

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

January 18, 2011

CALL TO ORDER: Mayor Rodriguez called the Regular Meeting of the La Palma City Council to order at 7:03 p.m. in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Charoen

INVOCATION: Pastor Jerry Bennett, Faith Fellowship Church

ROLL CALL: Council and Commission Members

Council 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 Members absent: None

City Officials present: Dominic Lazzaretto, City Manager/Executive Director  
Joel Kuperberg, City Attorney  
Michael Belknap, Recreation and Community Services Director  
Douglas Dumhart, Community Development Director  
Jeff Moneda, Public Works Director/City Engineer  
Keith Neves, Finance Director  
Eric Nunez, Police Chief  
Laurie Murray, Administrative Services Manager/City Clerk  
Kimberly Kenney, Minutes Clerk

PRESENTATIONS

1. Kiwanis President Ismile Noorbaksh presented awards to the winners of the Kiwanis Holiday Home Decorating Contest as follows:

Fantasy of Lights winners: First Place, Francisca Monroy; Second Place, the Quijano Family; Third Place, Christina Hernandez

Spirit of Christmas winners: First Place, Mark and Jenny Verret; Second Place, Emily Pererira; Third Place, Mitsue Barnes

Santa's Workshop winners: First Place, Peter Benze; Second Place, Al Ezra and Tim Holland; Third Place, Lisa Volivitch

Christmas in Motion winners: First Place, James Wullschleger; Second Place, Jayne and Curt Carlson

Christmas Fantasy winners: First Place, Ryne Jennings; Second Place, Ernesto Esmas; and Third Place, Charles Settles

Best Decorated Street winners: Dallas Drive

2. Mayor Rodriguez presented Certificates of Recognition to the National Amateur Athletic Union (AAU) Junior Olympic Participants.

Certificates of Recognition were presented to Coach Richard Neder and athletes, Sarah Ito, Hallie Kaichi, Lindsey Pike, Lauren Wada, and Abigail Zhong.

## ORAL COMMUNICATIONS

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding his attendance at an upcoming Orange County Vector Control District (OCVCD) meeting regarding purchasing property that adjoins the OCVCD's current site and reported that he would be attending a Mosquito and Vector Control Association of California conference in Indian Wells from January 30 through February 5 on behalf of the OCVCD.

## RECESS THE CITY COUNCIL AND CONVENE AS THE COMMUNITY DEVELOPMENT COMMISSION AT 7:27 P.M.

## CONSENT CALENDAR

- A. Approval of Community Development Commission Minutes

Minutes of the January 4, 2011, Regular Meeting of the La Palma Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2011-02 approving the Register of Demands for January 18, 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

C. Relocation Plan for 4611 La Palma Avenue - Phase II of the Denni Street Affordable Housing Specific Plan

Community Development Director Dumhart gave the Staff Report.

Public Input:

No members of the public wished to speak.

Commission Comments and Questions:

Discussion ensued regarding the rent the residents are currently paying; that there are 22 suitable rentals in the acceptable rent range; that Community Development funds would be used for moving expenses and any rent differential if the new location is more expensive than what the residents are expected to pay; that State law requires the City to pay the rent differential; and that the subsidy is for 42 months.

Michelle Folk, Overland Pacific and Cutler Project Manager, addressed the Community Development Commission regarding moving expenses being based on the Federal Fixed Room Count Schedule that is published and

regulated by the State of California; that the requirement to subsidize future rent is because a public agency cannot displace a resident due to a public project; and that the resident cannot be required to pay rent that is over 30% of their gross monthly household income.

Further discussion ensued regarding Staff's recommendation to pay the relocation fees in a lump sum; that the funds are Community Development Commission Low and Moderate Income Housing Funds; the Governor's proposal to eliminate redevelopment; that the City Council requested that the relocation schedule be set to allow the family to stay at their existing residence through the end of the school year; that the proposal is the least expensive option; a 90-day notice being given to the resident in late May, 2011; and that Staff plans to work with local school districts to make every effort to keep the family's children at their current schools.

