

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, April 20, 2009.

Following the Invocation and Pledge of Allegiance to the Flag, the meeting was called to order in the Council Chambers at 6:00 p.m. by Mayor Gomez. Present: Council Member Ofelia Hernandez, Vice Mayor Juan R. Noguez, Council Member Elba Guerrero, Council Member Andy Molina, and Mayor Mario Gomez. Absent: None.

Maria Espinosa, representing the American Youth Soccer Organization (AYSO) Girl's Under 10 Soccer Team, informed City Council that they placed 2nd at the All California at AYSO Level State Championship game held in Davis, California. Ms. Espinosa also informed City Council that Hugo Bustamante, coach for the AYSO passed away. Mayor Gomez and City Council presented certificates and City pins to the following members of the Huntington Park's AYSO Girl's Under 10 Soccer Team: 1) Emily Campos; 2) April Garcia; 3) Clarissa Carranza; 4) Angela Olvera (not present; 5) Jose Campos; 6) Astrid Suro; 7) Christina Rivas; 8) Jessica Rodriguez; 9) Jailene Miranda; 10) Jacqueline Espinoza; and 11) Kimberly Garcia.

Mayor Gomez 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.

Coralía Dolmuz, Preschool Teacher at Miles Center, thanked City Council and the Police Department for supporting the "Pasitos" Program within the Human Services Association and displayed posters made by the students of Miles Center.

Three women thanked City Council for the opportunity to attend the Council meeting.

Yolanda Alaniz, Children's Librarian at the Huntington Park Library, informed City Council of the success of the Dia De Los Niños event. Ms. Alaniz distributed flyers and invited City Council to attend a kite making contest May 6, 2009 and to participate in "guessing how many magic pinto beans in a jar" on May 14, 2009.

The following Planning Commissioners for the City of Huntington Park addressed their concerns to City Council regarding the appeal hearing for the Centro Pacifico Mixed Use Project and stated that the Planning Commission approved the Centro Pacifico project but did not approve the affordable housing rental property associated with the project: 1) Marial Sanders; 2) Veronica Lopez; and 3) Rosa Perez.

Lori Mizuno, representing BIENESTAR Human Services, informed City Council regarding the services they offer, including HIV testing and counseling. Ms. Mizuno invited City Council to visit their facility and stated that she looks forward to working with the City of Huntington Park in the future.

Ronald V. Garcia, Southern California Edison Regional Manager Public Affairs, acknowledged Samantha Lubrani, Spanish Translator for the City of Huntington Park who appeared on the Jeopardy television show and Rosanna Ramirez, City Clerk for the City of Huntington Park for her son's safe return from the war in Iraq.

Don Brabant addressed City Council regarding Centro Pacifico Mixed Use Project appeal hearing and stated that he is glad the project switched back to condominiums without the affordable housing rental property aspect of the project.

Betsy Cardenas, representing the office of Assembly Member John Perez, informed City Council that they will be hosting an event for women and children health and safety month to educate everyone regarding community resources, including health centers. Ms. Cardenas asked City Council to sponsor the event and requested use of either City Hall or the Huntington Park Library for the event.

Maria Meza addressed City Council on behalf of a group in support of rental property in the City. Ms. Meza stated that there is a great demand for rental properties due to today's economy.

Leticia Martinez, former chair of the American Cancer Society's Relay for Life, introduced the new chair Eve Rodriguez. Ms. Rodriguez thanked City Council for their support in the past and informed City Council of the success of their Annual Pancake Breakfast fundraiser. Ms. Rodriguez invited everyone to attend this year's Relay for Life event on June 6 and 7, 2009 and introduced Salvador Palacio.

Salvador Palacio, representing the American Cancer Society Relay for Life, thanked City Council and The Greater Area Huntington Park Chamber of Commerce for their support in the past and requested in-kind services for the 2009 Relay for Life on June 6 and 7, 2009.

Robert Cabrales, representing Communities for a Better Environment (CBE), informed City Council that they will be hosting their first concert in Los Angeles in honor of Earth Day on Saturday, April 25, 2009 at 5:00 p.m. and invited everyone to attend.

James Willcox, Chief Operating Officer of Aspire Public Schools, thanked City Council for the City's partnership with Aspire Public Schools in the past and asked City Council to support the proposed Pacific Charter School site.

