

MINUTES

ARTESIA CITY COUNCIL CHAMBERS  
18747 CLARKDALE AVENUE, ARTESIA, CA

REGULAR MEETING OF THE ARTESIA  
CITY COUNCIL

MONDAY, AUGUST 9, 2010

7:00 P.M.

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The regular meeting of the Artesia City Council was called to order at 7:15 p.m., Monday, August 9, 2010, in the Artesia City Council Chamber by Mayor Lima. The Invocation was presented by Pastor Bill Hundley of Bethel Miracle Church and the Pledge of Allegiance was led by Sgt. Greg Knapp.

ROLL CALL – PRESENT:            John P. Lyon, Council Member  
   Sally Flowers, Councilmember  
   Victor Manalo, Mayor Pro Tem  
   Michele Diaz, Council Member  
   Tony Lima, Mayor

ALSO PRESENT:                    Maria Dadian, City Manager  
   Kevin Ennis, City Attorney  
   Justine Menzel, Deputy City Manager/Finance Officer  
   Gloria Considine, City Clerk  
   Okina Dor, Associate Planner  
   Melissa Gobas, Parks and Recreation  
   Superintendent

Mayor Pro Tem Manalo requested the meeting be adjourned in Memory of Andy Anderson.

**APPROVAL OF AGENDA**

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER LYON, TO APPROVE  
AGENDA.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES:                    COUNCILMEMBERS:    Lyon, Flowers, Diaz, Manalo and Lima  
NOES:                    COUNCILMEMBERS:    None  
ABSTAIN:                COUNCILMEMBERS:    None  
ABSENT:                 COUNCILMEMBERS:    None

**ANNOUNCEMENT REGARDING SPEAKER CARDS**

Gloria Considine, 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**

Dan Bedingfield , resident thanked Maria Dadian, City Manager and Okina Dor, Planning Director for taking care of the issue of water running onto his patio from the adjacent businesses.

Dody Bedingfield, resident, thanked the sheriff department for all their help throughout the year.

Sug Kitahara invited the City Council and public to the Artesia Chamber of Commerce luncheon on August 26<sup>th</sup> at the VIP Restaurant.

Marie O'Donnell stated that this month was the anniversary of her grandson's murder. She requested a memory plaque to be installed under the pass where the murder took place. She requested law enforcement presence on the anniversary date when they put flowers at the location of the murder.

Givrdal Sood that there was interest in having the Dwaili Celebration this year. He also inquired about the number of robberies that have occurred on Pioneer Boulevard.

#### **CEREMONIAL PRESENTATION(S)**

1. INTRODUCTION OF NEW ASSISTANT FIRE CHIEF GERALD HEINZEL  
Assistant Fire Chief Gerald Heinzl introduced himself along with other members of the Fire Department.

2. PORTRAITS TO MISS ARTESIA 2009 AND HER COURT  
AND MISS TEEN ARTESIA 2009 AND HER COURT  
Portraits presented to Miss Artesia and Miss Artesia Teen 2009.

3. PORTRAITS TO MISS ARTESIA 2010 AND HER COURT  
AND MISS TEEN ARTESIA 2010 AND HER COURT  
Portraits presented to Miss Artesia and Miss Artesia Teen 2010. Portraits will remain hanging in city hall during their reign.

4. ASSOCIATION FOR LOS ANGELES DEPUTY SHERIFFS RECOGNIZING  
CITY'S ONGOING SUPPORT  
Presented from Association for Los Angeles Deputy Sheriffs to the City Council for the City's ongoing support.

5. 2010 CERRITOS/ARTESIA RELAY FOR LIFE WRAP UP REPORT  
Relay for Life presented plague to the City Council. DVD presentation of the 2010 Cerritos/Artesia Relay for Life was viewed.

#### **BUSINESS PRESENTATION(S)**

6. L.A. COUNTY SHERIFF DEPARTMENT PUBLIC SAFETY QUARTERLY  
STATISTICS FOR APRIL, MAY AND JUNE 2010  
Report presented by Sgt. Greg Knapp

7. ARTESIA STRATEGIC PLAN UPDATE  
Report Received and Filed

8. LANDSCAPING AND LIGHTING CITYWIDE ASSESSMENT DISTRICT  
FEASIBILITY STUDY  
Jim McGuire of Willdan Financial Services presented information regarding the Landscaping and Lighting Citywide Assessment District Feasibility Study.

