

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, September 19, 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: Vice Mayor Andy Molina, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Mayor Ofelia Hernandez; Absent: Council Member Mario Gomez.

Mayor Hernandez and City Council presented a Certificate of Recognition to Yvonne Moreno for her dedication and civic leadership in encouraging employees to participate in the American Red Cross "City Blood Drive Challenge" held August 31, 2011. Ms. Moreno thanked City Council and City staff for participating in the blood drive and on behalf of the American Red Cross presented the City with a resolution expressing their appreciation of the City blood drive in support for local patient needs and public safety and named the City of Huntington Park blood challenge champion.

Rob Torrez, representing the American Red Cross, informed City Council that the American Red Cross conducts two (2) annual blood drives in which various cities participate, the Battle of the Badges and the City Blood Challenge Drives. Mr. Torrez also informed City Council that the blood donated by the City team will be given to local hospitals and thanked City Council and City staff for participating in this year's City Blood Challenge. Mayor Hernandez thanked Roong-Fah Restaurant for providing a free meal to all the participants of the City of Huntington Park Blood Challenge.

City Clerk Ramirez presented for discussion and/or action a request from Vice Mayor Molina for City Council to receive an update by Michael R. Kodama regarding the Orangeline Development Authority (OLDA) and introduction of EJ Grant. Michael R. Kodama, representing OLDA, distributed literature to City Council with an overview of the OLDA proposed high speed transit, including East, West, and Southern Alternative Routes; and provided flyers in English and Spanish for the public. Mr. Kodama informed City Council that OLDA is working with thirteen (13) cities including Huntington Park on the proposed transit

system, which will provide high speed transportation from the northern part of Los Angeles County to Orange County. Mr. Kodama also informed City Council that OLDA is the recipient of an Environmental Justice Grant and there will be alternative stations in Huntington Park; and OLDA looks forward to working with City Council and the community.

Yolanda Alaniz, Youth Services Librarian at the Huntington Park Library, displayed a PowerPoint presentation of the Library's 2011 Summer Programs and distributed flyers of activities at the library during the month of October 2011. Ms. Alaniz thanked the volunteers at the Huntington Park Library and the following businesses who supported this year's programs: 1) Shakey's Pizza, 2) DJ Yogurt, 3) Gage Bowl, 4) The Greater Huntington Park Area Chamber of Commerce, 5) Mayor Ofelia Hernandez, and 6) the Friends of the Huntington Park Library. Mayor Hernandez and City Council presented Certificates of Recognition to the following volunteers at the Huntington Park Library: 1) Veronica Perez; 2) Gabriela Arevalo; 3) Karen Avila; 4) Kimberly Badescu (not present); 5) Lucy Badescu; 6) Barby Baez; 7) Ana Lopez; 8) Emily Lopez; 9) Maricruz Nocelote; 10) Erik Palomera; 11) Jeannine Perez; 12) Nicole Pina; 13) Isabel Rivera; 14) Alice Ventura (not present); 15) Jeannette Hernandez (not present); 16) Maria Miranda (not present); and 17) Frances Salgado.

Erica Frausto, Business Improvement District (BID) Manager, thanked City Council for recognizing the BID Board and announced that their meetings are held the 3rd Tuesday of each month at 10:30 a.m. Hector Perez-Pacheco, Chairman of the BID Board, thanked City Council for acknowledging the BID Board's efforts and thanked City staff for their support in the past. Mr. Perez-Pacheco invited City Council to attend a meeting to be held on September 20, 2011 at 5:00 p.m. at 2607 Clarendon Avenue. Mayor Hernandez and City Council presented Certificates of Recognition to the following Business Improvement District Advisory Board for their dedication during their 2010-2011 Fiscal Year: 1) Jorge Alonzo; 2) Frank Ghaemmaghani; 3) Erick Ramirez; 4) Patty Garcia; 5) Alba Gaitan; 6) Rosalinda Huerta; 7) Hector Perez-Pacheco; and 8) Dr. Mahfouz Michael.

Mayor and City Council presented Certificate of Recognition to Gladys Stout for her dedicated service to the community for over 50 years.

Mayor and City Council presented a Proclamation declaring October 5, 2011 as "International Walk to School Day" in Huntington Park to Jessica Lim of the Los Angeles County Department of Public Health Place Program.

Mayor and City Council presented a Proclamation recognizing October 16 through 22, 2011 as National Health Education Week to Richard V. Loya, Vice President for Legislative Affairs with the California Association of School Health Educators (CASHE). Mr. Loya thanked City Council for the proclamation and informed City Council that he recently received information from the Los Angeles County Department of Public Health regarding snacks and candies that have been found to contain lead and distributed copies of flyers to City Council. Mr. Loya also distributed a copy of a letter that schools will be giving to students informing parents that September 30, 2011 is the deadline for students to obtain the required vaccinations or they will not be allowed into school. Mr. Loya also read statistics of students in the surrounding cities who have received the Whooping Cough vaccination, including Huntington Park High School, which reported 95% of students were vaccinated.

