

MINUTES

ARTESIA CITY COUNCIL CHAMBERS
18747 CLARKDALE AVENUE, ARTESIA, CA

REGULAR MEETING OF THE ARTESIA CITY
COUNCIL

MONDAY, FEBRUARY 9TH, 2009

7:00 P.M.

The regular meeting of the Artesia City Council was called to order at 7:00 p.m., Monday, February 9, 2009, in the Artesia City Council Chamber by Mayor Sally Flowers. The Invocation was presented by Dr. Keith Tanis of New Life Community Church. The Pledge of Allegiance was led by Eagle Scout Lowell Palacpac.

ROLL CALL – PRESENT: Larry R Nelson, Council Member
John Martins, Council Member
Victor Manalo, Council Member
Tony Lima, Mayor Pro Tem
Sally Flowers, Mayor

ALSO PRESENT: Maria Dadian, City Manager
Kevin Ennis, City Attorney
Justine Menzel, Deputy City Manager/Finance Officer
Gloria Considine, Interim City Clerk
Clayt Isle, Parks and Recreation Director
Okina Dor, Associate Planner

Mayor Sally Flowers introduced Assemblymember Tony Mendoza, former Mayor John Lyon and city commissioners.

APPROVAL OF AGENDA

Motion by Council Member Nelson, seconded by Mayor Pro Tem Lima, to approve agenda as presented. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

ANNOUNCEMENT REGARDING SPEAKER CARDS

Anyone wishing to speak to the City Council should fill out a speaker card and give that card to the City Clerk at the staff table prior to the commencement of the meeting. Please observe a time limit of three (3) minutes when giving your presentation.

Gloria Considine, Interim City Clerk presented announcement regarding speaker cards.

CITIZEN COMMENTS ON ITEMS THAT ARE NOT ON THE AGENDA OR ITEMS LISTED UNDER THE HEADING CONSENT CALENDAR

This time is for members of the public to address the City Council on items that are not listed on the agenda or items listed under the heading consent calendar. Any public comments that cannot be heard within the next 20 minutes will be heard at the end of the meeting.

Gloria Considine, Interim City Clerk presented information regarding citizen comments on items that are not on the agenda or items listed under the heading consent calendar.

Assembly Member Tony Mendoza presented information regarding the State budget.

John DeVries commented on the treatment by Code Enforcement towards his daughters.

Marie O'Donnell presented information regarding her grandson who was murdered.

Barbara Vanden Hazel inquired about the overnight trips for seniors.

Serafin Avila presented information regarding his internship at A.J. Padelford Park until June 2009.

CEREMONIAL PRESENTATION(S)

1. PRESENTATION TO DIGNITARIES FROM TERCEIRA-ACORES PORTUGAL

Gift bags and photos were presented to the dignitaries from Terceira-Acores Portugal.

2. PROCLAMATION TO CERRITOS/ARTESIA RELAY FOR LIFE OF 2009 CELEBRATE, REMEMBER, AND FIGHT BACK EVENT-MAY 16TH

Proclamation was accepted by Kathy Lira and Greg Forni of Relay for Life

PRESENTATION OF DONATION FROM CITY OF ARTESIA'S 5K RUN/WALK TO RELAY FOR LIFE

Donation of \$822.00 from Artesia's 5k run/walk was presented to Kathy Lira and Greg Forni of Relay for Life.

3. PROCLAMATION DECLARING MARCH 1 – MARCH 7, 2009 AS YOUTH SAFETY WEEK IN ARTESIA

Proclamation was accepted by Jose Martinez, Programs Coordinator and Sgt. Greg Knapp.

4. CERTIFICATE OF RECOGNITION FOR EAGLE SCOUT LOWELL ORIEL PALACPAC

Introduction of Eagle Scout Lowell Oriel Palacpac, DVD presentation of project completed and Certificate of Recognition presented to Lowell Oriel Palacpac

City Manager Maria Dadian requested that Item 34 be moved to the beginning of the meeting.

34. SCHEDULE FOR IMPLEMENTATION OF NEW RESTAURANT PARKING STANDARDS IN THE OLD DOWNTOWN AREA – IMPLEMENTATION OF PORTIONS OF ORDINANCE NO. 08-736

Mayor Pro Tem Lima abstained from this item.

