

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA CITY COUNCIL

July 6, 2004

Mayor Duke called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, July 6, 2004, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Mayor Pro Tem Blake gave the Invocation.

ROLL CALL:

Councilmembers present: Christine M. Barnes, Kenneth A. Blake, Alta E. Duke,
Larry A. Herman, Paul F. Walker

Councilmembers absent: None

City Officials present: Catherine Standiford, City Manager
Vince Giampa, Chief of Police
Tami Piscotty, Assistant to the City Manager
Jan Hobson, Director of Recreation & Community Services
Dominic Lazzaretto, Director of Community Development
Jeff Kirkpatrick, Police Captain
Ed Ethell, Police Captain
Joel Kuperberg, City Attorney
Crystal Wilkerson, Administrative Secretary

PRESENTATIONS

Mayor Duke presented a proclamation to the Director of Recreation and Community Service, Jan Hobson, designating the month of July as Parks and Recreation Month in the City of La Palma. Ms. Hobson recognized members of her staff that make their programs successful.

Former Councilmember, Lauree Aragona, gave a report on American Cancer Society's Relay for Life. She stated that starting this program they went from having 28 members to 45 and 95% of them were from La Palma. Her goal was to get a co-chair from the City of Buena Park. ACS's goals, for La Palma's first year event, to try and involve 12 committee members, where we ended up with 45, and that the City have 20 teams, we ended up with 37 teams, and that La Palma raise \$25,000, and have raised over \$60,000 and are still counting cash.

Public Information Officer, Michael Hurst, Orange County Vector Control, gave an update on the West Nile Virus. He stated that to date, there have been 22 dead birds positive for West Nile Virus in the County of Orange. By way of comparison, the surrounding counties, San Bernardino, Riverside and Los Angeles, the count is 688 dead birds positive for West Nile Virus. There are two positive mosquito pools, which is a group of female mosquitoes that have taken a blood meal and are put in a vial and tested as one unit. There are no human cases in Orange County and 15 human cases from L.A., Riverside and San Bernardino and one in San Diego County. 40% of the cases so far, have progressed into some sort of neurological disorder. There have been no fatalities. There have been six horses that have contracted the disease, none in Orange County, one that was vaccinated survived and the others had to be euthanized. They have cut the gutter spray route time from two weeks to one week. There is one group of employees that work on neglected swimming pools and other water features throughout the county replacing mosquito fish. Mosquito fish are available to the public, free of charge, by calling Vector Control. They also have public information statements running everywhere to educate the community on backyard sources. They are looking at re-establishing the fire ant program and hopefully if the benefit assessment is approved, the program will start within a matter of days.

ORAL COMMUNICATIONS

Luanna Cancino, 4592 El Rancho Verde Drive, informed the Council about an issue with her sewer lines. She explained that one of her neighbors experienced a problem with the sewage line backing up into their house causing a lot of damage. She explained that the sewer line and water line are within ¼ of an inch of each other and should be at 2 feet apart. She has gone to the City of Cerritos and the City of La Palma and neither City wants to take responsibility for the installation of these lines. The owners of the homes on this street have found out that their homeowner's insurance does not cover this damage if it should occur.

Lucy Flores, 4592 El Rancho Verde Drive, stated that they are really concerned about the sewer line backing up into their home and would like to have this problem fixed. She explained that the neighbor, who has encountered this damage, did not receive any help from their homeowner's

insurance. She contacted her homeowner's and they too would not cover any damage and explained that she would have to sue both cities.

City Manager Standiford explained that the City would be happy to sit down with the residents. Staff is aware of the problem and in fact, Mr. Noorbaksh has been negotiating with the City of Cerritos to figure out a resolution to the problem. She apologized for the delay that it is taking to work this problem out.

Jerry Richards, 7691 Cory Circle, expressed his concern with the motorized scooters. He stated that they are nuisance and with his windows and door open, he can not hold a conversation or watch T.V. when they pass by the house. He asked if there was some sort of noise ordinance for these vehicles. He stated that you can smell the emission when they go by. He also explained that these scooters are driven on the sidewalk in the Edison Right-of-Way and they don't give much room for the pedestrians to walk.

Police Chief Giampa stated that most of the scooters are illegal and not to hesitate to call them when the scooters are in the area. He told Mr. Richards to see one of the Captains after the meeting so they can take down his information and they could talk to him further about this issue. Chief Giampa said it is illegal for the scooters to be riding on the sidewalk in the Edison Right-of-Way.

