

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

July 5, 2005

Mayor Blake called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, July 5, 2005, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

Boy Scout Troops 650 & 578 led the Pledge of Allegiance to the United States Flag.

INVOCATION

Pastor Tony Robles with La Palma Christian Center gave the Invocation.

ROLL CALL:

Councilmembers present: Christine M. Barnes, Kenneth A. Blake, Larry A. Herman,  
Ralph D. Rodriguez, Mark I. Waldman

Councilmembers absent: None

City Officials present: Catherine Standiford, City Manager  
Ed Ethell, Chief of Police  
Jan Hobson, Director of Recreation & Community Services  
Dominic Lazzaretto, Director of Community Development  
Ismile Noorbaksh, Director of Public Works/City Engineer  
Eric Nunez, Police Captain  
Joel Kuperberg, City Attorney  
Crystal Wilkerson, Administrative Secretary

PRESENTATIONS

Noella Lew, Community Activities and Beautification Committee, presented the quarterly home spotlight award to the Rivera family.

Noel Munivez, La Palma Recreation Coordinator, recognized Matthew Carrillo and Austin Amaya for their success in the Pepsi Pitch, Hit and Run Baseball competition.

Mayor Blake, on behalf of the City Council, presented a proclamation to the Director of Recreation, Jan Hobson, proclaiming the Month of July as Parks and Recreation month.

City Attorney, Joel Kuperberg, stated that there is an emergency item that staff would like the Council to add to their agenda for approval regarding the Huntington Beach Case in relation to a shooting range. A settlement offer has been submitted and the attorney needs to receive a response no later than July 8, 2005. He explained that if Council is willing, that this item can be added as Item 5 to the open session.

Mayor Blake made a motion to add the Huntington Beach Case to the open City Council Agenda as Item 5. The motion was seconded by Councilmember Waldman and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

#### ORAL COMMUNICATIONS

None

#### RECESS

Mayor Blake recessed the City Council to convene as the Community Development Commission at 7:20 p.m. (See separate Community Development Commission Minutes.)

#### RECONVENING

Mayor Blake reconvened the meeting in regular session at 7:21 p.m.

#### CONSENT CALENDAR

Councilmember Barnes made a motion to approve the following item on the Consent Calendar:

APPROVED THE FINAL PARCEL MAP NO. 2002-241 LOCATED AT 5911 FRESCA DRIVE,  
SUBJECT TO THE DEVELOPER PAYING THE REMAINING BALANCE OF FEES

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

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

#### REGULAR ITEMS

##### 1. **Approval of Register of Demands**

Mayor Pro Tem Herman requested this item be pulled from the consent calendar and then asked about the check being prepared for West Covina and to what kind of service was being provided to the City.

City Manager Standiford explained that West Covina has a contractual agreement for maintenance and service related to the computer-aided dispatch record management system and this check is the annual maintenance payment for this agreement.

Mayor Pro Tem Herman made a motion to adopt Resolution 2005-28 approving a Register of Demands for July 5, 2005. The motion was seconded by Councilmember Rodriguez and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

3. **Adoption of the 2004 Edition of the California Electrical Code**

Community Development Director, Dominic Lazzaretto, stated that the State requires local jurisdictions to adopt and enforce local building codes, which are published by the California Building Standards Commission. This ensures that the latest materials, technology and construction methods are utilized in construction throughout the State to protect the public's health, safety and welfare to the maximum extent practical. The State recently updated the California Electrical Code and required local adoption and ratification by August 1, 2005. The proposed ordinance this evening would ratify the 2004 Electrical Code and would establish one local amendment. This amendment would increase the stringency locally for the use of aluminum wiring. This continues along the established tradition within the City of having this exception and relates to seismic safety. He explained that the plumbing and building codes will be presented for adoption later this year.

Councilmember Rodriguez asked how this would affect projects that are currently ongoing. Mr. Lazzaretto stated that it would not affect them and would only affect any project submitted after August 1<sup>st</sup>. He also asked if any projects that are being reviewed at this time would be affected. Mr. Lazzaretto stated that there are only minor changes to the new Code and it would not drastically affect any project.

Mayor Pro Tem Herman made a motion to introduce, by title only, waiving further reading, an Ordinance adopting the 2004 Edition of the California Electrical Code, with local amendments as required in order to protect the public health, welfare, and safety. The motion was seconded by Councilmember Waldman and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

4. **Consideration of Suggestions Made at the Joint City Council, Development Committee and Traffic Safety Committee Meeting held on May 10, 2005**

City Manager Standiford stated that this item was requested by Councilmember Waldman to give the opportunity for each Councilmember to discuss each of the suggestions that arose at this Joint Meeting, in order to possibly give staff direction.