City Manager Maria Dadian presented the staff report for this item.

Council member Manalo inquired if implementation could be started sooner than the proposed schedule.

Mr. Kelly replied that they would move as fast as possible.

Mayor Flowers suggested keeping the City Council updated on progress.

Council member Nelson stated that he thought the time line was fine and pushing things through too quickly was where mistakes occur.

Mayor Flowers inquired if the time line could be approved with lead way if completed sooner.

City Attorney Ennis replied by saying yes.

Motion by Council Member Nelson, seconded by Council member Manalo, to approve schedule for implementation of new restaurant parking standards in the old downtown

area – implementation of portions of Ordinance No. 08-736.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: Lima
ABSENT: COUNCILMEMBERS: None

BUSINESS PRESENTATION(S)

5. ENGINEERING SERVICES RELATIVE TO PLAN CHECKS AND PERMITS

Maria Dadian, City Manager presented the staff report for this item.

Mayor Flowers requested that she be removed from the ad hoc committee and appointed Mayor Pro Tem Lima to the committee because stream lining development fees were Mayor Pro Tem Lima and Council member Martins field of expertise. She said she spoke with Mayor Pro Tem Lima and he agreed to serve on committee.

Motion by Council Member Nelson , seconded by Council member Manalo to affirm appointment of Mayor Pro Tem Lima to ad hoc committee.

Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

6. ARTESIA STRATEGIC PLAN UPDATE AND CITY COUNCIL ADOPTION OF UPDATED THREE YEAR GOALS AND OBJECTIVES

Mayor Flowers suggested that the report be received and filed, and adoption of goals and objectives continued to the March 9, 2009 Regular City Council meeting.

The City Council concurred.

7. LOS ANGELES COUNTY SHERIFF'S DEPARTMENT 2008 YEAR IN REVIEW

Sgt. Greg Knapp presented the Los Angeles County Sheriff's Department 2008 Year in Review.

CONSENT CALENDAR

Motion by Council Member Manalo, seconded by Council member Martins, to approve the consent calendar as presented with the exception of items 14 and 19.

Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

8. EXCUSING COUNCILMEMBERS WHO ARE ABSENT FROM MEETING

9. WAIVING OF FULL READING OF ORDINANCES LISTED ON AGENDA

10. APPROVAL OF CITY COUNCIL DEMANDS

11. APPROVAL OF CITY COUNCIL FINANCIAL REPORTS

12. APPROVAL OF CITY COUNCIL MINUTES FOR THE FOLLOWING MEETINGS:
JANUARY 5, 2009-Adjourned Regular Meeting
JANUARY 21, 2009 – Special Meeting

13. APPROVAL OF MINUTES FOR COMMISSIONS
PARKS AND RECREATION COMMISSION – NOVEMBER 19, 2008
BEAUTIFICATION AND MAINTENANCE COMMISSION – NOVEMBER 20, 2008
AND DECEMBER 11, 2008
PUBLIC SAFETY COMMISSION– NOVEMBER 18, 2008
PLANNING COMMISSION- NOVEMBER 25, 2008 AND DECEMBER 23, 2008

14. AWARD OF BID FOR OLD FIRE STATION #30 ROOF REPLACEMENT

Mayor Pro Tem Lima abstained from this item.

Council member Nelson inquired about changing the pitch of the roof for water run-off.

City Engineer Carlos Alba stated that changing the pitch of the roof was discussed and it was determined that it would be too expensive to convert.

Motion by Council Member Nelson, seconded by Council member Manalo, to award bid to Best Contracting in the amount of \$26,824. Motion carries 4-0-1

Said motion carries by the following roll call vote:

AYES:	COUNCILMEMBERS:	Nelson, Martins, Manalo and Flowers
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Lima
ABSENT:	COUNCILMEMBERS:	None

15. FIRE FLOW REQUIREMENTS FOR THE WATER LINES ON 183RD STREET EAST OF GRIDLEY TO SUMMER AVENUE

16. COUNTY OF LOS ANGELES PUBLIC LIBRARY REPORT ON THE COST OF SERVICE AND PROPERTY TAX FOR FISCAL YEAR 2007-2008

17. LONG BEACH TRANSIT CORRESPONDENCE RELATIVE TO ORGANIZATIONAL UPDATES AND NOTIFICATION OF ADOPTED NEW FARE STRUCTURE

18. SOUTHERN CALIFORNIA EDISON COMPANY “TRIGGER” RATE APPLICATION

19. 2006 HOME PROGRAM ACTIVITY UPDATE

Mayor Flowers abstained from the item and turned meeting over to Mayor Pro Tem Lima.

