

## MINUTES

ARTESIA CITY COUNCIL CHAMBERS  
18747 CLARKDALE AVENUE, ARTESIA, CA

### REGULAR MEETING OF THE ARTESIA CITY COUNCIL

MONDAY, SEPTEMBER 13, 2010

7:00 P.M.

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The regular meeting of the Artesia City Council was called to order at 7:10 p.m., Monday, September 13, 2010, in the Artesia City Council Chamber by Mayor Lima. The Invocation was presented by Church of Jesus Christ of Latter Day Saints and the Pledge of Allegiance was led by American Red Cross of Greater Long Beach.

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 Lima announced that he would be leaving meeting at 10:00 p.m. for his trip to Jamay.

### **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**

City Clerk presented announcement.

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

Barbara Nightingale, Librarian for Artesia Library presented the events that would be occurring at the library in September.

Sug Kitahara reported on the first Chamber of Commerce Luncheon and invited everyone to the next Chamber of Commerce Luncheon that would take place on September 23<sup>rd</sup> at the Bombay Garden. He said that there would be a presentation from the Lakewood Sheriff's on safety.

Dody Bedingfield read the poem she wrote for Patriots Day.

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

1. CONTRIBUTION FOR THE ARTESIA VETERANS MEMORIAL  
Members of former Councilmember Larry R. Nelson's family presented to the City a check in the amount of \$14,000 for the Artesia Veterans Memorial.
2. PROCLAMATION "NATIONAL PREPAREDNESS MONTH"  
City Council presented proclamation for "National Preparedness Month"

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

3. PLAYGROUND EQUIPMENT RENOVATIONS TO ARTESIA PARK AND A.J. PADEFORD PARK  
Melissa Gobas, Parks and Recreation Superintendent presented the staff report for this item.

Frank Catapano, Recwest Outdoor Projects presented information regarding the project.

Councilmember Flowers inquired about the total cost.

Ms. Gobas presented the breakdown of costs.

Councilmember Diaz inquired if any of the products were recyclable.

Mr. Catapano replied by saying all of it. He said a report will be provided with that information.

Councilmember Diaz suggested a sign posted that the project was being funded by a grant.

Maria Dadian, City Manager replied that the grant requires certain language and posting requirements during construction.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY MAYOR PRO TEM MANALO, TO APPROVE PURCHASE  
OF PLAYGROUND EQUIPMENT AND SURFACING FROM  
LANDSCAPE SCULPTURES.

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

#### 4. ARTESIA STRATEGIC PLAN UPDATE

Justine Menzel, Deputy City Manager presented the Artesia Strategic Plan Update.

Report received and filed.

#### 5. APPEAL OF PLANNING COMMISSION'S DECISION TO REQUIRE A SPECIFIC PLAN FOR THE CALIFORNIA DAIRIES INC. PLANT AND PROPERTY IN CONJUNCTION WITH CONSTRUCTING A WASTEWATER PRETREATMENT FACILITY AT ITS PLANT AT 11709 ARTESIA BOULEVARD (CITY COUNCIL RESOLUTION NO. 10-2235)

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

Kevin Ennis, City Attorney stated that there were two options for the City Council's decision. He said the first was affirming the Planning Commission's recommendation or Option 2 to continue the item to the next regular meeting and appoint an ad hoc committee to work with staff and the applicant.

Mayor Lima inquired if the applicant was requesting two conditional use permits.

Okina Dor, Planning Director stated that the conditional use permits was for a new producing plant and according to the code the waste treatment system requires conditional use permit. He said the issue currently with the site is that conditional use

permit approval is required for parking. He said that there were concerns with standard building height, landscaping and parking.

Mayor Lima inquired if fees had been paid until March 31, 2010.

Okina Dor, Planning Director replied that California Dairies had paid \$10,200.

Roger Holt of Greenberg Clusker stated that this had been a long difficult process. He said there had been many meetings with staff. He said he was available for any questions that the City Council might have. He said that there was a profound gap between the Planning Department and California Dairies on many issues. He said the dairy had been at the facility in Artesia since the 1940's. He said several years ago the County Sanitation department advised California Dairies because of federal requirements they were required to revamp waste water treatment system. He said as a result of this requirement California Dairies had spent over a million dollars evaluating different options. He said February of this year California Dairies submitted an application to upgrade the system. He said their application was not accepted. He said the revamping would not benefit the plant or expand the plant. He said it would cost several million dollars to implement requirement. He said the application not being accepted raises issues because the deadline date is January 1, 2011 and if they are not in compliance they face penalties and potential criminal sanctions. He urged the City Council to approve option 2. He said that they were ready to discuss the options further.