- a) Adopt a Resolution approving the relocation plan for 4611 La Palma Avenue to facilitate Phase II of the Denni Street Affordable Housing Specific Plan; and
- b) Approve a supplemental appropriation of \$50,000 from the Low and Moderate Income Housing Fund to pay estimated relocation costs.

Commission Member Waldman made a motion to approve Resolution No. CDC 2011-03 approving the relocation plan for 4611 La Palma Avenue to facilitate Phase II of the Denni Street Affordable Housing Specific Plan and approve a supplemental appropriation of \$50,000 from the Low and Moderate Income Housing Fund to pay estimated relocation costs.

The motion was seconded by Commission Member Shanahan.

Discussion ensued regarding the legal relocation requirements set by California and that the City did not use eminent domain to purchase the property.

The motion carried on the following vote:

AYES:	Vice Chairperson Charoen, Commission Member Hwangbo, Chairperson Rodriguez, Commission Member Shanahan, and Commission Member Waldman
NOES:	None

D. Request for Qualifications and Proposals (RFQ/P) for the Development of Phase II of the Denni Street Affordable Housing Specific Plan and Authorization to Solicit Proposals

Executive Director Lazzaretto reported that Staff identified entitlement issues with the property and requested to have the item postponed to a later date in order to allow Staff enough time to conduct further research.

- a) Approve the Request for Qualifications and Proposal (RFQ/P) for the Development of Phase II of the Denni Street Affordable Housing Specific Plan;
- b) Authorize solicitation of proposals from the prequalified list of developers; and
- c) Establish an Ad-Hoc Subcommittee to review the proposals and make recommendations for the preferred purpose.

Commission Member Waldman made a motion to table the Request for Qualifications and Proposals (RFQ/P) for the Development of Phase II of the Denni Street Affordable Housing Specific Plan and Authorization to Solicit Proposals to a later date.

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

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

NOES: None

ADJOURN THE COMMUNITY DEVELOPMENT COMMISSION, AND CONVENE AS THE PLANNING COMMISSION AT 7:53 P.M.

CONSENT CALENDAR

PL-1. Approval of Planning Commission Minutes

Minutes of the January 4, 2011, Regular Meeting of the La Palma Planning Commission.

Vice Chairperson Charoen 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: 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 AS THE CITY COUNCIL AT 7:54 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 January 4, 2011, Regular Meeting of the La Palma City Council.
3. Approval of Register of Demands  
Resolution No. 2011-02 approving the Register of Demands for January 18, 2011.
4. Award of Contract to Skora Electric for Construction Services for the ARRA-Energy Efficiency and Conservation Block Grants Project, City Project No. 10-BLDG-03, Federal Grant No. CBG-09-083

Council Member Waldman made a motion to approve Consent Calendar Items 1 through 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

5. Consideration of Traffic Improvements at the Intersection of Crescent Avenue and Watson Street

Public Works Director Jeff Moneda and Police Chief Nunez gave the Staff Report.

Public Input:

Lori Dinwiddie, 6220 San Ramon Way, Buena Park, Health and Safety Chairman for the Walker Junior High School and John F. Kennedy High School PTSA's, addressed the City Council and asked that the signal be named in Sydney's honor; to thank the City Council and staff for working closely with the PTSA after the incident; to announce that the PTSA will work with the Police Interacting with Youth (PIY) Program to coordinate Blue Ribbon Week activities, which will start in Sixth Grade; and to express the PTSA's wishes that the City Council approve the traffic signal.

Angela Martinez, 8555 Salisbury Lane, addressed the City Council to request that a crossing guard be placed at the intersection on the weekends until the traffic signal is installed due to the numerous activities and sporting events at the park over the weekends.

