

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

September 20, 2005

Mayor Blake called the regular meeting of the La Palma City Council to order at 7:05 p.m. on Tuesday, September 20, 2005, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Father Patrick Moses with St. Irenaeus Catholic 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  
Joel Kuperberg, City Attorney  
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  
Tami Piscotty, Assistant to the City Manager/City Clerk  
Crystal Wilkerson, Executive Assistant

PRESENTATIONS

Assistant to the City Manager, Tami K. Piscotty introduced the newest members of the Administration Department; Administrative Secretary, Lynnae Sisemore, and Tina Truebe, Management Analyst.

City Manager Standiford made an announcement that Assistant to the City Manager, Tami K. Piscotty was resigning and that her last day would be October 5, 2005. She wished Tami well in the City of Westminster.

The Orange County Water District gave a presentation on the Groundwater Replenishment System.

#### ORAL COMMUNICATIONS

There was no one wishing to address the City Council at this time.

#### RECESS

Mayor Blake recessed the City Council to convene as the Community Development Commission at 7:25 p.m. (See separate Community Development Commission Minutes.)

#### RECONVENE

Mayor Blake reconvened the meeting in regular session at 7:26 p.m.

#### CONSENT CALENDAR

Mayor Pro Tem Herman made a motion to approve the following items on the Consent Calendar:

1. APPROVED THE AUGUST 30, 2005 CITY COUNCIL MEETING MINUTES
2. ADOPTED RESOLUTION NO. 2005-41 APPROVING A REGISTER OF DEMANDS FOR SEPTEMBER 20, 2005
4. ACCEPTED THE WORK AND AUTHORIZED THE DIRECTOR OF PUBLIC WORKS TO FILE THE NOTICE OF COMPLETION AND ACCEPTANCE OF WORK WITH THE ORANGE COUNTY RECORDER FOR THE SEWER FLOW MONITORING STUDY IN CONJUNCTION WITH THE PREPARATION OF THE SEWER MASTER PLAN, CITY PROJECT NO. 03-SWR-01.

5. APPROVED PLANS AND SPECIFICATIONS, AND AUTHORIZED THE DIRECTOR OF PUBLIC WORKS TO SOLICIT COMPETITIVE BIDS FOR THE REHABILITATION OF THE POLICE DEPARTMENT PARKING LOT, CITY PROJECT NO. 03-BLD-01.
  
7. AUTHORIZED THE DIRECTOR OF PUBLIC WORKS TO SOLICIT COMPETITIVE BIDS FOR THE PURCHASE OF A COMPACT RIDER SWEEPER (LP-29).

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

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

3. **Approval of Professional Services Agreement for Creation of a Code Enforcement and Permit Tracking System**

Councilmember Rodriguez pulled this item from the Consent Calendar to state that the amount requested is clearly in line with the budget, he stated that there was a change in the direction of the purchase itself. It first was to be a commercial "off the shelf" package to satisfy both the permit process as well as the code enforcement process as it related to tracking items and enabling a PDA device. The proposal submitted this evening is still an "off the shelf" package for the permit component, but after talking into depth with staff, there is a custom package being developed for Code Enforcement. He stated that his concerns are that the proposal does not include specifics for deliverables, performance standards and the payment schedule things that are typically included for custom software development. After talking with Director Lazzaretto, there is no apparent time crunch, and Councilmember Rodriguez stated that he would like to continue the item to see a list of the actual deliverables and a payment schedule including a performance acceptance methodology.

Mayor Blake asked if staff was comfortable with the proposal received and whether the City has dealt with this vendor before or knows of other cities who have done business with the vendor.

Director of Community Development, Dominic Lazzaretto stated yes to all. He stated that Councilmember Rodriguez' issues are legitimate concerns and they are items that staff will identify in the specific contract documents. Staff is only asking for authorization to complete the negotiations and to enter into the contract. There is no specific time crunch and staff can wait two weeks to allow for the more specific information. This vendor is AMN Options and has experience with the City's GIS system. This vendor is currently working with three different communities within the area, specifically Brea and Santa Fe Springs.

