



# Minutes

## Lakewood City Council

Regular Meeting held  
September 14, 2004

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**MEETING WAS CALLED TO ORDER** at 7:30 p.m. by Mayor Rogers in the Council Chambers at the Civic Center, 5000 Clark Avenue, Lakewood, California.

**INVOCATION** was offered by Vice Mayor Wayne E. Piercy

**PLEDGE OF ALLEGIANCE** was led by Council Member Larry Van Nostran

**ROLL CALL: PRESENT:** Mayor Todd Rogers  
Vice Mayor Wayne Piercy  
Council Member Joseph Esquivel  
Council Member Larry Van Nostran  
Council Member Robert Wagner

### **ANNOUNCEMENTS AND PRESENTATIONS:**

Mayor Rogers announced that City Attorney John S. Todd, who would be retiring at the end of the year, would be honored by the Los Angeles County Board of Supervisors on October 12th.

Mayor Rogers also announced that City employee Dustin Plunkett, Community Services Leader II, had received the Van Kirk Outreach Speaker of the Year award from the Southern California Special Olympics Committee.

Vice Mayor Piercy commended the members of the Patriot Day committee for their work on this outstanding event which unified the community.

### **ROUTINE ITEMS:**

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO APPROVE ROUTINE ITEMS 1 THROUGH 7.

RI-1 Approval of Minutes of the Meeting held August 24, 2004

RI-2 Approval of Personnel Transactions

RI-3 Approval of Registers of Demands dated August 19, August 26, and September 2, 2004

RI-4 Approval of Permit for Mayfair High School Homecoming Parade

**ROUTINE ITEMS:** Continued

RI-5 Approval of Revisions to Conflict of Interest Code for City Officers and Employees

RI-6 Approval of Purchase of Replacement Pick-Up Truck with Lift Gate

RESOLUTION NO. 2004-66; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ENDORSING APPLICATION UNDER THE MOBILE SOURCE AIR POLLUTION REDUCTION REVIEW COMMITTEE BY 2004-05 LOCAL GOVERNMENT MATCH PROGRAM

RI-7 Approval of Allocation for Su Casa Family Crisis Center Emergency Sewer Repair

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers

NAYS: COUNCIL MEMBERS: None

**1.1 • APPEAL OF CONDITIONAL USE PERMIT NO. 760 TO ALLOW FENCING IN EXCESS OF SIX FEET IN HEIGHT AT WILDER AVENUE**

The Director of Community Development, Chuck Ebner, displayed slides and presented an oral report based on the memorandum contained in the agenda and stated that on July 1, 2004, the Planning and Environment Commission had considered Conditional Use Permit No. 760, a request for fencing in excess of 6 feet in height at Wilder Avenue. He noted the close proximity of the houses and windows, stating the fencing would provide privacy and that the applicants had a large dog in the rear yard. Following a public hearing, the Commission had approved said application. On July 19, 2004, the adjacent property owners had filed an appeal of the decision regarding the proposed side-yard fencing. He noted that the Development Review Board had reviewed the proposed fencing and required that the fence be finished on both sides. He advised that although the appellant had expressed concern about the height of the fence affecting air flow, staff had found no evidence that the fencing would adversely affect or be materially detrimental to adjacent uses. It was the recommendation of staff that the City Council hold a public hearing and uphold the decision of the Planning and Environment Commission.

Responding to questions from Vice Mayor Piercy, Mr. Ebner reviewed slides showing the fencing on the property which included a 10-foot fence along the rear of the property and the proposed 7'6" side yard fencing.

Mayor Rogers opened the public hearing at 7:45 p.m. and called for anyone in the audience wishing to address the City Council on this matter.

