CITY OF ARTESIA
ARTESIA CITY HALL, ARTESIA COUNCIL CHAMBER
18747 CLARKDALE AVENUE, ARTESIA, CA 90701

REGULAR MEETING OF
THE ARTESIA CITY COUNCIL

WEDNESDAY, JANUARY 13, 2016

7:00 P.M.

The adjourned regular meeting of the Artesia City Council was called to order at 7:05 p.m., Wednesday, January 13, 2016 in the Artesia City Council Chamber by Mayor Victor Manalo. The Invocation was presented by Pastor Juno Smalley of New Life Community Church and the Pledge of Allegiance was led by Sgt. Greg Knapp.

PRESENT:	Tony Lima, Council member Ali Taj, Councilmember Victor Manalo, Mayor Pro Tem Miguel Canales, Mayor
ABSENT:	Sally Flowers, Councilmember
ALSO PRESENT:	William Rawlings, City Manager Tracy Fuller, Interim Admin. Service Director Justine Menzel, Special Projects Manager Okina Dor, Planning Director Pradeep Elayath, Admin. Service Manager Andrew Perry, Administrative Analyst Serita Young, Deputy City Attorney Gloria Considine, City Clerk

APPROVAL OF AGENDA

MOTION BY COUNCILMEMBER LIMA
SECONDED BY COUNCILMEMBER TAJ
TO APPROVE AGENDA.

Said motion carried in the following roll call vote:

AYES:	COUNCILMEMBERS:	Canales, Lima, Flowers, Taj and Manalo
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

ANNOUNCEMENT REGARDING SPEAKER CARDS
Mayor Manalo presented announcement regarding speaker cards.

CITIZEN COMMENTS ON ITEMS THAT ARE NOT ON THE AGENDA OR ITEMS LISTED UNDER THE HEADING CONSENT CALENDAR
Mayor Manalo presented announcement.

No citizen comments.

CEREMONIAL PRESENTATION(S)

1. 2015 HOLIDAY HOME DECORATION CONTEST WINNERS
   Winners accepted Certificate of Recognition and gift card.

BUSINESS PRESENTATION(S)

2. ARTESIA LIBRARY MONTHLY EVENTS
   Barbara Nightingale, Librarian presented the monthly events.

3. ARTESIA CHAMBER OF COMMERCE UPDATE
   No one in attendance to present update.

CONSENT CALENDAR

MOTION BY COUNCILMEMBER LIMA
SECONDED BY COUNCILMEMBER TAJ
TO APPROVE CONSENT CALENDAR
WITH THE EXCEPTION OF ITEMS 7 AND 8.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Lima, Taj, Manalo and Canales
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: Flowers

4. WAIVING OF FULL READING OF ORDINANCES LISTED ON AGENDA

5. EXCUSING COUNCILMEMBERS WHO ARE ABSENT FROM MEETING

6. APPROVAL OF ACCOUNTS PAYABLE CHECK REGISTER

7. APPROVAL OF CITY COUNCIL MEETING MINUTES
   OCTOBER 12, 2015 – REGULAR MEETING

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO APPROVE MINUTES OF OCTOBER 12, 2015.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: Flowers
ABSENT: COUNCILMEMBERS: None

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO APPROVE MINUTES OF NOVEMBER 9, 2015.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: Flowers
ABSENT: COUNCILMEMBERS: None

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO APPROVE MINUTES OF DECEMBER 14, 2015
SPECIAL MEETING.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: Flowers
ABSENT: COUNCILMEMBERS: None

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO APPROVE MINUTES OF DECEMBER 14, 2015
REGULAR MEETING.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: Flowers
ABSENT: COUNCILMEMBERS: None

8. APPROVAL OF (1) A PROFESSIONAL SERVICES AGREEMENT WITH EITHER SOCIAL ECOLOGICAL ENVIRONMENTAL DESIGN GROUP, INC., DBA SEED GROUP, INC., OR ADL PLANNING, INC. FOR LANDSCAPE ARCHITECTURAL SERVICES; AND (2) A PROFESSIONAL SERVICES AGREEMENT WITH UNIPLAN ENGINEERING, INC. FOR CIVIL ENGINEERING SERVICES, BOTH OF WHICH ARE FOR DEVELOPING CONSTRUCTION PLANS FOR THE HISTORICAL DISTRICT RECREATION AREA BICYCLE AND PEDESTRIAN TRAILS PROJECT

Councilmember Canales requested an update on plans for project.