Jonathan Matson presented some past approvals from the city for California Dairies. He touched on the issues of parking and traffic. He said they were looking forward to resolving the issues.

Kevin Ennis, City Attorney stated that a comment was made that the deadline for compliance was January 2, 2011 but the date actually is June 2, 2011.

Mayor Lima stated that this was a complex case and continuance would be recommended. He stated that he along with Councilmember Lyon had been on the committee for this case.

Councilmember Lyon stated that since they had been meeting they had made lead way and if they continued with meetings they could possibly reach common ground.

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER FLOWERS, TO SELECT OPTION 2  
– CONTINUE ITEM TO THE NEXT REGULAR MEETING  
AND APPOINT AD HOC COMMITTEE OF THE CITY COUNCIL  
TO WORK WITH STAFF AND APPLICANT TO EVALUATE  
AND MAKE A RECOMMENDATION TO THE CITY COUNCIL  
AS TO THE FEASIBILITY AND ADVISABILITY.

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

6. ARTESIA HISTORICAL SOCIETY 2010-11 ANNUAL REPORT

Barbara Applebury, President of the Artesia Historical Society presented the annual report.

Received and filed report.

**CONSENT CALENDAR**

MOTION BY COUNCILMEMBER FLOWERS , SECONDED  
BY COUNCILMEMBER LYON TO APPROVE CONSENT  
CALENDAR WITH EXCEPTION OF ITEMS 13 AND 20.

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

7. EXCUSING COUNCILMEMBERS WHO ARE ABSENT FROM MEETING
8. WAIVING OF FULL READING OF ORDINANCES LISTED ON AGENDA
9. APPROVAL OF CITY COUNCIL DEMANDS
10. APPROVAL OF CITY COUNCIL FINANCIAL REPORT
11. APPROVAL OF CITY COUNCIL MINUTES  
AUGUST 9, 2010 - REGULAR
12. APPROVAL OF COMMISSION MINUTES  
PLANNING COMMISSION – JULY 27, 2010
13. UPDATE ON RATES FOR 2010-2011 SHERIFF DEPARTMENT'S  
SUCCESS THROUGH AWARENESS AND RESISTANCE (S.T.A.R.)  
PROGRAM

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

Mayor Pro Tem Manalo stated that he would like to know the number of the children and schools involved in the program.

MOTION BY MAYOR PRO TEM MANALO , SECONDED BY COUNCILMEMBER LYON TO CONTINUE ITEM TO THE NEXT MEETING TO PRESENT INFORMATION REGARDING NUMBER OF CHILDREN AND SCHOOLS SERVED.

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

14. CALIFORNIA JOINT POWERS INSURANCE AUTHORITY (CJPIA) EMPLOYERS LIABILITY COVERAGE PROGRAM AMENDMENTS EFFECTIVE JULY 1, 2010 – JULY 1, 2011
15. FISCAL YEAR 2008 NATIONAL TRANSIT DATABASE MEMORANDUM OF UNDERSTANDING (MOU)
16. CONSOLIDATED DISPOSAL SERVICES REPORT THROUGH JULY 2010 “IN-KIND ROLL-OFF BIN FOR CITY”
17. RENEWAL AGREEMENT BETWEEN THE CITY OF ARTESIA AND ALL CITY MANAGEMENT SERVICES FOR THE CROSSING GUARD SERVICES
18. CALIFORNIA’S STANDARDIZED EMERGENCY MANAGEMENT SYSTEM/ NATIONAL INCIDENT MANAGEMENT SYSTEM/INCIDENT COMMAND SYSTEM (SEMS/NIMS/ICS) TRAINING POLICY FOR CITY OF ARTESIA AND 2010 NATIONAL INCIDENT MANAGEMENT SYSTEM COMPLIANCE ASSISTANCE SUPPORT TOOL (NIMSCAST) ASSESSMENT TOOL
19. ARTS EDUCATION PARTNERSHIP PROGRAM GRANT SOCIAL PROGRAM AGREEMENT
20. MODIFICATION TO OPERATING SCHEDULE TO FULLFILL HOLIDAYS ON FURLOUGH WEEK

Maria Dadian, City Manager requested continuance of item to allow item to be discussed with bargaining unit.