Mayor Pro Tem Lima inquired about the duration and qualifications for the loan.

Justine Menzel, Deputy City Manager replied that the interest rate is 0% for age 62 and older or disabled. She said the loan term would be no payment for up to 30 years providing the owner/occupant does not break the criteria for loan.

Council member Martins inquired if the estate was sold what would happen.

Deputy City Manager Menzel replied the proceeds of the sale would go towards the obligation of the note.

Mayor Pro Tem Lima inquired about the qualifications for loan.

Deputy City Manager Menzel replied qualification is based on residence, owner

occupied and income eligible.

Council member Martins stated that he had heard comments from people about the length of time it took to process the applications. He inquired about the timeline for processing of applications and funds to be released.

Deputy City Manager Menzel stated that she could verify this information with the consultant.

Maria Dadian, City Manager stated that an update with verification of time line would be provided at a future meeting.

Report received and filed.

20. CONSIDERATION AND REQUEST FOR APPROVAL OF THE 2009 FIREWORKS STAND PERMIT APPLICATIONS

21. CONSOLIDATED DISPOSAL SERVICES ANNUAL REPORT FOR 2008 ON "FREE ROLL-OFF BINS FOR CITY"

PUBLIC HEARING(S)

ADMINISTRATION OF OATH

Kevin Ennis, City Attorney administered the oath.

22. CASE NO. 2008-52

GENERAL PLAN AMENDMENT, ZONE MAP AND TEXT AMENDMENT 19028 NORWALK BOULEVARD

Scott Gerrity, 15747 Woodruff Avenue, Bellflower, Ca. 90706

A request for approval that includes the following three components:

- 1.) General Plan Amendment: A request to amend the land use element of the Artesia General Plan to change the land use designation from Commercial General to Mixed Commercial/Low Density Residential for the property located at the Commercial General (C-G) Zone properties that are bounded by the east side of Norwalk Boulevard, south of Hibbing Street, westerly properties from the Single Family Residential (R-1) Zone, and north of Flora Vista; 2) Zone Map Amendment: A request to amend the Artesia Zoning Map to rezone the Commercial General (C-G) Zone properties that are bounded by the east side of Norwalk Boulevard, south of Hibbing Street, westerly properties from the Single Family Residential (R-1) Zone, and north of Flora Vista from Commercial General (C-G) to Mixed Commercial/Single Family Residential (M-C-R) Zone; 3) Code Amendment: A request to amend the Artesia Municipal Code to include a new zone, Mixed Commercial/Single Family Residential (M-C-R) Zone.

AND

RESOLUTION NO. 09-2121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA APPROVING AMENDMENTS TO THE ARTESIA GENERAL PLAN, THE ARTESIA GENERAL PLAN MAP, THE ARTESIA MUNICIPAL CODE AND THE OFFICIAL ZONING MAP OF THE CITY OF ARTESIA TO ESTABLISH A MIXED COMMERCIAL/SINGLE FAMILY RESIDENTIAL (M-C-R) ZONE.

(ADOPTION)

AND

ORDINANCE NO. 09-740

AN ORDINANCE OF THE CITY OF ARTESIA AMENDING THE ARTESIA MUNICIPAL CODE TO ESTABLISH A MIXED COMMERCIAL/SINGLE FAMILY RESIDENTIAL (M-C-R) ZONE AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF ARTESIA TO REZONE THE COMMERCIAL GENERAL (C-G) PROPERTIES THAT ARE BOUNDED BY THE EAST SIDE OF NORWALK BOULEVARD, SOUTH OF HIBBING STREET, WESTERLY PROPERTIES FROM THE SINGLE FAMILY RESIDENTIAL (R-1) ZONE, AND NORTH OF FLORA

VISTA (ASSESSOR PARCEL NUMBERS 7054-006-058, 7054-006-058, 7054-006-059, 7054-007-001, 7054-007-002, 7054-007-003, 7054-007-004, 7054-007-005, 7054-008-001, 7054-008-002, 7054-008-003, 7054-008-004, 7054-009-001, 7054-009-002, 7054-009-003, 7054-009-004, 7054-009-005, 7054-010-001, 7054-010-045) FROM COMMERCIAL GENERAL (C-G) ZONE TO MIXED COMMERCIAL/ SINGLE FAMILY RESIDENTIAL (M-C-R) ZONE.

