

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

March 7, 2006

Mayor Barnes called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, March 7, 2006, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

Councilmember Rodriguez led the Pledge of Allegiance to the United States Flag.

INVOCATION

Pastor Sandra Heer with A Fountain of Living Water Methodist Church 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  
Dominic Lazzaretto, Assistant 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  
Deborah Moreno, Finance Director  
Eric Nunez, Police Captain  
Joel Kuperberg, City Attorney  
Lynnae Sisemore, Minutes Clerk

PRESENTATIONS

Mayor Barnes presented a proclamation to Ulla Herman in recognition of receiving the Cypress College Foundation Americana Award.

ORAL COMMUNICATIONS

No one wished to speak at this time.

RECESS

Mayor Barnes recessed the City Council to convene as the Community Development Commission at 7:12 p.m. (See separate Community Development Commission Minutes.)

Chairman Barnes adjourned the Community Development Commission to convene as the City Council at 7:13 p.m.

JOINT PUBLIC HEARING (Mayor Barnes convened the Planning Commission)

PL-1 **Development Code Amendment 2006-01 to Add Section 26-25 (d) to Chapter 26 of the La Palma Municipal Code Relating to Residential Chimney Structures**

Dominic Lazzaretto, Director of Community Development Department, gave a staff report on the proposed amendment to add Section 26-25 (d) to Chapter 26 to include requirements for residential chimney structures. Earlier this year on January 3, 2006 the Planning Commission was faced with an appeal to allow a metal chimney structure at 8232 Santa Margarita Lane. The Planning Commission directed staff to prepare an Ordinance so that future situations such as that were avoided. The issue at hand was that there are no specific standards for residential chimneys in the City. The proposed Chimney Standards would require new chimney pipes to be enclosed within a chassis and finished with either brick, rock, stucco, or wood/metal siding. All materials except brick and rock must be painted to match the trim color or exterior paint of the

residence. The following items will not be allowed to be visible from the street: round metal chimney pipes, clay pipes, guy wire and straps that are used to affix the chimney to the side of the residence. Gas vent pipes and other mechanical ducts less than 6 inches in diameter would be exempted from these requirements so that small pipes such as water heater pipes would be allowed to be exposed without being within a chimney structure. Mr. Lazzaretto stated that the proposal is consistent with the General Plan, it's not detrimental to the public or general welfare of the City, it has no significant environmental impacts, and is internally consistent with other applicable codes and the provisions of the Municipal Code. The document provides specific chimney standards to ensure that chimney structures will be compatible with the residence and with general standards in the community. No public inquiries have been received in regards to the proposal. Staff is recommending adoption the Resolution and introduction of the Ordinance.

There being no public comments, Chairman Barnes made a motion to close the public hearing.

Commissionmember/Councilmember Waldman asked for staff to give an explanation of what the specific standards were to ensure a chimney structure will be compatible with community standards or residence.

Mr. Lazzaretto stated that the requirements for a new chimney would have to match the existing chimney on a lot in terms of material and design structure. He explained that if a residence had brick siding on an existing large chimney and then added a second chimney structure, the expected brick would have to match. He stated the chimney would have to be compatible with the immediate area as well as the community.

Commissionmember/Councilmember Rodriguez asked Mr. Lazzaretto if it would be okay to have a brick chimney in the front of the house and then add a stucco chimney in the back of the house.

Mr. Lazzaretto answered it would be acceptable as long as the stucco was compatible with the structure that it was attached to and that it didn't stick out.

Commissionmember/Councilmember Rodriguez stated the compatibility of two chimneys were of concern because it shouldn't negatively impact a home owner's decision to make architectural changes. He stated this issue was in relation to a long standing case the City had with a resident and asked if there were any other known cases in the City that would be impacted by this Ordinance, and if so how would the Ordinance retroactively affect what might be going on at the present time.

Mr. Lazzaretto stated that staff is not aware of any other chimneys that were similar in structure. He stated that if property owners had similar structures and could prove they were in existence prior to this Ordinance, they would be grandfathered similar to any other Ordinance that Council would adopt. He stated there were no specific provisions for retroactivity in this Ordinance.

Commissionmember/Councilmember Herman asked if the new Ordinance would require a permit to install a chimney.

Mr. Lazzaretto answered a new chimney structure would require a building permit.

Commissionmember/Councilmember Blake asked if wood frames hiding a chimney pipe would be permissible.