MOTION BY MAYOR PRO TEM MANALO , SECONDED  
BY COUNCILMEMBER FLOWERS TO CONTINUE ITEM.

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

21. ASSESSMENT FOR SUBREGIONAL SUSTAINABLE COMMUNITIES STRATEGY (SCS) UNDER SB 375
22. SUBRECIPIENT AGREEMENT – FY 09 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM BETWEEN THE CITY OF LOS ANGELES AND THE CITY OF ARTESIA

**PUBLIC HEARING**

ADMINISTRATION OF OATH

City Attorney, Kevin Ennis administered the oath.

23. MESSAGE TECHNICIAN APPLICATION PERMITS FOR HEAVEN CENTER LOCATED AT 18403 PIONEER BOULEVARD, #204, ARTESIA

AND

RESOLUTION NO. 10-2224

A Resolution of the City Council of the City of Artesia Approving a Massage Technician Permit for Xui Hui Ma  
(ADOPTION)

AND

RESOLUTION NO. 10-2225

A Resolution of the City Council of the City of Artesia Approving a Massage Technician Permit for Lirong Yang  
(ADOPTION)

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.  
(ADOPTION)

And

RESOLUTION NO. 10-2227

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

And

RESOLUTION NO. 10-2228

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

And

RESOLUTION N. 10-2229

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

Pradeepkumar Elayath, Administration Services Manager presented the staff report for this item.

Councilmember Flowers inquired if the applicants who received denial would they need to wait six months to reapply.

Maria Dadian, City Manager explained the process on resubmitting applications and determination of the licensing bureau on denials.

Mayor Pro Tem Manalo inquired on the reasoning for approval of the applications..

Pradeepkumar Elayath replied that they passed the CPR training.

Maria Dadian, City Manager replied the school certificates were also accepted.

Councilmember Diaz inquired if there would be inspections at the business to make sure that the denied applicants are not conducting business.

Maria Dadian, City Manager replied by saying yes.

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 COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER LYON TO WAIVE FURTHER READING  
AND ADOPT RESOLUTION NOS. 10-2224, 10-2225, 10-2226,  
10-2227, 10-2228 AND 10-2229 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

24. TAXICABS AND VEHICLES FOR HIRE PERMIT APPLICATIONS FOR  
SAMUEL LOPEZ OF CERRITOS YELLOW TAXI CAB LOCATED AT  
803 FEATHER AVE, LA PUENTE, CA. 91746

AND

RESOLUTION NO. 10-2231

A Resolution of the City Council of the City of Artesia Granting a Taxicabs  
and Vehicles for Hire Permit Application Pursuant to Artesia Municipal  
Code Section 4-3.04 to a Business Known as Cerritos Yellow Cab Located  
at 803 Feather Ave., La Puente, Ca. 91746

( ADOPTION)

AND

RESOLUTION NO. 10-2232

A Resolution of the City Council of the City of Artesia Granting a Late Night  
Early Morning Operations Permit Pursuant to Artesia Municipal Code Section  
3-2.209 to a Business Known as Cerritos Yellow Cab Located at 803 Feather Ave.,  
La Puente, Ca. 91746

(ADOPTION)

Pradeepkumar Elayath, Administrative Service Manager presented the staff report  
for this item.

Councilmember Flowers inquired about the revision to the Resolution.

Kevin Ennis, City Attorney replied Section 5 of the Resolution and editorial  
corrections. He said also included in Resolution is item 4 under Section 6 regarding  
business license and permit approval annually.

Councilmember Flowers inquired as to why annually.

Kevin Ennis, City Attorney replied that it was according to the code. He said if the City  
Council feels that is too frequent then we can amend code before it was up in a year.

Councilmember Flowers stated that she didn't see any reason to be reviewed every  
year before city council unless there was a problem.

MOTION BY COUNCILMEMBER LYON , SECONDED  
BY COUNCILMEMBER FLOWERS 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

Mayor Pro Tem Manalo inquired if “Artesia” could be listed on the taxi cab.

Kevin Ennis, City Attorney stated that the City Council had the option to approve logos on taxi cabs.

Councilmember Lyon suggested wording to say serving Artesia.

