

MINUTES OF THE REGULAR MEETING
OF THE LA PALMA COMMUNITY DEVELOPMENT COMMISSION

August 4, 2009

CALL TO ORDER: Chairperson Waldman called the Regular Meeting of the La Palma Community Development Commission to order at 6:45 p.m. in the Council Chambers at La Palma City Hall, 7822 Walker Street, La Palma, California.

CLOSED SESSION

Chairperson Waldman recessed the Community Development Commission to a Closed Session at 6:45 p.m.

CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Initiation of Litigation pursuant to subdivision (c) of Section 54956.9: One Case (Joint Lawsuit with the California Redevelopment Agency and other Cities against the State of California)

OPEN SESSION

Chairperson Waldman reconvened the Community Development Commission in Open Session at 7:00 p.m. with all members present.

City Attorney Kuperberg reported that the Community Development Commission voted unanimously to authorize the approval to participate in any lawsuit necessary brought by other Redevelopment Agencies against the State of California for the recent budget enactment that takes money away from Redevelopment Agencies in an effort to balance the State budget.

Chairperson Waldman recessed the Community Development Commission at 7:02 p.m.

Chairperson Waldman reconvened the Community Development Commission at 7:09 p.m. with all members present

PLEDGE OF ALLEGIANCE: Vice Chairperson Shanahan

INVOCATION: Pastor Jose "Paddy" Padilla Jr., La Palma
United Methodist Church

ROLL CALL:

Commission Members

Commission Members
present:

Commission Member Charoen, Commission
Member Herman, Commission Member
Rodriguez, Vice Chairperson Shanahan, and
Chairperson Waldman

Commission Members
absent:

None

City Officials present:

Dominic Lazzaretto, Executive Director
Joel Kuperberg, City Attorney
John Di Mario, Community Development
Director
Ed Ethell, Chief of Police
Jan Hobson, Recreation & Community
Services Director
Keith Neves, Finance Director
Jeff Moneda, Public Works Director/City
Engineer
Kimberly Kenney, Minutes Clerk

CONSENT CALENDAR

A. Approval of Community Development Commission Minutes

Minutes of the July 21, 2009, Regular Meeting of the La Palma
Community Development Commission.

B. Approval of Register of Demands

Resolution No. CDC 2009-17 approving the Register of Demands for
August 4, 2009.

Commission Member Herman made a motion to approve Consent Calendar
Items A and B.

The motion was seconded by Commission Member Charoen and carried on the
following vote:

AYES: Commission Member Charoen, Commission
Member Herman, Commission Member
Rodriguez, Vice Chairperson Shanahan, and
Chairperson Waldman

NOES: None

PUBLIC HEARINGS

None Scheduled.

REGULAR ITEMS

None Scheduled.

Chairperson Waldman recessed the Community Development Commission at 7:10 p.m.

Chairperson Waldman convened the City Council for a joint meeting with the Community Development Commission at 7:14 p.m.

C. Joint Study Session: Economic Development/Redevelopment Review and Discussion

Community Development Director Di Mario gave the staff report regarding business attraction and marketing efforts.

City Manager Lazzaretto addressed the City Council regarding prior efforts at the corner of Orangethorpe Avenue and Moody Street.

Community Development Director Di Mario continued the staff report regarding the rezoning of six corner parcels, including the corners of Orangethorpe Avenue and Moody Street, the corner of Valley View Street and La Palma Avenue, and the corner of Walker Street and La Palma Avenue.

Discussion ensued regarding Walgreen's responsibility to maintain its Walker Street and La Palma Avenue site; whether the original footprint could be enlarged; and parking requirements.

Community Development Director Di Mario continued the staff report regarding the corner of Crescent Avenue and Moody Street.

Discussion ensued regarding remediation being complete at the Crescent Avenue and Moody Street site.

Community Development Director Di Mario continued the staff report regarding the Ralph's shopping center.

Discussion ensued regarding the ownership of the Unocal site and proposed improvements to the Unocal site.

Community Development Director Di Mario continued the staff report regarding the Hannam Market Center.

Discussion ensued regarding the condition of the alley behind the Hannam Market Center.

Community Development Director Di Mario continued the staff report regarding the Community Development Commission's financial overview and associated plan limitations; challenges the City is facing in developing these centers; and that the Community Development Commission's eminent domain authority has expired.

Public Comment:

Abe Waheed, 5271 Ivywood Drive, addressed the City Council regarding how the parcels in the Ralph's Center and the Hannam Market Center got divided. He also commented that eminent domain has expired and requested that the City Council reinstitute it so that the City can encourage upgrades to blighted parcels.

City Manager Lazzaretto responded that the property was originally developed as divided parcels.

City Attorney Kuperberg added that this is not something that would happen now.

City Manager Lazzaretto added that he was seeking direction on eminent domain this evening.

Further discussion ensued regarding City Manager Lazzaretto's prior experience in utilizing eminent domain; the process involved with eminent domain; the length of time and cost to reinstate eminent domain; the 2004 expiration date of eminent domain; the current owners and their disinterest in upgrading the parcels; incentives given by the City to the owners of the Ralph's Center and Hannam Market Center to encourage them to upgrade their sites; City Council's concern of using eminent domain to take private property and selling it to a corporate establishment; options to restrict the use of eminent domain; not moving towards reinstating eminent domain at all; code enforcement regulations being utilized rather than eminent domain being used to upgrade blighted parcels and commercial sites;

difficulty in getting the divided owners to upgrade their commercial parcels at the same time; code enforcement having issued numerous citations to the owners of the Hannam Market Center and their lack of response; whether the City's code enforcement efforts are strict enough; California law regarding eminent domain being stricter and in favor of homeowners.

City Attorney Kuperberg reported on the Connecticut case and what the appropriate scope of eminent domain is: a public project or a project that is for the ultimate public good. He stressed that the Connecticut law did not require a finding of blight and that California law does.

The City Council took an informal straw vote to direct staff to provide more research and analysis on the scope, cost, and outcome of establishing eminent domain at the Ralph's Center and Hannam Market Center.

AYES: Larry Herman, Ralph Rodriguez, and Steve Shanahan.

NOES: Henry Charoen and Mayor Waldman.

Further discussion ensued regarding purchasing other parcels within the City, including the Grant Property at the Ralph's Retail Center; using the Grant property as a "Teen Drop Off Center"; the square footage of the Grant property building and its current condition; and the possibility of the City purchasing the old Walgreen's site property along with the Grant property.

ADJOURNMENT

Chairperson Waldman adjourned the Regular Meeting of the La Palma Community Development Commission at 8:44 p.m.

/s/

Mark I. Waldman, Chairperson

Attest:

/s/

Laurie A. Murray, Secretary