



Tuesday, August 23, 2016

A Regular Meeting of the City Council, Housing Assistance Agency and Water Authority was held in the Council Chamber, Pico Rivera City Hall, 6615 Passons Boulevard, Pico Rivera, California.

Mayor/Chairman/President Armenta called the meeting to order at 6:00 p.m. on behalf of the City Council, Housing Assistance Agency and Water Authority.

PRESENT: Archuleta, Camacho, Salcido, Tercero, Armenta

ABSENT: None

COMMISSIONERS SCHEDULED TO BE PRESENT:

Ruben Garcia, Planning Commission

Pat Saucedo, Parks and Recreation Commission

INVOCATION: Delivered by Nathan Jeremiah Sanchez

PLEDGE OF ALLEGIANCE: Led by Salvador Hinojosa

SPECIAL PRESENTATIONS:

- Certificate of Recognition recognizing the Mayor's Challenge Golf Tournament

PUBLIC HEARING:

City Council:

1. **Public Hearing – Zone Code Amendment No. 180, an Amendment to Chapter 9.40 (Medical Marijuana and Cultivation) of the Pico Rivera Municipal Code and to Chapter 18.40 (Land Use Regulations) of the City of Pico Rivera Zoning Code, and an Amendment to Title 5 (Business License and Regulations) of the Pico Rivera Municipal Code Adding Chapter 5.76 (Regulation of Medical Cannabis Facilities), Relating to Commercial Cannabis in the City.** (1300)

Mayor Armenta opened the public hearing and noted that no written communications were provided to give public testimony.

Oral Communications:

Desiree Borboa:

- Addressed the City Council to speak in favor of Medical Marijuana Dispensaries.

Monica Sanchez:

- Addressed the City Council regarding her concerns with Medical Marijuana dispensaries in the community and the effects it could have on the youth in the City.

Chris Gabourel:

- Addressed the City Council with concerns regarding Medical Marijuana Clinics and limiting the number of dispensaries allowed in the City.

Mayor Armenta closed the public hearing.

City Manager Bobadilla provided a PowerPoint presentation highlighting different aspects of federal and state laws regulating Marijuana; public opinion; California Medical Marijuana laws; Proposition 64 – Adult Use of Marijuana Act; Illegal cannabis dispensary activity in Pico Rivera; Ad Hoc history and timelines of introduction and adoption of Municipal Code amendments; ordinance objectives and overall proposed code amendments.

After a lengthy discussion amongst City Council members, City staff, and City Attorney(s) no action was taken on the item.

Recommendations:

1. Adopt the Resolution approving Zone Code Amendment No. 180, an amendment to Chapter 9.40 (Medical Marijuana and Cultivation) and Chapter 18.40 (Land Use Regulations) of the Pico Rivera Municipal Code; and
2. First reading introducing Ordinances amending Chapter 9.40 (Medical Marijuana and Cultivation) and Chapter 18.40 (Land Use Regulations) of the Pico Rivera Municipal Code and amending Title 5 (Business License and Regulations), adding Chapter 5.76 (Regulation of Medical Cannabis Facilities).

Resolution No. _____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING AN AMENDMENT TO CHAPTER 9.40 OF THE PICO RIVERA MUNICIPAL CODE AND AMENDING THE PICO RIVERA ZONING CODE REGARDING COMMERCIAL CANNABIS DESIGNATED HEREIN AS ZONE CODE AMENDMENT NO. 180

Ordinance No. _____ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING CHAPTER 9.40 OF THE PICO RIVERA MUNICIPAL CODE AND AMENDING THE PICO RIVERA ZONING CODE REGARDING COMMERCIAL CANNABIS DESIGNATED HERE AS ZONE CODE AMENDMENT NO. 180

Ordinance No. _____ AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF PICO RIVERA, CALIFORNIA, ADDING
CHAPTER 5.76 TO THE PICO RIVERA MUNICIPAL CODE
REGULATING MEDICAL CANNABIS FACILITIES

PUBLIC COMMENTS:

Adriana Martinez:

- Addressed the City Council to motivate the City Council to attend meetings and create a partnership in regard to the Pico Project and the City hosting a Farmer's Market.

Chris Gabourel:

- Addressed the City Council in regard to energy efficiencies such as solar power for City Hall, suggested various projects to help the City with the homeless and panhandlers, a Farmer's Market, the Pico Project Community Outreach and the use of City facilities to hold community meetings.

Parks and Recreation Director Salazar addressed the speaker's concern in regard to the qualification for the use of City facilities and the County Health Services permit processes for a Farmer's Market.

El Rancho Teen Court:

- Members of the El Rancho Teen Court addressed the City Council to provide an annual report, spoke on the benefits of the summit on which they were able to attend, and thanked the City Council for funding and supporting their programs.

CONSENT CALENDAR:

City Council:

2. Minutes:

- Approved City Council meeting of August 9, 2016
- Received and filed Sister City Commission meetings of March 24, 2016, April 19, 2016, and May 17, 2016

3. Approved 3rd Warrant Register of the 2016-2017 Fiscal Year. (700)
Check Numbers: 272891-273099
Special Check Numbers: None

4. Annual Sidewalk Improvement Project (CIP No. 21343) – Authorization to Advertise for Construction. (500)

1. Approved Plans, Specifications and Estimate (PS&E) for the Annual Sidewalk Improvement Project, CIP No. 21343 and authorized the City Clerk to publish the Notice Inviting Bid;

2. Approved the Notice of Exemption (NOE) for the subject project and authorized the City Clerk to file the NOE with the County Recorder, in accordance with the California Environmental Quality Act; and
3. Approved the Total Project Budget.