Councilmember Waldman stated that there were a lot of suggestions made at this Joint Meeting and it was important for the purpose of resource allocation that the City Council decide which suggestions represent higher or lower priorities. He suggested that some of the suggestions should wait to be discussed when the Traffic Calming Study Session is held. He stated that none of the items require Council action at this time.

Councilmember Waldman stated that one of the topics was related to the Gas Station at Orangethorpe Avenue and Walker Street in relation to traffic congestion. He stated that he doesn't feel that the City can improve the situation.

Councilmember Barnes brought up the topic of the traffic flow in relation to the Ralph's shopping center at La Palma Avenue and Walker Street. She stated that she was concerned with the access in and out of the parking lot and the second driveway into a no left turn, which has caused traffic flow issues. She asked for staff to submit the number of accidents that have occurred at this location and compare it to how many accidents had occurred before the change in the driveway so the Council can make recommendations if any are needed. She stated that a semi-truck drove against traffic since he missed the alley driveway. She suggested that a sign be posted in the center median so truck drivers would be informed of the alley coming up instead of it becoming too late.

Mayor Pro Tem Herman asked Public Works Director, Ismile Noorbaksh, how many of the items were reviewed by the Traffic Safety Committee. Mr. Noorbaksh stated that he doesn't recall

reviewing some of these items, but the Ralph Shopping Center was discussed in depth specifically dealing with the access opening. He stated that Ralph's planners agreed that the westerly driveway be used only for right turns. He stated that he did look into the number of accidents reported in this area and none were found. A detailed report from the La Palma Police Department could be generated for the intersection if Council desires.

Mr. Noorbaksh proceeded with discussing the items listed of concerns that the Council and Citizen Committees discussed:

- Traffic issues along Walker Street near Kennedy High School and La Luna, particularly during peak school hours.

He stated that this item was discussed when the design was developed. He explained that the traffic issues are not related to the intersection itself and it will become a full intersection to accommodate and circulate the traffic better. The issue really is mostly enforcement and timing when both schools start. The signal timing has already been adjusted to best suit the needs of traffic flow and sixteen vehicles can make it through the turn signal at a time. A letter was recently received in regards to parents double parking on Pineridge, causing congestion. He stated that this resident was informed that the Public Works Department will be re-striping the area to leave open the intersection. Enforcement has been directed to the Police Department.

- Poor visibility on northbound Denni at the corner of Maroon Drive.

The area has been widened, but there was a problem with having the corner cut, since it is owned by the property owner. Also, there is a water well and the property owner did not want to give up his right of using this well. There are no reported accidents and there are stop signs.

- Barrier on Kathy Drive at Denni and its potential to relieve traffic on Maroon.

Mr. Noorbaksh explained that when this site was being developed it was discussed that Kathy would be a cul-de-sac and crash gates would be installed for emergency purposes. There were concerns with the children crossing Denni and they wanted the seniors to have access.

- Signal timing for turn arrows at La Palma and Valley View.

Mr. Noorbaksh stated that the City of Buena Park is in the process of changing the timing and there is still work to be done at this intersection. There is a project being put together to increase the left turning capacity to dual left turns. The City has funds set aside as well as a grant from the City's Measure M program and the project will be started sometime in 2006.

- Traffic at Orangethorpe and Walker near the Chevron Station.

Mr. Noorbaksh mentioned that there will always be some type of traffic due to drivers not wanting to pull on the wide drive approach, causing a back-up of vehicles. He suggested that the City could cut the median width making more lanes and provide a separate lane for right turns only into the gas station.

- Speed indicators being used in Buena Park.

Mr. Noorbaksh stated that this item is too new to decide if it really has helped in reducing speed violations. Mayor Pro Tem Herman asked where the grant money would come from. Chief Ethell stated from the Office of Traffic and Safety.

- Speed and road narrowing on Walker Street at Marquardt.

Mr. Noorbaksh stated that chatter bumps have been installed and since the installation there haven't been any major accidents at the bridge. There is a grant from OCTA to install a new bridge, but unfortunately the bridge does not qualify in receiving a Federal Grant under the highway bridge rehabilitation and replacement program.

- Request to allow the Traffic Safety Committee to review the median island project proposed for La Palma Avenue near Denni Street.

