

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

February 4, 2003

Mayor Barnes called the regular meeting of the La Palma City Council to order at 7:00 p.m. on Tuesday, February 4, 2003, in the Council Chambers of La Palma City Hall, 7822 Walker Street, La Palma, California.

PLEDGE OF ALLEGIANCE

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

INVOCATION

Councilmember Herman 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  
Ismile Noorbaksh, Director of Public Works/City Engineer  
Robbeyn Bird, Director of Finance  
Jan Hobson, Director of Recreation & Community Services  
Dominic Lazzaretto, Director of Community Development  
Joel Kuperberg, City Attorney  
Crystal Wilkerson, Administrative Secretary

PRESENTATIONS

Chief Giampa introduced the City's newest Police Officer, Thomas Lomeli. He mentioned that Officer Lomeli is the first officer in seven years that the City has sponsored as a trainee through the Police Academy.

ORAL COMMUNICATIONS

Ralph Rodriguez, 4621 Amberwood, spoke in regards to the Central Kitchen proposed to built at Los Coyotes School. He thanked City Manager Standiford and Director of Community Development, Dominic Lazzaretto, for their outstanding performance at the Community Meeting on January 10, 2003. He stated that they have received a lot of feedback due to the facts and non-judgemental information that was provided by City staff to the community. Mr. Rodriguez stated that he is forming a community group called "Citizens for a Safe La Palma."

RECESS

Mayor Barnes recessed the City Council to convene as the Community Development Commission at 7:10 p.m. (See separate Community Development Commission Minutes.)

RECONVENING

Mayor Barnes reconvened the meeting in regular session at 7:20 p.m.

CONSENT CALENDAR

Councilmember Herman made a motion to approve the following items on the Consent Calendar:

APPROVED THE JANUARY 21, 2003 CITY COUNCIL MEETING MINUTES

ADOPTED RESOLUTION NO. 2003-07 APPROVING A REGISTER OF DEMANDS FOR FEBRUARY 4, 2003

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

ITEM 3 QUARTERLY REVENUE REPORT

Councilmember Herman requested to pull this item and City Manager Standiford gave the staff report. City Manager Standiford explained that the City staff present revenue reports to the City Council for their information on a quarterly basis. She stated that this is the second quarterly revenue report and it looks at a six month period from July 1, 2002 through December 31, 2002.

She explained that the City staff compares the revenues that the City has projected in the Budget with the actual revenues that the City has received. From that, projections are made on how the City is doing in terms of the revenues related to that expenditure report. She stated the second quarter revenue report indicates revenues for the first half of the year are about \$235,000 less than the same period from the prior fiscal year. This \$235,000 variance is due to an accounting error from the State. City Manager Standiford explained that the State pays the City in advance on its sales tax. The \$235,000 revenue was received last year and was placed on the books at the closing of that fiscal year, 2001/2002. It should have been applied to the 2002/2003 fiscal year. She explained that it doesn't affect the cash flow for the City it is just a paper timing error. City Manager Standiford stated that she doesn't see the need for any type of expenditure controls at this time.

Councilmember Walker made a motion to approve the following item on the consent calendar:

**RECEIVE AND FILE THE SECOND QUARTER REVENUE REPORT**

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

AYES: Barnes, Blake, Duke, Herman, Walker

NOES: None

ABSENT: None

PUBLIC HEARING

4. Ordinance Relating to Vehicle Storage and Repair

Director of Community Development, Dominic Lazzaretto gave a staff report explaining the requested modifications from the City Council to the initial proposal of the Ordinance. Mr. Lazzaretto explained the main reason for modifying this section of the Code, is due to the numerous complaints regarding vehicle repair and maintenance in the residential zones of the

City. A review of the City Code reveals vague and ambiguous language in the existing Code and the City Attorney recommended "clean up" language.

On January 21, 2003, the City Council held a Public Hearing for consideration of an Ordinance adding and amending certain sections of the City Code relating to the abandonment, storage, maintenance, and repair of vehicles within the City. The Council reviewed the Ordinance and raised several concerns. Specifically, the Council sought clarification to the following questions:

1. What is the definition of a "minor repair"?
2. Should residents be allowed to expand their driveways to allow more off-street parking area?
3. Is it possible to establish a waiver to suspend the proposed regulations?

