

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

September 19, 2006

Mayor Barnes called the regular meeting of the La Palma City Council to order at 7:15 p.m. on Tuesday, September 19, 2006 in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE: Boy Scout Troop 650 led by George Mast

INVOCATION: Scout Master George Mast

ROLL CALL: Council and Commission Members

ROLL CALL:

Councilmembers present: Mayor Barnes, Councilmember Blake, Councilmember Rodriguez, and Mayor Pro Tem Waldman.

Councilmembers absent: Councilmember Herman

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
Laurie Murray, Administrative Services Manager/City Clerk
Deborah Moreno, Director of Finance
Eric Nunez, Police Captain
Joel Kuperberg, City Attorney
Lynnae Sisemore, Minutes Clerk

Mayor Barnes asked City Attorney Kuperberg to give a report on the closed session.

City Attorney Kuperberg stated that Council discussed two actions. The first, was the public employee appointment; the City Council appointed Assistant City Manager/Community Development Director Lazzaretto as the Interim City

Manager with a unanimous vote of 4-0, with Councilmember Herman absent, to take effect on the date of departure of Catherine Standiford in early October. Second, the City Council discussed a proposed settlement agreement between the City and a contractor for Sprint/Nextel with regard to damage to a City waterline that occurred 18 months ago. The settlement agreement provides that in exchange for the City releasing all claims, Process Communications will pay the City approximately \$544,000. The City Council discussed the settlement, but did not take action on it. He stated it would be appropriate for the Council to take action on the item tonight, whether or not to approve the settlement.

Councilmember Blake made a motion to approve the settlement agreement with the release of claims.

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

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

NOES: None

ABSENT: Councilmember Herman

PRESENTATIONS

City Manager Standiford congratulated Assistant City Manager/Community Development Director Lazzaretto on his appointment as Interim City Manager.

Administrative Services Manager/City Clerk Murray introduced the Administration Department's new Management Analyst, Celeste Viramontes.

ORAL COMMUNICATIONS

Beverly Tyler, 5772 Daisy, stated she had no qualms against the proposed 24 hour drive-thru Walgreens at 7811-7981 Valley View Street, but was concerned about traffic flow at Rose Street and La Palma Avenue. She asked if it was possible to conduct another traffic study in that area before the next Council Meeting on October 3, 2006.

CITY COUNCIL AND CONVENE AS COMMUNITY DEVELOPMENT COMMISSION: 7:24 p.m.

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

September 5, 2006 Minutes of the Regular Meeting of the Community Development Commission.

B. Approval of Register of Demands

Resolution No. 2006-22

Councilmember Blake made a motion to approve Consent Calendar items A and B.

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

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

NOES: None

ABSENT: Councilmember Herman

C. Review of Residential Code Enforcement Relief Program Documents

Councilmember Rodriguez requested to pull this item and asked about ongoing code enforcement activities. He asked if residents qualify in every other area of the grant, but there was no code enforcement action, could the resident turn themselves in to qualify.

Assistant City Manager/Community Development Director Lazzaretto answered that residents could turn themselves in if the issue at hand was obvious from the street. He stated a code enforcement case could be started immediately and the property could be put into the program if all obligations were met.

Councilmember Rodriguez asked about eligible repairs on page two of the relief program guidelines on fences, and asked if homeowners share a common wall and one homeowner gets the grant and the other is not eligible, how would it work and what type of assistance will there be.

Assistant City Manager/Community Development Director Lazzaretto answered that type of situation would be brought to the Development

Committee for review. He would suggest that the resident who has the means and the desire to fix the wall would pay half the cost of the wall, and the resident who would not have the means would participate in the program to cover their portion of the cost. He stated that neighbors will normally split the cost of repair of a shared common wall.

Councilmember Rodriguez asked if \$35,000 is enough to initiate the code enforcement program.

Assistant City Manager/Community Development Director Lazzaretto replied that the amount of \$35,000 is sufficient enough to get started with the code enforcement cases that currently exist.

Councilmember Rodriguez asked if the vendor selected to manage the code enforcement program is on a case by case service arrangement, or is there a set term. He asked if, for any reason, Council was not comfortable with the level of service, could the agreement be terminated.

Assistant City Manager/Community Development Director Lazzaretto answered that the contract is for case by case services; two tiers, one level of pricing for an under \$5,000 project and another level of pricing for a \$5,000 to \$10,000 project.