William Rawlings, City Manager stated that the plans have not changed since the last time the City Council reviewed them.

Councilmember Canales stated that he heard that the project needed to be scaled down.

Mr. Rawlings replied because of the concerns of the future train route through this property the city was allowed to build a trail that would be 27 feet wide opposed to the 100 feet wide. He said the grant in the amount of $300,000 will not be impacted by this. He said the request is to start the project by hiring a design and engineering firm.

Councilmember Canales requested to clarify the grant amount of $300,000 is for this project.

Mr. Rawlings replied that the city applied for a grant in the amount of $300,000 to facilitate construction of this project. He said the city is a recipient of the grant. He said the next step is to hire a firm to design it. He said this project is not related to the downtown Pioneer Boulevard project which is a separate funding.

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO APPROVE AND AUTHORIZE THE CITY MANAGER
TO EXECUTE PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF ARTESIA AND SOCIAL
ECOLOGICAL ENVIRONMENTAL DESIGN GROUP, INC.
DBA SEED GROUP, INC. FOR LANDSCAPE ARCHITECTURAL
SERVICES; AND PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE CITY OF ARTESIA AND UNIPLAN
ENGINEERING, INC. FOR CIVIL ENGINEERING SERVICES.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Flowers Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

9. FISCAL YEAR 2015 NATIONAL TRANSIT DATABASE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE LACMTA AND CITY FOR REPORT YEAR 2013

ORDINANCE(S)

10. ORDINANCE NO. 15-826
AN ORDINANCE OF THE CITY OF ARTESIA, CALIFORNIA, ADOPTING UPDATED WATER EFFICIENT LANDSCAPING STANDARDS, AMENDING ARTICLE 15.5 ("WATER EFFICIENT LANDSCAPING") OF CHAPTER 2, ("ZONING") OF TITLE 9 ("PLANNING AND ZONING") OF THE ARTESIA MUNICIPAL CODE, AND MAKING A DETERMINATION UNDER CEQA (SECOND READING AND ADOPTION)

Gloria Considine, City Clerk presented Ordinance No. 15-826 for adoption.

MOTION BY MAYOR PRO TEM TAJ
SECONDED BY COUNCILMEMBER CANALES
TO WAIVE FURTHER READING AND ADOPT
ORDINANCE NO. 15-826 AS READ BY TITLE

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Flowers, Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

PUBLIC HEARINGS
ADMINISTRATION OF OATH

Kevin Ennis, City Attorney administered the oath.

11. CASE NO. 2015-24/URGENCY ORDINANCE NO. 16-829U/ORDINANCE NO. 15 827/PLANNING COMMISSION RESOLUTION NO. 2015-20P (CODE AMENDMENT TO PROHIBIT MARIJUANA CULTIVATION, MOBILE MARIJUANA DISPENSARIES AND MARIJUANA DELIVERIES, AND MAKING A DETERMINATION UNDER CEQA)

AND

ORDINANCE NO. 16-829U
AN URGENCY ORDINANCE OF THE CITY OF ARTESIA TO PROHIBIT MARIJUANA CULTIVATION SITES, MOBILE MARIJUANA DISPENSARIES, AND MARIJUANA DELIVERIES IN ALL ZONES, AND AMENDING THE ARTSIA MUNICIPAL CODE

AND

ORDINANCE NO. 15-827
AN ORDINANCE OF THE CITY OF ARTESIA PROHIBITING MARIJUANA CULTIVATION SITES, MOBILE MARIJUANA DISPENSARIES, AND MARIJUANA DELIVERIES IN ALL ZONES, AND AMENDING THE ARTESIA MUNICPAL CODE

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

Michele Brooke stated that she is a medical marijuana attorney. She said there is currently a need for medical marijuana for patients. She inquired as to what the harm would be in providing legal medical marijuana dispensaries in the area.