Mr. Noorbaksh stated that the Traffic Safety Committee has had the opportunity to review this.

Chief Ethell commented that the purpose of the Traffic Calming Study Session will be to discuss issues, primarily regarding speed in residential tracts. It is not an engineering project to look at all streets in the City.

Councilmember Rodriguez stated that he was surprised to see these suggestions as an agenda item and that he were under the impression that the Committees asked for direction. Items that were discussed was not supposed to be the "laundry list" as it has been presented this evening. He was hoping to have a Study Session for the Council to discuss items along with the citizen committees and affected City departments, as well as having the Council view these problem areas individually.

Mayor Blake stated that if the City Council is going to do the fieldwork for the citizen committees than why have them. He explained that the citizen committees are responsible for fielding the problems and reporting them to the City Council with suggestions.

Councilmember Rodriguez stated that the Traffic and Development Committees stated that several comments were made in regards to not having received direct communication and direction from the City Council about what some of their roles should be.

Mayor Blake stated that at that meeting he told the chair members of each committee that what the members are currently doing is exactly what the City Council would like to see.



Councilmember Rodriguez stated that a traffic study was supposed to be presented to the City Council, in relation to the concern on Walker Street south of La Palma Avenue, and was wondering where it is since the filing was due in May, 2005 and he still has not seen it.

City Manager Standiford stated that the study is being submitted for review and approval to the Traffic Safety Committee on Tuesday, July 12. A copy is available for Council to review in the Mayor's office and will be presented to the City Council for approval when approved by the Traffic Safety Committee. She explained that it took longer to receive the results from the consultant than anticipated. The study indicates that the speed limits currently operating in the City of La Palma are fine and do not need to be changed. Therefore, there is not an issue in terms of using the City's speed enforcement by using the radar technology.

Councilmember Rodriguez asked what reports were filed in May, 2005.

Chief Ethell explained that in order for the Police Officers to write radar tickets, a traffic survey has to have been completed or an engineer's certification that the roads did not change. In La Palma's case, the roads did change since center medians were added, so a traffic study was done and it is being reviewed by the Traffic Safety Committee on Tuesday, July 12<sup>th</sup>.

Councilmember Rodriguez responded that the City has been out of compliance since May 2005.

Chief Ethell responded positively.

Mayor Blake asked if the speed on Walker Street of 35 mph was an issue again or if it was approved.

Chief Ethell explained that there are exceptions to setting speed limits at the 85 percentile. The City keeps the speed at 35 mph on Walker Street because of the park and schools in the area.

Mayor Pro Tem Herman asked why the Traffic Safety Committee needed to see the consultant's report if they are unable to make any changes.

City Manager Standiford explained that the role of the Traffic Safety Committee is to review the report and make suggestions to the City Council regarding changes to the report.

Chief Ethell stated that the City Council has the authority to make changes to the report.

Mayor Pro Tem Herman asked why a judge needs to look at the report.

Chief Ethell explained that a judge only views the report when a case goes to court with a citizen fighting a traffic citation.

Councilmember Barnes expressed her opinion in regards to having a "Council Meeting on wheels." She stated that the City is so small that there is no reason for this since everyone passes individually through these areas several times a day and having Council go out as a group is not necessary. She stated that the citizen committees are doing a fine job pointing out issues and determining resolutions for the problem areas and there is no need for a change to the current system.

Councilmember Rodriguez asked Director of Community Development, Dominic Lazzaretto, if it was the Chair of the Development Committee who was requesting additional direction from the City Council on design issues, specifically related to residential remodels and requested opinions from the Council on projects that were approved now and in the past and how Council feels today.

Mr. Lazzaretto responded, yes, that the Chair did request this information at the beginning of the meeting.

Mayor Pro Tem Blake made a motion to receive and file the suggestions made at the Joint City Council, Development Committee and Traffic Safety Committee Meeting. The motion was seconded by Councilmember Rodriguez and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

5. **Approval of Lawsuit Settlement with Huntington Beach Shooting Range**

City Manager Standiford stated that the City has received a settlement agreement with the City of Huntington Beach to settle an existing lawsuit related to the City of La Palma's use of a firing range facility that was located in the City of Huntington Beach. The City Council was briefed in closed session two weeks ago and the terms of the settlement have not changed and is in the amount of \$14,000.00. Along with the settlement amount, the City of Huntington Beach is willing to dismiss the entire action against the City of La Palma.