Councilmember Waldman asked Councilmember Rodriguez is he was comfortable that staff would include this level of detail in the contract or if he would be more comfortable seeing it now.

Councilmember Rodriguez responded that he would be more comfortable seeing the detail prior to authorizing the agreement.

Mayor Blake made a motion to authorize the City Manager to execute an agreement with AMN Options, not to exceed \$25,500, for professional services to create a Code Enforcement and Permit Tracking System for the Community Development Department. The motion was seconded by Councilmember Barnes and carried on the following roll call vote:

AYES: Barnes, Blake, Waldman

NOES: Herman, Rodriguez

**6. Roof Repairs on the Buildings at the Civic Center and Recreation/Community Services Department**

Mayor Pro Tem Herman pulled this item from the Consent Calendar to ask about the internal damage to these buildings when the roofs leak.

Director of Public Works, Ismile Noorbaksh stated that no major damage is happening when the roofs when they leak.

Mayor Pro Tem Herman asked if there was any way that the repair could be started sooner.

Mr. Noorbaksh responded that he would ask the contractor.

City Manager Standiford reported that the work is scheduled to be completed by mid-December.

Mayor Pro Tem Herman made a motion to award the contract in the amount of \$62,900.00 to the low responsible bidder, CABRAL ROOFING AND WATERPROOFING CORP., of Montebello, California, and authorized the Mayor to execute the Agreement for Roof Repairs on the Buildings at the Civic Center and Recreation/Community Services Department, City Project No. 04-BLDG-02. The motion was seconded by Councilmember Rodriguez and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

#### REGULAR ITEMS

#### 8. **Report from the Ad Hoc Committee on Diversity Outreach**

City Manager Standiford briefly reviewed the work of the Ad Hoc Committee.

Councilmember Barnes reported that at the meeting they identified some of the activities that some of the cultural groups do participate in and there was participation in various community activities. She stated that identifying training for staff was the best way to go at this time to enhance their awareness and to provide better customer service to all citizens.

Councilmember Rodriguez stated that one item they spoke on considerably was that La Palma is blessed by having a culturally diverse and rich community.

Councilmember Rodriguez made a motion to receive and file the report from the Ad Hoc Committee looking into diversity outreach. The motion was seconded by Councilmember Waldman and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

#### RECESS

Mayor Blake recessed the City Council meeting at 8:25

#### RECONVENE

Mayor Blake reconvened the meeting in regular session at 8:30 p.m.

#### 9. **Code Enforcement Discussion**

Mayor Pro Tem Herman requested that this item be placed on the agenda for Council discussion. He stated that back in January, 2004 there was a Code Enforcement study session and he felt it would be appropriate to revisit the topic considering the significant Code changes that have been approved since then, mainly being the RV Parking requirements. He mentioned that at that meeting both the public and the Council had the opportunity to rank what they felt the priorities of the Code Enforcement Officer were. He gets the impression that the priority of these issues might have changed. Mayor Pro Tem Herman asked staff to explain the steps in fining someone for code violations.

Community Development Director, Dominic Lazzaretto stated that there are few ways a Code violation can be identified, such as a neighbor informing the City, the City Council or other City staff noticing a violation, and for the Code Enforcement Officer noticing the violation. Once the violation is identified and Code Enforcement Officer is contacted, he then goes to the site to view the violation, the violation. If witnessed will be entered into his field log, then his computer. If it is a simple violation, a warning letter is sent; if it is an issue that is reoccurring the Code Enforcement Officer will try contacting the person directly.