Mayor Pro Tem Manalo stated that he liked the idea of a survey. He said that there needs to be discussion regarding revenue enhancement. This might be the opportunity to reach out and educate voters on city's financial situation and options for tax. He commented on the property tax by cities and stated that Artesia ranked 84<sup>th</sup> out of 88 cities. He said if the public was aware of this they might consider helping. He said that property tax does not go to the city.

Mr. McGuire stated that public outreach was essential.

Councilmember Flowers stated that the City receives fees in lieu of property tax.

Justine Menzel, Deputy City Manager stated that the county allocates a percentage of the property tax that comes to the city in the amount of around \$700,000.

Councilmember Flowers inquired as to the time line for survey.

Mr. McGuire replied that it generally takes three months.

Councilmember Flowers recommended not spending the money until after the November election to see how other cities did on their measures.

Kevin Ennis, City Attorney stated that the League of California Cities complies all the Information after election.

Mayor Lima inquired if Willdan does surveys for lighting and utility taxes.

Mr. McGuire replied that Willdan is an engineering firm and they do not do surveys but that they would contact other companies for that service.

Mayor Lima inquired if the cost of the survey would be \$15,000.

Mr. McGuire replied that was an estimate.

Councilmember Lyon stated that it would be a good idea to wait until November and in the mean time come up with other options for revenue.

Mayor Pro Tem Manalo stated that the attorney had provided options for taxes previously before the city election in 2009. He said that he didn't see a problem with a proposal coming before the city council and at that time they could decide if want to spend money for survey.

Councilmember Diaz inquired if there was a cost for the proposal.

Mr. McGuire replied by saying no.

MOTION BY MAYOR PRO TEM MANALO, SECONDED BY COUNCILMEMBER LYON, TO CONTINUE ITEM TO ALLOW STAFF TO WORK WITH WILLDAN TO OBTAIN PROPOSALS FROM SURVEY COMPANIES TO OBTAIN SURVEY OF POTENTIAL TAX OR ASSESSMENT DISTRICT OPTION.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES:	COUNCILMEMBERS:	Lyon, Flowers, Diaz, Manalo and Lima
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

### **CONSENT CALENDAR**

It is recommended that Items 9 through 29 be acted on simultaneously in one vote unless a member of the City Council requests separate discussion and/or action on the item. In the event a City Council requests separate discussion on a consent calendar, the City Council will consider that item immediately following approval of the rest of the consent calendar.

MOTION BY MAYOR PRO TEM MANALO, SECONDED BY COUNCILMEMBER LYON, TO APPROVE CONSENT CALENDAR WITH EXCEPTION OF ITEMS 13, 16, 22 AND 28.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

9. EXCUSING COUNCILMEMBERS WHO ARE ABSENT FROM MEETING
10. WAIVING OF FULL READING OF ORDINANCES LISTED ON AGENDA
11. APPROVAL OF CITY COUNCIL DEMANDS
12. APPROVAL OF CITY COUNCIL FINANCIAL REPORT
13. APPROVAL OF CITY COUNCIL MINUTES  
REGULAR MEETING – JULY 12, 2010

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER FLOWERS, TO APPROVE  
CITY COUNCIL MINUTES OF JULY 12, 2010.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Diaz and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: Flowers and Manalo  
ABSENT: COUNCILMEMBERS: None

14. APPROVAL OF COMMISSION MINUTES  
BEAUTIFICATION AND MAINTENANCE COMMISSION – MAY 20, 2010  
PLANNING COMMISSION – JUNE 22, 2010  
PARKS AND RECREATION COMMISSION – May 26, 2010  
PUBLIC SAFETY COMMISSION – MAY 12, 2010
15. FOURTH OF JULY EVENT AT ARTESIA PARK WRAP UP REPORT
16. REPORT OF JULY 10, 2010 HOUSEHOLD HAZARDOUS WASTE COLLECTION  
DAY

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER LYON, TO RECEIVE AND FILE  
REPORT.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