Councilmember Rodriguez stated that he did not review the proposal and asked staff to clarify what costs may be.

Assistant City Manager/Community Development Director Lazzaretto answered he did not know the exact dollar amount; he stated the upper tier is about \$1,200 and the lower tier is about \$800.

Councilmember Rodriguez stated that he was not familiar with this type of service provider. He asked if this is a highly specialized field or if there were a lot of vendors that could provide this type of work.

Assistant City Manager/Community Development Director Lazzaretto answered there are a number of vendors that can do this work, but there are not a lot of vendors that are willing to do the work at the level the City needs them for -- case by case work with maybe three to five cases a year.

Mayor Barnes stated that a lot of walls in the City are deteriorating and asked if they were in violation of City codes.

Assistant City Manager/Community Development Director Lazzaretto answered affirmatively. If a concrete block wall was crumbling similar to the walls on Crescent Avenue, those would all be code enforcement cases until property owners fix the walls to an acceptable visual level.

Mayor Barnes asked if once the public becomes aware of the code enforcement program, would there be room for the system to be abused.

Assistant City Manager/Community Development Lazzaretto replied that the program is set up to relieve active code enforcement cases with significant code enforcement issues. He stated staff is aware of more residents who are in need of assistance; but have budgeted for current active cases with the biggest problems.

Mayor Barnes asked if problems will get worse as time goes on.

City Manager Standiford clarified that one of the key qualifying factors of the code enforcement program is income eligibility. As with any program it will have to be monitored over time, and the nature of the program is that safeguards are in place to try and to protect the program from being abused. She stated if residents fit the guidelines and the criteria, then it may be in the best interest for the community to help them out.

Councilmember Rodriguez made a motion to receive and file the program documents for the Residential Code Enforcement Relief Program.

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

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

NOES: None

ABSENT: Councilmember Herman

COMMUNITY DEVELOPMENT COMMISSION AND CONVENE AS THE
PLANNING COMMISSION: 7:32 p.m.

PL-1 Approval of Planning Commission Minutes

Councilmember Rodriguez made a motion to approve the September 5, 2006 Planning Commission Minutes of the La Palma Planning Commission.

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

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

NOES: None

ABSENT: Councilmember Herman

PL-2 Revocation of Conditional Use Permit 287/Amendment to Conditional Use Permit 287 and Variance 2004-04, for the Sprint/Nextel Telecommunications Facility at 6800 Walker Street

- a) Mayor Barnes opened the public hearing at 7:33 p.m.
- b) City Attorney Kuperberg stated this action is related to the settlement agreement and release of claims that the Council approved at the beginning of the meeting. He stated that the City commenced revocation proceedings with Sprint/Nextel because it had failed to honor its indemnity obligations, and pay repairs to the pipe that were caused by the negligence of its contractors. He stated the settlement agreement has been signed. He recommended that the Planning Commission take action to continue the public hearing to October 3.

Councilmember Blake made a motion to continue the public hearing to the October 3, 2006 Planning Commission Meeting.

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

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

NOES: None

ABSENT: Councilmember Herman

PL-3 Review of Conditional Use Permit 338 for a 24-hour drive-thru Pharmacy at 5961 La Palma Avenue and 7811-7981 Valley View Street

Recommendation that the Planning Commission take the following actions:

- a) Mayor Barnes opened the public hearing at 7:35 p.m.
- b) City Manager Standiford asked Council to ask if anyone from the public wished to speak on this item and then consider a motion to continue the public hearing to the October 3, 2006 Planning Commission Meeting.

Mayor Barnes asked if anyone from the public wished to speak on this item.

No one wished to speak.

Mayor Pro Tem Waldman made a motion to continue the Conditional Use Permit 338 for a 24-hour drive-thru Pharmacy at 5961 La Palma Avenue and 7811-7981 Valley View Street to the October 3, 2006 Planning Commission Meeting.

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

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

NOES: None

ABSENT: Councilmember Herman

ADJOURN PLANNING COMMISSION AND CONVENE AS CITY COUNCIL:
7:36 p.m.