Mayor Pro Tem Manalo stated that it could be mentioned to the applicant.

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER DIAZ TO WAIVE FURTHER READING  
AND ADOPT RESOLUTION NOS. 10-2231 AND 10-2232  
AS READ BY TITLE AND INQUIRE WITH APPLICANT  
ABOUT ADDING WORDING ARTESIA ON THE TAXI CAB.

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 DIAZ TO WAIVE FURTHER READING  
AND ADOPT RESOLUTION NO 10-2232 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

25. LATE NIGHT/EARLY MORNING PERMIT FOR TAVA GRILL AND LOUNGE  
AT 18158 PIONEER BOULEVARD, ARTESIA  
AND

RESOLUTION NO. 10-2233

A Resolution of the City Council of the City of Artesia Granting a Late Night/  
Early Morning Operations Permit Pursuant to Artesia Municipal Code Section  
3-2.209 to a Business Known as Tava Grill & Lounge Located at 18158  
Pioneer Blvd., Artesia, Ca. 90701 Providing Restaurant Services  
(ADOPTION)

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

Venkatesh Koka stated there was no mention of conditional use permit or approval  
from ABC for Tava Grill and he was requesting the same as Tava Grill.

Maria Dadian City Manager stated that the item before the City Council is for late night  
early morning permit and the sale of alcohol is not on the agenda for this meeting.

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER DIAZ 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 COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER TO WAIVE FURTHER READING  
AND ADOPT RESOLUTION NO. 10-2233 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

26. RESOLUTION NO. 10-2235

A Resolution of the City Council of the City of Artesia Establishing Fees for  
The Long-Term Entertainment Permit, a Fixed Fee for Temporary  
Entertainment Permits and the Business License Tax Making Findings in  
Support Thereof

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

MOTION BY COUNCILMEMBER FLOWERS, 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 FLOWERS TO WAIVE FURTHER READING  
AND ADOPT RESOLUTION NO. 10-2235 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

**PLANNING COMMISSION RECOMMENDATION(S)**

27. CASE NO. 2010-03 CONDITIONAL USE PERMIT  
18738-18742 PIONEER BLVD

Venkatesh Koka, 18750 Pioneer Boulevard, Artesia, Ca. 90701

A request for approval of a conditional use permit to add a bar with a dance floor to an existing restaurant located at 18738-18742 Pioneer Boulevard in the Commercial General (C-G) Zone.

(PLANNING COMMISSION RECOMMENDS DENIAL)

Okina Dor, Planning Director stated due to conflict of interest Jose Hernandez, Planning Assistant would be presenting the staff report.

Jose Hernandez, Planning Assistant presented the staff report for this item.

Venkatesh Koka stated that he wasn't aware that he would have to go through so many things for approval. He said that he had a beer and wine license but that he needed to get another license because of the expansion. He said that he would like to use the restaurant if he doesn't get approval from ABC. He said the sheriff process was a long one. He explained the process and how he had to go to Sacramento to obtain the

proper paperwork. He stated that ABC requires approval of the conditional use permit before they will approve license. He compared his application with Tava Grill.

Mayor Lima inquired as to the difference between the two applications.

Mr. Hernandez replied that they were not different. He said Tava Grill would have to apply for a conditional use permit for the bar.

Councilmember Flowers inquired if the dance floor would change parking requirements.

Mr. Hernandez replied that there were no issues with parking with a dance floor. He said the concerns were noise factors which would trigger entertainment permit.

Mr. Koka stated that the dance floor was 20'x20' and the music would not be blasted.

Councilmember Flowers stated that this type of use was needed downtown. She said that people come from long distances to the downtown and there was no night life. She inquired if Mr. Koka had ABC approval and entertainment permit approval would there be any other issues.

Mr. Hernandez replied noise issue concerns.

Mr. Koka stated that the music would be controlled.

Councilmember Flowers inquired if this should go back to the Planning Commission since he would be obtaining ABC approval.

Kevin Ennis, City Attorney replied that the City Council could affirm the Planning Commission's recommendation or send it back to the Planning Commission or set the item for public hearing.

Mr. Koka inquired if he could use restaurant with no beer and wine.

Mr. Hernandez replied that approval for restaurant only was an administrative approval.

Councilmember Flowers verified that approval for the bar and dance floor would need to be set for public hearing and restaurant expansion could be approved administratively.

