

Minutes of the special meeting of the City Council of the City of Huntington Park held Thursday, July 28, 2011.

The meeting was called to order in the Council Chambers at 4:30 p.m. by Mayor Hernandez. Present: Council Member Mario Gomez, Vice Mayor Andy Molina, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Mayor Ofelia Hernandez; Absent: None.

City Clerk Ramirez opened oral communications, indicating that this was the time for anyone in the audience to address the City Council on any matter of City business, and hearing none, declared oral communications closed.

City Clerk Ramirez announced that the special meeting was called to consider and/or take action on the appeal filed by Edwin Movagharian regarding the Appeals Board's decision to uphold the revocation of Huntington Patients Association's Business License. Mayor Hernandez declared the appeal hearing open and called for oral communications.

David Welch, Attorney for appellant, addressed City Council regarding the following procedural concerns: 1) that the appeal hearing is being held on the 31st day instead of the 30th day as cited in the Huntington Park Municipal Code; that the appellant received notice 9 days instead of 10 days before the appeal hearing as cited in the Huntington Park Municipal Code; 3) that the same individuals serve as the Appeals Board and the City Council; 4) that the findings submitted by City Prosecutor Litvak did not contain the facts accurately; and 5) that the moratorium on medical marijuana dispensaries in Huntington Park had expired since the City Council did not issue a written report 10 days prior to the expiration of the initial urgency ordinance, therefore making all other moratorium extensions invalid. Mr. Welch requested that this appeal be heard before a different body since this has already come before these individuals as the Appeals Board. Mr. Welch also contested the procedures on how the appeal was brought before Council and challenged the findings. Mr. Welch informed City Council of the status of medical marijuana dispensaries in various cities and recommended that the City of Huntington Park set regulations for this type of business.

Assistant City Attorney Wolfsohn informed City Council that during this appeal hearing they are not to consider new evidence but review the decision of the Appeals Board.

Legal Counsel Gerli addressed City Council regarding Federal Law and medical marijuana dispensaries.

Mayor Hernandez called for any other oral communications, and hearing none, declared the appeal hearing closed.

Motion by Molina, seconded by Guerrero, to **uphold the decision of the Appeals Board regarding revocation of the business license of Huntington Patients Association and Edwin Movagharian**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Abstain: Council Member Gomez; Absent: None.

Mayor Hernandez declared the meeting adjourned at 5:09 p.m.

Ofelia Hernandez, Mayor

Rosanna M. Ramirez, City Clerk