17. LOS ANGELES COUNTY SHERIFF'S DEPARTMENT CONTRACT CITY  
LAW ENFORCEMENT SERVICES – SERVICE LEVEL AUTHORIZATION
18. COUNTY OF LOS ANGELES PUBLIC LIBRARY SCHEDULE FOR  
ARTESIA BRANCH EFFECTIVE JULY 26, 2010
19. PROPOSITION 20 – VOTERS FIRST ACT FOR CONGRESS (VFC)
20. INFORMATION REGARDING DUTIES OF THE BEAUTIFICATION AND  
MAINTENANCE COMMISSION, PARKS AND RECREATION COMMISSION,  
PUBLIC SAFETY COMMISSION AND PLANNING COMMISSION

21. ARTESIA PARENT VOLUNTEER GROUP BOYS BASEBALL TOURNAMENT HELD JULY 23-25, 2010 WRAP UP REPORT

22. FIREWORK STAND PERMIT ISSUANCE AND PERMITEE WRAPUP REPORT

MOTION BY COUNCILMEMBER LYON, SECONDED BY COUNCILMEMBER DIAZ, TO RECEIVE AND FILE REPORT WITH DIRECTION TO CONSIDER INCLUDING REQUIREMENT IN NEW ORDINANCE TO IMMEDIATELY REMOVE GRAFFITI.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

23. FISCAL PASSPORT PROGRAM UPDATE FOR ACTIVITY THROUGH JUNE 2010 AND CHANGES JULY 13, 2010 FORWARD

24. DEB'S BOOKKEEPPLUS AGREEMENT MODIFICATION ADJUSTING INDEMNIFICATION LANGUAGE

25. KRISTIN KEISER AGREEMENT MODIFICATION ADJUSTING INDEMNIFICATION LANGUAGE

26. CONSOLIDATED DISPOSAL SERVICES REPORT THROUGH JUNE 2010 "IN-KIND ROLL-OFF BIN FOR CITY"

27. A REQUEST FOR APPROVAL OF AWARD OF CONSULTANT CONTRACT TO YOUTH EDUCATIONAL SPORTS, INC.

28. 10 AND UNDER ARTESIA ALL STAR TEAM NOTIFICATION OF ATTENDANCE AND PARTICIPATION IN OUT OF TOWN WEEKEND TOURNAMENT IN SANTA BARBARA

MOTION BY MAYOR PRO TEM MANALO, SECONDED BY COUNCILMEMBER FLOWERS, TO RECEIVE AND FILE REPORT WITH CONDITION THAT WAIVER FORM IS REVIEWED AND COMPLETED BY EACH PARTICIPANT.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

29. UPDATE FOR ARTESIA EXPRESS SATELLITE DROP OFF LOCATIONS AS OPERATED BY OLDTIMERS FOUNDATION

## **PUBLIC HEARING**

ADMINISTRATION OF OATH

Kevin Ennis, City Attorney administered the oath.

30. Ordinance No. 10-759

An Ordinance of the City of Artesia Updating the City's Entertainment Permit Requirements, Providing for Temporary Entertainment Permits, Establishing a Reduced Business License Tax for Temporary Entertainment Uses, and

Amending the Artesia Municipal Code.  
(First Reading and Introduction)  
Kevin Ennis, City Attorney presented the staff report for this item.

MOTION BY COUNCILMEMBER LYON, SECONDED  
BY MAYOR PRO TEM MANALO, TO CLOSE THE  
PUBLIC HEARING.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER LYON, TO WAIVE FURTHER READING  
AND INTRODUCE ORDINANCE NO. 10-759 AS READ  
BY TITLE AND SET FOR PUBLIC HEARING AT THE  
SEPTEMBER CITY COUNCIL MEETING THE FEES  
FOR ENTERTAINMENT PERMITS.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

31. Case No. 2010-15 Variance  
12231 183<sup>rd</sup> Street  
Mohammad Shahab Ullah, 2049 Orange Ave, Long Beach, CA 90806  
A request for approval of multiple variances (1.) to exceed the required 50% lot  
Coverage; 2) to provide less than the required 20'-0" front yard setback to  
12"-0"3.) to provide less than the required 10'-0" street-side yard setback to  
5'-0") to construct a new two-story single family dwelling for the property located  
at 12231 183<sup>rd</sup> Street in the Single Family Residential (R-1) zone.