Staff has reviewed the proposed Ordinance and made several modifications in the following areas: (1) the definition of minor vehicle repair has been clarified; (2) a section on expanding a driveway to provide additional off-street parking has been established; (3) the time that a vehicle may be left in a state of disrepair has been increased from 4 to 6 hours; and (4) a waiver process of the repair restrictions has been drafted. With these changes, the proposed Ordinance would make the following modifications to the City Code:

- Section 16-62 currently prohibits parking in yard areas visible from a public street. This Ordinance would clarify that parking is permitted upon the driveway and paved ancillary parking areas.
- Section 17-34 currently allows abandoned, wrecked, dismantled, or inoperative vehicles to be parked upon private property or public property, excluding highways, up to ten (10) days. This Ordinance would change that time frame to three (3) days.
- Section 17-36 is a new restriction, which makes it unlawful to park a non-operational vehicle on a City street in excess of twelve (12) hours.
- Section 26-2 contains words that are defined for use throughout the Zoning Code. This Ordinance would add "Paved Ancillary Parking area" as one of those definitions. It would be defined as "the area between the driveway of a residence and the closest adjacent

property line that may be used for the purposes of parking or storing of vehicles. Such area shall be paved and not exceed ten (10) feet in width as measured from the edge of the originally constructed driveway. Paved ancillary parking areas must be designed and constructed to the specifications required by this Code for driveways.”

- Section 26-30 (c) currently prohibits the parking of vehicles in the “front yard area of a residential structure.” This Ordinance would clarify the definition of “front yard area of a residential structure” to include all areas in front of a structure except for the driveway as originally constructed and not more than one paved ancillary parking area.
- Section 26-30 (e) currently limits trailer parking upon a driveway for loading and unloading only. This Ordinance would extend those restrictions to paved ancillary parking areas.
- Section 26-30 (g) currently permits vehicles (other than motorized recreational vehicles, recreational objects, and commercial vehicles over ten thousand pounds) to be stored upon a driveway as long as the vehicle is road operational and kept clean and free of debris. This Ordinance would extend those restrictions to paved ancillary parking areas.
- Section 26-30 (h) currently authorizes the Police Department and a peace officer to issue citations to enforce this section. This Ordinance would add the City’s Code Enforcement Officer as having citation authority for this section.
- Section 26-31 currently states that only minor or routine maintenance or repair may be performed on any vehicle while parked in a driveway. Minor repair is currently defined as routine maintenance or repair that occurs for less than eight (8) consecutive hours. This Ordinance would clarify the definition of minor vehicle repair to “include oil changes, the repair or replacement of tires, brake pads, hoses, fluids, and similar activities, but does not include maintenance or repair that involves the removal of the engine, transmission, or other major component or any significant body repair work that involves sanding, priming, or painting of a vehicle.” Additionally, it would now prohibit leaving a vehicle in a “visible state of disrepair or semi-repair.” Visible state of disrepair or semi-repair is defined as “a state that is apparent to a casual observer that the repair or maintenance of a vehicle has not yet been completed.”

Mr. Lazzaretto concluded by stating the proposed Ordinance would make the enforcement of vehicle storage, maintenance, and repair provisions less cumbersome. These changes are consistent with state law and are similar to the provisions of other local jurisdictions.

Pedro Guerrero, 7822 Denise Circle, asked a question as to how many cars can be parked in a driveway either operational or non registered. He explained that he has been complaining about one specific neighbor for over a year now, and he feels the City isn't doing anything about it. He has raised his concerns to several City staff and nothing has been done. The neighbor is still working on cars in the street. He also expressed concern that his neighbor is parking a lot of cars on the street and not allowing others to utilize parking on the street.

Mr. Lazzaretto responded saying that there is not a definition as to the number of vehicles that could be parked on the driveway. He explained that the City's driveways are generally designed to accommodate two vehicles and some driveways can accommodate more. Generally, if one has a two car garage, two cars can be parked in the driveway and if a home has a three car garage three vehicles can be parked in the driveway.

Councilmember Blake explained that this is one of the reasons why the City is going through this process to strengthen its Code, so the City can do something about situations like the one presented.

City Manager Standiford thanked Mr. Guerrero for his patience and explained that the City is aware that it has been a very frustrating process for the whole neighborhood. She explained that when a code enforcement issue is not being complied to, the proper procedure is to go through the City's Attorney. The City Attorney has advised City staff that there are things that should be done to the Code to make it easier to document violations occurring on properties and to give the City a stronger case when it goes to court. This is part of an attempt to make sure that when the City goes to court to prosecute a case, there is absolutely no doubt about the nature of the violations and that the City will prevail.