Councilmember Canales inquired if legal medical marijuana dispensaries have a business plan.

Mr. Brooke replied by saying absolutely. She said there are groups that want to do this the right way and they have business plans.

Mayor Pro Tem Taj inquired if Ms. Brooke's expertise was in cultivation, mobile or retail.

Ms. Brooke replied by saying in all sectors.

Councilmember Canales stated that community input is very important. He inquired if Ms. Brooke had any recommendations on how this topic should be brought up.

Ms. Brooke replied all cities do it differently. She said the personality of the city has a lot to do with it.

MOTION BY COMMISSIONER CANALES
SECONDED BY COMMISSIONER LIMA
TO CLOSE PUBLIC HEARING.

Said motion carried in the following roll call vote:

AYES:	COUNCILMEMBERS:	Flowers, Lima, Taj, Manalo and Canales
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Councilmember Canales inquired about change wording in the urgency ordinance from "prohibited" to "allow". He inquired if the word change would still allow local control.

Kevin Ennis, City Attorney replied if the City Council is interested in setting up regulatory approach to allow cultivation, mobile dispensaries, store front dispensaries and deliveries then the ordinance would need to come back with that wording. He said if the City Council would like to explore these avenues then there are serious law enforcement issues to consider. He suggested obtaining advice from the sheriff department. He said what is being recommended to the City Council is to keep the current ban and add a ban on mobile dispensaries, cultivation and deliveries. He said the ban is so the City will not be in a position where the State will unilaterally start issuing licenses for those types of activities in the community. He said the deadline that the State has in place is March 1, 2016.

Councilmember Canales stated that the urgency to prohibit is because there is a deadline.

Mr. Ennis replied by saying that was correct.

Councilmember Canales stated that otherwise there would be a discussion with public input.

Mr. Ennis replied by saying that was correct.

Councilmember Canales stated that he had objection to the word "prohibit" listed in Ordinance without having a discussion.

Mr. Ennis replied if the city was to allow dispensaries, cultivation and deliveries there would not be regulations. He said there are very serious issues.

Councilmember Canales stated a conversation hasn't taken place about the feelings on the issuet. He inquired if this is the only wording that can be used for this Ordinance.

Mayor Manalo stated that by approving the Ordinance does not prohibit conversation about the issue.

Councilmember Canales stated that he was concern about the wording.

Mayor Manalo stated that if the city doesn't have that wording then the State is going to approve licenses if the city doesn't having anything in place.

Mr. Ennis read League of California Cities recommendation on the issue.

Councilmember Flowers presented information from the League of Cities at the conference she attended. She said it was expressed that if urgency Ordinance is not adopted by March 1, 2016 then the State will regulate the city. She said it is her opinion to get this urgency Ordinance adopted and put the item on a future agenda for discussion. She said she is in favor of adopting this ordinance.

Councilmember Lima inquired of Sgt. Knapp what were the issues associated with prior dispensaries in the city.

Sgt. Knapp replied that in the past there were a couple of dispensaries in the City. He said they are very difficult to remove once they are in the city. He said they come into the city with a false pretense application. He said once they get in they are operated by people who want a profit. He said there were no regulations. He said the clientele that came to these dispensaries were between the ages of 18 and 25 years old. He said they sold items that catered to children. He said there were robberies and shootings in front of the dispensaries. He said it was very challenging for the policing team.

Councilmember Lima inquired to the perception a dispensary has on the community.

Sgt. Knapp replied that it draws negativity.

Mayor Pro Tem Taj inquired as the impact to the city if surrounding cities have dispensaries.

Sgt. Knapp replied it could impact the city.

Councilmember Canales stated that the illegal dispensaries that were in the City did not have a business plan. He said he is completely in support of closing dispensaries that don't have proper permits. He said he is also in support of providing an alternate for medical issues. He said he appreciated the conversation this evening.

Mayor Manalo stated that it is his fear if this is not acted on this evening then the State will issue licenses and the City won't be able to do anything about it. He said currently the ordinances should be adopted and the conversation could be continued in the future.

