

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, November 7, 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.

Andrew Franco, representing the Southeast Rio Vista Family YMCA Youth & Government Program, informed City Council that this delegation has grown substantially from having 7 participants last year to 22 participants this year and introduced their newest delegate

Marlene Perez. Ms. Perez informed City Council that she is a student at Oscar De La Jolla High School and briefed City Council on the challenges she has been able to overcome because of this program. Ms. Perez also informed City Council that she is developing skills that will help her reach her personal goals including being knowledgeable in government. Brian Espinal, delegate of the YMCA Youth & Government Program, informed City Council that this is his second year with the delegation and stated that he has learned how to write legislative bills and has been able to participate in the judicial process in Sacramento. Maribel Garcia, delegate of the YMCA Youth & Government Program, informed City Council that the delegation recently attended two training sessions; visited Washington D.C., and were guests at the Halo Award ceremony. Ms. Garcia also informed City Council that the delegation is currently drafting a legislative bill that will be presented at the State Capitol, Sacramento in the spring of 2012 and thanked City Council for their support in the past. City Council thanked Victor Dominguez, Executive Director of The Southeast Rio Vista YMCA, for his work and dedication to the youth of the community.

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.

Ronald V. Garcia, Southern California Edison Regional Manager Public Affairs, presented a resolution from Edison International, in honor of their 125th year Anniversary to the City of Huntington Park for being a part of their history and their lasting partnership with Southern California Edison.

Andres Favela, Principal of San Antonio Elementary School and Magnet Center, informed City Council that two (2) students were hit by a vehicle on their way to school recently and addressed concerns on behalf of the school district to City Council regarding vehicle traffic and congestion on State Street and Randolph Street. Mr. Favela also informed City Council that a group of parent volunteers have offered to assist in directing traffic when students are dropped off and asked for the City's collaboration in their efforts to minimize vehicle traffic and further prevent vehicle/pedestrian related accidents by providing crossing guards at school intersections and traffic cones to implement marking perimeters of their drop off zone. Mr. Favela invited City Council to visit San Antonio Elementary School and Magnet Center. Mayor Hernandez referred Mr. Favela to the Chief of Police regarding this matter.

Don Brabant, President of The Greater Huntington Park Area Chamber of Commerce, addressed City Council regarding the item on the agenda regarding funding assistance for their 2011 Christmas Lane Parade to be held on Saturday, November 19, 2011. Mr. Brabant informed City Council that the Chamber has been in partnership with the City for over 100 years. Mr. Brabant also informed City Council that the Chamber was asked by the City to submit their budget and operating costs for their annual events. Mr. Brabant stated that the Chamber just received billings from the City associated with the Chamber's last event and noticed a substantial increase in City departmental charges and stated that if the Chamber is obligated to pay excessive police fees then they will be unable to present this year's Christmas Lane Parade and urged City Council to assist them with this matter.

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

City Clerk Ramirez announced that this is the time and place set to consider an ordinance amending the Huntington Park Municipal Code by adding Chapter 19 to Title 4 regarding regulations and requirements for the licensure of tobacco retailers. The City Clerk reported that seven (7) letters had been received in the Office of the City Clerk from the following: 1) American Academy of Pediatrics; 2) American Cancer Society; 3) Asthma & Allergy Foundation of America; 4) American Heart Association; 5) American Lung Association; 6) California School Nurses Organization; and 7) California Association of School Health Educators (CASHE). Mayor Hernandez declared the public hearing open and called for oral communications. Katie (Van Cleave) Balderas, MPH, Policy Liaison with Project TRUST (Tobacco Reduction Using Effective Strategies & Teamwork), informed City Council that Project TRUST has been working with the Ad-Hoc committee regarding measures that the City can take to prevent and restrict tobacco sales near schools, youth access to tobacco, and to provide smoke-free housing to residents. David Reynosa, Community Organizer with Project "TRUST", distributed copies of a tobacco youth purchase survey in Huntington Park in 2011 and informed City Council that approximately 43% of the 84 retailers surveyed in the City were willing to sell tobacco to minors and urged City Council to adopt the proposed ordinance on the agenda which would add regulations and requirements for licensure of tobacco retailers. Mr. Reynosa stated that by adopting the proposed ordinance, the City will be taking a step towards preventing and restricting tobacco sales near schools, youth access to tobacco. Daniela Parra, participant of the tobacco youth purchase survey conducted in Huntington Park, informed City Council that many tobacco retailers in the City were willing to sell cigarettes to her and her friends and urged City Council to ensure that retailers do not sell tobacco products to minors. Teddy Stallone, representing a tobacco