Emma Puerto addressed City Council in opposition to the proposed Pacific Charter School site. Ms. Puerto informed City Council of the lack of air conditioning at the current charter school site and asked the representatives from Pacific Charter Schools to rectify this matter.

A parent addressed City Council in opposition to the new Pacific Charter School site due to the potential health risks involved with a neighboring cold storage facility and proposed that a more suitable location be considered for the proposed school.

Mayor Gomez called for any other oral communications, and hearing none, declared oral communications closed.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider an ordinance amending the Huntington Park Zoning Map designation from MPD (Manufacturing Planned Development) to PF (Public Facilities); adoption of a resolution amending the Huntington Park General Plan Land Use Map designation from Manufacturing Planned Development to Public Facilities; and consideration of a proposed charter elementary school at 6724 Alameda Street. The City Clerk reported that she had received a petition containing 132 signatures in opposition to the proposed charter school site at 6724 Alameda Street in the Office of the City Clerk. Council Member Hernandez recused herself from the public hearing and left the dais at 6:50 p.m. Mayor Gomez declared the public hearing open and called for oral communications. A gentleman addressed City Council regarding the proposed school site and stated that the neighboring facility is not an ammonia factory but a cold storage facility. Patricia Sandoval and two parents addressed City Council in support of the proposed Pacific Charter School site. Rosa Meza informed City Council that the Pacific Charter School is a good school and urged City Council to ensure that the proposed school site is safe. Two women addressed their concerns to City Council regarding safety, the potential health risks, and the speed in which a new charter school is built as opposed to a school district school; and asked City Council to take these matters into consideration prior to making a decision on this item. Alicia Perez addressed City Council in support of the new school site and asked that City Council take into consideration the study that was done for the existing charter school to assist with the new proposed school. Mr. Raider, neighbor to the proposed school site, addressed his concerns to City Council regarding parking and distributed copies of a picture of his parking lot. Mayor Gomez called for any other oral communications, and hearing none, declared the **public hearing** closed.

RESOLUTION NO. 2009-45. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AMENDING THE **GENERAL PLAN LAND USE MAP** OF THE CITY OF HUNTINGTON PARK was presented. Motion by Noguez, seconded by Molina, to adopt Resolution No. 2009-45, carried as follows: Ayes: Vice Mayor Noguez, Council Member Molina, and Mayor Gomez; Noes: Council Member Guerrero; Absent: Council Member Hernandez.

ORDINANCE NO. 836-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING THE **OFFICIAL ZONING MAP** OF THE CITY OF HUNTINGTON PARK was read by title. Motion by Noguez, seconded by Molina, that reading in full of Ordinance No. 836-NS for first reading be waived, and that Ordinance No. 836-NS be introduced and approved for first reading, carried as follows: Ayes: Vice Mayor Noguez, Council Member Molina, and Mayor Gomez; Noes: Council Member Guerrero; Absent: Council Member Hernandez.

Council Member Hernandez returned and took her seat at 7:18 p.m.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to call for review as well as to consider an appeal for the project known as the Centro Pacifico Mixed Use Project, which was approved by the Planning Commission on March 4, 2009 ("Project"). The Project consists of the redevelopment of three non-contiguous City-owned surface parking lots located at 6335, 6511-27 and 6713 Rita Avenue, with up to 231 housing units (condominium or proposed tax credit rental housing), 7,062 square feet of retail space and a total of 1,080 parking spaces within multi-level parking structures. A Mitigated Negative Declaration and a Mitigation Monitoring Report were adopted for the

Project by the Planning Commission and will be considered by the City Council. The City Clerk reported that one (1) written communications had been received from Golden Pacific Partners in the Office of the City Clerk withdrawing their request to change the type from condominium to rental units. Mayor Gomez declared the public hearing open and called for oral communications. Pablo Leon, representing Golden Pacific Partners, asked City Council to consider their request to rescind their proposal to convert the project to rentals and asked City Council to allow the project to stand as approved by the Planning Commission on March 4, 2009. Council Member Molina recused himself from the public hearing and left the dais at 7:20 p.m. Mayor Gomez called for any other oral communications, and hearing none, Mayor Gomez declared the public hearing closed.