(FIRST READING AND INTRODUCTION)

Mayor Flowers provided information regarding this item that occurred at the last City Council meeting.

Kevin Ennis, City Attorney clarified and explained the code amendment.

Okina Dor, Planning Association presented the staff report for this item.

Marcel Bates of 12261 Hibbing Street stated that he was disappointed to find out that Hibbing Street was not included in this zoning change. He said they had a petition from residents on Hibbing Street requesting to be included in this code amendment or a provide a separate remedy with the same rights as the people that live less than one block away.

Bea Saldana of 12258 Meadow Drive requested clarification of listed uses by inquiring if a bar would be permitted in the area.

City Attorney Ennis replied that currently that use was not permitted but an applicant could apply to amend the code to request that a bar become a use allowed in the mixed commercial zone. He said the Planning Commission and City Council could consider the amendment.

Ms. Saldana stated that there was the possibility of an undesirable business operating in the area.

Mayor Flowers replied that there is a possibility of anything when it comes to zoning. She said that there would be two processes that the application would need to go through. She said that the code would need to be amended to allow the use as a conditionally permitted use and secondly, the applicant would need to apply for the conditional use permit and go before the Planning Commission and City Council for approval.

Ms. Saldana stated that she along with other residents strive to improve the neighborhood. She said that she would like to see approval of this item. She expressed concern about the types of possible businesses that could be located in the neighborhood.

Michele Verduzco of Academy Way stated that she took pictures of the area back in February 2008 and made a presentation at the City Council meeting in March 2008. She said that they had requested that the area be rezoned to help the single family residential without hurting the businesses. She said that the idea went by the waist side. She said that she walked into the City Council meeting on January 5, 2009 and the item for rezoning was on the agenda and that none of the community members were notified of this zone change. She requested approval of the item.

Mayor Flowers stated that this item was continued to allow the community members to be informed of the zone change.

Scott Gerrity of ACP Management requested approval of this item. He said that he was having problems renting units.

Interim City Clerk Considine read into the record letters from Paul and Vanda Barcelos and João and Anatilde Barcelos.

John Villalabos of 12210 Hibbing Street stated that he does not want to see a business on Hibbing Street.

Motion by Council member Martins, seconded by Council member Nelson to close the public hearing.

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Council member Martins stated that he was disappointed that the residents in the area were not notified. He said that he was ready to move forward with this zone change last month and was ready to do so currently. He said that zone change should be looked into for Hibbing Street.

Mayor Flowers inquired about discussing the area of Hibbing Street since it was not on the agenda. She suggested keeping the two issues separate.

Council member Martins inquired about incorporating the change for Hibbing Street at this time.

City Attorney Ennis stated that the property owners in that area have not been notified of the potential change.

Council member Martins agreed.

Motion by Council Member Nelson, seconded by Council member Manalo, to waive further reading and adopt Resolution No. 09-2121 as read by title.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Motion by Council Member Nelson, seconded by Mayor Pro Tem Lima, to waive further reading and adopt Ordinance No. 09-740 as read by title.

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

**23. CASE NO. 2009-02 ALLEY VACATION
CITY OF ARTESIA**

City of Artesia, 18747 Clarkdale Avenue, Artesia, Ca. 90701
A request for vacation of a public alley from 166th Street to Arkansas Street, said alley centerline being located approximately 172.5 feet west of the centerline of Pioneer Boulevard.

Okina Dor, Planning Associate presented the staff report for this item.

Motion by Council Member Nelson, seconded by Council member Manalo, to close the public hearing.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Motion by Council Member Nelson , seconded by Council member Manalo, to waive further reading and adopted Resolution No. 09-2121 as read by title.
Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

24. ORDINANCE NO. 09-741

An Ordinance of the City of Artesia Establishing a Water Conservation and Water Supply Shortage Plan and Adding Chapter 18 to Title 5 of the Artesia Municipal Code.

Kevin Ennis, City Attorney presented the staff report for this item.