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

Mohammad Ullah stated that he wanted to keep the same property line on the front of  
house as the other properties on the street. He also said that he would change side  
yard setback to 8 feet side instead of 10 feet.

Bruno Bustos of Infinite Designs stated that plans had been modified and were on PDF.

Mayor Pro Tem Manalo inquired if the revised plans were submitted.

Mr. Bustos replied by saying not yet.

Mayor Lima inquired if the new plans were within code requirements.

Mr. Bustos replied by saying yes.

Councilmember Flowers commented on the 20' setback because of line of sight safety.

MOTION BY COUNCILMEMBER DIAZ, SECONDED  
BY MAYOR PRO TEM MANALO, TO CLOSE THE  
PUBLIC HEARING.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

Councilmember Lyon commented that the 20' setback is according to code and ordinances and requirements are in place for reasons. He said a house should be built to fit the lot.

Councilmember Diaz stated that the applicant had plenty of time to submit revised plans. She said she didn't feel comfortable on deciding anything without viewing the plans. She said the submittal of revised plans should had been done within the last 30 days.

MOTION BY COUNCILMEMBER LYON, SECONDED  
BY COUNCILMEMBER FLOWERS, TO WAIVE FURTHER  
READING AND ADOPT RESOLUTION NO. 10-2222 AS  
READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

32. Resolution No. 10-2221

A Resolution of the City Council of the City of Artesia, California, Finding the City to be in Incompliance with the Congestion Management Program (CMP) and Adopting the CMP Local Development Report in Accordance with California Government Code Section 65090

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

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER LYON, TO CLOSE THE  
PUBLIC HEARING.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER LYON, TO WAIVE FURTHER  
READING AND ADOPT RESOLUTION NO. 10-2221 AS  
READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

33. Massage Parlor Permit and Massage Technician Application Permits for Heaven Center Located at 18403 Pioneer Boulevard #204, Artesia

And

Resolution No. 10-2223

A Resolution of the City Council of the City of Artesia Approving a Massage Parlor

Permit with Conditions for Heaven Center at 18403 Pioneer Boulevard, #204, Artesia, California.

And

Resolution No. 10-2224

A Resolution of the City Council of the City of Artesia Denying Massage Technician Permit for Xui Hui Ma.

And

Resolution No. 10-2225

A Resolution of the City Council of the City of Artesia Denying a Massage Technician Permit for Li Rong Yang.

And

Resolution No. 10-2226

A Resolution of the City Council of the City of Artesia Denying a Massage Technician Permit for Zhong Hai Cui.

And

Resolution No. 10-2227

A Resolution of the City Council of the City of Artesia Denying a Massage Technician Permit for Guichun Zhong

And

Resolution No. 10-2228

A Resolution of the City Council of the City of Artesia Denying a Massage Technician Permit for Xiangyi Yu

And

Resolution N. 10-2229

A Resolution of the City Council of the City of Artesia Denying a Massage Technician Permit for Wansheng Jin.

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

Jeff Kuo resident of Cerritos and friend to the applicants stated that the main reason for denial was the certified education. He said that he had a certificate showing certification of classes for applicant. He said that the applicant has a business license in the City of Orange. He commented on the requirements of English and birth certificate. He said it didn't make sense to approve a center with no technicians plus the applicant is paying rent for the location.

Sgt. Estrada, Major Crime Unit stated that five of the technicians did not attend the approved state massage school. He said the technicians did not pass the first aid class.

Kevin Ennis, City Attorney inquired if Miss Ma had a certificate regarding certification from the state.

Sgt. Estrada stated that the school she attended was not certified.

Mayor Lima stated all that was needed was certification from certified school.

Sgt. Estrada stated that they need to attend a certified school approved by the state along with first aid and CPR classes. He said if they complete the requirements then the department would not deny them.

Mayor Lima stated that he didn't understand the denial if they received license in Orange.

Sgt. Estrada stated that there were discrepancies with requirements and attendance days for classes.

Mayor Lima inquired as to what do the technicians need to comply.

Sgt. Estrada replied they need to attend a certified school pass the exam and pass the first aid and CPR classes.

Councilmember Flowers expressed concern about it taking over a year to process.

Sgt. Estrada stated that it took a long time for the state to send back paperwork.