Council Comments and Questions:

Discussion ensued regarding City Council's support for the installation of a traffic signal because it meets the warrant criteria; that traffic safety around schools is

extremely important; and that it is important to keep children safe during high volume traffic hours.

Council Member Hwangbo asked about details of the Traffic Study.

Scott Ma, Hartzog and Crabill Senior Engineer, answered that the proposed signal meets the warrants needed for installation; that the Traffic Study did not compare the intersection of Walker Street and Crescent Avenue with Watson Street and Crescent Avenue; and that the Traffic Study stated that if no signal were to be installed at Watson Street and Crescent Avenue, that the Cities should install pedestrian barricades at Watson Street and Crescent Avenue forcing pedestrians to cross at the Walker Street traffic signal.

Council Member Hwangbo asked if removing the crosswalk would be the safest option.

Public Works Director Moneda responded that pedestrians would still cross the street at the intersection whether or not there was a crosswalk at the location and that installation of a traffic signal at the intersection is the safest option.

Further discussion ensued regarding educating students about traffic safety at local schools; what other safety options are available; support for installation of a traffic signal at the Crescent Avenue and Watson Street intersection; a desire for Traffic Safety Committee Members to get involved with educating students about safety; that the Traffic Study supports installation of the traffic signal; that the funding is being split with the City of Cypress; potential sign locations; pedestrian barricades at the crosswalk; and that drivers would also benefit from the installation of a traffic signal.

- a) Approve the installation of a fully-actuated traffic signal at the intersection of Crescent Avenue and Watson Street;
- b) Authorize a supplemental appropriation of \$150,000 from the City's General Fund Reserves to be transferred to Capital Outlay Reserve (COR)Fund to cover one-half of the costs associated with the design and installation of the traffic signal; and
- c) Authorize the City Manager to execute an agreement with the City of Cypress for funding one-half of the total design and construction costs of the signal.

Council Member Shanahan made a motion to approve the installation of a fully-actuated traffic signal at the intersection of Crescent Avenue and Watson Street; authorize a supplemental appropriation of \$150,000 from the City's General Fund Reserves to be transferred to Capital Outlay Reserve (COR)Fund to cover one-half of the costs associated with the



design and installation of the traffic signal; and authorize the City Manager to execute an agreement with the City of Cypress for funding one-half of the total design and construction costs of the signal.

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

Mayor Rodriguez requested a follow-up discussion on the possibility of adding a crossing guard at the Watson Street and Crescent Avenue intersection during the weekends.

City Manager Lazzaretto reported that the City committed to coordinate crossing guard coverage during major events; that the cost to add a crossing guard at the location would be approximately \$680 a month; that the demographics of park attendees is different on the weekends; and that Cypress committed to help coordinate a weekend crossing guard as needed but had not yet forwarded an event schedule for the park.

Carolyn Mertz, 7560 Lee Drive, Buena Park, addressed the City Council regarding the Cypress Girls Softball League, whose season begins shortly, and that they will use the park every weekend through June 2011. She provided contact information to City Staff.

Further discussion ensued regarding costs involved with providing crossing guard services on the weekend; that the City does not have any data regarding crosswalk usage during the weekends; the timeline of when the traffic signal would be fully operational; that Staff anticipates the project to be complete in approximately four to six months; that Cypress would split the fees with La Palma for adding a crossing guard on the weekends; and that Staff needing City Council direction regarding the matter.

By consensus, the City Council directed City Manager Lazzaretto to work with Cypress to add a crossing guard, as appropriate, on the weekends and during the construction phase of the traffic signal installation.

Mayor Rodriguez requested to take a short recess at 8:40 p.m.

Mayor Rodriguez reconvened the City Council at 8:47 p.m. with all members present.

5. Central Park Smoking Survey Results

Recreation and Community Services Director Belknap gave the Staff Report.

Public Input:

Gerard Goedhart, 4922 Berton Circle, addressed the City Council regarding his support for a smoke-free Central Park.

