

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, August 15, 2011.

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 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.

Mayor Hernandez and City Council presented Certificates of Recognition to the following industries in the City of Huntington Park that complied with the Sanitation District's industrial waste requirements for the 2010 calendar year: 1) Golden Tiger (not present); 2) Wire Guard Systems, Inc. (not present); and 3) Aircraft X-Ray Laboratories.

Mayor Hernandez 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.

Enrique Murillo, representing the Americans Association of Retired Persons (AARP) Chapter 221, addressed his concerns to City Council regarding recent vehicle thefts in certain areas of the City and urged the Police Department to increase police surveillance. Mr. Murillo invited City Council to attend the 50th Anniversary of the AARP Chapter 221 at the Community Center on Wednesday, August 24, 2011.

Balle Dario Machuca, resident of the City, addressed his concerns to City Council regarding the lack of overnight parking on Seville Avenue. Mr. Machuca informed City Council that he resides on Seville Avenue near Zoe Avenue and yet he is forced to park his vehicle on the nearby streets due the two (2) hour parking limitation on Seville Avenue. Mr. Machuca also informed City Council that as a result of having to sometimes park his vehicle on Seville for over two (2) hours, he has received approximately twenty (20) parking citations and cannot afford to pay them. Mr. Machuca urged City Council to look into changing the parking limitation to accommodate the residents on Seville Avenue.

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

Assistant City Attorney Wolfsohn requested the City Council resolve into a **closed session** for Conference with Legal Counsel – Initiation of Litigation, California Government Code Section 54956.9 (c), Number of potential cases (1); and Conference with Legal Counsel-Anticipated Litigation, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (2). Mayor Hernandez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:13 p.m.

Following the closed session, the meeting was called to order in the Council Chambers

at 6:31 p.m. 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 announced that in accordance with published notice, this is the time and place set to consider any protest or public comment regarding a Planning Commission decision denying a request for a Variance to deviate from the minimum development standards to establish a convenience store with the off-sale of beer and wine at 2321 E. Florence Avenue in the C-G (General-Commercial) Zone. The City Clerk reported that one (1) written communication had been received in the Office of the City Clerk from property owner of 2321 E. Florence Avenue, Suite F, Huntington Park, requesting the hearing be continued, which was distributed to City Council. Mayor Hernandez declared the appeal hearing open and called for oral communications. Ralph Deppisch, owner of the 7-Eleven proposed development at 2321 E. Florence Avenue, addressed City Council to request continuance of this item in order to make changes to their strategy and report back to City Council. Mayor Hernandez called for any other oral communications and hearing none, motion by Gomez, seconded by Molina, **to continue this appeal hearing to the September 6, 2011 City Council meeting**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider any protest or public comment in connection with the proposed issuance of one or more series of refunding revenue bonds by the California Municipal Finance Authority ("CMFA"), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$11,000,000 to assist in the financing of the acquisition and rehabilitation of a multifamily housing rental facility know as Casa Rita Family Apartments located at 6508 Rita Avenue. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Hernandez declared the public hearing open and called for oral communications and hearing none, Mayor Hernandez declared the public hearing closed.

RESOLUTION NO. 2011-44. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **APPROVING A JOINT EXERCISE OF POWERS AGREEMENT RELATING TO THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY, AND APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE AUTHORITY FOR THE PURPOSE OF FINANCING THE ACQUISITION AND REHABILITATION OF A MULTIFAMILY RENTAL HOUSING FACILITY KNOWN AS CASA RITA FAMILY APARTMENTS** was presented. Motion by Gomez, seconded by Molina, to adopt Resolution No. 2011-44, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Motion by Molina, seconded by Gomez, to approve the Consent Calendar with Council Member Gomez and Mayor Hernandez abstaining on minutes of the special meeting of the City Council held Tuesday, July 26, 2011, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the special meeting of the City Council held Tuesday, July 26, 2011.

Approve minutes of the special appeal hearing of the City Council held Thursday, July 28, 2011.

Approve minutes of the special meeting of the City Council held Thursday, July 28, 2011.

Approve minutes of the regular meeting of the City Council held Monday, August 1, 2011.

Deny claims filed by the following and refer to the City's insurance administrator:

- A. **Veronica Maestas, Maria Montalvo, and Marco A. Solarzono**, Date of Incident: January 14, 2011.
- B. **Juan Jose Sarceño**, Date of Incident: March 20, 2011.
- C. **Janet Maez**, Date of Incident: April 23, 2011.

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 Accounts Payable and Payroll Warrants dated August 15, 2011.

INFORMATIONAL ITEM – Receive and filed

Community Development Department summary report regarding the City of Huntington Park medical marijuana dispensaries moratorium, as required by California Government Code Section 65858(d).