Mayor Pro Tem Taj inquired if the ordinance is adopted could it be amended.

Mr. Ennis replied by saying the ordinance could be amended or repealed.

Mayor Pro Tem Taj stated that there was a lot discussion at the conference on medical marijuana dispensaries that were not regulated which included recreational. He said once the ordinance went into effect they were closed down. He said he requested the item be continued to this meeting to allow all of his colleagues present to have this discussion.

MOTION BY COUNCILMEMBER LIMA
SECONDED BY COUNCILMEMBER CANALES
TO WAIVE FURTHER READING AND
INTRODUCE ORDINANCE NO. 15-827
AS READ BY TITLE.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Lima, Flowers, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

MOTION BY COUNCILMEMBER LIMA
SECONDED BY COUNCILMEMBER FLOWERS
TO WAIVE FURTHER READING AND ADOPT
ORDINANCE NO. 16-829 AS READ BY TITLE

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Lima, Flowers, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

12. CASE NO. 2015-27/ORDINANCE NO. 16-830/PLANNING COMMISSION RESOLUTION NO. 2015-21P AND 2015-22P (CONDITIONAL USE PERMIT, DESIGN REVIEW AND DEVELOPMENT AGREEMENT WITH 7 LEAVES CAFÉ)

AND

ORDINANCE NO. 16-830
AN ORDINANCE OF THE CITY OF ARTESIA APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ARTESIA AND ARTESIA DEVELOPMENT PARTNERS LLC FOR THE CONSTRUCTION OF A NEW 4,029 SQUARE FOOT TWO UNIT COMMERCIAL RETAIL BUILDING ON A PARCEL LOCATED AT 12154 ARTESIA BOULEVARD AND MAKING A DETERMINATION OF CATEGORICAL EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT IN CONNECTION THEREWITH (CASE NO. 2015-27)

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

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO CLOSE THE PUBLIC HEARING.

Said motion carried in the following roll call vote:

AYES: COUNCILMEMBERS: Canales, Flowers, Lima, Taj and Manalo
NOES: COUNCILMEMBERS: None
ABSTAIN: COUNCILMEMBERS: None
ABSENT: COUNCILMEMBERS: None

Councilmember Lima inquired as to how many buildings will be on the lot.

Mr. Dor replied one stand-alone building with two tenants with a drive through.

Councilmember Lima inquired if one business would be a restaurant and the other a tea house.

Mr. Dor replied the complete building could be used for restaurants. He said they choosing to have another tenant.

Councilmember Lima inquired if the square footage of the building is 2,029.

Mr. Dor replied the square footage is 4,029.

Mayor Pro Tem Taj inquired if the owners would like to say a few words about their business.

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER LIMA
TO REOPEN THE PUBLIC HEARING.

Said motion carried in the following roll call vote:

AYES:	COUNCILMEMBERS:	Canales, Flowers, Lima, Taj and Manalo
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

Mayor Pro Tem Taj requested information about their business.

Sonny Nguyen, owner of 7 Leaves provided information about their business.

MOTION BY MAYOR PRO TEM TAJ
SECONDED BY COUNCILMEMBER FLOWERS
TO CLOSE THE PUBLIC HEARING.

Said motion carried in the following roll call vote

AYES:	COUNCILMEMBERS:	Canales, Flowers, Lima, Taj and Manalo
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

MOTION BY COUNCILMEMBER CANALES
SECONDED BY COUNCILMEMBER FLOWERS
TO AFFIRM PLANNING COMMISSION'S
RECOMMENDATION FOR APPROVAL OF
DESIGN REVIEW, CONDITIONAL USE PERMIT
AND DEVELOPMENT AGREEMENT BY WAIVING
FURTHER READING AND INTRODUCE ORDINANCE
NO. 16-830 AS READ BY TITLE.