Mr. Lazzaretto stated it would be acceptable because wood was listed as one of the materials used to enclose a chimney.

Commissionmember/Councilmember Rodriguez asked if this Ordinance was written because nothing was printed in the Municipal Code about external chimney structures at the time the appeal in January 2006 took place.

Mr. Lazzaretto stated there currently was no information in the Code regarding external chimney structures.

Commissionmember/Councilmember Rodriguez asked if the Code was questioned in regards to whether an item was to be permitted or not.

Mr. Lazzaretto stated the item in question was not whether it needed a building permit but was about zoning and aesthetics.

Commissionmember/Councilmember Rodriguez asked if the Ordinance would clarify any doubt about external chimney structures needing a permit.

Mr. Lazzaretto answered affirmatively.

Commissionmember Herman made a motion to adopt Resolution No. 2006-02 to add Section 26-25 (d) to Chapter 26 of the La Palma Municipal Code to include requirements for residential chimney structures. The motion was seconded by Commissionmember Rodriguez and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

Councilmember Rodriguez made a motion to introduce by title only, waiving future reading, an Ordinance to add Section 26-25 (d) to Chapter 26 of the La Palma Municipal Code to include requirements for residential chimney structures. The motion was seconded by Councilmember Blake and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

ADJOURNMENT

Mayor Barnes adjourned the Joint City Council and Planning Commission Meeting at 7:22 p.m.

RECONVENING

Mayor Barnes reconvened the meeting in regular session at 7:22 p.m.

CONSENT CALENDAR

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

1. ADOPTED RESOLUTION NO. 2006-13 APPROVING A REGISTER OF DEMANDS FOR MARCH 7, 2006
2. APPROVED AND AUTHORIZED A TWO (2) YEAR RENEWAL OF THE COURT LIAISON SERVICES AGREEMENT WITH THE CITY OF BUENA PARK WITH AN INCREASE IN FEES OF \$155 PER MONTH
3. APPROVED AND AUTHORIZED A TWO (2) YEAR RENEWAL OF THE JAIL SERVICES AGREEMENT WITH THE CITY OF BUENA PARK

The motion was seconded by Mayor Pro Tem Waldman and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

REGULAR ITEM

4. **Discussion of Whether to Direct Staff to Research the Costs of Video Webcasting of the City Council Meetings**

Catherine Standiford, City Manager stated at the February 7, 2006 City Council Meeting, Council authorized staff to enter into an agreement with Granicus Inc. to initiate audio webcasting of City Council meetings. The discussion at that meeting included whether or not to upgrade to a video feed, but there was no clear direction from Council at that time. City Manager Standiford stated that Councilmember Herman asked for this item to be re-listed to consider adding video webcasting. She stated that the City's launch date for audio webcasting will begin at the March 21, 2006 City Council meeting. She informed Council that the City is still in negotiations with a cable franchise renewal and the cost to upgrade to a video feed may be impacted by cable negotiations, depending on how the deal points are structured.

Councilmember Herman asked if Comcast or Time Warner had successfully negotiated provisions of video and other equipment for televising or video webcasting public meetings as part of a franchise renewal agreement.

City Manager Standiford stated that it was not uncommon in the franchise renewal process to include components of an agreement such as specific financial support for public education and government access programming. She stated that different cable companies have different viewpoints on how to financially structure that type of assistance and that cable companies try to offer a set amount per subscriber as a capital grant.

Councilmember Herman stated his direction to staff was to research the additional costs of a camera and camera operator.

Mayor Pro Tem Waldman stated that he would like to assess the audio webcasting and to know if the public was interested in this feature before adding video webcasting.

Councilmember Rodriguez stated the cost equipment for the video webcasting was omitted in the proposal and asked what kind of research staff is conducting to find out how much cameras cost.

City Manager Standiford stated staff would research other Cities in terms of how they set up webcasting and/or televising, try to determine one camera versus two, fixed setting cameras or rotating cameras, manually operated or remote controlled, and other staffing options associated with those various components. She stated staff would have to consult with Brea IT and Granicus to rule out any specific types of equipment that would be incompatible with the service. She stated that, depending on Council's direction, it could take up to 15 to 20 hours of staff's time for the research.

Councilmember Rodriguez stated that he called Sony to find out how much a camera would cost and they told him it was roughly \$1,700.00. He stated that he also called Granicus and they said any digital feed camera would work for the City's situation. He stated the cost component of the agreement was incomplete and was not in support of staff doing the extensive research of video options. He stated he just wanted the cost of a camera and was satisfied with the feedback he received.

