

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

April 19, 2011

CALL TO ORDER: Mayor Rodriguez called the Regular meeting of the La Palma City Council to order at 6:31 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California, with all members present.

RECESS TO CLOSED SESSION

Mayor Rodriguez recessed to Closed Session at 6:31 p.m. regarding the following:

CONFERENCE WITH LABOR NEGOTIATORS

Agency Designated Representatives: Steve Filarsky, Filarsky & Watt
Dominic Lazzaretto, City Manager
Laurie Murray, Administrative Services

Manager Employee Organization: La Palma General Employees Association
La Palma Police Association
La Palma Professional Employees Association

Unrepresented Employees: Executive Management

Mayor Rodriguez recessed the Closed Session at 7:14 p.m.

OPEN SESSION

The City Council reconvened in Open Session at 7:15 p.m. with all members present and with no reportable actions.

PLEDGE OF ALLEGIANCE: Council Member Shanahan

INVOCATION: Mayur Shah, The Sindhu Center

ROLL CALL:

Council and Commission Members

Council/Commission
Members present:

Mayor Pro Tem/Vice Chairperson Charoen,
Council/Commission Member Hwangbo,
Mayor/Chairperson Rodriguez, Council/Commission
Member Shanahan, and Council/Commission
Member Waldman

Council/Commission
Members absent:

None

City Officials present:

Dominic Lazzaretto, City Manager/Executive Director
Ajit Thind, Assistant City Attorney
Michael Belknap, Recreation & Community Services
Director
Douglas Dumhart, Community Development Director
Jeff Moneda, Public Works Director/City Engineer
Keith Neves, Finance Director
Eric Nuñez, Police Chief
Laurie Murray, Administrative Services Manager/City
Clerk
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Mayor Rodriguez presented a Proclamation to Donate Life Ambassador, Barbara Jaramillo, in recognition of Donate Life Month. Ms. Jaramillo announced that the Donate Life Event would be held on April 30, 2011, at California State University, Fullerton.
2. Mayor Rodriguez presented a Proclamation to Council Member Hwangbo and Community Activities and Beautification Committee Vice Chairperson, Sally Alvis, in recognition of Arbor Day.

ORAL COMMUNICATIONS

Larry Herman, 5122 Andrew Drive, the City's Orange County Vector Control District (OCVCD) representative, reported on the American Mosquito Control Association (AMCA) conference, and commented on the briefing regarding fire ants.

Ram Kakkar, Cerritos Resident, addressed the City Council asking that the City install an induction looping system for the hearing impaired in the Council Chambers similar to the system installed in the City's Community Center.

Mayor Rodriguez asked for clarification on when the City planned to install a looping system in the Council Chambers.

City Manager Lazzaretto responded that the plans were to install a looping system with the City Hall Rehabilitation Project due to the electrical limitations in the room, but that staff can investigate the cost of installing a system sooner.

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

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the April 5, 2011, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2011-11 approving the Register of Demands for April 19, 2011.

Vice Chairperson Charoen 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 Charoen, Commission Member Hwangbo, Chairperson Rodriguez, Commission Member 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 7:38 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the April 5, 2011, 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 Shanahan and carried on the following vote:

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

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

ADJOURN THE PLANNING COMMISSION, AND RECONVENE THE CITY COUNCIL
AT 7:39 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 April 5, 2011, Regular Meeting of the La Palma City Council and the Minutes of the April 11, 2011, Special Meeting of the La Palma City Council.

3. Approval of Register of Demands

Resolution No. 2011-15 approving the Register of Demands for April 19, 2011.

5. Notice of Completion and Acceptance of Work for the Removal and Replacement of Residential Street Name Signs and Welcome to the City of La Palma Signs, City Project No. ST-290

Accept the work and authorize the Public Works Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the Removal and Replacement of Residential Street Name Signs and Welcome to the City of La Palma Signs, City Project No. ST-290.

6. Award of Contract for Engineering Services to Perform a Hydraulic Modeling Study and a Water Quality Study, City Project Nos. 10-WTR-03 and 10-WTR-02

Approve and authorize the Mayor to execute an Agreement with Bucknam & Associates, Inc., in the amount of \$68,789, for engineering services for a Hydraulic Modeling Study and a Water Quality Study, City Project Nos. 10-WTR-03 and 10-WTR-02.

7. Second Amendment to the Agreement with Clinical Laboratory of San Bernardino, Inc. for Laboratory Analysis Services for Testing of Drinking Water Samples, City Project No. 07-WTR-03

Approve and authorize the Mayor to execute an Second Amendment to the Agreement with Clinical Laboratory of San Bernardino, Inc. for Laboratory Analysis Services for Testing of Drinking Water Samples, extending the term of the agreement through May 1, 2012.