**1.1 • APPEAL OF CONDITIONAL USE PERMIT NO. 760 TO ALLOW FENCING IN EXCESS OF SIX FEET IN HEIGHT AT WILDER AVENUE - Continued**

Twila D. Wyrick stated that although she had come to an agreement with the property owners at Wilder Avenue, she had attended the meeting to support the appeal of Mr. Reza, the neighbor on the other side of the subject property. She submitted a copy of the original notice of public hearing for the Planning and Environment Commission which several neighbors had signed to express their opposition to the fence. She stated that she had received a threatening telephone call regarding this matter and would have nothing further to say.

Jim Reza stated that there was no other property in his area with a fence of a similar height and that the property owner should be required to have a specific reason to justify the need for a fence that high. He noted that the issue of the large dog had never been raised at the Commission meeting. He concluded by stating that his major concern was air flow which would be affected by the fence height.

Kelly and Garrett Price stated they agree with the statements contained in the staff report and had requested the fencing for privacy and security for their dog.

Tom Ngamsuntikul stated he had received the public hearing notice and had come to look into the issue.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO CLOSE THE PUBLIC HEARING. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers  
NAYS: COUNCIL MEMBERS: None

Responding to a question from Council Member Wagner, Mr. Ebner stated that the maximum height extension of the side yard fence would be 1'6".

Council Member Van Nostran stated that the fence should not be unsightly since both sides would be finished and that a property owner should be able to take steps to maintain some privacy when houses and their windows were so close. He noted that the close proximity of the houses would restrict much of the air flow.

Mr. Ebner noted that the major air flow in that area was from an east-west direction and would not be adversely impacted by the fencing which would be parallel to the air flow.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO ADOPT RESOLUTION NO. 2004-67 UPHOLDING THE DECISION OF THE PLANNING AND ENVIRONMENT COMMISSION.

**1.1 • APPEAL OF CONDITIONAL USE PERMIT NO. 760 TO ALLOW FENCING IN EXCESS OF SIX FEET IN HEIGHT AT WILDER AVENUE - Continued**

RESOLUTION NO. 2004-67; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DENYING THE APPEAL OF CONDITIONAL USE PERMIT NO. 760 AND UPHOLDING THE PLANNING AND ENVIRONMENT COMMISSION DECISION FOR FENCING IN EXCESS OF 6 FEET IN HEIGHT AT WILDER AVENUE, LAKEWOOD, CALIFORNIA

Vice Mayor Piercy stated he would be opposed as he did not like the look of the high fencing. He noted that there were other alternatives, such as trees and landscaping, that could be utilized to provide privacy.

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Van Nostran and Rogers

NAYS: COUNCIL MEMBERS: Piercy

Mayor Rogers requested that the Team Lakewood Sheriff's Lieutenant follow up on the threat received by Ms. Wyrick.

**2.1 • ORDINANCE NO. 2004-9; ADOPTING BY REFERENCE THE LOS ANGELES COUNTY HEALTH CODE**

The City Attorney advised that the Lakewood Municipal Code adopted certain codes of the County of Los Angeles by reference and that it was an appropriate time to adopt an updated version of the Health Code. He stated that the City Council would be asked at this time to introduce the ordinance and adopt a resolution to set a public hearing on this matter.

ORDINANCE NO. 2004-9; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE BY ADOPTING BY REFERENCE THE CURRENT LOS ANGELES COUNTY HEALTH CODE, DIVISION 1 OF TITLE 11 OF THE LOS ANGELES COUNTY CODE was read by title by the City Clerk.

COUNCIL MEMBER WAGNER MOVED AND VICE MAYOR PIERCY SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2004-9. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers

NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER WAGNER MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO INTRODUCE ORDINANCE NO. 2004-9 AND ADOPT RESOLUTION NO. 2004-68.