City Attorney Kuperberg explained that staff is not suggesting these changes to the City Code in order to prosecute one individual. These are changes to the City Code that will improve the City's

ability to enforce the laws and maintain the quality of the neighborhoods for all residents in the City. He stated that there are a few particular offenders who will now have to comply with these rules as well and, if they don't, some of the changes the City is making will make it easier for the City to go to court and compel them to comply. He explained that it is the City's goal to solve these problems without having to prosecute and the City in some instances spends a great deal of time trying to encourage residents to follow the rules with notices.

Sheryl Marquez, 7802 Denise Circle, expressed her concern with her neighbor pouring hazardous waste down the storm drains. She stated that she has contacted the AQMD and they said they couldn't do anything since it was a residential area, there is proof the individual is operating as a business. Everyone on this street is concerned for their children. She stated that she has pictures of this resident pouring oil and other materials down the storm drain and she has brought them to the City's Code Enforcement Officer, Chet Corbin. She also stated that this neighbor has made a lot of threats to her and her family and she has reported it to the Police. She informed the City that they have built an addition to this home that doesn't look legal by Code.

Councilmember Walker responded that these residents should be calling their nearest Fire Department when witnessing the illegal dumping of hazardous waste. He stated that with the new laws adopted this year, the Fire Authority is trying to crack down on non-compliant people.

City Manager Standiford thanked Ms. Marquez and the residents in this concerned track of homes for keeping their eyes and ears open since the City isn't always available to witness this kind of crimes. She asked the residents to call the Fire Authority and the City's Code Enforcement Officer. City Manager Standiford clarified that the City is aware of the illegal concrete and the structure in the back and stated the City is taking a comprehensive approach to this particular case.

Tina Kemp, 7811 Denise Circle, stated that she is the immediate next door neighbor and this has been a major issue for her. She explained that she can hear noises at all hours of the night, specifically hammering and drilling, from the structure in the back. The big issue she is having with her neighbor is the parking cars in the neighborhood. He is utilizing her driveway while she is at work without her permission. She stated that he parked a vehicle with an oil leak on her freshly

paved driveway and damaged it. She said that she approached him with this issue and the next day when she came home from work, he had poured acid on the driveway to remove the stains and caused more damage to the concrete.

Councilmember Walker made a motion to close the Public Hearing. 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 Blake stated that the modifications that the staff have come up with are good.

Mayor Pro Tem Duke said that staff has answered all the questions that she had from the previous meeting and that the modifications are clear.

Councilmember Herman stated that there was no doubt in his mind that the City was doing the right thing by amending the Code and he apologized to the people on Denise Circle. He asked how soon would the City be able to take action on the revised Ordinance after it was approved.

City Attorney Kuperberg explained that this was the first reading and the second reading would be conducted at the next meeting on February 18, 2003 and then the City would have to wait thirty days for it to become effective.

Councilmember Walker thanked City Attorney Kuperberg for his input on the Code. He reiterated that residents need to contact the Fire Authority and the City's Code Enforcement Officer.

Mayor Barnes thanked City staff for the comparison between the two Codes and stated that it helped her in making a decision.



Councilmember Walker made a motion to introduce, by title only, waiving further reading, an Ordinance of the City Council of the City of La Palma, California, adding and amending certain sections of the City Code relating to the abandonment, storage, maintenance, and repair of vehicles within the City of La Palma. The motion was seconded by Councilmember Blake and carried on the following roll call vote:

AYES: Barnes, Blake, Duke, Herman, Walker

NOES: None

ABSENT: None

#### REGULAR ITEMS

##### 5. Red Ribbon Week

Lauree Aragona, 8302 Bellhaven Street, personally thanked the City Manager and the City Clerk for providing her with information on this item, as well as the Mayor for allowing her to discuss it. She stated that the role of Red Ribbon Week is to compliment Community Policing. She stated that the Police Department has three programs that address alcohol and drug prevention; the D.A.R.E. Program, School Resource Officer, and Every 15 Minutes. She stated that we all know that the State has a budget crisis and we all know that politics will play into it. She doesn't feel that the City will hear a solution to the State budget before the City has to approve its own. She stated that the term "soft money" in the staff report meant to her as being hard to measure. She explained that if "soft money" is where the City will feel the impact, she explained that there is a way to do Red Ribbon Week without impacting the City's limited dollars. She explained that the school PTO's and PTSA's due an excellent job raising money for Red Ribbon Week. She stated that the only school district who has asked for financial support was Centralia, because they don't have school support. She explained that Red Ribbon Week does not just take one week, it is a lifelong program. It starts now in February and does not end in October, but a few months after. Mrs. Aragona said that she went to City Manager Standiford recommending that the City look at a way to transition Red Ribbon Week to a community group or to the schools. But, unfortunately,

this is not a realistic goal at this time since it seems everyone is experiencing a budget crisis. She recommends that the City provide ribbons for the elementary schools, which will cost \$304.00 and rolls of ribbon to the junior high and high schools, which costs around \$300.00.