Mr. Hernandez replied by saying yes. He said this was mentioned to the applicant numerous times.

Mayor Lima inquired as to why applicant hasn't applied for license.

Mr. Koka replied that he would be applying for license the following day.

Mr. Ennis stated that the Planning Commission asked him to apply for ABC process.

Mr. Hernandez stated any expansions to an existing business needed to be updated with ABC.

Councilmember Lyon inquired as to the main purpose of Kabob Corner.

Mr. Koka replied by saying the main purpose was food, beer and wine.

Councilmember Lyon inquired if the windows were dual glazed.

Mr. Koka replied by saying yes.

Councilmember Lyon inquired if the applicant could cross out the bar and dance floor on the plans and write omit so he wouldn't have to obtain new plans.

Mr. Hernandez replied by saying yes.

Gurpal Sood stated that this type of use would bring people in the city.

Miguel Canales stated that too much time was being taken on this topic. He said that he had listened to this first hand several times and finds it amazing how the City Council had a difficult time deciding and that it's all about protocol. He said the precedence that the City Council sets by allowing this to continue allows other individuals to not follow proper protocol.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY MAYOR PRO TEM MANALO TO SET ITEM FOR 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

28. CASE NO. 2010-23

CONDITIONAL USE PERMIT  
MODIFICATION  
DESIGN REVIEW  
11841 178<sup>th</sup> STREET

Paul Kim, 6281 Beach Boulevard #219, Buena Park CA 90621

A request for approval to modify conditional use permit 459 and design review approval to allow facade improvements to an existing church located at 11841

178<sup>th</sup> Street in the Single Family Residential (R-1) Zone.  
(PLANNING COMMISSION RECOMMENDS APPROVAL)

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

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY MAYOR PRO TEM MANALO TO AFFIRM THE PLANNING  
COMMISSION'S RECOMMENDATION FOR APPROVAL.

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)**

### **29. ARTESIA PARENT VOLUNTEER GROUP BYLAWS**

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

Bob Medina stated that he was part of the Sports Authority Council. He said that the bylaws were violated when the Artesia Parent Group rented the fields. He inquired as to the outcome of the violation. He said that the Sports Authority Council doesn't do anything for the Artesia Punishers. He said it was mentioned that the Punishers do not follow rules and regulations and requested response from the Mayor. He said that the Parent Group does not follow rules.

Mayor Lima stated that what the Parent Group did was noted and they were corrected. He said that the bylaws will straighten out these types of things.

Mr. Medina mentioned that the softball teams did not get onto the field until May. He said it is mentioned in the bylaws not to sublease fields. He inquired as to why guidelines were not being followed.

Mayor Lima inquired as to where were guidelines not being followed.

Melissa Gobas, Parks and Recreation Superintendent stated that there were currently no bylaws implemented.

Mayor Lima stated that the proposed bylaws would be setting guidelines.

Mr. Medina stated that the Parent Group lied to the City Council about renting fields.

He inquired as to the outcome of the violation. He said that in the Sports Authority Council members signed something regarding this.

Mayor Lima inquired if it was guidelines that was signed.

Maria Dadian, City Manager stated that she didn't know what was signed. She said that facility uses have guidelines. She reported on the situation regarding the Parent Group renting the fields and that they were admonished and told it wouldn't be tolerated.

Mr. Medina stated that the Artesia Punishers were being discriminated against and that it took five months to get dates.

Councilmember Lyon stated that he was the one who requested continuance of this item because he major problems with it. He said that the bylaws needed to be redone from the beginning.

Councilmember Flowers stated that she had lots of issues with the bylaws.

Mayor Lima inquired about what type of changes should be made.

Councilmember Flowers stated that the group has too much authority. She inquired as to who decides who is on the committee. She said she was surprised this was on the agenda.

Maria Dadian, City Manager presented her explanation as to why the proposed bylaws were on the agenda. She said that the Parent Group had the same requirements as all volunteer groups including background checks. She said as for the calendar no usage by any group would not be deleted. She said the only stipulation would be if there were any city events requiring use of fields.

Councilmember Lyon stated that he spoke briefly with the City Manager regarding the issues with the bylaws and thought it would not be put back on the agenda until the Issues were resolved.

MOTION BY MAYOR PRO TEM MANALO, SECONDED  
BY COUNCILMEMBER FLOWERS TO CONTINUE THE  
ITEM TO THE OCTOBER MEETING TO ALLOW AD HOC  
COMMITTEE TO MEET REGARDING THE BYLAWS.