8. Memorandum of Understanding with the Orange County Transportation Authority for the La Palma Avenue Traffic Light Synchronization Project

Approve and authorize the Mayor to execute the Memorandum of Understanding C-1-2467 with the Orange County Transportation Authority (OCTA) giving permission to design and implement the La Palma Avenue Traffic Light Synchronization Project.

Mayor Pro Tem Charoen made a motion to approve Consent Calendar Items 1, 2, 3, 5, 6, 7, and 8.

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

AYES: Mayor Pro Tem Charoen, Council Member Hwangbo,
Mayor Rodriguez, Council Member Shanahan, and
Council Member Waldman

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

4. Notice of Completion and Acceptance of Work for the Arterial Block Wall Painting (Phase 2), City Project No. ST-303B

Council Member Hwangbo had this item pulled to ask for clarification on the status of the unpainted walls.

Public Works Director Moneda reported that certain walls have not been painted as the City has not received consent from the property owners. He added that the City is making efforts to reach those residents and that there are sufficient funds to complete the project through the end of the fiscal year. Walls where consent is received after the end of the fiscal year will be painted by Public Works staff.

Accept the work and authorize the Public Works Director to file the Notice of Completion and Acceptance of Work with the Orange County Recorder for the Arterial Block Wall Painting (Phase 2), City Project No. ST-303B.

Council Member Hwangbo made a motion to approve Consent Calendar Item 4.

The motion was seconded by Council Member Shanahan and carried on the following vote:

AYES: Mayor Pro Tem Charoen, Council Member Hwangbo,
Mayor Rodriguez, Council Member Shanahan, and
Council Member Waldman

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

9. Request for Proposals for the Decennial Update of the La Palma General Plan

Associate Planner Scott Hutter gave the Staff Report.

Council Member Waldman made a motion to approve the Request for Proposals for the Decennial Update of the La Palma General Plan.

The motion was seconded by Mayor Pro Tem Charoen.

Discussion ensued regarding the timeline of the regional transportation plan (RTP) being developed by the Southern California Association of Governments (SCAG); how the RTP will be integrated into the General Plan; that the General Plan and RTP could take a year to complete; and that staff is working together with SCAG to incorporate their policies into La Palma's General Plan.

The motion carried on the following vote:

AYES: Mayor Pro Tem Charoen, Council Member Hwangbo,
Mayor Rodriguez, Council Member Shanahan, and
Council Member Waldman

NOES: None

10. Consideration of Traffic Improvements at Walker Street/La Luna Drive, Walker Street/La Palma Avenue, and Moody Street/La Palma Avenue

Public Works Director Moneda gave the Staff Report.

Public Comment:

Gayle Goya, 5521 Pineridge Drive, addressed the City Council regarding her support for the project.

Gerard Goedhart, 4922 Berton Circle, addressed the City Council inquiring about the accident history of the intersections.

Director Moneda responded that the Walker Street/La Palma Avenue intersection had approximately 11 collisions per year and Moody Street/La Palma Avenue intersection had approximately 5 collisions per year.

City Manager Lazzaretto clarified that left hand turn accidents are approximately five per year at these intersections and all were broadside collisions.

Mr. Goedhart asked where the funding was coming from for the proposed traffic signal improvements.

Public Works Director Moneda responded that the monies will come from the General Fund.

Mr. Goedhart noted his opposition to the Moody Street/La Palma Avenue project.

Roger Ciesinski, 5541 Fir Circle, addressed the City Council regarding his support for a protected left-turn phasing at the intersection of Walker Street and La Palma Avenue.

Amy Howe, 5192 Andrew Drive, addressed the City Council regarding her support for a protected left-turn phasing at the intersection of Walker Street and La Palma Avenue. She also asked what the liability would be if the City of La Palma did not follow through with the traffic study recommendations.

Assistant City Attorney Thind responded that when studies have been commissioned and recommendations made, that a city does not always have to follow through with the recommendations and are not always liable. He stated that the law isn't clear on the matter.