Bennett Kayser, representative from District 5 of the Los Angeles Unified School District (LAUSD), gave City Council a brief status update on the latest development involving Huntington Park High School and presented a Proclamation to Rebecca Avila, Teacher and community leader, for her dedication to education and involvement in the community for over 35 years.

Natividad Rozsa and Bernice Caan, representing the Los Angeles Unified School District, displayed a PowerPoint presentation regarding a proposed Walnut Park Middle School (South Region Middle School #3) scheduled to open 2012-2013. Ms. Rozsa informed City Council that the proposed school will provide a higher quality of education with an emphasis on Social Justice and Service-Learning and Dual Language Curriculums and briefed City Council regarding some of the topics students will be challenged with, which involve research, a course of action, planning and implementation. Ms. City Council on the benefits of being literate including preparing students to effectively participate and communicate in the economic and social world of the 21st century. Ms. Rozsa asked City Council to support LAUSD in moving forward with this school project.

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.

Rudy Griego, business owner, addressed his concerns to City Council regarding restrictions on signs and banners displayed in front of businesses and stated that due to today's economic crisis, displaying signs and banners is a less costly method to advertise to attract business. Mr. Griego also addressed his concern to City Council regarding requirements for operating a social hall and stated that it has taken him a few years to comply with the City's requirements. Mr. Griego urged City Council to have a more business-friendly approach to interested entrepreneurs who wish to open and operate a business in the City.

Dante D'Eramo, Executive Director/CEO of The Greater Area Huntington Park Chamber of Commerce, informed City Council of the lineup of celebrities who will be performing at their annual Sabor de Mexico Lindo Downtown Street Festival along Pacific Boulevard between Randolph Street and Florence Avenue October 7 through 9, 2011 and invited City Council to attend.

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

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Huntington Patients' Association, Edwin Movagharian vs. City of Huntington Park, et al., Case No. BC466323; and 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 7:12 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 7:39 p.m. Present: Vice Mayor Andy Molina, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Mayor Ofelia Hernandez; Absent: Council Member Mario Gomez.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider any protest or public comment on the Fiscal Year 2010-2011 Consolidated Annual Performance Plan (CAPER) for Fiscal Year 2010-2011. 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.

Motion by Guerrero, seconded by Perez, to **adopt the Fiscal Year 2010-2011 CAPER; and authorize the City Manager to execute all required documents for submittal to the U.S. Department of Housing and Urban Development (HUD)**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the special meeting of the City Council held Tuesday, August 23, 2011.

Approve minutes of the regular meeting of the City Council held Tuesday, September 6, 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 September 19, 2011.

INFORMATIONAL ITEM – Received and filed

Letter of resignation from Jhonny Pineda as Planning Commissioner effective September 1, 2011.

END OF CONSENT CALENDAR

City Clerk Ramirez presented for discussion and/or action correspondence from The Greater Huntington Park Area Chamber of Commerce requesting approval for Barefoot Wines to participate in the Sabor de Mexico Lindo Downtown Festival October 7 through 9, 2011 by providing a free 1.5 oz tasting-sample of their table wine. Motion by Guerrero, seconded by Perez, to **approve a request from The Greater Huntington Park Area Chamber of Commerce for Barefoot Wines to participate in the Sabor de Mexico Lindo Downtown Festival October 7 through 9, 2011 by providing a free 1.5 oz tasting-sample of their table wine; subject to approval by the Police Department and obtaining the proper permit from the California Department of Alcoholic Beverage Control (ABC)**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

City Clerk Ramirez presented a request from Vice Mayor Molina for discussion and/or action regarding Senator Kevin de Leon's proposal to the City of Vernon. Following a brief update by Director of Parks and Recreation Espinosa and **there being no objection, Mayor Hernandez so ordered this item be received and filed. City Council directed Director of Parks and Recreation Espinosa to set up a study session between City Council and Senator de Leon's representative.**

Acting City Manager Cisneros presented for discussion and/or action the Agreement for Employment for the Interim City Manager. Motion by Perez, seconded by Molina, to **approve the Agreement for Professional Services by and between the City of Huntington Park and R & R Municipal Solutions, Inc., to assist the City as Interim City Manager with the provision that the consultant shall provide City Manager services at a minimum of forty hours per week and submit invoices to the Director of Finance for review and approval by the City Council**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

Director of Parks and Recreation Espinosa requested reappointment of Jackie Gutierrez and Allan Ramirez to the PARC Commission for a three-year term. Motion by Molina, seconded by Perez, to **reappoint Jackie Gutierrez and Allan Ramirez to the PARC Commission for three-year terms ending October 18, 2014**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