Mr. Lazzaretto stated that the warning letter is general, does not specify time frame for correction, does not specify any fines that might be forthcoming. Depending on the severity of the situation the Code Enforcement Officer will send a second and a third notice within given time frames. The way time frames are established is determined by the situation. The second letter is more specific, it specifies a time frame and gives a warning. Then the third notice will go out indicating the likelihood of a citation if the violation is not corrected.

Mayor Pro Tem Herman asked when the first letter goes out after the violation is noticed.

Mr. Lazzaretto stated it could be three to ten days. The second letter will go out fourteen to thirty days and could be longer depending on the severity of the violation.

Mayor Pro Tem Herman asked if a citation could be issued sooner than 30 days.

Mr. Lazzaretto responded that the Ordinance adopted gives staff the authority to issue a citation immediately on a non-Building Code violation. However, the direction from Council was to issue warning notices prior to actual citations.

Mayor Pro Tem Herman asked for clarification on the waiver process for street sweeping citations.

Chief Ed Ethell stated that on sweeping day a resident has the opportunity to call into dispatch and they log all exemptions requested by name and vehicle. If a person is calling in every week

dispatch will deny the exemption. The log is then given to the Code Enforcement Officer before the start of street sweeping so that he will then not cite exempted vehicles.

Councilmember Barnes stated that there is a big segment of the City who prefers the Code Enforcement Officer to not be so proactive in giving citations. She feels providing exemptions for the residents, is a nice gesture.

Mayor Blake stated that the Code Enforcement Officer spends too much of his time following the street sweeper. He asked if the City could hire a part-time person to follow the street sweeper to give 15 hours per week more to the Code Enforcement Officer for enforcement activities.

Councilmember Rodriguez asked if the same people tend to use the exemption process.

Chief Ed Ethell stated that sometimes the same people do use this process.

Councilmember Rodriguez asked if construction is being done on a street and several vehicles have waivers, then does the Code Enforcement Officer not cite any vehicles on that street that day.

Mr. Lazzaretto explained that if the Code Enforcement Officer comes across a block and sees three vehicles on the street and if one of three has a waiver then the one is waived and the other two are cited.

Mayor Pro Tem Herman stated that staking violation notices on people's lawn is a bad idea and there has to be a better way to inform someone.

Mr. Lazzaretto explained that these notices only can only be hand delivered, certified mailed or posted on a stake on the property. Public posting of the notices is always the last resort and is done only when the property owner has been non-responsive or has avoided the attempts to notice by registered mail.



Councilmember Rodriguez raised his concern with the schools being in session and several parents parking on the streets waiting for their children. He doesn't feel they should get cited.

Mr. Lazzaretto stated that he would look into this to see if there were any conflicts.

Jay Goldberg, 4782 El Rancho Verde Drive, asked if the street sweeper could have a camera mounted to take pictures of the license plates and then give to the Police and then mail a ticket.

City Attorney, Joel Kuperberg stated that the City operates on a citation process that requires staff to visually see the violation in order to cite. There have been exceptions with red light cameras but courts have not adopted this process due to the controversy.

Mr. Goldberg then asked if the Volunteers in Policing could assist with street sweeping issue.

Chief Ed Ethell stated that at one time V.I.P. did issue parking citations. However, the purpose of the V.I.P. program is to make a positive impression. Having V.I.P. issue parking tickets would be in conflict with that purpose.

Roger Czenski, 5541 Fir Circle, suggested that maybe the V.I.P. could be the eyes for the Code Enforcement Officer and not issue citations.

Lauree Aragona, 8302 Bellhaven, stated that she knew the rules of having a recreational vehicle before moving into the City. She feels that other residents are aware of the parking regulations for recreational vehicles and they are circumventing the rules.

Duane Schuster, 8272 El Pescador, agreed that a part-time employee needs to be hired for street sweeping enforcement. The V.I.P.'s need to be the eyes and ears of the City.