Mayor Pro Tem Manalo inquired if Investigator Mc Laughlin conducted background investigation.

Sgt. Estrada replied by saying yes.

Mayor Pro Tem Manalo inquired if Select Therapy was a certified school.

Sgt. Estrada replied not at this time.

Mayor Pro Tem Manalo inquired as to why an extensive interview if the school was not certified.

Sgt. Estrada replied to confirm the information from the school. He said that a lot of schools just collect the money for a certificate without attending school. He said that are some of the problems they are faced with.

Councilmember Flowers commented on the statement regarding technicians not speaking English.

Sgt. Estrada stated that there was a conflict with English on the testing.

Maria Dadian, City Manager stated that she met with the technicians and representatives and learned that one of the problems was the language. She said the Sheriff's had requested interpreter and the applicant had refused. She said tonight was the first she had heard about an entitlement in another City. She said if she would had known that she would had done a comparable.

Councilmember Flowers inquired if the CPR is available in Chinese.

Sgt. Estrada replied by saying no and quoted what the municipal code stated about CPR and first aid.

Councilmember Flowers stated that the request for CPR is reasonable. She said she had a problem with the length of time for processing. She inquired if the school was certified when they took the classes.

Sgt. Estrada replied that he wasn't sure but he didn't think so.

Councilmember Flowers inquired about the certified schools.

Sgt. Estrada replied that Investigator McLaughlin provided a list of schools to the technicians but they refused because of the cost of schooling.

Councilmember Flowers stated that compliance needs to be done to operate in Artesia. She expressed concern with the City Manager contacting the City of Orange regarding the business license for technicians.

Sgt. Estrada stated that he would check into the license with the City of Orange.

Councilmember Flowers inquired if the things needed were CPR, first aid and proper schooling.

Sgt. Estrada replied by saying yes.

Mayor Lima inquired if the certificate presented by technicians was not one listed as accredited.

Sgt. Estrada replied it was not a listed school.

Mr. Kuo read a letter from the Select Therapy Institute regarding the certification.

Kevin Ennis, City Attorney read letter and presented interpretation. He said that Investigator McLaughlin indicated that the educational standards did not coincide with the institute.

Mayor Pro Tem Manalo stated that it was not clear whether or not applicants have met requirements and it needed to be pursued further.

Councilmember Lyon stated that he was in favor of having a business like this in the City but he would like to continue public hearing and item to next month to allow technicians to get CPR and first aid training and allow the sheriff's department to verify Information.

MOTION BY COUNCILMEMBER LYON, SECONDED BY COUNCILMEMBER FLOWERS, TO CONTINUE PUBLIC HEARING AND ITEM TO THE SEPTEMBER CITY COUNCIL MEETING TO ALLOW TECHNICIANS TO MEET WITH LICENSING BUREAU FOR FIRST AID, CPR AND SCHOOLING REQUIREMENTS.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

**PLANNING COMMISSION RECOMMENDATION(S)**

34. Case No. 2010-17 Conditional Use Permit  
18013 Norwalk Boulevard  
Dae B. Park, 12295 Foster Road, Norwalk, Ca. 90650  
A request for approval of a conditional use permit to allow a service use (acupuncture) at an existing commercial center located at 18013 Norwalk Boulevard (Unit A) in the Commercial General (C-G) Zone.  
(Planning Commission Recommends Approval)  
Okina Dor, Planning Associate presented the staff report for this item.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED BY COUNCILMEMBER LYON, TO AFFIRM PLANNING COMMISSIONS RECOMMENDATION FOR APPROVAL OF CASE NO. 2010-17.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

35. Case No. 2010-21 Conditional Use Permit  
17004 Albutis Avenue  
Devraj Kerai, 18601 Pioneer Boulevard, Artesia, Ca. 90701  
A request for approval of a conditional use permit to allow a warehouse use for the property located at 17004 Albutis Avenue in the Light Manufacturing and Industrial (M-1) Zone.  
(Planning Commission Recommends Approval)  
Okina Dor, Planning Associate presented the staff report for this item.