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

**RESOLUTION(S)**

30. RESOLUTION NO. 10-2211

A Resolution of the City Council of the City of Artesia Memorializing the Denial of a Conditional Use Permit for Eyebrow Threading as an Incidental Use to an Existing Retail Business Located at 18167 Pioneer Boulevard in the Commercial General (C-G) Zone.  
(ADOPTION)

Councilmember Lyon and Councilmember Diaz abstained from this item.

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

MOTION BY MAYOR LIMA, SECONDED  
BY MAYOR PRO TEM MANALO 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, Manalo and Lima
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	Lyon and Diaz
ABSENT:	COUNCILMEMBERS:	None

Mayor Lima excused himself from the rest of the meeting and turned meeting over to Mayor Pro Tem Manalo.

31. RESOLUTION NO. 10-2234

A Resolution of the City Council of the City of Artesia Approving the Application for Grant Funds for the General Plan Update for the Sustainable Communities Planning Grant and Incentives Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84)  
(ADOPTION)

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

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER DIAZ TO WAIVE FURTHER  
READING AND ADOPT RESOLUTION NO. 10-2234  
AS READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

32. RESOLUTION NO. 10-2237

A Resolution of the City Council of the City of Artesia Approving the Application for Nature Education Facility Program Funds to Enhance the City Community Garden Projects and Landscaped Public Spaces  
(ADOPTION)

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

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER LYON TO WAIVE FURTHER  
READING AND ADOPT RESOLUTION NO. 10-2237  
AS READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

**ORDINANCE**

33. 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.  
(SECOND READING AND ADOPTION)

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

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER LYON TO WAIVE FURTHER  
READING AND ADOPT ORDINANCE NO. 10-759 AS  
READ BY TITLE.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

## STAFF REPORTS

34. CONSIDERATION OF APPOINTMENT TO PLANNING COMMISSION  
Gloria Considine, City Clerk presented the staff report for this item.

Item continued to the October City Council meeting.

35. CITY FURNITURE/EQUIPMENT BORROWING REGULATIONS  
Melissa Gobas, Parks and Recreation Superintendent presented the staff report for this item.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER LYON TO APPROVE CITY FURNITURE/  
EQUIPMENT BORROWING REGULATIONS.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

36. TRANSPARENCY ON COMPENSATION OF PUBLIC OFFICIALS AND  
EMPLOYEES

Avic Nazario, Human Resources presented the staff report for this item.

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER LYON TO APPROVE OPTION 1 AND  
OPTION 2.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

37. CONSIDERATION OF AB1234 EXPENSE FORM REPORTING BY  
CITY COUNCIL MEMBERS

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

MOTION BY COUNCILMEMBER FLOWERS, SECONDED  
BY COUNCILMEMBER DIAZ TO APPROVE EXPENSE FORM.

SAID MOTION CARRIED BY THE FOLLOWING ROLL CALL VOTE:

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

38. REQUEST TO SET A BUDGET STUDY SESSION FOR OCTOBER 2010  
CONSIDERING A FISCAL UPDATE  
Monday, October 25, 2010 at 6:00 p.m. was scheduled for budget study session

**ADDITIONAL CITIZEN COMMENTS**

There were no additional citizen comments.

**COUNCILMEMBER COMMENTS**

Councilmember Lyon commented on the events that were occurring at the library. He encouraged attendance at the Chamber of Commerce luncheon on September 23<sup>rd</sup>. He stated that he liked the height of the fountains. He stated there were a lot of posters on the utility poles.

Councilmember Flowers stated that she was moved by the presentation from the Nelson Family. She inquired as to the plan for Veterans Memorial. She inquired about reviewing employees benefits.

Mayor Pro Tem Manalo stated that he was glad that the massage technician permits worked out. He inquired about the emergency preparedness team. He inquired about the salaries of consultants. He inquired about receiving Fire Department reports. He requested that on the October agenda City Manager evaluation and amending bingo ordinance. He stated that he would be leaving for Jamay on Tuesday morning and that a ceremony is scheduled for Tuesday evening for Larry R. Nelson.

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

There were no meetings to report.

**ADJOURNMENT**

There being no further business the meeting was adjourned at 10:35 p.m.