Mayor Blake made a motion to hire a part-time employee to cite for vehicles parked on the street during street sweeping. The motion was seconded by Councilmember Barnes and carried on the following roll call vote:

AYES: Barnes, Blake, Herman, Rodriguez, Waldman

NOES: None

City Manager Standiford asked for clarification from the Council if it was acceptable for certain types of codes to continue to not be as proactively enforced until January 2006, specifically boats and trailers parked on driveways and RV's parked on the street.

Mayor Pro Tem Herman stated that there is no sense enforcing those codes now as long as the enforcement of the new parking restrictions begins promptly on January 1, 2006.

Councilmember Rodriguez stated that he agrees, as long as educational material is put out well in advance.

Mr. Lazzaretto stated that flyers will be placed on violating vehicles starting November 1, 2005 and will continue until January 1, 2006.

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

Councilmember Barnes attended the Red Ribbon Week kick-off meeting. She also went to the graduation ceremony for the Korean Citizens Police Academy.

Mayor Pro Tem Herman attended the Orange County Vector Control District Meeting and they approved the rules of conduct for employees. They also gave approval to support the victims of Hurricane Katrina, and authorized staff to look into purchasing six right-hand vehicles for spraying gutters. He asked what the status was on 7002 Moody Street with the trash in the landscaping.

Mr. Lazzaretto stated that several contacts have been made with the property owner. Initially they didn't understand the City's concern, so staff showed them the concern. This area should be cleaned up soon.

Mayor Pro Tem Herman asked if McDonald's had really cleaned up anything.

Mr. Lazzaretto responded that the owner put up a new chain link fence and trimmed the weeds. Staff is trying to encourage the owner to do something permanent at that location to avoid the continuous weed issue.

Mayor Pro Tem Herman stated that at the corner of Houston/Walker there is a guide wire that comes down and is not visible at night-time. He asked if there was any way to highlight it for night.

Mr. Noorbaksh stated that he would contact Edison.

Mayor Pro Tem Herman participated in the intercoastal clean-up.

Councilmember Rodriguez also attended the intercoastal clean-up. He asked if staff could look into the chairs on the roof of 5052 La Palma Avenue. He asked about the sprinklers in the Edison Right of Way and if staff could look into resolving some of the really low spots.

Councilmember Waldman asked if Central Park could have a different compound in the playground area. He attended the Orange County Sanitation District and there is a long process in trying to access the performance of the General Manager, Blake Anderson. They are also in the process of issuing \$200 million in bonds. He commented that maybe Councilmembers should bring up issues in the City when they see them instead of waiting for the next Council meeting.

Mayor Blake attended the Orange County Library Advisory Board where they approved the equity program that the Orange County City Manager's put together providing minimal level of service. They will also be making an offer to the Directors on replacing all electrical for air conditioning in the libraries. Attended John Alvis' retirement party for Centralia School District. The Orange County Fire Authority is slowing returning units from the Hurricane Katrina disaster.

CITY MANAGER COMMENTS

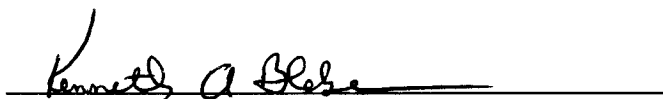
City Manager Standiford announced that she will be attending the ICMA Conference in Minneapolis next week.

CITY ATTORNEY

City Attorney Joel Kuperberg stated that he would not be able to attend the next meeting.

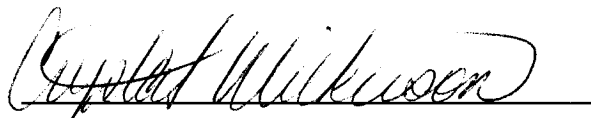
ADJOURNMENT

Mayor Blake adjourned the meeting at 10:00 p.m.

A handwritten signature in cursive script, reading "Kenneth A. Blake", is written over a solid horizontal line.

Mayor

ATTEST:

A handwritten signature in cursive script, reading "Cynthia Wickson", is written over a solid horizontal line.

City Clerk, Deputy