MOTION BY COUNCILMEMBER LYON, SECONDED

BY MAYOR PRO TEM MANALO, TO AFFIRM PLANNING COMMISSION'S RECOMMENDATION FOR APPROVAL OF CASE NO. 2010-21.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

**PARKS AND RECREATION COMMISSION RECOMMENDATION(S)**

36. PROPOSAL TO FUND AND CONSTRUCT HORSESHOE PITS BY ARTESIA PARENT VOLUNTEER GROUP

Melissa Gobas, Parks and Recreation Superintendent presented the staff report for this item.

Mayor Lima inquired if there was a cost for this project.

Luis Gonzalez replied \$300 but he was waiting for the written quote.

Ms. Gobas replied that funding for the project is from the parent group fundraising on behalf of the Parks and Recreation Department.

Mayor Pro Tem Manalo inquired about the location of the horseshoe pits.

Mr. Gonzalez replied that he was going to meet with Rudy Gonzalez and Jaime Navarro regarding the location.

Mayor Pro Tem Manalo suggested pits running north and south away from the sidewalk.

Ms. Gobas stated that Chuck Burkhardt and Rudy Gonzales came up with proposed location.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED BY MAYOR PRO TEM MANALO, TO APPROVE ARTESIA PARENT VOLUNTEER GROUP PROPOSAL TO FUND AND CONSTRUCT HORSESHOE PITS AT ARTESIA PARK.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

37. ARTESIA PARENT VOLUNTEER GROUP BYLAWS

Melissa Gobas, Parks and Recreation Supervisor presented the staff report for this item.

Councilmember Lyon inquired if this was time sensitive. He said he had a couple of Questions and that he didn't have a chance to research.

Councilmember Flowers inquired if Kevin Ennis, City Attorney reviewed the bylaws.

Kevin Ennis, City Attorney replied by saying yes.

Item continued to the September City Council meeting.

**BEAUTIFICATION AND MAINTENANCE COMISSION RECOMMENDATION(S)**

**38. REQUEST FOR APPROVAL TO MOVE FORWARD WITH XERISCAPE PROJECT AT ARTESIA PARK**

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

Councilmember Flowers inquired as to who is heading up the project.

Maria Dadian, City Manager replied by saying the Beautification and Maintenance Commission.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED BY COUNCILMEMBER LYON, TO APPROVE BEAUTIFICATION AND MAINTENANCE COMMISSION TO ORGANIZE AND PLAN FOR THE IMPLEMENTATION OF A NEW AND EXPANDED XERISCAPE PROJECT AT ARTESIA PARK WITH STIPULATION THAT SITE PLAN IS APPROVE BY THE CITY COUNCIL.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: None  
ABSENT: COUNCILMEMBERS: None

Saul Flores of the Parent Group stated he was available for any questions that the City Council regarding the bylaws and baseball tournament. He thanked the Mayor for showing up for the baseball tournament.

**RESOLUTION(S)**

**39. Case No. 2010-09 Conditional Use Permit  
18709 Pioneer Boulevard**

A request for approval of a conditional use permit to allow threading as an incidental use within an existing retail business located at 18709 Pioneer Boulevard in the Commercial General (C-G) zone.

And

Resolution No. 10-2210

A Resolution of the City Council of the City of Artesia Denying a Conditional Use Permit for Threading as an Incidental Use to an Existing Retail Business Located at 18709 Pioneer Boulevard in the Commercial General (C-G) Zone.

Councilmember Diaz and Mayor Lima abstained from this item.

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

MOTION BY COUNCILMEMBER FLOWERS, SECONDED BY COUNCILMEMBER LYON, TO WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 10-2210 AS READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES: COUNCILMEMBERS: Lyon, Flowers and Manalo  
NOES: COUNCILMEMBERS: None  
ABSTAIN: COUNCILMEMBERS: Diaz and Lima  
ABSENT: COUNCILMEMBERS: None

**40. Case No. 2010-10 Conditional Use Permit  
18167 Pioneer Blvd.**

A request for approval of a conditional use permit to allow threading as an

incidental use within an existing retail business located at 18167 Pioneer Boulevard in the Commercial General (C-G) Zone.

And

Resolution No. 10-2211

A Resolution of the City Council of the City of Artesia Denying a Conditional Use Permit for Threading as an Incidental Use to an Existing Retail Business Located at 18167 Pioneer Boulevard.

Councilmember Diaz and Councilmember Lyon abstained from this item.