Mayor Pro Tem Herman made a motion to approve and authorize the City Manager to execute the Agreement with the City of Huntington Beach, in an amount not-to-exceed \$14,000, to resolve the Huntington Beach Shooting Range Lawsuit. The motion was seconded by Councilmember Waldman and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

Mayor Blake thanked the Boy Scout Troops for staying and participating in the City Council meeting. He further asked if any of them had any questions about the information discussed this evening.

One of the Scouts asked what "traffic calming" means? Chief Ethell stated that traffic calming means that there is a perception that people are driving too fast around residential streets and schools, so staff is looking into ways of reducing the speed.

Another Scout asked "which department does the Traffic Committee fall under?" Director of Public Works, Ismile Noorbaksh stated that it falls under the Public Works Department. It is comprised of five individuals appointed by the City Council. The Public Works Director acts as a secretary to the Traffic Safety Committee and brings them reports for review and then takes their recommendations to the final governing body, the City Council. Any changes that then are approved are directed to the Public Works Department for action.

#### COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES/COUNCIL REMARKS

Councilmember Waldman attended the Orange County Sanitation District meeting and stated they approved the District's Budget. He is changing committees from Operations/Maintenance and Technical Services to Finance and Human Resources.

Councilmember Rodriguez attended the Orange County Leadership Symposium. The 5<sup>th</sup> annual meeting will be held in Lake Arrowhead. He requested an update on the City Council policies.

City Manager Standiford stated that the Sub-Committee working to update the Council Policies met two weeks ago to review all recommended policy changes and the goal is to bring the item back to the full Council for review on August 16, 2005.

Councilmember Rodriguez congratulated Crystal Wilkerson as the newly appointed Executive Assistant for the City Council and the City Manager.

Councilmember Barnes thanked all departments, staff members and the Police Department for the July 4<sup>th</sup> Run for Fun event. She stated that the West Orange County Legislative Committee is

putting together the mixer on August 12<sup>th</sup> between 5pm-7pm at the Joint Forces Training Base in Los Alamitos.

Mayor Pro Tem Herman stated that the Orange County Vector Control District General Manager is attempting to improve communication with the City Councils and City Staffs. He signed the City of La Palma up to receive quarterly reports. He asked about the vacant lot by McDonalds and who the property belongs.

Director of Community Development, Dominic Lazzaretto, stated that the property is owned by McDonalds and there is an active code enforcement case in regards to the fence and landscaping.

Mayor Pro Tem Herman asked about the old abandoned water well, due to a resident request.

Director of Public Works, Ismile Noorbaksh, explained that roughly six months ago the property was sold to the property owner behind the well. He stated that she has been trying to collect enough money to hire a contractor to build a block wall and make some other sidewalk alterations. He spoke with her a few weeks ago and expressed that she needs to move forward with this project soon or he will need to report to the City Council recommending that they take back the property.

Mayor Blake attended the Orange County Fire Authority Executive Committee meeting where they discussed routine items. The General Board approved a \$16 million in tax and revenue anticipation notes. They also adopted the Fiscal Year 2005/2006 budget for \$300 million. He rode along with the Buena Park Fire Authority for the Fourth of July and only one structure fire occurred.

#### CITY MANAGER COMMENTS

City Manager Standiford congratulated Crystal Wilkerson as the newly appointed Executive Assistant. She reminded the Mayor that the meeting needs to be recessed to a closed session and there is a special adjournment this evening.

CITY ATTORNEY COMMENTS


City Attorney, Joel Kuperberg stated that the City Council is going to recess and reconvene in closed session to continue the discussion related to labor negotiations dealing with the La Palma Management Employees and Public Employee performance involving the Office of the City Manager.

RECESS

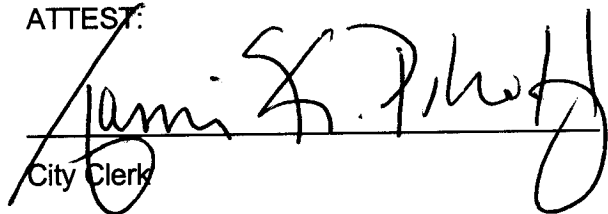
Mayor Blake recessed the regular meeting in memory of Mr. Edward Archuletta, former administrator and teacher for the Centralia School District. at 8:35 p.m. to continue in closed session.

ADJOURNMENT

Mayor Blake adjourned the City Council meeting at 9:50 p.m.

  
\_\_\_\_\_  
Mayor Pro Tem

ATTEST:

  
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City Clerk