END OF CONSENT CALENDAR

Acting City Manager Cisneros requested discussion and/or action regarding the installation of three (3) EZ Card & Kiosk systems at City facilities for a six (6) month free-trial period. Mr. Patel representing EZ Card & Kiosk, informed City Council about the terms of the six (6) free-trial period, which will allow the City time to determine that if the system satisfies the needs of the City, to then consider entering into a formal agreement with EZ Card & Kiosk. Motion by Gomez, seconded by Guerrero, to **approve the installation of three (3) EZ Card & Kiosk systems at City facilities for a six (6) month free-trial period**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Community Development Department requested approval of the "Shop Huntington Park First" campaign. Erica Frausto, Business Improvement District (BID) Manager, displayed a PowerPoint presentation of the proposed "Shop Huntington Park First" campaign. Motion by Guerrero, seconded by Gomez, to **approve the "Shop Huntington Park First" campaign**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Community Development Department requested discussion and/or action regarding the revised meeting schedule for the Planning Commission. **Following clarification of current Planning Commission meeting policies by Eric Garcia, Planning Manager, no action was taken.**

Chief of Police Cisneros requested approval of a Master Equity Lease Agreement between the Huntington Park Police Department and Enterprise Fleet Management, Inc., for the lease of two (2) vehicles. Motion by Guerrero, seconded by Gomez, to **approve a Master Equity Lease Agreement between the Huntington Park Police Department and Enterprise Fleet Management, Inc., for the lease of two (2) vehicles**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Director of Finance Padilla requested approval of a Professional Services Agreement by and between the City of Huntington Park and Matrix Consulting Group to develop a Cost Allocation Plan and Comprehensive Fee Study. Gretta Davis, representing Matrix Consulting Group, addressed City Council regarding the benefits of conducting a cost allocation and cost comprehensive fee study. Following a discussion, motion by Guerrero, seconded by Gomez, to **approve a Professional Services Agreement by and between the City of Huntington Park and Matrix Consulting Group to develop a Cost Allocation Plan and Comprehensive Fee**

Study and authorize an appropriation for an amount not to exceed \$30,000 for this project, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Director of Finance Padilla requested approval of an Agreement for Provision of Professional Consulting Services to the City of Huntington Park with AK & Company for State Mandated Cost Claims Services for Fiscal Year 2011-2012. Motion by Gomez, seconded by Guerrero, to **approve an Agreement for Provision of Professional Consulting Services to the City of Huntington Park with AK & Company for State Mandated Cost Claims Services for Fiscal Year 2011-2012**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Acting Public Works Superintendent Bilodeau requested approval of an open purchase order to Merrimac Energy Group for the purchase of gasoline fuel for all City vehicles for Fiscal Year 2011-2012 in the amount of \$278,500. Motion by Gomez, seconded by Guerrero, to **approve an open purchase order to Merrimac Energy Group for the purchase of gasoline fuel for all City vehicles for Fiscal Year 2011-2012 in the amount of \$278,500**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

RESOLUTION NO. 2011-45. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AUTHORIZING THE APPLICATION FOR GRANT FUNDS FOR ENFORCEMENT OF ALCOHOL RELATED LAWS IN HUNTINGTON PARK was presented. Motion by Gomez, seconded by Guerrero, to adopt Resolution No. 2011-45, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

City Clerk Ramirez announced that RESOLUTION NO. D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK DECLARING ITS INTENT TO ADOPT AN ORDINANCE TO COMPLY WITH PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH was continued to an adjourned regular meeting to be held August 23, 2011 at 5:30 p.m.

ORDINANCE NO. 867-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING THE HUNTINGTON PARK MUNICIPAL CODE BY REPEALING AND REPLACING CHAPTER TWELVE OF TITLE FOUR, REGARDING **REGULATIONS FOR SMOKING AND TOBACCO PRODUCT USE IN OUTDOOR PLACES** was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 867-NS for second reading be waived, and that Ordinance No. 867-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

ORDINANCE NO. 868-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK AMENDING TITLE 4, CHAPTER 6, SECTIONS 4-6.06 AND 4-6.09 OF THE HUNTINGTON PARK MUNICIPAL CODE RELATING TO **PARKING METER RATES AND TIME LIMITS** was read by title. Motion by Gomez, seconded by Molina, that reading in full of Ordinance No. 868-NS for second reading be waived, and that Ordinance No. 868-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

City Clerk Ramirez announced that ORDINANCE NO. 869-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK TO COMPLY WITH PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH was continued to an adjourned regular meeting to be held August 23, 2011 at 5:30 p.m.

ORDINANCE NO. 870-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING THE HUNTINGTON PARK MUNICIPAL CODE §5-33.01 AND 5-33.03 REGARDING **REGULATIONS FOR LOUD OR UNRULY PARTIES OR**

ASSEMBLAGES was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 870-NS for first reading be waived, and that Ordinance No. 870-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

ORDINANCE NO. 871-NS AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING TITLE 3, CHAPTER 1, ARTICLE 1 OF THE HUNTINGTON PARK MUNICIPAL CODE PERTAINING TO THE **APPEAL BOARD** was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 871-NS for first reading be waived, and that Ordinance No. 871-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Assistant City Attorney Wolfsohn requested the City Council resolve into a **closed session** pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Title: City Manager. Mayor Hernandez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 7:03 p.m. City Clerk Ramirez was excused from the closed session.

Following the closed session, the meeting was called to order in the Council Chambers at 7:36 p.m. Present: Council Member Mario Gomez, Vice Mayor Andy Molina, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Mayor Ofelia Hernandez; Absent: None.

Assistant City Attorney Wolfsohn reported out the following on the **closed session** items: 1) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, a status update was given to City Council, no formal action was taken; 2) PUBLIC EMPLOYEE APPOINTMENT, Title: City Manager, was continued to the next City Council meeting to be held Tuesday, September 6, 2011; and 3) CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION, a status update was given to City Council, no formal action was taken.

Mayor Hernandez declared the meeting adjourned at 7:38 p.m. to August 23, 2011 at 5:30 p.m.

Ofelia Hernandez, Mayor

Rosanna M. Ramirez, City Clerk