received and filed the City Website Preview report.

16. Councilmember Request: Approval of a Sister City Relationship with Hanam, Korea

Mayor Charoen gave the staff report.

Mayor Charoen made a motion to approve establishing a Sister City Relationship with Hanam, Korea.

Councilmember Waldman seconded the motion, but requested an amendment approving establishing a Sister City relationship with Hanam, Korea, conditioned upon the creation of a 501(c)(3) foundation.

Discussion ensued regarding why the Sister City's relationship is contingent upon a 501(c)(3); clarification that the City of La Palma will not be funding the relationship; the nature of Hanam's requests; the amount of staff time required; the Kim family being liaisons; expectations of the Mayor of Hanam; and the limitation of City resources for this relationship.

Mayor Charoen made a substitute motion to approve a Sister City Relationship with the City of Hanam, Korea, at minimal out of pocket cost to the City and directed staff to prepare a Resolution and Proclamation formally recognizing the relationship and establishing that minimal City out-of-pocket costs would be a factor of the relationship.

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

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

NOES: None

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

**Mayor Pro Tem Barnes** presented a proclamation to retiring teacher, Jackie Cowen, at Miller Elementary School and attended the American Cancer Society Relay for Life Event.

**Councilmember Herman** attended the Tiny Tot graduation and the American Cancer Society Relay for Life Event. He requested that staff agendize a permanent memorial for Duane Schuster. He closed by reporting on the extreme weather in Iraq, the status of the Iraq war, and on current crime rate in the United States.

**Councilmember Rodriguez** attended the American Cancer Society Relay for Life Event; the Police Interaction with Youth (PIY) graduation at Luther Elementary School; and the "Helping Other People Everyday" program. He commented that he will be attending an upcoming Library Advisory Board task force meeting and an upcoming League of California Cities (LOCC) policy meeting. He thanked Staff for their work and attendance at Mr. Schuster's memorial service and asked to adjourn tonight's meeting in memory of Glenn Reeves.

**Councilmember Waldman** attended the Tiny Tots graduation; the opening ceremony for the American Cancer Society Relay for Life Event; the Orange County Sanitation District (OCSD) Administration Committee meeting; and the LOCC Orange County Division Advocacy Committee meeting. He commented on letters that were received from scholarship winners.

**Mayor Charoen** attended the opening ceremony for the American Cancer Society Relay for Life Event and the Oxford Academy Scholarship Award Ceremony.

CITY MANAGER REMARKS

**City Manager Lazzaretto** thanked Council for approving the budget; he reported on the status of the Vinevale residence; and encouraged all listening to enroll their children in the upcoming Tiny Tot program.

CITY ATTORNEY REMARKS

**City Attorney Kuperberg** had nothing to report.

ADJOURNMENT

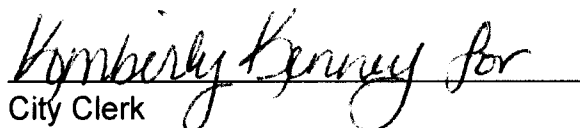
Mayor Charoen adjourned the meeting of the City Council at 10:45 p.m. in memory of former Councilmember Glenn Reeves.



---

Mayor

Attest:



---

City Clerk