Motion by Council Member Nelson, seconded by Mayor Pro Tem Lima, to close the public hearing.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

There was discussion regarding watering time, grants, washing vehicles, policing violations and NPDES regulations.

Motion by Mayor Pro Tem Lima, seconded by Council member Martins, to direct staff to bring back Ordinance No. 09-741 with revisions to model ordinance after Los Angeles County Version. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

25. RESOLUTION NO. 09-2120

A Resolution of the City Council of the City of Artesia Establishing Fees for the Use of Public Right of Way Street Processions by Groups and Organizations.
(ADOPTION)

Maria Dadian, City Manager presented the staff report for this item.

Motion by Council member Nelson, seconded by Council member Manalo, to close the public hearing.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Council member Martins stated that he thought the cost for the four hour procession was a little excessive.

Mayor Flowers inquired if Council member Martins had a suggestion on costs.

Council member Martins suggested \$300 for two hours, \$400 for three hours, \$500 for the four hours.

Mayor Flowers suggested removing the sheriff's deputy cost, removing the administrative fee and posting of the signs.

Motion by Council member Martins, seconded by Council member Nelson, to waive further reading and adopted Resolution No. 09-2120 with deletion of administrative fee, sheriff deputy cost and posting and removing fee for signs. Revisions to be applied to two, three and four hour processions. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES:	COUNCILMEMBERS:	Nelson, Martins, Manalo, Lima and Flowers
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Mayor Flowers requested moving the order of some agenda items.

PLANNING COMMISSION RECOMMENDATION(S)

**28. CASE NO. 2009-03 VARIANCE
12012 169TH STREET**

Pablo & Reyna Reynoso, 12012 169th Street, Artesia, Ca. 90701

A request for approval of a variance to maintain an existing garage with the existing 12'-0" turning radius for the property located at 12012 169th Street in the Single Family Residential (R-I) zone.

Okina Dor presented the staff report for this item.

Council member Martins inquired if the applicant wanted to keep the existing garage.

Planning Associate Dor replied by saying yes.

Council member Martins inquired about the width of the driveway.

Planning Associate Dor replied by saying the driveway width was nine feet.

Council member Martins stated that the two cars could still get into the garage it would just take some maneuvering. He inquired if they were going to re-stucco the garage.

Planning Associate Dor replied that the recommendation from the Planning Commission was to repaint the exterior to match the house.

Council member Martins inquired if there was a rain gutter on the garage that faces the neighboring property. He suggested adding it the conditions.

Mayor Flowers inquired if that was Council member Martins motion.

Motion by Council Member Martins, seconded by Mayor Pro Tem Lima to affirm Planning Commission's recommendation for approval of Case No. 2009-03 with the added condition to install rain gutter on garage facing neighboring property. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

31. A PROPOSAL TO ENGAGE THE SERVICES OF “O” ENTERTAINMENT TO CONDUCT A THREE (3) DAY CARNIVAL EVENT IN ARTESIA PARK

Clayt Iske, Parks and Recreation Director presented the staff report for this item.

Council member Nelson stated that the ad hoc committee met with “O” Entertainment and it was negotiated on a flat rate of \$18,600 or 15% which was ever greater. He said they would also open the carnival on Thursday night for city employees, their families and local dignitaries and guests at no cost for four hours. He said “O’ Entertainment was one of the top operators in the area. He said that there would be 22 rides at the carnival.

Motion by Mayor Pro Tem Lima, seconded by Council member Manalo to approve “O” Entertainment to conduct carnival for 50th Anniversary Celebration in the amount of \$18,600 or 15% which was ever greater.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

35. PARK WATER COMPANY NOTICE OF PROPOSED INCREASE IN RATES

Maria Dadian, City Manager presented the staff report for this item.

Jeanne Bruno, General Manager of Park Water Company stated she was available for any questions the City Council might have. She presented information regarding the reasoning for their rate increases and described their programs for low income households.

Council member Nelson inquired about the service area for Park Water Company.

Mayor Flowers replied that the service area is north Artesia.

Council member Nelson inquired about Park Water Company rates being higher than other water companies.

Ms. Bruno replied that Park Water Company was reinvesting to upgrade and replace their aging infrastructure. She said that hopefully their quality of service reflects their rates as well.