prevention program in North Hollywood, informed City Council that more cities are now adopting a Tobacco Retail License (TRL) Policy, including implementing an annual permit fee as a method of reducing youth access to tobacco products and to help ensure that a strong program is in place. Genie Chung, representing the American Lung Association in California, informed City Council of the importance of protecting children from secondhand smoke and distributed copies of letters in support of a tobacco retail license in the City and urged City Council to set precedence with the neighboring communities by adopting the proposed ordinance and policies to create a healthier, smoke-free community. Richard V. Loya, former Health and Education Teacher at Huntington Park High School, informed City Council that the tobacco youth survey conducted by Project TRUST is concerning and stated it is vital to charge a tobacco license fee to tobacco retailers in order to control tobacco access to youth. Mr. Loya encouraged City Council to become a leader in the southeast cities and implement the proposed ordinance adopting regulations to license tobacco retailers. Mayor Hernandez called for any other oral communications, and hearing none, Mayor Hernandez declared the public hearing closed.

ORDINANCE NO. 878-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING THE HUNTINGTON PARK MUNICIPAL CODE BY ADDING CHAPTER 19 TO TITLE 4, **REGARDING REGULATIONS AND REQUIREMENTS FOR THE LICENSURE OF TOBACCO RETAILERS** was read by title. Motion by Guerrero, seconded by Perez, that reading in full of Ordinance No. 878-NS for first reading be waived, and that Ordinance No. 878-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.

City Clerk Ramirez announced that there is a noted correction on Page 50.46, Paragraphs 1 and 2 in the minutes of the regular meeting of the City Council held Monday, October 17, 2011, changing the business name to Michel Café & Grill. Motion by Guerrero, seconded by Gomez, to **approve the Consent Calendar with noted correction on Page 50.46, Paragraphs 1 and 2 in the minutes of the regular meeting of the City Council held Monday, October 17, 2011, changing the business name to Michel Café & Grill**, 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 regular meeting of the City Council held Monday, October 17, 2011.

Approve minutes of the special meeting of the City Council held Monday, October 24, 2011.

Deny claim filed by Maria Gomez, Antonio Magallon, Antonio Magallon, Jr., Date of Incident: April 2, 2011 and refer to the City's insurance administrator.

Deny claim filed by Robert Stuart Cano, Date of Incident: April 16, 2011 and refer to the City's insurance administrator.

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 November 7, 2011.

END OF CONSENT CALENDAR

City Clerk Ramirez presented a request from Council Member Gomez for discussion

and/or action regarding funding assistance for the The Greater Huntington Park Area Chamber of Commerce 2011 Christmas Lane Parade to be held on Saturday, November 19, 2011; and discussion and/or action on future parades/events in the City. City Clerk Ramirez distributed a letter from The Greater Huntington Park Area Chamber of Commerce. Following a discussion, motion by Guerrero to allocate \$25,000 from the cable origination fund for The Greater Huntington Park Area Chamber of Commerce 2011 Christmas Lane Parade to be held on Saturday, November 19, 2011, **DIED** due to lack of a second. Motion by Gomez, seconded by Perez, to **allocate cable origination funds in the amount not to exceed \$30,000 to The Greater Huntington Park Area Chamber of Commerce 2011 Christmas Lane Parade to be held on Saturday, November 19, 2011**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Member Perez; Noes: Council Member Guerrero and Mayor Hernandez; Absent: None. Following a discussion regarding departmental charges, motion by Gomez, seconded by Molina, to **form two (2) Ad-Hoc Committees comprised of Council Member Gomez and Vice Mayor Molina; one Ad-Hoc Committee to work with The Greater Huntington Park Area Chamber of Commerce regarding the 2011 Christmas Lane Parade to be held on Saturday, November 19, 2011 and the other Ad-Hoc Committee to meet with the Business Improvement District, The Greater Huntington Park Chamber of Commerce and City staff regarding future parades and events in the City and report back to City Council with recommendations; and for the City to bill The Greater Huntington Park Area Chamber of Commerce for over time only of City personnel scheduled to work the 2011 Christmas Lane Parade**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Member Perez; Noes: Council Member Guerrero and Mayor Hernandez; Absent: None.

Community Development Department requested appointment of two (2) members to serve on the Board of Directors for Oldtimers Housing Development Corporation- IV also known as the City's designated Community Housing Development Organization (CHDO). Motion by Guerrero, seconded by Perez, to **appoint Cesar Zaldivar-Motts and Victoria Herrera to serve on the City's CHDO Board of Directors for a term of two (2) years ending November 7, 2013**, 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 appointment of a Planning Commissioner to fill an unexpired term ending February 1, 2014. Motion by Molina, seconded by Perez, to **appoint Laura Herrera to the Planning Commission to fill an unexpired term ending February 1, 2014**, 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 a Purchase and Sale Agreement and Escrow Instructions with Leonardo Lopez for a portion of the right-of-way property on 65th Street; subject to final approval of the City's legal counsel. Motion by Guerrero, seconded by Molina, to **approve a Purchase and Sale Agreement and Escrow Instructions with Leonardo Lopez for a portion of the right-of-way property on 65th Street; subject to final approval of the City's legal counsel**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Community Development Department presented for discussion and/or action an update from the Business Grievance Ad-Hoc Committee; and requests authorization to develop a City-wide customer service training policy and to amend the Huntington Park Municipal Code. Eric Garcia, Planning Manager, presented an update and recommendations from the Business Grievance Ad-Hoc Committee. **There being no objection, Mayor Hernandez authorized staff to develop a City-wide customer service training policy and amend the Huntington Park Municipal Code pertaining to the following: 1) grand opening celebrations; 2) temporary advertisement signs; 3) signs on public right-of-way; and 4) entertainment permits.**

