

MINUTES OF THE REGULAR MEETING  
OF THE LA PALMA CITY COUNCIL

January 6, 2004

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

PLEDGE OF ALLEGIANCE

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

INVOCATION

Pastor Tony Robles with La Palma Christian Center 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  
Jan Hobson, Director of Recreation & Community Services  
Robbeyn Bird, Director of Finance  
Dominic Lazzaretto, Director of Community Development  
Joel Kuperberg, City Attorney  
Crystal Wilkerson, Administrative Secretary

PRESENTATIONS

Mayor Duke and Mayor Pro Tem Blake presented City Tiles to outgoing Community Activities and Beautification Commiittee members: Kim Eliff, Noella Lew, and Joyce Hooper and a plaque to John Tsai. Director of Recreation and Community Services, Jan Hobson, thanked each of them for their years of service and interest in keeping La Palma an enjoyable place to live.

RECESS

Mayor Duke recessed the City Council to convene as the Community Development Commission at 7:16 p.m. (See separate Community Development Commission Minutes.)

## RECONVENING

Mayor Duke reconvened the meeting in regular session at 7:17 p.m.

## PUBLIC HEARING

### **PL-1 Conditional Use Permit 329, Requesting Approval of a 300 Square Foot Unmanned Telecommunications Facility at 5451 La Palma Avenue**

Director of Community Development, Dominic Lazzaretto, gave a staff report on the consideration of a telecommunications facility at 5451 La Palma Avenue. The applicant is Tetra Tech on behalf of Nextel Communications. The request for approval is for a 330 square foot unmanned telecommunications facility. The zoning on the subject property is O-P (Office Professional) and the use of this nature does require approval of a CUP (Conditional Use Permit).

He explained that the location is 5451 La Palma Avenue having a lot size of 38,831 square feet and is currently developed with a 44,292 square foot medical building. The roof has existing AT & T Wireless equipment. The area is developed with medical uses and to the west is an assisted living facility.

Mr. Lazzaretto mentioned that cell sites are dependent on each other to pass and relay signals. The purpose of the proposed facility is to provide adequate cellular coverage for Nextel clients. There is a lack of coverage in the area around the intersection of La Palma Avenue and Walker Street. The leased area of the general location is the southern portion of the roof and west of the existing penthouse. The proposed design will be fully screened to match the existing building and will blend in with the architectural elements of the building. Having it on the roof lessens the impact on the parking area of the facility. The leased area consists of an equipment cabinet and one GPS Unit, which will be screened by a 7' high wall on all sides. There are 12 antenna panels proposed for the facility and each measures approximately 4' high X 16" wide X 12" deep. These will be encased in a fiber glass sector, in groups of four. Each sector will be 5' high X 13' wide and painted and finished to match the building. The sectors will be located on the top portion of the penthouse on the west, east and north elevations and are away from La Palma Avenue.

Mr. Lazzaretto explained that the development standards of the setbacks include the front at 90' from the street, the rear at 60', the sides 80-150', and the height at 63'. The operating hours will be 24 hours per day/7 days per week. The facility is not known to produce any noise, fumes or smoke. The proposed facility is unmanned and requires routine maintenance once a month during normal working hours, is accessed from the interior of the building and large vehicles are not associated with the maintenance of the equipment.

Mr. Lazzaretto stated that at the Development Committee hearing held on December 8, 2003, a resident, Mr. Ted Allen, 8032 Devries Lane, had a question about the interference with TV and radio signals. The applicant responded that they all utilize similar waves but operate at different frequencies and will not interfere with each other. Mr. Allen stated that he was in support of the proposed project and wanted to note his concern for the record. The Development Committee

asked the applicant if the equipment would interfere with the hospital's existing equipment. The applicant responded by stating that the bandwidths are regulated by the FCC and would not create any interference. At the conclusion, the Development Committee recommended approval of the project.

Mr. Lazzaretto mentioned that staff prepared and circulated an Initial Study report and Draft Negative Declaration for the proposed use. It found that there was less than significant impacts and no public inquiries have been received. The Conditions of Approval have been attached to the recommendation and the specific ones include that all equipment shall be fully screened, no overhead wires permitted, only 1 GPS unit permitted and shall be located in the leased area and completely view-obscured, compliance with all other governmental agency requirements, removal of all equipment within 90 days of termination of lease and the complete conditions listed in the staff report.

Mr. Lazzaretto stated that the findings that are made based on this staff report are that the proposal complies with all requirements in the Municipal Code and General Plan. The site is suitable for the use, the proposed use will have no adverse effect on abutting or adjacent properties and the project will not have any significant environmental impacts.

Mr. Lazzaretto concluded that the proposed location and screening will fully view-obscure the equipment including the integration of the antenna panels with the façade of the building, will improve Nextel coverage in the City and staff is recommending approval.

Mr. Jim Jedaro, Tetra Tech, thanked Mr. Lazzaretto for such a thorough presentation. He stated that condition 17 of the Conditions Approval should state the applicant as Nextel and he is the agent. He explained that if removal of equipment would be necessary in the future, that Nextel would be responsible.