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

MOTION BY MAYOR PRO TEM LIMA, SECONDED BY COUNCILMEMBER FLOWERS, TO WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 10-2211 AS READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

AYES:	COUNCILMEMBERS:	Flowers and Manalo
NOES:	COUNCILMEMBERS:	Lima
ABSTAIN:	COUNCILMEMBERS:	Diaz and Lyon
ABSENT:	COUNCILMEMBERS:	None

Motion to waive further reading and adopt Resolution No. 10-2211 failed due to 2-1 vote. New Resolution will come back showing inability to approve application.

## **STAFF REPORTS**

### **41. CONSIDERATION OF APPOINTMENT TO PLANNING COMMISSION**

Gloria Considine, City Clerk presented the staff report for this item.

Item continued to the September City Council meeting.

### **42. CITY FURNITURE/EQUIPMENT BORROWING REGULATIONS**

Kevin Ennis, City Attorney stated that if the City Council is inclined to move forward with the regulations then it should be revised to meet legal standards.

Mayor Pro Tem Manalo stated that the city should not rent out equipment. He said equipment should be for city use or city sponsored events on city property.

City Attorney Ennis stated that equipment can be used if the event is co-sponsored with the City.

Councilmember Flowers stated that city sponsored events aren't always on city property.

Mayor Pro Tem Manalo stated that equipment shouldn't be borrowed off site.

Councilmember Diaz inquired if the Friends of Artesia is a city sponsored event.

Councilmember Flowers replied by saying yes.

City Attorney Ennis stated that not all events are city sponsored.

Mayor Pro Tem Manalo inquired if the Friends of Artesia had to request the city to be a co-sponsor.

Kevin Ennis, City Attorney stated that the city is part of that event so the city is an automatic sponsor.

Mayor Lima inquired if this should be reviewed further and brought back.

Kevin Ennis, City Attorney stated that this item could come back with approach on co-sponsoring.

Item continued.

43. PARTICIPATION IN JAMAY EVENT IN SEPTEMBER 2010  
Maria Dadian, City Manager presented the staff report for this item.

Mayor Lima and possibly Mayor Pro Tem Manalo to attend the Jamay event.

**ADDITIONAL CITIZEN COMMENTS**

Venkatesh Koka commented on item on the Special meeting regarding his properties. He also suggested having an Indian theater in Artesia.

**COUNCILMEMBER COMMENTS**

Councilmember Flowers inquired about having the flags flown at half staff in memory of Andy Anderson. She suggested presenting a certificate of memory to Andy Anderson's family at the September City Council meeting. She expressed concern about the burglaries that have occurred on Pioneer Boulevard.

Councilmember Lyon congratulated staff on work done for Mr. Bedingfield. He mentioned the August 26 Artesia Chamber of Commerce luncheon as a reminder to the City Council. He inquired about an update on the California Dairies. He mentioned that there was a lot a trash in the park and inquired if it was from the baseball tournament. He said that he thought a movie theater would be a good idea.

Mayor Pro Tem Manalo thanked Melissa Gobas for all her work on the Relay for Life event. He also commended staff on their work with Mr. Bedingfield's problem. He inquired if there was a shortage of help at the Just Dump It clean up. He commented on the paint colors that were being used on the old furniture store building. He inquired about changing the lights on the fountains.

Mayor Lima stated that he had attended the Lions Club reception. He inquired about the Veterans memorial. He stated that he wanted to mention to the City Council that he would be contacting the Milk Producers.

**COUNCILMEMBER REPORTS ON MEETINGS ATTENDED AT PUBLIC EXPENSE**

No meetings to report.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 11:22 p.m. in Memory of Andy Anderson

ATTEST:

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GLORIA CONSIDINE, CITY CLERK

I, Gloria Considine, City Clerk of the City of Artesia, do hereby certify that the foregoing minutes were approved at a Regular Meeting of the City Council held on the 13th day of September 2010, by the following roll call vote:

AYES: COUNCIL MEMBERS: Lyon, Flowers, Diaz, Manalo and Lima  
NOES: COUNCIL MEMBERS: None  
ABSENT: COUNCIL MEMBERS: None  
ABSTAIN: COUNCIL MEMBERS: None

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GLORIA CONSIDINE, CITY CLERK