**2.1 • ORDINANCE NO. 2004-9; ADOPTING BY REFERENCE THE LOS ANGELES COUNTY HEALTH CODE - Continued**

RESOLUTION NO. 2004-68; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARING ITS INTENTION TO AMEND THE LAKEWOOD MUNICIPAL CODE BY AMENDING THE PUBLIC HEALTH CODE AND DECLARING ITS INTENTION TO ADOPT ORDINANCE NO. 2004-9, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD AMENDING THE MUNICIPAL CODE BY ADOPTING BY REFERENCE THE LOS ANGELES COUNTY HEALTH CODE, DIVISION 1 OF TITLE 11 OF THE COUNTY OF LOS ANGELES," AND SCHEDULING A PUBLIC HEARING THEREON BEFORE THE CITY COUNCIL IN THE COUNCIL CHAMBERS AT 5000 CLARK AVENUE, LAKEWOOD, CALIFORNIA, AT 7:30 P.M. ON TUESDAY, OCTOBER 26, 2004

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers  
NAYS: COUNCIL MEMBERS: None

**2.2 • ORDINANCE NO. 2004-10; ADOPTING BY REFERENCE THE LOS ANGELES COUNTY 2003 FIRE CODE**

The City Attorney advised that the County of Los Angeles had adopted a new Fire Code and that it was presented to the City Council for adoption by reference at this time.

ORDINANCE NO. 2004-10; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD ADOPTING THE 2002 FIRE CODE OF THE COUNTY OF LOS ANGELES WHICH IN TURN ADOPTS BY REFERENCE THE 2001 EDITION OF THE CALIFORNIA FIRE CODE AND THE 2000 EDITION OF THE UNIFORM FIRE CODE WITH CERTAIN AMENDMENTS, ALL AS CONTAINED IN TITLE 32 OF THE LOS ANGELES COUNTY CODE, REGULATING AND SAFEGUARDING LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION, AND AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO THE FIRE PREVENTION CODE OF THE CITY OF LAKEWOOD was read by title by the City Clerk.

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER WAGNER SECONDED TO WAIVE FURTHER READING OF ORDINANCE NO. 2004-10. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers  
NAYS: COUNCIL MEMBERS: None

COUNCIL MEMBER VAN NOSTRAN MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO INTRODUCE ORDINANCE NO. 2004-10 AND ADOPT RESOLUTION NO. 2004-69.

**2.2 • ORDINANCE NO. 2004-10; ADOPTING BY REFERENCE THE LOS ANGELES COUNTY 2003 FIRE CODE - Continued**

RESOLUTION NO. 2004-69; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKEWOOD DECLARING ITS INTENT TO ADOPT THE 2002 FIRE CODE OF THE COUNTY OF LOS ANGELES WHICH IN TURN ADOPTS BY REFERENCE THE 2001 EDITION OF THE CALIFORNIA FIRE CODE AND THE 2000 EDITION OF THE UNIFORM FIRE CODE WITH CERTAIN AMENDMENTS, ALL AS CONTAINED IN TITLE 32 OF THE LOS ANGELES COUNTY CODE, REGULATING AND SAFEGUARDING LIFE AND PROPERTY FROM THE HAZARDS OF FIRE AND EXPLOSION, AND AMENDING THE LAKEWOOD MUNICIPAL CODE PERTAINING TO THE FIRE PREVENTION CODE OF THE CITY OF LAKEWOOD, AND SETTING HEARING HEREON BEFORE THE CITY COUNCIL AT 7:30 P.M. ON TUESDAY, OCTOBER 26, 2004, IN THE CITY COUNCIL CHAMBERS, 5000 CLARK AVENUE, LAKEWOOD, CALIFORNIA

UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers  
NAYS: COUNCIL MEMBERS: None

**3.1 • 2003-2004 GENERAL PLAN ANNUAL REPORT**

The Director of Community Development displayed slides and made an oral presentation based on the report contained in the agenda and stated the City was required by the California Government Code to provide an annual report on the status of the General Plan and progress in its implementation. He stated that the General Plan remained consistent with the development of the City and that an upgrade to the Master Environmental Impact Report for the General Plan was planned for the near future. He noted that the City had experienced an increase in room addition activity in residential areas and that there had been growth in commercial areas with the development of the Target Store and several new restaurants. It was the recommendation of staff that the City Council receive and file the 2003-2004 General Plan Annual Report.