City Engineer Lind requested approval of an Easement and Assignment Agreement with AP Wireless Infrastructure Partners LLC for the cell tower located at 6518 Miles Avenue for a term of ten (10) years. Motion by Guerrero, seconded by Perez, to **approve an Easement and Assignment Agreement with AP Wireless Infrastructure Partners LLC for the cell tower located at 6518 Miles Avenue for a term of ten (10) years**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2011-48. 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 presented. Motion by Guerrero, seconded by Perez, to adopt Resolution No. 2011-48, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2011-49. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **MAKING AN ELECTION IN CONNECTION WITH SERVING AS A SUCCESSOR COMMISSION UNDER PART 1.85 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE AND TAKING CERTAIN ACTIONS IN CONNECTION THEREWITH** was presented. Motion by Molina, seconded by Perez, to adopt Resolution No. 2011-49, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2011-50. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **APPROVING THE FIRST AMENDED AND RESTATED JOINT EXERCISE OF POWERS AGREEMENT OF THE SOUTHEAST CITIES SCHOOLS COALITION** was presented. Following a brief discussion regarding the City's budget and lack of funding to contribute the Southeast Cities Schools Coalition (SCSC), motion by Gomez, seconded by Hernandez, to adopt Resolution No. 2011-50 with a **caveat that the City of Huntington Park does not have the funding, does not intend to provide funding, and that approval of the agreement does not have any financial impact to the City**, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

ORDINANCE NO. 869-NS. AN ORDINANCE 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 the next City Council meeting.**

ORDINANCE NO. 872-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING THE MUNICIPAL CODE REGULATIONS AS IT PERTAINS TO **THE DOWNTOWN HUNTINGTON PARK SPECIFIC PLAN (DTSP) CHAPTER 5-3.8 SIGNS FOR LEGAL NONCONFORMING USES AND LEGAL NONCONFORMING SIGNS** was read by title. Motion by Guerrero, seconded by Molina, that reading in full of Ordinance No. 872-NS for second reading be waived, and that Ordinance No. 872-NS be approved for second reading and adopted, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

ORDINANCE NO. 873-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING TITLE 9, CHAPTER 4, ARTICLE 2, OF THE HUNTINGTON PARK MUNICIPAL CODE **RELATING TO STANDARDS FOR CHECK CASHING, CURRENCY EXCHANGE, MONEY ADVANCE AND MONEY TRANSFER USES WITHIN THE CITY** was read by title. Motion by Guerrero, seconded by Molina, that reading in full of Ordinance No. 873-NS for second reading be waived, and that Ordinance No. 873-NS be approved for second reading and adopted, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

ORDINANCE NO. 874-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING PROVISIONS OF TITLE 9 OF THE HUNTINGTON PARK MUNICIPAL CODE **TO ADD A BAN OF MEDICAL MARIJUANA DISPENSARIES** was read by title. Motion by Guerrero, seconded by Molina, that reading in full of Ordinance No. 874-NS for second reading be waived, and that Ordinance No. 874-NS be approved for second reading and adopted, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

ORDINANCE NO. 875-NS AN ORDINANCE OF THE CITY OF HUNTINGTON PARK AMENDING TITLE 4, CHAPTER 7, ARTICLE 16, SECTION 16 OF THE HUNTINGTON PARK MUNICIPAL CODE **RELATING TO PROHIBITED PARKING IN THE CITY MUNICIPAL PARK** was read by title. Motion by Molina, seconded by Guerrero, that reading in full of Ordinance No. 875-NS for first reading be waived, and that Ordinance No. 875-NS be introduced and approved for first reading, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council

Member Gomez.

ORDINANCE NO. 876-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK ADDING SECTION 4-7.1602.2 TO TITLE 4, CHAPTER 7, ARTICLE 16 OF THE HUNTINGTON PARK MUNICIPAL CODE RELATING TO **TWENTY MINUTE PARKING DURING CERTAIN HOURS OF CERTAIN DAYS** was read by title. Motion by Molina, seconded by Perez, that reading in full of Ordinance No. 876-NS for first reading be waived, and that Ordinance No. 876-NS be introduced and approved for first reading, carried as follows: Ayes: Vice Mayor Molina, Council Members Guerrero, Perez, and Mayor Hernandez; Noes: None; Absent: Council Member Gomez.

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Acting City Manager, Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, and Non-Represented Employees' Association; and CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1). Mayor Hernandez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 8:00 p.m. City Clerk Ramirez was excused from the closed session.

Mayor Hernandez left the meeting at 9:08 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 9:12 p.m. Present: Council Member Elba Guerrero, Council Member Rosa E. Perez, and Vice Mayor Andy Molina; Absent: Council Member Mario Gomez and Mayor Ofelia Hernandez.

City Attorney Leal reported out the following on the **closed session** items: 1) pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Acting City Manager, Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, and Non-Represented Employees' Association, a status report was provided by Acting City Manager, no action was taken; 2) pursuant to Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Huntington Patients' Association, Edwin Movagharian vs. City of Huntington Park, et al., Case No. BC466323, a status report was given by special counsel, no action was taken; 3) pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Title: City Manager, this item was addressed during open session; and 4) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1), a status report was given by City Attorney.

Vice Mayor Molina declared the meeting adjourned at 9:13 p.m.

Ofelia Hernandez, Mayor

Rosanna M. Ramirez, City Clerk