Council Comments and Questions:

Discussion ensued regarding designating an area for a trial period; that smoking is acceptable in certain ethnic cultures; that eliminating smoking would not infringe upon park visitors' freedom because they can walk to the public sidewalk to smoke; that a large number of deaths are attributed to second hand smoke every year; that the majority of park visitors are under 18, when lungs are still developing; that smoking in the park is a matter of public safety; that smokers pay taxes just as non smokers do and should be accommodated; that a designated area is a good compromise; and that having a designated area is a much smoother transition to someday having a smoke-free park.

Council Member Waldman made a motion to designate a smoking area in Central Park as described in the Staff Report. The motion was seconded by Mayor Pro Tem Charoen.

Discussion ensued regarding the proposed designated smoking area being right next to the playground and tiny tots play areas; that the park is small; and that cigarette smoke has serious medical implications.

The motion failed on the following vote:

AYES: Mayor Pro Tem Charoen, and Council Member Waldman

NOES: Council Member Hwangbo, Mayor Rodriguez, and Council Member Shanahan

Larry Herman, 5122 Andrew Drive, addressed the City Council regarding his support for a smoke-free Central Park and read a report on the health statistics of second hand smoke.

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

**Council Member Waldman** attended the Orange County Sanitation District Ground Water Replenishment System meeting and announced that the new Chairperson is Larry Crandall.

**Council Member Shanahan** had nothing to report.

**Council Member Hwangbo** attended the Eagle Scout Court of Honor Ceremony for Troop 650 and the League of California Cities State Budget teleconference. He asked the City Manager for clarification on the Governor's proposed budget changes.

City Manager Lazzaretto responded that the City receives multiple millions of dollars in funding for economic development, redevelopment projects, capital improvement projects, and affordable housing projects from Redevelopment tax increment each year. These funds would be jeopardized and would cease with Governor Brown's proposal to eliminate redevelopment in California. The City would continue to receive funding for outstanding obligations but projects such as the Moody Street and Walker Street rehabilitation projects that are scheduled for this year would be jeopardized. Future redevelopment efforts would be jeopardized and the City would lose funding for the approximate \$380,000 of overhead and staff costs that get paid out of the redevelopment agency each year. The impacts would be immediate and significant.

Council Member Hwangbo continued by asking City Manager Lazzaretto to write a letter of opposition to Governor Brown's proposed budget cuts and transmit it to the State Legislature. He announced that he plans to attend the upcoming League of California Cities (LOCC) New Mayor and Council Member's Academy in Sacramento.

**Mayor Pro Tem Charoen** had nothing to report.

**Mayor Rodriguez** attended the Eagle Scout Court of Honor Ceremony for Troop 650; the Orange County Transit Authority (OCTA) transit study; the North Orange County Community College District Planning Meeting; the Orange County Senior Advisory Committee; the Orange County Business Council/Building Industry Association meeting; and a special meeting of the Orange County Fire Authority (OCFA). He announced that he plans to attend the upcoming LOCC New Mayor and Council Member's Academy in Sacramento and the LOCC Public Works, Transportation and Communication Policy Committee meetings. He commented on the potential cuts to redevelopment funding and noticed that since the announcement of proposed cuts, many cities are starting development projects that could stimulate the economy.

CITY MANAGER REMARKS

**City Manager Lazzaretto** announced that upcoming agenda items include the Lattice Extension Ordinance and a Block Wall Stair Stepping Ordinance; alternatives for video

streaming City Council meetings; and a policy for the sale of the old street signs. He reported that he plans to consider a letter in support of redevelopment, but noted that City Council Policy states he cannot write letters on behalf of the City without authorization from the City Council.

CITY ATTORNEY REMARKS

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

ADJOURNMENT

Mayor Rodriguez adjourned the Regular Meeting of the La Palma City Council at 9:27 p.m.

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Ralph D. Rodriguez,  
Mayor

Attest:

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Laurie A. Murray, CMC  
City Clerk