Councilmember Herman asked if it required one staff person to operate a camera.

City Manager Standiford answered a stationary camera could be set up to be pointed in one direction that wouldn't need a person to operate it. She stated that Cities may start with one stationary camera and then receive feedback from the public that they would like to be able to view the Council and whoever is at the podium.

Councilmember Blake agreed with Mayor Pro Tem Waldman to wait for video webcasting until the City assesses of the audio webcasting.

Councilmember Herman stated he was not requesting video webcasting just how much a camera would be to add to the Granicus agreement.



Mayor Barnes stated she would like an assessment of the audio before moving on to video webcasting.

Councilmember Blake asked if the cable company's staff could video City Council meetings.

City Manager Standiford answered that it would be unlikely that the cable company would offer camera operating as a service. She stated that the cable franchise does not ask for a specific itemization of equipment and the associated costs for purposes of determining that capital grant, it is on per subscriber basis.

Councilmember Rodriguez asked staff how long the cost proposal for adding video webcasting from Granicus would be extended to.

City Manager Standiford answered that Granicus has guaranteed the price until September 1, 2006.

Councilmember Rodriguez asked if it would be considered a mid-year budget adjustment if Council decides to re-address the video webcasting in December 2006.

City Manager Standiford answered affirmatively.

Mayor Barnes stated that she would not like to implement video webcasting at this time and asked for consensus from the Council.

Councilmember Herman stated that Councilmember Rodriguez answered his question on the cost of the camera. He figured the camera to be approximately \$2,000.00 and added that figure to the \$19,778.00 audio webcasting agreement and came up with a total of \$21,478.00 for the whole program, and he was satisfied with the fees.

City Manager Standiford stated that if Council did not give direction to add the video webcasting nothing would be done.

Councilmember Rodriguez asked staff to agendize the audio webcasting in six months to follow up on the progress of the service.

COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES/COUNCIL REMARKS

Councilmember Blake attended the Orange County Business Council's Education Seminar on February 22, 2006. He attended Disneyland's Recognition of Community Leaders Program on Wednesday, March 6, 2006. On February 23, 2006, he attended the Garden Grove Prayer Breakfast. He attended the Orange County Fire Authority Executive Meeting and discussed routine items and had a closed session on operations and security at the training center. He attended the Americana Awards banquet on February 25, 2006, to recognize Ulla Herman and went to the opening of Continental Little League that same morning. He expressed his condolences for the passing of Councilmember Russ Paris from Westminster.

Councilmember Herman thanked the Mayor for her recognition of his wife, Ulla Herman, on receiving the Americana Award from the Cypress College Foundation. He attended the Orange County Vector Control District meeting with no news to report. He asked staff to address the landscaping at Centerpointe Drive near the florist shop and the entrance of City Hall. He stated that the areas were full of dirt, tree stumps, and that the landscaping didn't look presentable.

Ismile Noorbaksh, Director of Public Works, stated that Council will be receiving a set of plans to review in regards to the City Hall landscaping.

Councilmember Herman asked if the center median sign at Valley View and Orangethorpe would be repaired.

Mr. Noorbaksh answered the City of Buena Park is going to repair the sign.

Councilmember Herman asked the Chief of Police if a portable sign could be placed at intersections to encourage people to stop at stop signs.

Chief of Police Ed Ethell answered that the City owned electric signs and that a "slow down" message could be posted for warnings to the public.

Councilmember Herman asked for a free standing sign to warn drivers to stop, because at the residential streets of Andrew and Indigo, people tend to speed or roll through the stop sign.

Chief Ethell stated a police vehicle at the location would be a very effective thing to get people to stop.

Mr. Noorbaksh stated that Public Works has portable stop signs, but agreed that a police vehicle would be more effective.

Councilmember Herman asked when the trees will be placed back on Houston and Walker where they have been taken out.

Mr. Noorbaksh answered somewhere between the spring and summer of 2006, because sidewalk work needs to be included in that project.

Councilmember Rodriguez asked staff if Southern California Edison has informed the City of what trees can be placed and replaced at the Edison right-of-way.

Mr. Noorbaksh answered that staff has submitted locations of existing trees to Edison, so they are currently reviewing those locations. He stated staff is hoping to meet with them in the next 2 to 3 weeks to discuss what trees are allowed.