Said motion carried in the following roll call vote:

AYES:	COUNCILMEMBERS:	Canales, Lima, Flowers, Taj and Manalo
NOES:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None

STAFF REPORTS

13. APPOINTMENT OF COMMISSIONERS FOR BEAUTIFICATION AND MAINTENANCE COMMISSION, PARKS AND RECREATION COMMISSION, PLANNING COMMISSION AND PUBLIC SAFETY COMMISSION

Gloria Considine, City Clerk presented staff report.

The following appointments were made:

Mayor Manalo
Beautification and Maintenance Commission – Karen Speers
Parks and Recreation Commission- Julie DeMederios
Planning Commission – Michele Diaz
Public Safety Commission – Charles Oliver

Mayor Pro Tem Taj
Beautification and Maintenance Commission – Vanessa Gurrola
Parks and Recreation Commission- Rene Trevino
Planning Commission – Marco Esteves
Public Safety Commission – Continued to February City Council meeting

Councilmember Canales
Beautification and Maintenance Commission – Continued to February City Council meeting
Parks and Recreation Commission- Lee Natividad
Planning Commission – Karen Bacolod
Public Safety Commission – Betty Lou Ormonde

Councilmember Flowers
Beautification and Maintenance Commission – Steve Diaz
Parks and Recreation Commission- Tim Sagert
Planning Commission – Continued to February City Council meeting
Public Safety Commission – Continued to February City Council meeting

Councilmember Lima
Beautification and Maintenance Commission – Miguel Navarro
Parks and Recreation Commission- Sharon Stephens
Planning Commission – Albert Sousa
Public Safety Commission – Dean Sorgdrager

14. DISCUSSION REGARDING COUNCILMEMBERS REPORTING ON COMMITTEE MEETINGS ATTENDED

Mayor Manalo stated that councilmembers attend external committee meetings and would like a brief update on these committee meetings.

Councilmember Lima reported on Southern California Association of Government and Eco Rapid Transit meetings.

Councilmember Canales reported on Los Angeles County Division of Leagues meeting.

Councilmember Flowers reported on Los Angeles County Sanitation District and Los Angeles Vector Control meetings.

Mayor Pro Tem Taj reported on Eco Rapid Transit and California Contracts Cities meetings.

Mayor Manalo reported on California Contract Cities and Southern California Association of Government meetings.

COUNCILMEMBER/STAFF INFORMATIONAL REPORTING

15. COUNCILMEMBER REPORTS ON MEETINGS ATTENDED AT PUBLIC EXPENSE

Contract Cities Conference – Mayor Manalo, Mayor Pro Tem Taj, Councilmember Flowers and Councilmember Lima.

16. CITY MANAGER INFORMATION BRIEF

Justine Menzel, Special Projects Manager presented progress report on Pioneer Boulevard construction.

ADDITIONAL CITIZEN COMMENTS

There were no additional citizen comments.

COUNCILMEMBER COMMENTS

Councilmember Canales announced the new speaker of the assembly is Anthony Rendon.

Councilmember Flowers inquired about the new library. She inquired on CERT training.

Mayor Pro Tem Taj thanked Councilmember Lima for working hard on the Eco Rapid Transit station location in Artesia. He said Assembly member Anthony Rendon visits

and dines on Pioneer Boulevard during the weekends. He wished everyone a Happy New Years.

Mayor Manalo wished his colleagues and staff Happy New Years. He said this will be a great year in Artesia and looks forward to working with everyone. He said he will be speaking with each councilmember regarding the external committees.

ADJOURNMENT
There being no further business the meeting was adjourned at 9:04 p.m.

ATTEST:

Gloria Considine

GLORIA CONSIDINE, CMC
CITY CLERK

I, Gloria Considine, City Clerk of the City of Artesia, do hereby certify that the following minutes were approved by the City Council members of the City of Artesia at a Regular Meeting held on the 8th day of February 2016, by the following roll call vote:

AYES:	COUNCILMEMBERS:	Flowers, Lima, Taj, Manalo and Canales
NOES:	COUNCILMEMBERS:	None
ABSENT:	COUNCILMEMBERS:	None
ABSTAIN:	COUNCILMEMBERS:	None

Gloria Considine

GLORIA CONSIDINE, CMC
CITY CLERK