COUNCIL MEMBER VAN NOSTRAN MOVED AND VICE MAYOR PIERCY SECONDED TO APPROVE STAFF'S RECOMMENDATION. UPON ROLL CALL VOTE, THE MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Esquivel, Piercy, Van Nostran and Rogers  
NAYS: COUNCIL MEMBERS: None

### **3.2 • LAKEWOOD SCHOOLS UPDATE/SCHOOL IMPROVEMENT STRATEGIES**

Mayor Rogers stated that this item had been added to the City Council agenda at his request. He displayed slides and reviewed the school district reorganization efforts from the formation of the Lakewood Unified School District Organizing Committee and its petition drive which ended in 2001 when it was rejected by the State Board of Education; the proposal of certain members of the Bellflower Unified School District Board for a combined Bellflower/Lakewood district which never matured; the preparation and presentation of the MAP school consultant report on education in Lakewood schools; and the priorities established by the City Council after presentation of the MAP report, including the transfer of the Lakewood portion of the Paramount Unified School District to either Long Beach or Bellflower Unified School Districts. He cited one of the positive outcomes of the study which was the effort by the Superintendent of LBUSD to welcome any PUSD students wishing to transfer. He also noted the disappointments such as the refusal of either LBUSD or BUSD to consider accepting the transfer of the PUSD area, and the denial of the administration of PUSD to acknowledge the severe deficiencies identified by the consultant's report. He concluded by reviewing the focus areas of the consultant's report, via a slide presentation, and the API rankings of Lakewood schools.

Council Member Esquivel inquired about the performance scores displayed. Mayor Rogers responded that Lakewood schools scores were compared both to similar schools and on a state-wide basis.

Steve Croft identified himself as the Vice Chairman of the Lakewood Unified School District Organizing Committee and stated the Committee had been organized to help improve educational opportunities for all Lakewood students. He noted that enrollment in the Lakewood PUSD schools was declining at a time when the student population was actually increasing and that the abysmal performance of PUSD schools was forcing parents in that area to send their children to private school or to gamble on inter-district transfers, with no guarantee that the transfers would be renewed from year-to-year. He stated that he was aware that getting Lakewood out of the PUSD would not be an easy task, but that it was a cause in which he believed, and he noted that during the initial signature drive for the reorganization petition, over 50 percent of the signatures of registered voters in the PUSD area had been collected in a single weekend. He concluded by asking that the City Council support a petition to withdraw from PUSD.

Council Member Esquivel asked Mr. Croft if the Organizing Committee would be willing to help pay for the cost of a consultant on such a petition. Mr. Croft responded by stating that the Committee would be willing to take a look at a cost-sharing proposal.

Tanya Whiteleather stated she worked out of an office in Lakewood specializing in education law, representing students with learning disabilities when they were not provided with the services they needed. She noted that State test scores were not completely reliable as school districts often asked parents of special education students to opt out of standardized testing, thereby making results appear artificially high. She expressed her concern about PUSD and stated that children who were not learning were much more likely to become behavior problems. She concluded by stating that she was also a member of the Lakewood Unified School District Organizing Committee and was devoted to improving the status of education in Lakewood.

### **3.2 • SCHOOLS UPDATE/SCHOOL IMPROVEMENT STRATEGIES - Continued**

Jose Hernandez stated he had a son that used to go to a PUSD school until he had received a letter from the City advising him of the inter-district transfer option. He noted however, that the transfer process was very difficult.

Michael Albert stated he lived in the Lakewood Gardens area, which was part of the PUSD. He stated that none of his four children had attended PUSD schools and that he currently had a son attending Lakewood High School on a transfer. He stated that the poor quality of schools in PUSD depressed property values in his area, and encouraged the effort to form a Lakewood district.

Toby Hess spoke about the importance of education and urged support of a Lakewood district.