Council Comments and Questions:

Discussion ensued regarding support for the countdown timer at the La Luna Drive/Walker Street intersection; working with the local schools to keep the public and children safe; the numerous accidents at the Walker Street/La Palma intersection; the length of the La Palma Avenue left lane extension being an additional 125 feet into the median after the modifications; that the Traffic Study did not have 2010 data because the study was conducted in the Fall of 2010; the changes possible affecting vehicles exiting onto La Palma Avenue from the Bank of America; that the number of accidents at the Walker Street/La Palma Avenue intersection warrant the need for traffic signal modifications; that the consultant would maximize the time for the left-hand turn signal based on the amount of traffic; whether Staff has considered flashing yellow signals similar to those used in the City of Fullerton; that the California Manual on Uniform Traffic Control Devices (MUTCD) has not adopted flashing yellow traffic signals; that intersection accidents at Walker Street/La Palma Avenue are due to drivers misjudging the available clearance to turn left, flashing yellow traffic signals might confuse them; that a previous accident at that intersection resulted in a utility pole outage affecting numerous residents; that the Moody Street/La Palma Avenue is slightly offset so visibility is an issue; and that most serious accidents happen at the end of a traffic signal's cycle.

Council Comments and Questions regarding the Moody Street/La Palma Avenue traffic improvements:

Discussion ensued regarding the study noting that the number of collisions at the Moody Street/La Palma Avenue intersection being much lower than at the Walker Street/La Palma Avenue intersection; that the violent accidents happen at higher rates of speed; that the Police Department cites drivers who do not comply with traffic signals; that Police Officers have to be clear as to the party at fault when there is a collision; that the Moody Street/La Palma Avenue intersection could be extremely dangerous during school volume times; that vehicle volume sensors mitigate the signal change; that a previous study at this intersection was completed because of the spike in the number of collisions going north and south on Moody Street; that video would have to be installed in order to truly count vehicle amounts; that the City will work with the Orange County Transportation Authority (OCTA) to coordinate the La Palma Avenue Traffic Light Synchronization Project with the City's proposed traffic signal modifications; that the City went from permissive protective to fully protected left-hand turn lane signals years ago due to the increase in traffic collisions going north and south on Moody Street; that the MUTCD deals with the negative impacts of traffic; that the majority of costs for the Moody Street/La Palma Avenue modifications are for median reconstruction and that traffic signal upgrade costs are minimal; and that there is not clear evidence in the Traffic Study to support any modifications to the traffic signal at Moody Street/La Palma Avenue.

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding his opposition to the modifications at the Moody Street/La Palma Avenue intersection.

- a) Approve the installation of pedestrian countdown signal indications at the intersection of Walker Street/La Luna Drive and appropriation of funds from the General Fund Reserves; and
- b) Approve the inclusion of a Capital Improvement Project for Fiscal Year 2011-12 for the installation of traffic improvements at the intersection of Walker Street/La Palma Avenue and Moody Street/La Palma Avenue.

Council Member Shanahan made a motion to approve Staff recommendations a and b.

Mayor Rodriguez seconded the motion.

Discussion ensued regarding funding; that gas taxes could be used for the project, but current gas tax funds are allocated to the Pavement Rehabilitation Project; that General Funds would have to be used for the proposed changes; that the 2010 collision numbers could be incorporated into the Traffic Study by the Police Department; that those numbers could change Staff's recommendation to make changes to the Moody Street/La Palma Avenue intersection; moving forward with the Walker

Street/La Palma Avenue intersection but waiting for more information before making a decision on the Moody Street/La Palma Avenue intersection; and that the Moody Street/La Palma Avenue modifications could be incorporated into FY 2011-12 budget.

Council Member Shanahan made an amended motion to approve the pedestrian countdown signal improvements at La Luna Drive/Walker Street, the installation of traffic improvements at the intersection of Walker Street/La Palma Avenue, and to table the traffic improvements at Moody Street/La Palma Avenue to a future City Council meeting when current traffic data can be made available to City Council Members.

The amended motion was accepted by Mayor Rodriguez, who had seconded the original motion, and carried on the following vote:

AYES: Mayor Pro Tem Charoen, Council Member Hwangbo,
Mayor Rodriguez, Council Member Shanahan, and
Council Member Waldman

NOES: None

11. Southern California Association of Governments (SCAG) Regional Conference and General Assembly

Mayor Rodriguez gave a brief overview of the item, clarifying that there are no registration fees and that there would be no lodging fees as he planned to return to town for the Volunteer Recognition Event that is scheduled for May 5, 2011. He also stated that the agenda includes a vote on by-laws, a proposed 66% assessment increase, and two transportation issues within the Regional Transportation Plan (RTP) that could get federal funding; and that he planned to attend the meeting.

By consensus, the City Council approved the attendance of Mayor Ralph Rodriguez at the SCAG Regional Conference and General Assembly, May 5-6, 2011, in La Quinta.

Mayor Rodriguez called for a short recess at 9:00 p.m.

Mayor Rodriguez reconvened the City Council at 9:06 p.m. with all members present.

12. Designation of an Official Representative to the Municipal Water District of Orange County (MWD OC)

Administrative Services Manager Murray gave the Staff Report.