Community Development Department requested approval for City Council to authorize the Interim City Manager to sign a letter committing up to \$1.5 million in HOME funds for the development of 23 affordable housing units at 6337 Middleton Street known as

Mosaic Gardens project and all other documents necessary for the application. Motion by Perez, seconded by Guerrero, to **authorize the Interim City Manager to sign a letter committing up to \$1.5 million in HOME funds for the development of 23 affordable housing units at 6337 Middleton Street known as Mosaic Gardens project and all other documents necessary for the application**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: Council Member Gomez; Absent: None.

City Engineer Lind requested approval of Change Order #2 for Project No. 10-005B-1, Rehabilitation of 4 Million Gallon Reservoir located at Miles and Slauson Avenues in the amount of \$42,600; and direct the Interim City Manager to execute the Change Order. Motion by Guerrero, seconded by Perez, to **approve Change Order #2 for Project No. 10-005B-1, Rehabilitation of 4 Million Gallon Reservoir located at Miles and Slauson Avenues in the amount of \$42,600; and direct the Interim City Manager to execute the Change Order**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: Council Member Gomez; Absent: None.

Acting Public Works Superintendent Bilodeau requested City Council accept the Water and Sewer Summary Report prepared by Bartle Wells & Associates in concept; authorize staff to notify property owners in accordance with Proposition 218; and set a public hearing for January 3, 2012. Motion by Perez, seconded by Guerrero, to **accept the Water and Sewer Summary Report prepared by Bartle Wells & Associates; authorize staff to notify property owners in accordance with Proposition 218; and set a public hearing for January 3, 2012**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: Council Member Gomez; Absent: None.

RESOLUTION NO. 2011-52. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING FINAL PARCEL MAP NO. 70674** was presented. Motion by Molina, seconded by Gomez, to adopt Resolution No. 2011-52, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

RESOLUTION NO. 2011-53. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING AND ADOPTING THE CITY'S GANN LIMIT 2011-2012** was presented. Motion by Molina, seconded by Guerrero, to adopt Resolution No. 2011-53, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

RESOLUTION NO. 2011-54. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING RESOLUTION NO. 2011-21 WHICH ADOPTED A **HEALTHY FOOD AND BEVERAGE POLICY FOR VENDING MACHINES LOCATED ON CITY PROPERTY** was presented. Motion by Gomez, seconded by Guerrero, to adopt Resolution No. 2011-54, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: None.

Resolution Nos.: 2011-55, 2011-56, 2011-57, and 2011-58, were presented as follows:

RESOLUTION NO. 2011-55. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE NON-REPRESENTED EMPLOYEES AND REPEALING RESOLUTION 2010-79.**

RESOLUTION NO. 2011-56. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE GENERAL EMPLOYEES' ASSOCIATION AND REPEALING RESOLUTION 2010-80.**

RESOLUTION NO. 2011-57. A RESOLUTION OF THE CITY COUNCIL OF THE CITY

OF HUNTINGTON PARK FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE POLICE OFFICERS' ASSOCIATION AND REPEALING RESOLUTION 2010-81.

RESOLUTION NO. 2011-58. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE POLICE MANAGEMENT ASSOCIATION AND REPEALING RESOLUTION 2010-82.

Motion by Molina, seconded by Gomez, to adopt Resolution No. 2011-55, 2011-56, 2011-57, and 2011-58, carried as follows: Ayes: Council Member Gomez, Vice Mayor Molina, Council Member Guerrero, and Mayor Hernandez; Noes: None; Abstain: Council Member Perez; Absent: None.

City Attorney Leal requested the City Council resolve into a **closed session** for CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1); and pursuant to Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Alex Escobar vs. City of Huntington Park, et al., Case No. BC453029. Mayor Hernandez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 7:35 p.m.

City Clerk Ramirez left the closed session at 7:50 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 7:52 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 Attorney Leal reported out that in closed session for CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, a status report was given to City Council and no action taken; and for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Alex Escobar vs. City of Huntington Park, et al., Case No. BC453029, a status report was given to City Council.

Mayor Hernandez declared the meeting adjourned at 7:53 p.m.

Ofelia Hernandez, Mayor

Rosanna M. Ramirez, City Clerk