Ed Jackson, Director of Revenue Requirements of Park Water Company stated their rates were comparable to Golden State Water.

Council member Nelson inquired about the breakdown for residential rates.

Ms. Bruno replied \$2.93 per 100 cubic feet for the first 10–100 feet. She said it was a two tiered rate.

Council member Martins inquired about the monthly rate for a 5/8” meter.

Mr. Jackson replied that there were two rates and that the first rate was a service charge for \$14.38 per month and conservation rate of \$2.93 for first tier and \$3.029 per CCF.

Council member Nelson inquired about the monthly rates for different size meters.

Mr. Jackson replied that there were two components to the rates. He said there was a fixed rate which was determined on the service charge and quantity amount of water used.

Council member Nelson inquired about the monthly rate for individual services.

Ms. Bruno replied that meter cost for 5/8" is \$14.38, 3/4" for \$21.60 and 1" is \$36.00.

Council member Nelson inquired if Park Water Company was comparable to Golden State Water on meter rates.

Mr. Jackson replied that their rates were comparable over all.

Council member Manalo stated that his water bill was considerably less than Park Water customers.

Ms. Bruno replied that their water was 90% depended on imported water which was more expensive than well water. She said there were commodity rates on amount of water used.

Mr. Jackson stated that you cannot compare municipal rates to investor rate owned utilities regulated by the public utilities commission.

Council member Manalo expressed concern with low income customers paying higher rates. He said that the City Council had expressed their objections to rate increase.

Mayor Pro Tem Lima inquired if water meter size had anything to do with water amount usage.

Mr. Jackson replied by saying no.

Mayor Pro Tem Lima inquired as to why the different size meters had different rates.

Mr. Jackson replied the larger meter can accommodate a larger amount of water.

36. GOLDEN STATE WATER COMPANY NOTIFICATIONS OF RECOVERY OF WATER CONSERVATION MEMORANDUM AND NOTICE OF PUBLIC HEARINGS FOR APPLICATION NO. 08-07-010 FOR INCREASE OF RATES IN 2010, 2011 2012

Paul Rowley, District Manager, Central District presented information regarding rate recovery and charge rate.

Council member Martins inquired if there was a 19% rate increase for 2009.

Mr. Rowley explained the rate increase process.

Council member Martins stated that the City Council will be getting opposition from the residents when this increase is imposed. He said that he cannot believe these types of increases are being considered with the current economical condition of the country.

Mr. Rowley explained the process with the Public Utilities Commission on rate increases.

Council member Martins stated that there should be some reconsideration on rates.

Mayor Flowers presented information regarding Metropolitan Water District on water rate increases.

Informational report

30. ARTESIA SPORTS ADVISORY COUNCIL AND PARKS AND RECREATION COMMISSION AFFIRMATION FOR 2009 ARTESIA PARK PERMIT GROUP'S BALL FIELD AND SNACK BAR FEE SCHEDULE

Clayt Iske, Parks and Recreation Director presented the staff report for this item.

Michelle Verduzco stated that she was on the Sports Authority Board and also on the Parks and Recreation Commission. She said that she had presented many suggestions on fees and there was no census on any of the suggestions to bring before the Parks and Recreation Commission. She said the fees would be adjusted if the tax exemption status could be received from the different groups. She said they would be billed according to their actual use. She said that costs needed to be recovered.

Bob Medina of the Artesia Punishers stated that he was also on the Sports Authority Board and at the meetings he had to always defend the Artesia Punishers. He said they had never stated that they would not pay. He said they have been paying \$175.00 per month which was requested by the City Council. He said the fee was waived at times until the contract was negotiated. He said they furnish the toilet and paper towels for the rest rooms. He stated that his group cannot afford the projected fees. He presented information regarding altercations they were receiving on a daily basis. He said the Sports Authority Board had been verbally attacking the Artesia Punishers.

Mayor Flowers suggested charging the light fee and not field use fee. She inquired if that would be acceptable to the Artesia Punishers. She said it would be \$541.66 per month. She said that she didn't think the city should charge for the snack bar. She said there was a three (3) strike rule for the snack bar.

Council member Martins stated that he didn't see a problem with charging \$25.00 per day for the use of the snack bar. He said there would be a rate reduction if tax exemption is provided and inquired as to what the rate difference would be with the exemption.