CONSENT CALENDAR

1. Waive the Reading of All Ordinances
2. Approval of Council Minutes
September 5, 2006 Minutes of the Regular Meeting of the City Council.
3. Approval of Register of Demands

Resolution No. 2006-45

4. Rejection of Claim Submitted by Art F. and Lucia R. Luna

Mayor Pro Tem Waldman made a motion to approve items 1 through 5.

Councilmember Blake seconded the motion.

Councilmember Rodriguez asked Mayor Pro Tem Waldman to amend the motion and asked to pull agenda item number five.

Mayor Pro Tem Waldman accepted the amendment and amended the motion to approve items 1-4.

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

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

NOES: None

ABSENT: Councilmember Herman

5. Audio Webcasting Six Month Update

Councilmember Rodriguez requested to pull this item and asked how the software for Granicus is working out.

Administrative Services Manager/City Clerk Murray replied that the software is working out well with a few minor glitches. Granicus has been wonderful in working with the problems that occur and have provided great customer service. She stated that Granicus is working on a few software enhancements that will help staff prepare the minutes better.

Councilmember Rodriguez asked how the relationship is with the Granicus representative in terms of on-call services. He asked if staff has had to use them much for after hour services and has the service been positive.

Administrative Services Manager/City Clerk Murray answered the on-

call services from Granicus have been helpful and positive. She stated that formatting issues have occurred from time to time, and that their response to fix problems is always done in a timely manner.

Councilmember Rodriguez asked for the syntax video option on the audio webcasting of the agenda to be stopped or grayed out since it is not a viable option.

Administrative Services Manager/City Clerk Murray replied she was not aware of the problem but will contact Granicus to report the issue and have it resolved.

Mayor Pro Tem Waldman asked if, while listening to portions of the meeting, it could have the option to fast forward quickly.

Administrative Services Manager/City Clerk Murray replied she will contact Granicus regarding this issue.

Councilmember Rodriguez made a motion to receive and file the audio webcasting sixth month update.

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

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

NOES: None

ABSENT: Councilmember Herman

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

Councilmember Rodriguez attended the League of California Cities Annual Conference in San Diego where he completed his AB1234 Ethics Training; attended a Neighborhood Watch Meeting; the La Palma Chamber of Commerce Mixer with Park Disposal; the PTA Meeting for Luther Elementary School; the opening of the Segerstrom Concert Hall in Costa Mesa; the League of California Cities dinner meeting at the Old Court House in Santa Ana; John Lent's farewell luncheon; and the Inner Coastal and Watershed Cleanup Day in Buena Park.

Mayor Pro Tem Waldman attended the League of California Cities Annual

Conference in San Diego and the Orange County Sanitation District meeting.

Councilmember Blake attended the League of California Cities Annual Conference in San Diego; the La Palma Chamber of Commerce Mixer with Park Disposal; and stated he is looking for convertibles for the La Palma Days parade.

Mayor Barnes attended the Southern California Association of Governments (SCAG) meeting; the Community Economics and Human Development (CEHD) sub-committee meeting; the League of California Cities Annual Conference in San Diego; and the installation of new officers for the League of California Cities.

CITY MANAGER REMARKS

City Manager Standiford shared some information from the International City Management Association Conference she attended in San Antonio. She attended a session focusing on disaster response to Hurricane Katrina; was an ethics trainer; listened to keynote speakers on human rights and good versus great organizations; met with Granicus on new services they are launching; and spoke with a vendor about using technology to develop more comprehensive capital improvement plans.

City Manager Standiford stated that an article appeared both in the *Orange County Register* and the *Los Angeles Times*, regarding the Orange County Transportation Authority (OCTA) approving a study of a high speed rail connection between Anaheim and Los Angeles. The article had a map that was difficult to read and may give La Palma residents an inaccurate perception. She wanted to assure the Council and residents that the Pacific Electric right-of-way is not the route that is being considered for the high speed railway connection between Anaheim and Los Angeles. She stated that OCTA is looking for existing Metro-link lines that run between those parts of Southern California.

CITY ATTORNEY REMARKS

None

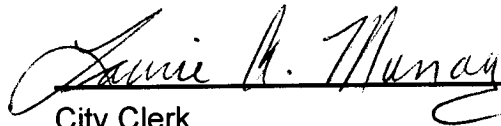
ADJOURNMENT

Mayor Barnes adjourned the meeting at 8:01 p.m. to a regular City Council Meeting, October 3, 2006.



Mayor

Attest:



City Clerk