Councilmember Rodriguez asked if locations would be provided by Edison for new trees and how many could be replaced.

Mr. Noorbaksh stated 50 trees would be removed and 50 trees would be replaced and that staff has left the option up to Southern California Edison on where the City should replant the allowable trees.

Councilmember Rodriguez attended the Americana Awards Banquet on February 25, 2006 in honor of Ulla Herman. He attended the Continental Little League opening breakfast. He attended a "Community Read Day" at Luther Elementary School on February 28, 2006. He attended the Orange County Business Council's Education Seminar on February 22, 2006. He asked staff to include Proclamations in the agenda packets and wanted legislative advocacy letters sent on behalf of "the City" placed on the Consent Calendar prior to being sent. Said that when sent on behalf of the City Manager, no need, but when sent on behalf of "the City" the City Council should approve.

City Manager Standiford stated letters that are addressed to Council sometimes request a fast response, so that is why letters are put in the Friday Report for review versus the City Council Agenda. She stated staff would be happy to add certain letters to the agenda but wanted to reiterate that due to the timing factor, approval of letters might be after the fact.

Mayor Barnes asked if the other Councilmembers were comfortable with how the letters were presented in the Friday Report.

City Manager Standiford stated the City Attorney suggests for Council to refer this inquiry to the Policy Subcommittee to make recommendations on how letters should be handled.

Councilmember Blake stated that there is already a Council norm which came from the Policy Committee, which had a 5-0 vote, so the procedure is already in the Council norms.

City Manager Standiford stated that writing of letters is not in the Council norms, but there is a policy related to the role of the Mayor and Mayor Pro Tem.

Councilmember Blake stated that he thought that policy covered the letters on behalf of the City.

Councilmember Herman stated he would like to see letters on the agenda if timing permits.

City Manager Standiford stated there is nothing in the Council Policy pertaining to a transmittal of positions on matters of legislation or letters of support by Councilmembers. She stated there was a policy on the use of City stationary by Councilmembers in policy #23, which limits the use of City stationary by Councilmembers. First, the policy states that official stationary should be used by the Mayor at the direction of the full Council; second, official stationary shall be used by the Mayor to communicate legislative positions taken by the Council; third, official stationary may be used by the Mayor and/or Councilmembers for the purpose of thanking citizens or groups or extending invitations to City sponsored events; fourth, official stationary may be used for extending congratulations; and fifth, official stationary may be used for the Mayor or Councilmembers to answer correspondence sent by constituents.

Councilmember Rodriguez stated he was comfortable with entire policy of City stationary but wanted to add public discussions on letters in matters of legislation to the Consent Calendar of City Council agendas.

City Attorney, Joel Kuperberg suggested to extend the discussion on letters to a future Council meeting or to delegate it to the Policy Committee.

Councilmember Rodriguez wanted the Policy Committee to discuss how letters should be addressed on behalf of the City Council.

Mayor Pro Tem Waldman agreed.

Councilmember Herman agreed.

Councilmember Blake agreed.

Mayor Pro Tem Waldman stated that he attended the Americana Awards Banquet on February 25, 2006, in honor of Ulla Herman. He attended the Orange County Sanitation District meeting to discuss the budget. He attended the Continental Little League opening breakfast.

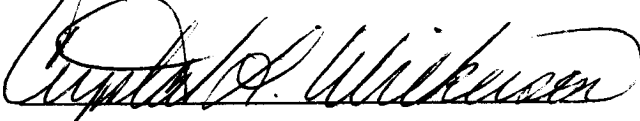
Mayor Barnes stated that she attended the Americana Awards Banquet on February 25, 2006, in honor of Ulla Herman. She attended the Orange County Business Council's Education Seminar on February 22, 2006. She attended the "Relay for Life" kick-off event at Buena Park Krikorian Theatre on February 22, 2006. She recently met with Deborah Reed of the AQMD board. She attended the SCAG and CEHD meetings on March 2, 2006. She attended Supervisor Villa's quarterly Mayor's breakfast in Fountain Valley, which discussed an update on Measure M. She asked Councilmembers if they would like to attend a Metropolitan Water District Meeting on the topic on "Energy Future," for Friday, March 10, 2006.

ADJOURNMENT

Mayor Barnes adjourned the meeting in memory of Dr. Bill Eller, former Superintendent at Cypress School District at 8:16 p.m.

  
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Mayor

ATTEST:

  
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Deputy City Clerk