Mr. Iske replied the cost would be \$20.00 per hour instead of \$25.00 per hour.

Mayor Flowers inquired if the organizations could prepare their own fields if they were trained.

Mr. Medina stated that Artesia Punishers holds 2 million dollar liability insurance. He said that volunteers are covered as well.

Maria Dadian, City Manager stated that it was her understanding that the Artesia Punishers were responsible for preparing the fields for their activities. She said that she didn't know when that changed.

Mr. Iske stated that they were still doing the field preparations for their tournaments.

Mayor Pro Tem Lima inquired if the proposed fee schedule recovers the costs.

Mr. Iske replied that it would be helpful if the city could recover the cost of the lights. He said the snack bar fee and policy would hold the groups accountable.

Council member Manalo stated the proposed fees were not picking on any of the groups but it was a matter of generating money during financially difficult times.

Council member Martins expressed concern about the fees for resident and non-resident groups being so close in costs. He expressed concern with profitable groups pushing out the non-profit groups.

Diane Medina inquired if the notice of 48 hours was to be given to groups for cleaning of snack bar because the staff report stated 24 hours. She requested that every item that needed to be inspected be listed on the check list.

Mr. Iske replied that the revised list had been posted in the snack bar.

Ms. Medina stated that there were three proposals before the authority. She said the only two that received votes were for the light fee or flat field fee and lights.

Ms. Verduzco stated that 24 hour notice for cleaning of snack bar was a recommendation by the Parks and Recreation Commission.

Julie Mederos stated her son was on a travel baseball team and 40% of the team was Artesia residents and that she would like the same opportunity with the same fees. She inquired as to how could their organization be listed on the calendar for field use.

Mr. Iske replied that her organization would be asked to be part of the Sports Authority Board.

Ms. Mederos said that she would like the same privileges as softball. She said she would pay the same fees.

Council member Martins stated the issue of residency and non-residents needed to be reviewed closely not to push out organizations who had been utilizing the facility for years.

Mayor Pro Tem Lima inquired if the Parks and Recreation Director would be happy with approval of the lights and snack bar fees.

Mr. Iske replied by saying yes.

Mayor Pro Tem Lima stated that he would be in favor of the lights and snack bar fees.

Council member Manalo inquired as to how the lights were calculated for use by a group.

Mr. Iske stated that the groups would be billed for the exact time of use for lights.

Motion by Mayor Pro Tem Lima, seconded by Council member Manalo to approve lights and snack bar fees.

Said motion carries by the following roll call vote:

AYES:	COUNCILMEMBERS:	Manalo and Lima
NOES:	COUNCILMEMBERS:	Nelson, Martins and Flowers
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Motion failed 2-3 vote.

Council member Manalo stated that he along with Council member Nelson and the City Attorney Kevin Ennis met and reviewed the facility use permit regulations and all these issues discussed this evening. He requested the facility use permit regulations be put on the March City Council agenda.

27. CASE NO. 2009-01

VARIANCE, CONDITIONAL USE PERMIT 16725 PIONEER BOULEVAR

Edi Pouldar, 16725 Pioneer Boulevard, Artesia, Ca. 90701A request for approval of a variance to allow the sale of alcoholic beverages for consumption off premises within 100 feet of a residential zone and 1000 feet off an existing automobile service station where alcoholic beverages are sold for consumption off premises, and also a request for approval of a conditional use permit to sell alcoholic beverages for consumption off-premises at an existing automobile service station. Both requests are for the premises located at 16725 Pioneer Boulevard in the Commercial General (C-G) Zone.

Motion by Council Member Nelson, seconded by Mayor Pro Tem Lima, to set for public hearing Case No. 2009-01.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

BEAUTIFICATION AND MAINTENANCE COMMISSION RECOMMENDATIONS

29. A RECOMMENDATION TO AUTHORIZE THE PREPARATION OF AN ORDINANCE ESTABLISHING AN ART IN PUBLIC PLACES PROGRAM

Maria Dadian, City Manager presented the staff report for this item.

Motion by Council member Nelson to approve preparation of an ordinance establishing an art in public places program. Motion failed due to lack of second.

Item tabled to a future date because of the economical situation.