5. Storm Drain Relining/Replacement Project (CIP No. 21313) – Award Construction Contracts. (500)

1. Awarded a Public Works Construction Contract for the storm drain repair on Willake Street in the amount of \$34,350 to Lucas Builders Inc., and authorized the Mayor to execute an agreement in a form approved by the City Attorney;
2. Awarded a Public Works Construction Contract for the storm drain repair on Terradell Street in the amount of \$27,875 to Williams Pipeline Inc., and authorized the Mayor to execute an agreement in a form approved by the City Attorney; and
3. Awarded a Public Works Construction Contract for the storm drain repair on Whittier Boulevard at Gregg Road in the amount of \$46,000 to Dominguez General Engineering Inc., and authorized the Mayor to execute an agreement in a form approved by the City Attorney.

Agreement No. 16-1712 Agreement No. 16-1713
Agreement No. 16-1714

Housing Assistance Agency:

6. Minutes:

- Approved Housing Assistance Agency meeting of July 12, 2016

7. Section Eight Management Assessment Program (SEMAP) Certification.

(1600)

1. Approved Resolution No. HA-95 certifying that the Community and Economic Development Department Housing Assistance Agency has satisfactorily completed a supervisory quality control review measuring the Housing Assistance Agency's performance during Fiscal Year 2015-2016.

Resolution No. HA-95 A RESOLUTION OF THE PICO RIVERA HOUSING ASSISTANCE AGENCY, PICO RIVERA, CALIFORNIA, APPROVING SUBMITTAL OF SECTION EIGHT MANAGEMENT ASSESSMENT PROGRAM (SEMAP) CERTIFICATION

8. Monthly Activity Report – Section 8 Housing Program – March 2016 through June 2016. (1600)

1. Received and filed.

Water Authority:

9. Minutes:

- Approved Water Authority meeting of June 28, 2016

10. Electrical Panel Replacement at Plant No. 2 (CIP No. 21297) – Reject All Bids. (500)

1. Rejected all construction bids received for the Pico Rivera Water Authority (PRWA) Electrical Panel Replacement at Plant No. 2 Project (CIP No. 21297).

Motion by Councilmember Salcido, seconded by Mayor Pro Tem Archuleta to approve Consent Calendar Items No. 2 through 10. Motion carries by the following roll call vote:

AYES: Archuleta, Camacho, Salcido, Tercero, Armenta

NOES: None (Tercero Item No. 5 no participation)

Note for the Record: Councilmember Tercero did not participate in Consent Calendar Item No. 5 Storm Drain Relining/Replacement Project (CIP No. 21313) – Award Construction Contracts.

REGULAR AGENDA: None.

MAYOR/COUNCILMEMBER REPORTS ON INTERGOVERNMENTAL AGENCY MEETINGS:

Councilmember Tercero reported on behalf of the Gateway Cities Council of Governments (COG) that members of the COG met with representatives of the City of Los Angeles to discuss Measure M. He stated that a “No” vote on Measure M would mean no additional funding for Metro projects and stated that for now the Gateway Cities will stand firm on their position opposing the Measure.

Mayor Pro Tem Archuleta reiterated concerns with the spread of the Zika virus and stated that the Vector Control is prepared in case of an outbreak.

Councilmember Camacho reported on behalf of the South East Area Animal Control Authority (SEAACA) to be mindful of animals that are up for adoption at the center and that dog licensing for the City will be held at the SEAACA offices in Downey beginning January 2017.

AB1234 REPORTS ON TRAVEL AND CONFERENCE ATTENDANCE (RESOLUTION NO. 6640):

NEW BUSINESS: None.

OLD BUSINESS:

Mayor Pro Tem Archuleta asked for a report on the upcoming Summer Fest with Parks and Recreation Director Salazar stating that this Friday will be the last of the Summer Fest events and that the Summer Fest has been a very successful event not only for the City but for the vendors and participants as well.

Councilmember Camacho inquired about the status of the funding for the Durfee Underpass project to which Public Works Director Enriquez stated that the project is fully funded.

Recessed to Closed Session at 8:23 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 9:13 p.m.

ALL MEMBERS WERE PRESENT

CLOSED SESSION(S):

a. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8

Property: Burke Site Property (APN 6384-004-900), Pico Rivera, California 90660

Agency Negotiator: City Manager René Bobadilla

Negotiating Parties: Baldwin Park Homes

Under Negotiation: Price and terms

City Attorney Alvarez-Glasman stated that this item was not held nor discussed.

b. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (1)

County of Los Angeles vs. City of Pico Rivera

One matter

City Attorney Alvarez-Glasman stated that City Council was briefed, no final action was taken and that there was nothing further to report.

c. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (4)

Consideration of Initiation of Litigation – Two matters

City Attorney Alvarez-Glasman stated that only one matter was discussed, City Council and staff were briefed, no final action was taken and that there was nothing further to report.

d. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.9

Agency's Negotiator: René Bobadilla

Employee organization: Various employee groups

City Attorney Alvarez-Glasman stated that agency negotiators were briefed, direction was provided, no final action was taken and that there was nothing further to report.

ADJOURNMENT:

Mayor Armenta adjourned the City Council meeting at 9:14 p.m. There being no objection it was so ordered.

AYES: Archuleta, Camacho, Salcido, Tercero, Armenta

NOES: None

David W. Armenta, Mayor

ATTEST:

Anna M. Jerome, City Clerk

I hereby certify that the foregoing is a true and correct report of the proceedings of the City Council/Housing Assistance Agency/Water Authority regular meeting dated August 23, 2016 and approved by the City Council on September 27, 2016.

Anna M. Jerome, City Clerk