RESOLUTION NO. 2009-46. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, **APPROVING AND AFFIRMING THE DECISION OF THE PLANNING COMMISSION FOR CASE NO.'S 1887-DP/CUP/TTM, 1888-DP/TTM, AND 1889-DP/CUP/TTM, COLLECTIVELY KNOWN AS THE "CENTRO PACIFICO MIXED USE PROJECT;" DENYING AN APPEAL OF THE CENTRO PACIFICO MIXED USE PROJECT; AND ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING PROGRAM PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE PROPERTY LOCATED AT 6335, 6311-6527 AND 6713 RITA AVENUE PARK** was presented. Motion by Noguez, seconded by Hernandez, to adopt Resolution No. 2009-46, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: Council Member Molina.

Council Member Molina returned and took his seat at 7:22 p.m.

Motion by Noguez, seconded by Hernandez, to approve the Consent Calendar, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the special meeting of the City Council held Monday, March 23, 2009.

Approve minutes of the special meeting of the City Council held Tuesday, March 24, 2009.

Approve minutes of the special meeting of the City Council held Monday, March 30, 2009.

Approve minutes of the regular meeting of the City Council held Monday, April 6, 2009.

Approve the reading by title of all ordinances and resolutions. Said titles which appear on the public agenda shall be determined to have been read by title and further reading waived.

FINANCE DEPARTMENT

Approve the Payroll Demands dated April 20, 2009.

END OF CONSENT CALENDAR

City Clerk Ramirez presented for discussion and/or action a request from Control of Sanitation of Shopping Carts (COSOSC) for the City to authorize a letter of support for a program towards the sanitation and education of shopping carts. Motion by Hernandez, seconded by Noguez, to **authorize a letter of support to the COSOSC for a program**

towards the sanitation and education of shopping carts, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Clerk Ramirez presented for discussion and/or action correspondence from American Cancer Society's Southeast Cities Relay for Life requesting the City to co-sponsor and authorize in-kind services for the presentation of the 9th Annual Southeast Cities Relay for Life on June 6, 2009 at Huntington Park High School. Motion by Hernandez, seconded by Guerrero, **for the City to co-sponsor the American Cancer Society's Southeast Cities Relay for Life and authorize in-kind services for the presentation of the 9th Annual Southeast Cities Relay for Life on June 6, 2009 at Huntington Park High School**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Manager Korduner presented for discussion and/or action correspondence from Human Services Association (HSA) requesting the City nominate a resident or employee for the "Spirit of Service" award to be presented at HSA's 68th Annual Dinner. Motion by Noguez, seconded by Molina, to **nominate Council Member Guerrero for the "Spirit of Service" award to be presented at HSA's 68th Annual Dinner**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of a Historic Resource Plaque Program. Barry Milofsky, Historic Preservation Commissioner, informed City Council that this program will dignify the landmarks in the City by placing a plaque outside the property. Motion by Guerrero, seconded by Gomez, to **approve a Historic Resource Plaque Program**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of an Office Lease by and between the SYB Family Trust and the City of Huntington Park for a new BID office at 2607 Clarendon Avenue. Motion by Noguez, seconded by Guerrero, to **approve an Office Lease by and between the SYB Family Trust and the City of Huntington Park for a new BID office at 2607 Clarendon Avenue**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of a parking agreement with Pacific Charter Schools for the non-exclusive use of on-street public parking associated with the development of a proposed elementary charter school at 6724 Alameda Street. Motion by Noguez, seconded by Molina, to **approve the Agreement between the City of Huntington Park and Pacific Charter Schools Development for the non-exclusive use of on-street public parking associated with the development of a proposed elementary charter school at 6724 Alameda Street**, carried as follows: Ayes: Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Abstain: Council Member Hernandez; Absent: None.

Director of Community Development Gray presented a recommendation by the Business Improvement District (BID) staff to authorize attendance of one BID Advisory Board member to the ICSC RECON Global Retail Real Estate Convention from May 17 to May 20, 2009. Motion by Molina, seconded by Noguez, to **authorize the attendance of one BID Advisory Board member to the ICSC RECON Global Retail Real Estate Convention from May 17 to May 20, 2009, subject to approval by the BID Advisory Board**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Engineer Fu requested approval of Change Order No. 1 for "Heating and Air Condition (HVAC) Improvement at Park and Recreation Building", Project No. 08-007. Motion by Noguez, seconded by Guerrero, to **approve the Change Order No. 1 for "Heating and Air Condition (HVAC) Improvement at Park and Recreation Building"**,