RECESS

Mayor Duke recessed the City Council to convene as the Community Development Commission at 7:35 p.m. (See separate Community Development Commission Minutes.)

JOINT PUBLIC HEARING (Convene Planning Commission)

PL-4 **Joint Public Hearing for General Plan Amendment 2004-01, Zone Change 2004-01, Tentative Tract Map 16736, and Precise Plan 262, Requesting Approval for the Construction of a 20-Unit Residential Condominium Project on the South Side of La Palma Avenue, East of Moody Street**

City Manager Standiford stated that staff is recommending that the Council continue this item and the open public hearing to the next scheduled meeting of July 20, 2004 so staff has additional time to review the Traffic Study.

Councilmember Walker asked if it was necessary to continue the whole report or if they could go ahead and approve the Zone Change, since if this doesn't pass tonight then the developer has to redevelop the land then. This is almost like a project that the City had three years ago.

City Attorney, Joel Kuperberg, stated that there are a number of components to this project and the first of which is the General Plan Amendment. If acting as the Planning Commission and the Council and you choose not to approve the General Plan Amendment or the Zone Change, then it isn't necessary to approve the rest of the proposal. He explained that the Precise Plan then becomes moot.

Mr. Lazzaretto also stated that the applicant is not in the audience this evening, since staff had indicated that the City needed to review the Traffic Study before approving the project.

Council/Commissionmember Barnes made a motion to continue the item until July 20, 2004. The motion was seconded by Council/Commissionmember Walker and carried on the following roll call vote:

AYES:	Barnes, Blake, Duke, Herman, Walker
NOES:	None
ABSENT:	None

RECONVENING

Mayor Duke reconvened the meeting in regular session at 8:40 p.m.

CONSENT CALENDAR

Mayor Pro Tem Blake made a motion to approve the following item on the Consent Calendar:

APPROVED THE JULY 6, 2004 CITY COUNCIL MEETING MINUTES

ADOPTED RESOLUTION NO. 2004-30 APPROVING A REGISTER OF DEMANDS FOR JULY 6, 2004

APPROVED THE ATTENDANCE OF MAYOR ALTA DUKE, AND COUNCILMEMBERS BARNES, HERMAN AND WALKER AT THE LEAGUE OF CALIFORNIA CITIES MAYORS AND COUNCILMEMBERS EXECUTIVE FORUM WORKSHOP, JULY 28-30, 2004; AND APPROVED THE ATTENDANCE OF COUCILMEMBERS BARNES AND WALKER AT THE LEAGUE OF CALIFORNIA CITIES MAYORS AND COUNCILMEMBERS ACADEMY WORKSHOP, JULY 30-31, 2004

ADOPTED RESOLUTION 2004-32 AUTHORIZING THE PURCHASE OF A COMMUNITY DEVELOPMENT DEPARTMENT VEHICLE

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

AYES: Barnes, Blake, Duke, Herman, Walker

NOES: None

ABSENT: None

REGULAR ITEMS

4. **Orange County Vector Control District Ballot**

Councilmember Walker pulled this item to ask if this was above and beyond the ballots that were sent out to the residents and strictly for the City.

City Manager Standiford stated that this amount is the exact amount that the residents are paying. The amount is for City owned parcels and we have the opportunity to vote.

Councilmember Walker asked if it doesn't pass is the City obligated to pay.

City Manager Standiford stated, no.

Councilmember Walker made a motion to approve a proposed additional assessment for mosquito, fire ant, and disease control services, and authorized the City Manager to execute and submit ballots for City La Palma parcels accordingly. The motion was seconded by Councilmember Barnes and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman, Walker

NOES: None

ABSENT: None

6. **Business License Code Changes**

Councilmember Walker made a motion to adopt, by title only, waiving further reading Ordinance 2004-07 amending certain sections of the La Palma Municipal Code relating to the payment of business license fees and period of validity for specific licenses and permits. The motion was seconded by Councilmember Herman and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman, Walker

NOES: None

ABSENT: None

COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES/COUNCIL REMARKS

Councilmember Walker celebrated the 50th Anniversary for the Orange County Sanitation District with Councilmember Herman. OCSD is continuing with the Ground Water Replenishment Project and will be finished hopefully within the next four years.

Councilmember Herman stated that the benefit assessment ballots have gone out for Orange County Vector Control. The District is optimistic that it will pass and if it does the Fire Ant Program will be available immediately and continue the West Nile Virus Program.