Discussion ensued regarding Council Member Hwangbo attending a previous MWDOC meeting; that Council Member Hwangbo expressed interest in serving as an official representative; that the meeting on April 28, 2011, is from 7-9:00 p.m.; and that Mayor Rodriguez expressed interest in serving as the City's alternate representative.

By consensus, the City Council agreed to designate Council Member Hwangbo as the City's representative and Mayor Rodriguez as the City's alternate to the Municipal Water District of Orange County.

RECONVENE THE COMMUNITY DEVELOPMENT COMMISSION FOR A JOINT MEETING WITH THE CITY COUNCIL AT 9:09 P.M.

REGULAR ITEMS

13. Study Session: Fiscal Year 2011-12 Capital Improvement Plan

City Manager/[Executive Director](#) Lazzaretto introduced the item.

Public Works Director Moneda gave the Staff Report.

Council/[Commission](#) comments and questions:

Discussion ensued regarding the need to replace the roof at City Hall; that Staff would like to get City Council/[Community Development Commission](#) direction on what items to take action on; that the roof replacement is included in the Facilities Maintenance Plan; that funding for the Pavement Rehabilitation Project would come from both Community Development Funds and the General Fund; that the pavement rehabilitation needs to be done to decrease future maintenance costs; that slurry seal could be used on the pavement after rehabilitation to increase its life span; that the Moody Street Median Project is an aesthetic upgrade; the difference between funding and allocating is that allocation is setting aside funds and funding is giving authorization to proceed with the project; that Staff is hopeful that Measure M will increase its funding in future years; and that Public Works is constantly looking for grant funding for Capital Improvements.

Public Comment:

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding the difference between capital investments and expenditures; his support for the Houston Median and Walker Median projects; that the City needs to fund its

retirement liabilities first; and that the City Council needs to evaluate its 100% General Fund Reserve Policy.

Further discussion ensued regarding the presentation being a Study Session and that City Council does not have to make decisive motions or actions at this point; that the Houston Avenue Median Project be looked at within the next five years; that the Walker Street Median Project has the same issues as the Houston Avenue Median; that the City could save approximately \$125,000 if the Walker Street and Houston Avenue Median projects were combined because of larger unit sizes; that the City Council would entertain moving both the Walker Street and Houston Avenue Median Projects into next year's Capital Improvement Plan (CIP); that the Houston Avenue Median Project would include removing the pine trees, replacing the curb and gutters, and planting water conserving plants and trees; that Staff will return to City Council with a detailed report on the combination of the Walker Street Median and Houston Avenue Median Projects; that with some of the CIP projects being funded by redevelopment monies, it would not be advisable to slow or halt commencement of those projects; that the Walker Street Median and Houston Avenue Median projects could be done in phasing; and that the City Council is generally comfortable with Staff's allocation of funding for the proposed FY 2011-12 CIP.

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION AT 9:59 P.M.

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

Council Member Hwangbo attended the League of California Cities (LOCC) Policy Committee Meeting; the John F. Kennedy High School Scholarship interviews; the Association of California Cities-Orange County (ACC-OC) monthly meeting; the Miller Elementary School Carnival; the Association of Korean American Election Volunteers formation meeting; and the joint meeting with the Development Committee and Traffic Safety Committee.

Council Member Shanahan had nothing to report.

Council Member Waldman attended the Orange County Sanitation District (OCSD) Administrative Committee meeting; the ACC-OC monthly meeting; and the joint meeting with the Development Committee and Traffic Safety Committee.

Mayor Pro Tem Charoen attended the joint meeting with the Development Committee and Traffic Safety Committee. He announced that he plans to attend the upcoming AB1234 Ethics Training.

Mayor Rodriguez attended the LOCC Policy Committee meeting; the John F. Kennedy High School Scholarship interviews; the ACC-OC monthly meeting; the Anaheim Union High School District (AUHSD) art gallery showing "Color in Light"; the joint meeting with the Development Committee and Traffic Safety Committee. He announced that he plans to attend the upcoming State of the City Address.

CITY MANAGER REMARKS

City Manager Lazzaretto discussed that water policies prevent cities from selling water across county lines and the legislature has proposed revisions to allow a change in that policy, which would be beneficial to La Palma. He reported that upcoming agenda items would include the General Fund Budget and quarterly Fiscal Report.

CITY ATTORNEY REMARKS

Assistant City Attorney Thind introduced himself and had nothing to report.

ADJOURNMENT

Mayor Rodriguez adjourned the Regular Meeting of the La Palma City Council at 10:12 p.m. in memory of Mrs. Ed Royce Senior.

Ralph D. Rodriguez
Mayor

Attest:

Laurie A. Murray, CMC
City Clerk