Project No. 08-007, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Field Services Viramontes requested approval of Second Amendment to Agreement between the City of Huntington Park and Graffiti Protective Coatings Inc. for graffiti removal services for the City of Huntington Park. Motion by Guerrero, seconded by Noguez, to **approve the Second Amendment to Agreement between the City of Huntington Park and Graffiti Protective Coatings Inc. for graffiti removal services for the City of Huntington Park**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

RESOLUTION NO. 2009-47. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **ADOPTING YOUTH EMPLOYMENT PLANS FOR THE SALT LAKE PARK PLAYGROUND IMPROVEMENT PROJECT** FUNDED BY THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT was presented. Motion by Molina, seconded by Noguez, to adopt Resolution No. 2009-47, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

RESOLUTION NO. 2009-48. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AMENDING RESOLUTION NO. 2006-57 REGARDING THE **MEETING TIME FOR THE ARTS AND CULTURE COMMISSION** was presented. Motion by Molina, seconded by Guerrero, to adopt Resolution No. 2009-48, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

RESOLUTION NO. 2009-49. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **ADOPTING THE “RED FLAG” IDENTITY THEFT PREVENTION PROGRAM** was presented. Motion by Guerrero, seconded by Molina, to adopt Resolution No. 2009-49, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

RESOLUTION NO. 2009-50. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **DECLARING ITS INTENTION TO LEVY ANNUAL ASSESSMENTS WITHIN THE DOWNTOWN HUNTINGTON PARK BUSINESS IMPROVEMENT DISTRICT FOR FISCAL YEAR 2009-2010** was presented. Motion by Guerrero, seconded by Noguez, to adopt Resolution No. 2009-50, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Motion by Guerrero, seconded by Hernandez, to establish as “**subsequent need**” item, a closed session item for pursuant to California Government Code Subsection (a) of Section 54956.9 for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Lidia Leon, as Guardian Ad Litem for Joshua Leon, a minor, individually, and as successor in interest to Juan Sanchez Jr., deceased, Juan Sanchez Sr., Berta Sanchez vs. City of Huntington Park, et al., Case No.07-6569-VBF (JTLx), as the item arose after the posting of the agenda, necessitating City Council's immediate consideration and/or action, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to California Government Code Subsection (a) of Section 54956.9 for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION for the following cases: 1) Name of Case: David John Alvarez vs. City of Huntington Park, Case No. VC052531, 2) Name of Case: Cosme Lozano vs. City of Huntington Park, et al., Case No. NC052759, 3) Name of Case: Paul Tapia vs. City of Huntington Park, et al., Case No. NC052768, and 4) Lidia Leon, as Guardian Ad Litem for Joshua Leon, a minor, individually, and as successor in interest to Juan Sanchez Jr., deceased, Juan Sanchez Sr., Berta Sanchez vs. City of Huntington Park, et al.,

Case No.07-6569-VBF (JTLx); and 5) Pursuant to California Government Code Section 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: City Attorney. Mayor Gomez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 7:40 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 8:18 p.m. Present: Council Member Ofelia Hernandez, Vice Mayor Juan R. Noguez, Council Member Elba Guerrero, Council Member Andy Molina, and Mayor Mario Gomez. Absent: None.

City Attorney reported out the following on the **closed session** items pursuant to California Government Code Subsection (a) of Section 54956.9 for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: 1) Name of Case: David John Alvarez vs. City of Huntington Park, Case No. VC052531, 2) Name of Case: Cosme Lozano vs. City of Huntington Park, et al., Case No. NC052759, and 3) Name of Case: Paul Tapia vs. City of Huntington Park, et al., Case No. NC052768; and 4) Pursuant to California Government Code Section 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: City Attorney, a status report was given to City Council, no action taken.

City Clerk Ramirez reported out that in the **closed session** regarding pursuant to California Government Code Subsection (a) of Section 54956.9 for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Lidia Leon, as Guardian Ad Litem for Joshua Leon, a minor, individually, and as successor in interest to Juan Sanchez Jr., deceased, Juan Sanchez Sr., Berta Sanchez vs. City of Huntington Park, et al., Case No.07-6569-VBF (JTLx), a status report was given to City Council and direction given to staff.

Mayor Gomez declared the meeting adjourned at 8:19 p.m., in memory of Hugo Bustamante, coach for the American Youth Soccer Organization (AYSO).

Mario Gomez, Mayor

Rosanna M. Ramirez, City Clerk