Mayor Pro Tem Blake stated that he doesn't appreciate the red signs on Furman Road and know it has opened the flood gates. He is receiving a lot of complaints and requests from residents wanting to put up no over night parking signs. Buena Park residents are leaving their vehicles on the street all weekend and move from one side of the street to the other knowing the 72 hour rule.

City Manager Standiford stated this can be done as long as the Councilmember's are ready to tackle the issue of "No overnight parking" city-wide.

Mayor Pro Tem Blake stated that they can't approve this for just one street.

City Manager Standiford stated that Council can regulate "No Parking Overnight" on just Furman Road, but there are a number of streets throughout the City that will expect the same consideration.

Councilmember Barnes attended the school facilities meeting and they were informed that the School Board decided the night before not to go forward with the new Jr. High at La Palma Avenue and Harbor Boulevard, mainly because the UCI Medical isn't moving off the site. There was also a gas line that is close to the proposed project site that would need to be relocated. There were three proposals one including putting the Jr. High at La Palma Park and would cost a 1.8 million dollar deficit. If they tried to secure other property that would cost them about 11 million dollar deficit. They are trying to incorporate those students into South and Sycamore and will come up with a surplus of approximately 14.7 million dollars. They have approved the bids for Kennedy High School. They have child care facilities at four campuses including Cypress, Katella, Loara, and Anaheim. She attended the Orange County Fire Authority meeting as Mayor Pro Tem Blake's alternate. They recognized Joan Stiner for her service and presented her with a Resolution and Proclamation. The major item on the Fire Authority budget was it would cost more to hire additional full-time employees to eliminate substantial overtime and backfill expenses. Based on this they took records from the last twelve months, and determined that it would be

necessary to hire another 171 fire fighters, fire apparatus engineers and fire captains with a salary and benefit cost of \$21.1 million. The other issue was with the number of Fire Captains. They felt that this position was top heavy in the organization. The budget is balanced and the OCFA is having a hiring freeze. She also attended the Relay for Life. She also attended the La Palma Walk/Run event and commended Recreation Director, Jan Hobson, for a job well done.

Mayor Duke didn't have a meeting with the OCCOG. She finally heard from the Orange County Library and they mentioned that the level of service at our libraries will continue as they are now. They aren't planning any type of cut backs. The Orange County Library is meeting with all City Manager's reviewing an allocation suggesting that the areas where they are contributing higher amounts will receive higher service. La Palma is unfortunately being subsidized.

CITY MANAGER COMMENTS

City Manager Standiford explained that the allocation formula that has been applied to the library system for the last ten years was developed at a time when there were fewer libraries in the Orange County Public System and there was less development in certain parts of the County. So the City Manager's library task force was asked to take a look at the allocation study, from a stand point of a number of things including looking at minimal service levels and the ongoing maintenance of the facilities. She mentioned that there is still no State Budget. The Mayor, Mayor Pro Tem and herself were invited to meet with Assemblyman Tom Harman this week, but he has gone back to Sacramento to try and help balance the budget. In Council's mail there are a variety of faxes and information about what has been happening in Sacramento and essentially late last week the Legislature was considering an alternative Constitutional Amendment that would take monies away from cities, counties and special districts with none of the constitutional protection for future raids on local government funds that cities have been trying so hard to get. She announced that this is Chief Giampa's last City Council meeting as Police Chief and stated that we are very proud of everything he has done and he will be missed very much. She stated that since he is leaving she had a very difficult decision picking a new Police Chief since there were two highly qualified candidates who both know the Department and community very well, but was pleased to announce that she has appointed Captain Ed Ethell as the new Police Chief. Chief Giampa's last day is July 17, 2004 and Captain Ethell will be starting his first day following

Giampa's last day. There will be a swearing in ceremony and little reception on July 20, 2004 starting at 6:00 p.m. and Mayor the new Chief would like for you to swear him in.

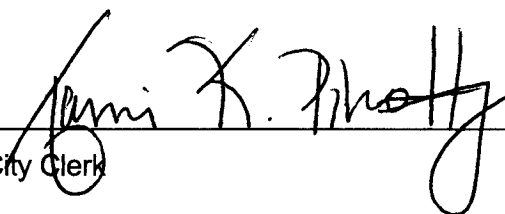
ADJOURNMENT

Mayor Duke adjourned the meeting at 9:05 p.m. until the next schedule meeting of July 20, 2004.



Mayor

ATTEST:



City Clerk