Barbara Chang stated that when she received the letter from the City, she had spent a whole day at the PUSD district office attempting to get inter-district transfer documents without success. She noted that LBUSD had helped her to complete the transfer process, but the instability of having to renew the transfer each year, with no guarantee of being able to continue in the same school, had caused her family to transfer her child to private school.

Chris Luchtel stated that he was currently using the inter-district transfer process for his child and encouraged efforts to modify the process so that it wouldn't have to be renewed every year.

Jeanine McManigal-Ball, a supporter of the Lakewood Unified effort, stated that all Lakewood students were not being provided with the same educational opportunities. She stated that the most important thing was support of the effort to get Lakewood out of the PUSD.

Mayor Rogers stated that he was passionate about this issue and believed that Lakewood deserved to have its own school district. He stated that having four different school districts in one city was dysfunctional and damaging to the identity of the community and the ability to achieve the best for Lakewood kids. He stated that he would continue to support the issue as long as the residents of Lakewood wanted to make it a priority. He thanked his colleagues on the City Council for their support of improved educational opportunities for Lakewood students and for funding the consultant's report. He noted that the majority of the educators operating the public schools in Lakewood were dedicated professionals whose opinions should be valued, but that Lakewood parents should also have a strong voice in the education of their children. He cited community-based education as a concept that could provide the best possibility of a quality education. He noted that currently at LBUSD schools in Lakewood, students were being directed to Long Beach for local government education and community service opportunities rather than to Lakewood. He also stated that the Board of Education meetings should be televised, since they are held at times and in locations that were inconvenient for parents to attend.



**3.2 • SCHOOLS UPDATE/SCHOOL IMPROVEMENT STRATEGIES - Continued**

He stated that he disagreed with the last findings of the consultant regarding the transfer of territory from PUSD, noting that the administration in Sacramento had changed, and that even if a withdrawal process proved to be unsuccessful, there may still be opportunities to advocate legislative changes.

MAYOR ROGERS MOVED AND COUNCIL MEMBER WAGNER SECONDED THAT:

1) THE SCHOOL DISTRICT CONSULTANT, OR SIMILARLY QUALIFIED EXPERT, BE DIRECTED TO DEVELOP SEPARATE REORGANIZATION PROPOSALS TO TRANSFER THE PUSD PORTION OF LAKEWOOD INTO THE BUSD AND LBUSD; AND

2) THE CITY COUNCIL IMMEDIATELY FORM A PUSD AD HOC COMMITTEE TO OVERSEE THE EFFORTS OF TRANSFERRING THIS TERRITORY, DETERMINE THE FEASIBILITY OF ENACTING LEGISLATION TO GUARANTEE LAKEWOOD PUSD STUDENTS RIGHTS TO ATTEND SCHOOL IN EITHER THE LBUSD OR BUSD, AND ENSURING THAT STUDENTS WHO CURRENTLY HAVE DESIRABLE INTER-DISTRICT TRANSFER ARRANGEMENTS ARE NOT NEGATIVELY IMPACTED BY ANY CHANGES THAT MAY OCCUR; AND

3) THE CITY COUNCIL IMMEDIATELY CONSTITUTE A STANDING LAKEWOOD SCHOOL COMMITTEE TO MONITOR SCHOOL DISTRICT PERFORMANCE AND PROVIDE A FORMAL MECHANISM TO DETERMINE HOW THE CITY OF LAKEWOOD AND THE SCHOOL DISTRICTS CAN WORK COLLABORATIVELY TO ENHANCE EDUCATIONAL OPPORTUNITIES FOR LAKEWOOD STUDENTS; AND

4) THE CITY COUNCIL DIRECT THE CITY MANAGER TO DEVELOP A JOB DESCRIPTION AND RECRUIT AN EDUCATIONAL LIAISON STAFF MEMBER EITHER ON A FULL-TIME OR CONTRACT BASIS, TO STAFF THE STANDING COMMITTEE, PROVIDE A FULL-TIME CITY LIAISON FOR THE EXISTING SCHOOL DISTRICTS, AND PROVIDE A PRIMARY POINT OF CONTACT FOR LAKEWOOD RESIDENTS WITH CONCERNS RELATIVE TO THE PUBLIC SCHOOL IN LAKEWOOD.