Mr. Lazzaretto explained that condition #17 will be revised to read, "Upon termination of the lease, Nextel shall be responsible for removal of the telecommunications facility and all equipment associated with the use within a timely manner not exceeding 90 days."

City Attorney, Joel Kuperberg stated that he would like to see the condition be changed from Nextel to the Owner. He explained that in the future, Nextel might sell the equipment and that the new owner should be responsible.

Councilmember Barnes asked the applicant why Nextel chose to go with one GPS unit instead on the two that were proposed.

Mr. Jim Jedaro explained that this was actually a mistake by the architect in the plans.

City Manager Standiford clarified that condition #13 also refers to Nextel and suggested removal of their name in the conditions so the conditions are consistent.

Mayor Duke asked all councilmembers if they felt comfortable with staff changing any other references of Nextel to Owner throughout the Conditions of Approval. All councilmembers stated yes.

Commissionmember Walker made a motion to close the public hearing. The motion was seconded by Commissionmember Blake and carried unanimously.

Mayor Pro Tem Blake stated that this proposal is better than using a pole and is a better use.

Mayor Duke clarified that the City's 800 emergency line would not be affected.

Mr. Lazzaretto responded positively.

Commissionmember Walker made a motion to adopt Resolution 2004-01PC approving the amendment to Precise Plan 329, for a telecommunications facility at 5451 La Palma Avenue. The motion was seconded by Commissionmember Barnes and carried on the following roll call vote:

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

#### CONSENT CALENDAR

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

APPROVED THE MINUTES OF THE DECEMBER 16, 2003 CITY COUNCIL MEETING  
MINUTES

ADOPTED RESOLUTION NO. 2004-01 APPROVING A REGISTER OF DEMANDS FOR  
JANUARY 6, 2004

ADOPTED RESOLUTION NO. 2004-02 AUTHORIZING THE DESTRUCTION OF TAPE  
RECORDINGS OF THE CITY COUNCIL MEETINGS FROM JANUARY 2000 THROUGH  
DECEMBER 2000

AWARDED THE CONTRACT IN THE AMOUNT OF #32,360.00 TO THE LOW RESPONSIBLE  
BIDDER, M.S. NAVARRO ENGINEERING OF NORTHRIDGE, CALIFORNIA, AND

AUTHORIZED THE MAYOR TO EXECUTE THE AGREEMENT FOR THE INSTALLATION OF EL RANCHO VERDE PARK PEDESTRIAN LIGHTING, CITY PROJECT NO. 03-PRK-01

APPROVED THE PLANS AND SPECIFICATIONS AND AUTHORIZED THE DIRECTOR OF PUBLIC WORKS TO SOLICIT COMPETITIVE BIDS FOR THE ADDITION OF A METAL STORAGE BUILDING AND INSTALLATION OF A VEHICLE CLEAN UP AREA AT THE CITY YARD MAINTENANCE FACILITY, CITY PROJECT NO. 01-WTR-01

REJECTED THE CLAIM PRESENTED BY PHIL GLEASON

AUTHORIZED THE ISSUANCE OF A PURCHASE ORDER FOR THE PURCHASE OF A COMBINATION "POWER VAC" AND WATER JET TRAILER MOUNTED UNIT

APPROVED AN APPROPRIATION OF \$12,645.00 IN FY 2002 STATE DOMESTIC PREPAREDNESS GRANT MONIES AND EXPENDITURE OF THESE FUNDS FOR PROTECTIVE SUITS AND BREATHING APPARATUS FOR POLICE DEPARTMENT FIRST-RESPONDERS

APPROVED AN APPROPRIATION AND EXPENDITURE IN THE AMOUNT OF \$12,400.00 FROM THE GENERAL FUND'S FUND BALANCE FOR REIMBURSEMENT FOR SALES TAX SERVICES

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 stated that there was a closed session for the Sanitation District that he will be able to discuss further next month. He wished everyone a Happy New Year and City Manager Standiford a Happy belated Birthday.


Councilmember Herman has been asked to serve on a committee for the Orange County Vector Control Board to help select the new General Manager. The first meeting starts tomorrow.

Mayor Pro Tem Blake reported that the Orange County Fire Authority had a special AdHoc meeting of the executive committee where they will be making their recommendation to them and then to the full board to expand the number of the committee members from eight to nine to give more representation of the 24 members of the board. This also will keep the ratio of cash contract to structural fire fund cities intact for the next several years. Their recommendation will be given to the board this next month.

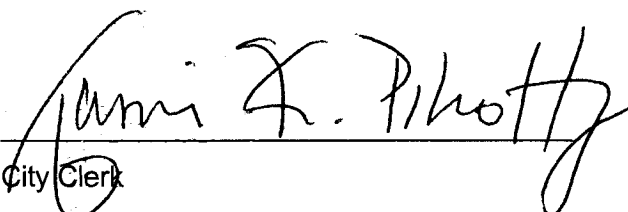
Councilmember Barnes thanked all clubs involved with the food drive. The Chamber was able to provide baskets to 27 families. She stated that there were more families in need, but they ran out of donated items.

ADJOURNMENT

Mayor Duke adjourned the meeting at 7:31 p.m. until the next scheduled City Council meeting January 20, 2004.

  
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Mayor

ATTEST:

  
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City Clerk