STAFF REPORTS

32. STATUS REPORT REGARDING 50TH ANNIVERSARY PROMOTIONAL PACKET INSERTS (DECALS AND BUMPER STICKERS)

Council member Nelson presented samples of the decal and bumper stickers.

Council member Martins suggested highlighting “0” in fifty to make it stand out more.

Motion by Council Member Martins, seconded by Council member Manalo , to approve decals and bumper stickers with direction to highlight the “0” in 50th to make it look more like a number. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

33. THE LOS ANGELES COUNTY REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (LA-RICS) JOINT POWERS AGREEMENT AND RESOLUTION NO. 09-2125 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARTESIA APPROVING THE LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM (LA-RICS) JOINT POWERS AGREEMENT (JPA) THUS AUTHORIZING THE CITY’S MEMBERSHIP IN THE LA-RICS AUTHORITY; AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE JPA AGREEMENT

Maria Dadian, City Manager presented the staff report for this item.

Motion by Council Member Martins , seconded by Mayor Pro Tem Lima, to waive further reading and adopt Resolution No. 09-2125 as read by title. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

37. DISCUSSION ON CITY COUNCIL REORGANIZATION

City Council reorganization scheduled for August 10, 2009

Motion by Council Member Nelson , seconded by Council member Martins , to schedule city council reorganization for August 10, 2009.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

RESOLUTION(S)

**26. MIDYEAR BUDGET REVIEW 2008/2009 WITH AMENDMENTS
AND**

RESOLUTION N. 09-2123

A Resolution of the City Council for the City of Artesia Adopting the Midyear Budget Review 2008/2009 with Amendments.

(ADOPTION)

Justine Menzel, Deputy City Manager presented the staff report for this item.

Motion by Council Member Nelson, seconded by Mayor Pro Tem Lima, to waive further reading and adopted Resolution No. 09-2123 as read by title. Motion carries 5-0.

Said motion carries by the following roll call vote:

AYES: COUNCILMEMBERS: Nelson, Martins, Manalo, Lima and Flowers
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

ADDITIONAL CITIZEN COMMENTS

This time is set-aside for the public to address the City Council on any item of interest within the subject matter jurisdiction of the City Council that could not be heard under citizen comment section at the beginning of the meeting.

There were no additional citizen comments.

COUNCILMEMBER COMMENTS

This is the time for additional general comment, announcements, and requests of staff and/or other issues of concern to Councilmembers that may briefly be presented at this time.

Council member Martins – Commented on leaving grass cuttings on the street after street sweeping day on Elaine Avenue.

Council member Nelson- Commented on how the carnival and parade would be paid for on the funds generated from the carnival.

Council member Manalo – Stated that on Friday, February 29th at 11:00 a.m. Burbank Elementary School would be dedicating a fine arts center. He requested use of the ribbon cutting supplies for dedication. He requested update on palm tree lights on

Pioneer Boulevard. He said the lights were off on the palm trees. He stated that rezoning on Hibbing Street should be reviewed and requested to be put on the agenda.

Mayor Pro Tem Lima – Stated that the Artesia Business Association filed for non-profit status. He stated that the letter to sponsors for the 50th Anniversary should be more elaborate and inviting. He inquired about registration and fees of the golf tournament.

Mayor Flowers – Stated that the Friends of the Library had their non-profit status.

COUNCILMEMBER REPORTS ON MEETINGS ATTENDED AT PUBLIC EXPENSE

Mayor Flowers, Mayor Pro Tem Lima, Council member Nelson, Council member Martins and Council member Manalo attended and reported on the Legislative Conference in Sacramento.

Mayor Flowers attended and reported on the ICA Conference.

There being no further business the meeting was adjourned at 10:00 p.m. to the Adjourned Regular City Council meeting of .

ATTEST:

Gloria Considine, City Clerk

I, Gloria Considine, City Clerk of the City of Artesia, do hereby certify that the following Minutes of the Regular Meeting of February 9, 2009 were approved at the Regular Meeting held on the 13th of March 2009, by the following roll call vote:

AYES:	COUNCILMEMBERS:	NELSON, MARTINS, MANALO, LIMA AND FLOWERS
NOES:	COUNCILMEMBERS:	NONE
ABSENT:	COUNCILMEMBERS:	NONE
ABSTAIN:	COUNCILMEMBERS:	NONE

Gloria Considine, City Clerk