Council Member Esquivel suggested that the scope of the issue was such that further study sessions would be beneficial, especially considering the issues of funding and staffing.

Vice Mayor Piercy stated he agreed that further study would be of benefit, noting that the plan presented was both ambitious and potentially expensive. He commended the members of the Organizing Committee on their support of the issue, but suggested proceeding cautiously.

VICE MAYOR PIERCY MOVED AND COUNCIL MEMBER ESQUIVEL SECONDED TO SUBSTITUTE A MOTION TO REFER THIS MATTER TO A STUDY SESSION.

### **3.2 • SCHOOLS UPDATE/SCHOOL IMPROVEMENT STRATEGIES - Continued**

Council Member Van Nostran expressed the desire to receive information on actual changes in staffing on both the County and State levels and to be informed before proceeding.

Council Member Wagner stated that many statements had been made by the public this evening and they have indicated problems with the educational system. He stated that he had long felt that it was vital to resolve the schools issue in order to continue to attract families to Lakewood and that without the promise of a quality, public education, the nature of the people moving into the community would change. He noted that it was especially evident during this 50th Anniversary year for the City that even though demographics had changed over the years, there was still a spirit of volunteerism because of the family-oriented nature of the community, a condition which could change with declining educational opportunities. He stated that although a lot of information had been presented tonight, the issues had been facing the City for a long time. He further stated that if the City was going to move on these issues, it must do so with strong support. He concluded by stating that he felt that another study session was not the answer, but rather that it was time to make a stand and either the City Council was supportive of making changes now or it was not.

Mayor Rogers stated that although the consultant had said that a transfer of territory would probably not be successful without the support of the districts, critics had also said the signature drive for the initial petition was impossible, but it had been accomplished. There must certainly be a way to accomplish the transfer in a non-disruptive manner. He noted that the consultant already had the data and that the ad hoc committee could explore other ideas, including legislation that might guarantee permanent transfers out of the PUSD into other districts, with City support. He also noted that funding for a staff position had already been budgeted.

UPON ROLL CALL VOTE, THE SUBSTITUTE MOTION FAILED:

AYES: COUNCIL MEMBERS: Esquivel and Piercy

NAYS: COUNCIL MEMBERS: Wagner, Van Nostran and Rogers

Council Member Van Nostran stated that after listening to the presentations, he felt it might be possible to make a go of it. He suggested treading carefully and with the acknowledgement that there was much more work to be done.

UPON ROLL CALL VOTE, THE ORIGINAL MOTION WAS APPROVED:

AYES: COUNCIL MEMBERS: Wagner, Van Nostran and Rogers

NAYS: COUNCIL MEMBERS: Esquivel and Piercy

Mayors Rogers asked the City Council Members to consider appointment to one of the two committees.

At 9:20 p.m., the Regular Meeting of the City Council was recessed for the Meeting of the Lakewood Redevelopment Agency. At 9:21 p.m., the City Council Meeting was reconvened.

**ORAL COMMUNICATIONS:** None

**CLOSED SESSION:**

PUBLIC EMPLOYEE APPOINTMENT (Pursuant to Government Code §54957)

Title: City Attorney

At 9:32 p.m., the City Council meeting reconvened. Mayor Rogers announced that the City Council had met in closed session to consider the appointment of a City Attorney and had decided to continue said closed session to September 15, 2004, at 8:00 a.m. in the Executive Board Room.

**ADJOURNMENT**

There being no further business to be brought before the City Council, Mayor Rogers adjourned the meeting at 9:32 p.m.

Respectfully submitted,

Denise R. Hayward, CMC  
City Clerk