COUNCILMEMBER REPORTS FROM CITY-AFFILIATED COMMITTEES/COUNCIL REMARKS

Mayor Pro Tem Duke attended a special meeting for SCAG on January 27, 2003. Two committees came together (CEHD and TAC) to discuss the baseline forecast program and the regional housing needs assessment. The major concern for the members of these committees and cities was to what degree would city input be taken seriously. There was an assurance that the city's input for the baseline forecast will be carried forward intact. SCAG is looking to forecast out for thirty years. The cities are looking to forecast out for five years. SCAG still doesn't have any information about the RHNA process and is still working with the Legislature to get a mandate for this funding. The Regional Council has stopped the project until funding is there. Mayor Pro Tem Duke also attended the Orange County Council meeting and they had a change of officers.

Councilmember Herman thanked that La Palma Police Department for catching the suspect who was involved in a shooting on Andrew Drive. He asked the Chief of Police how the young lady was recovering from the bullet wounds. The Chief said that she is still recovering and that her grandmother has completely recovered and returned home. Councilmember Herman did not have any information on the Orange County Vector Control District since the meeting isn't scheduled till next month. Councilmember Herman said he attended his first West Orange Counties Cities Association and found it very interesting.

Councilmember Walker stated he had nothing to report and he has a Sanitation District meeting on February 5, 2003.

Councilmember Blake reported that he attended the Orange County Leadership Imposium that was held in January and there were sixty participants representing the County of Orange, Orange County Transportation Authority, Orange County Sanitation District, Orange County Fire Authority, Transportation Corridor Agency, Orange County Water District, Costa Mesa Water District, Santa Margarita Water District, Orange County Vector Control, and LAFCO. This year, the General Manager showed up with the Board Members and Council Members as the representative of

each one of these organizations. The premise behind this meeting is to get the various agencies to work together on problems versus working against each other. The emphasis this year was on Trust and the speaker is a current government professor from the Harvard Kennedy School. The organizations agreed to start meeting on a quarterly basis with a facilitator. Councilmember Blake also attended the West Coast Cities meeting. Councilmember Blake was invited to attend the Boy Scouts dinner and the City of La Palma was thanked for all its work in recognizing the Eagle Scouts. The Boy Scouts were happy to hear that the City is also recognizing the Girl Scouts.


Mayor Barnes attended a quarterly breakfast with Supervisor Silva to discuss where the counties are with their budgets, and the result is they are in the same place as the State. Mayor Barnes also attended the MAGLEV Task Force meeting and the Corridor selected by the regional council is "LAX to March Air Force Base." The initial operating system is "Union Station to Ontario." Mayor Barnes also attended the State of the City for the City of Cypress. The speaker discussed valuing what you have as a city and community; it's not the size of the city, it's what you have and what you can offer. In regards to the West Orange County Cities Association, Mayor Barnes thanked the staff for their work in that event. Mayor Barnes thanked Public Works Director, Ismile Noorbaksh, for inviting her to the American Public Works Association. She commended City Manager Standiford for being a wonderful emcee for this event.

#### CITY MANAGER COMMENTS

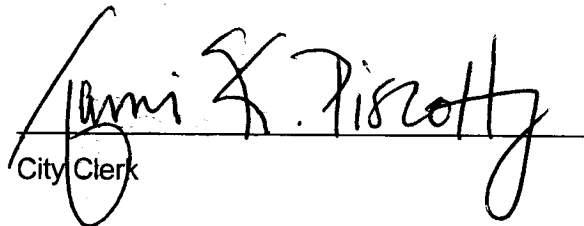
City Manager Standiford mentioned that the speaker for the State of the City for the City of Cypress was Joel Kotkin and the paper he read was, "Behind the Orange Curtain". She mentioned that the meeting was enlightening and he had inspiring and appropriate messages for small cities.

ADJOURNMENT

Mayor Barnes adjourned the meeting at 8:35 p.m. in memory of Cor VanderDussen, who was a long-time resident of the City of La Palma and a member of the Civic Center Corporation and adjourned in memory of the Columbia Astronauts who lost their lives in the most recent space shuttle accident. Also, she stated that our thoughts are with all of their families.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk