

MINUTES
Regular Meeting of the
City of Huntington Park City Council
Monday, April 6, 2015

The regular meeting of the City Council of the City of Huntington, California was called to order at 6:03 p.m. on Monday, April 6, 2015, in the Council Chamber at City Hall, 6550 Miles Avenue, Huntington Park, California; Mayor Karina Macias presiding.

ROLL CALL

PRESENT: Mayor Karina Macias; Vice Mayor Graciela Ortiz and Council Members, Valentin Palos Amezcua, Jhonny Pineda and Marilyn Sanabria. Other City Officials and employees: John Ornelas, Interim City Manager, Isabel Birrueta, City Attorney, Jorge Cisneros, Chief of Police, Josette Espinosa, Director of Parks and Recreation, Jan Mazyck, Interim Finance Director, and Donna Schwartz, City Clerk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sarah Valenzuela, Pre-K Student, Parks & Recreation Tiny-Tots program

INVOCATION

The invocation was led by Mayor Macias.

PRESENTATIONS AND ANNOUNCEMENTS

Council presented a "Certificate of Appreciation" to Sarah Valenzuela for leading the Pledge of Allegiance.

Council presented a proclamation and a key to the City to Martin Delgado for his years of service at the Huntington Park Library and new promotion to the Los Angeles County Library.

PUBLIC COMMENT

1. Parents with Exceptional Kids, spoke in regards to Autism, noted April is Autism Awareness Month and invited the public to attend a conference on Wednesday, April 22, 2015 from 8:30 a.m. – 2:00 p.m. at the Old Timers foundation Family Center.
2. Jorge Sepulveda, business owner, noted a request he made previously in September regarding support of the local businesses and the effect on the economy in the City and requested side-walk-sales on the weekends.
3. Carlos Pando, resident, asked Council to work together to help the City bring good paying jobs for the citizens and congratulated the newly elected Council Members.

4. Guadalupe Amador, resident, spoke in regards to consent calendar item 12 and asked Council for support.
- PUBLIC COMMENT (continued)**
5. Linda Caraballo, resident, acknowledged the behavior of candidates while campaigning during the recent elections, commented on the process of the current contracts being terminated and consent calendar item 12.
 6. Mark Forte, resident, gave a public thank you to Council.
 7. Former Mayor Rosa Perez, also acknowledged the behavior of candidates while campaigning during the recent elections, noted the campaign promises made, commented on the contracts terminated and who will be the replacements and spoke about integrity.
 8. Representative of the 769 Employees Union, commented on how the Union supported the new Council, increases, union employees and the community.
 9. Sandra Orozco, Maywood resident, commented and distributed information to the Council regarding new City Attorney,
 10. Alex Reynoso, resident, commented on information he has acquired regarding documents filed by candidates during elections and their behavior during their campaigning.
 11. Nick Ioannidis, resident, commented on being the founder of “Immigration Day,” and expressed frustration with the City.
 12. Gerald Chavarria, resident, spoke in regards to the appointment process to the commissions and proposed adopting a resolution to reopen commissions.
 13. Rodolfo Cruz, resident, commented on the Mayor reading the public comment cards, the behavior by the candidates during their campaigning, residents who voted by mail and information that should be provided by candidates when running for elections.
 14. Edward Gordillo, resident, spoke in support of continued transparency and a Federal audit.
 15. Roberto Cabrales, representative of Communities for a Better Environment, and resident, would like to see the City move forward. Commented on the appointment to the I710 Committee and would like to meet with the Member who is appointed and concluded with comments regarding potential environmental issues along the I710 corridor.
 16. Henry Garcia, resident, noted he didn’t vote for any of the new council, acknowledged Council Member Amezcuita and commented on those who contributed to the candidates during the elections.

PUBLIC COMMENT (continued)

17. Francisco Rivera, resident, spoke in support of the business owners and their concern with how Pacific Boulevard looks and would like the City to clean the street.
18. Leticia Martinez, CEO, Huntington Park Chamber of Commerce, announced this weekend is the 22nd Anniversary of the Primavera Carnival and encouraged everyone to attend and concluded with speaking in opposition of the proposed resolution regarding El Super and feels the City shouldn't be involved.
19. Eduardo Castillo, Jose Luis, Javier Castro and friends, all voiced concerns with electricity being turned off on their block, crime on their block, newly elected council and their efforts campaigning for one of the candidates that did not win.

STAFF RESPONSE

Interim City Manager Ornelas responded to the comment made about sidewalk sales and feels at some point this should be addressed, noted Chamber of Commerce does conduct these on a quarterly basis but to have these daily would contribute to traffic but proposed to get together with the merchants and Chamber to come to a compromise.

At 7:16 p.m. City Attorney Birrueta recessed to closed session.

CLOSED SESSION

1. Pursuant to Government Code Section 54956.9(d)(1) –
Conference with Legal Counsel to Discuss Existing Litigation
Case Name: Leo Oso v. City of Huntington Park
Case Number: BC505088 (Los Angeles Superior Court)
2. Pursuant to Government Code Section 54956.9(d)(1) –
Conference with Legal Counsel to Discuss Existing Litigation
Case Name: City of Huntington Park v. County of Los Angeles; Los Angeles
County Flood Control District –
Case Number: Case No. BC547969.
3. Pursuant to Government Code Section 54956.9(d)(1) –
Conference with Legal Counsel to Discuss Existing Litigation
Case Name: Huntington Park v. Patient Benefit Association/Earth GreenMile
Case Number: VC063978 (Los Angeles Superior Court)
4. Pursuant to Government Code Section 54956.9(d)(1) –
Conference with Legal Counsel to Discuss Existing Litigation
Case Name: City of Huntington Park v. Feather Sky, et al
Case Number: VC064350 (Los Angeles Superior Court)

CLOSED SESSION (continued)

5. Pursuant to Government Code Section 54956.9(d)(1) –
Conference with Legal Counsel to Discuss Existing Litigation
Case Name: City of Huntington Park v. Huntington Park Wellness Center, et al
Case Number: VC064350 (Los Angeles Superior Court)
6. Pursuant to Government Code Section 54956.9(d)(1) –
Conference with Legal Counsel to Discuss Existing Litigation
Case Name: City of Huntington Park v. Practical Health/Huntington Park's
Finest et al
Case Number: VC064349 (Los Angeles Superior Court)
7. Pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(3)
Conference with Legal Counsel – Anticipated Litigation/Significant Exposure
to Litigation: Two (2) potential cases
8. Pursuant to Government Code Section 54956.9(d)(1)(2) and 54956.9(e)(1) -
Conference with Legal Counsel – Anticipated Litigation/Significant Exposure
to Litigation: [Two (2) potential matters]
9. Pursuant to Government Code Section 54957
Public Employee Discipline/Dismissal/Release: Two (4) matters
10. Pursuant to Government Code Section 54957(b)(1) –
Public Employee Employment and Appointment
Name of Position Under Consideration: Permanent City Manager
AND
Pursuant to Government Code Section 54957.6 (a) –
Conference with Labor Negotiator Regarding Unrepresented Employee –
Title of Position Subject to Negotiation: Permanent City Manager
City's Designated Representative(s) for Negotiations: John A. Ornelas,
Interim City Manager

At 9:15 p.m. Mayor Macias reconvened to open session.

CLOSED SESSION ANNOUNCEMENT

Interim City Manager Ornelas announced on Item 9 #1, the City Council voted 4 to1 to terminate the current legal services contract with Olivarez Madruga.

City Attorney Birrueta announced Closed Session Items 1-3, 5, 6, 8 and 10 direction given no action taken. Item 7, City Council authorized settlement with claimant Angela Perea in the amount of \$5,000 and settlement with claimant Ademir Baltazar in the amount of \$1,375.42. Item 9, #s 2, 3 and 4 will be voted on in the agenda.

CONSENT CALENDAR

Mayor Macias pulled Item 12 for discussion and requested staff no longer place Resolutions under Consent but under Regular Agenda for transparency. Council Member Amezcua pulled item 11 for discussion.

Motion: Council Member Sanabria motioned to approve consent calendar items, with the exception of Items 11 and 12, seconded by Vice Mayor Ortiz. Motion passed 4 to 1 (Council Member Amezcua voted NO).

OFFICE OF THE CITY CLERK

1. Approved Minutes of the following City Council Meetings:
 - 1-1 Regular City Council Meeting held Monday, March 2, 2015
 - 1-2 Regular City Council Meeting held Monday, March 16, 2015

FINANCE

2. Approved Accounts Payable and Payroll Warrants dated April 6, 2015

POLICE

3. Approved the MOA with the Los Angeles County Department of Mental Health (DMH).

CITY MANAGER

4. Approved contract services agreement with Joel Gordillo for media technician services and authorized the Interim City Manager to execute the agreement.
5. Approved amendment to agreement with LAN WAN Enterprise, Inc. for information technology support services and authorized the Interim City Manager to execute the amendment.
6. Authorized to proceed with City Manager recruitment
7. Approved termination of agreement with Desi Alvarez and authorized the Interim City Manager to issue a Notice of Termination to the consultant.
8. Approved termination of agreement with Ronald Bates and authorized the Interim City Manager to issue a Notice of Termination to the consultant.
9. Approved termination of agreement with Enviro Communications and authorized the Interim City Manager to issue a Notice of Termination to the consultant.

10. Approved agreement with Alvarez-Glasman & Colvin for City Attorney Services.

CONSENT CALENDAR (continued)

Council to consider Items 11 and 12 separately.

CITY MANAGER (continued)

11. **Authorization to Amend Agreement with Severn Trent Services for Operation and Maintenance of Potable Water Facilities and Sewer Collection System**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Authorize the Interim City Manager to amend the agreement with Severn Trent Services for operation and maintenance of potable water facilities and sewer collection system.

Council Member Amezcua questioned if there was a Request for Proposal (RFP) to see if the City can save any monies. He voiced concern with wanting the City to take the necessary steps in considering everything to save monies and keeping the quality of service.

Interim City Manager Ornelas stated this contract has been in effect for 25 years noting the City is not considering making any employment changes but that staff is recommending that this contract be consistent with current contracts with regards to lease and legal language to make it a bonafide contract. Mr. Ornelas stated that it is entirely up to Council if they wish to obtain a RFP.

Mayor Macias noted that the employees of the company has been in the City for years has the knowledge and knows the City's water system.

Motion: Council Member Sanabria called for the question, seconded by Council Member Pineda. Mayor moved vote by one motion to authorize the Interim City Manager to amend the agreement with Severn Trent Services for operation and maintenance of potable water facilities and sewer collection system. Motion passed 4 to 1 (Council Member Amezcua voted NO) by the following vote:

ROLL CALL:

AYES: Council Member(s): Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias
NOES: Council Member(s): Amezcua

COUNCIL

12. **Approve Resolution No. 2015-15, Endorsement of El Super Boycott**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Waive further reading and adopt Resolution No. 2015-15, Regarding Endorsement of El Super Boycott.

CONSENT CALENDAR ITEM 12 (continued)

Council Member Pineda noted he was not approached about the El Super issue and does not support the proposed resolution feels the resolution is stating to the public not to shop in the City. He motioned to continue this item to gather more information and to be able to speak to representative from both sides. Motion failed for lack of a second. Mr. Pineda also commented on household incomes are low and wants to support more jobs to the residents. He would like to give the employee and the store representatives an opportunity to sit and discuss the issues.

Mayor Macias knowledged Council Member Pineda's point but feels that the Resolution is in support of the employees of El Super and expresses their right to the First Amendment and opened it up to discussion

Council Member Sanabria also knowledged Council Member Pineda's points and stated she has been following this issue and called for the question to make a vote.

Mayor Macias stated there was already a motion on the floor.

Motion: Council Member Sanabria motioned to waive further reading and adopt Resolution No. 2015-15, Regarding Endorsement of El Super Boycott, seconded by to seconded by Vice Mayor Ortiz. Motion passed 3-1-1 by the following vote:

ROLL CALL:

AYES: Council Member(s): Sanabria, Vice Mayor Ortiz and Mayor Macias
NOES: Council Member(s): Amezquita
ABSTAINED: Council Member(s): Pineda

END OF CONSENT CALENDAR

REGULAR AGENDA

OFFICE OF THE CITY CLERK

13. **Appointment of Council Members to Various Committees and/or Organizations and Adoption of Resolutions Appointing Representatives and Alternate Representatives to the Independent Cities Risk Management Authority's Governing Board (ICRMA) and the Board of Directors of the Independent Cities Finance Authority (ICFA)**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Appoint City Council Members to the following organizations: 1) California Contract Cities Association; 2) Central Basin Water Association; 3) Eco-Rapid Transit (formerly Orange Line Development Authority); 4) Gateway Cities Council of Governments; 5) HUB Cities Consortium; 6) I-710 Project Committee; 7) Independent Cities Association; 8) Independent Cities Finance Authority (ICFA); 9) Independent Cities Risk Management Authority (ICRMA); 10) League of California Cities; 11) Los Angeles County Library District; 12) Los Angeles County Sanitation District No. 1; 13) Southern California Association of Governments (SCAG);
2. Waive further reading and adopt Resolution No. 2015-13, Appointing a Representatives and Alternate Representative to the Independent Cities Risk Management Authority's Governing Board (ICRMA); and
3. Waive further reading and adopt Resolution No. 2015-14, Appointing a Representative and Alternate Representative to the Board of Directors of the Independent Cities Finance Authority (ICFA).

Mayor Macias opened the floor for nominations to the following organizations.

1) California Contract Cities Association

Council Member Sanabria nominated Council Member Pineda as the Director, seconded by Vice Mayor Ortiz. By unanimous consensus, Jhonny Pineda was appointed as Director.

Mayor Macias nominated all Council as the Alternates, seconded by Council Member Sanabria. By unanimous consensus, Valentin Amezcuita, Graciela Ortiz, Jhonny Pineda and Marilyn Sanabria were appointed Alternate(s).

2) Central Basin Water Association

Mayor Macias nominated Council Member Sanabria as the Member, seconded by Council Member Sanabria. By unanimous consensus, Marilyn Sanabria was appointed as Member.

Council Member Sanabria nominated Mayor Macias as the Alternate, seconded by Vice Mayor Ortiz. By unanimous consensus, Karina Macias was appointed as the Alternate.

3) Eco-Rapid Transit (formerly Orange Line Development Authority)

Council Member Amezcuita nominated himself as the Alternate, seconded by Council Member Pineda. By unanimous consensus, Valentin Amezcuita was appointed as the Alternate.

4) Gateway Cities Council of Governments

Mayor Macias nominated Council Member Pineda as the Delegate, seconded by Council Member Sanabria. By unanimous consensus, Jhonny Pineda was appointed as the Delegate.

Council Member Pineda nominated Mayor Macias as the Alternate, seconded by Council Member Sanabria. By unanimous consensus, Karina Macias was appointed as the Alternate.

5) HUB Cities Consortium

Council Member Pineda nominated Mayor Macias as the Member, seconded by Vice Mayor Ortiz. By unanimous consensus, Karina Macias was appointed as the Member.

Mayor Macias nominated Vice Mayor Ortiz as the Alternate, seconded by Council Member Sanabria. By unanimous consensus, Graciela Ortiz was appointed as the Alternate.

6) I-710 Project Committee

Mayor Macias nominated Council Member Sanabria, seconded by Council Member Sanabria. By unanimous consensus, Marilyn Sanabria was appointed as the Member.

Council Member Sanabria nominated Mayor Macias, seconded by Vice Mayor Ortiz. By unanimous consensus, Karina Macias was appointed as Alternate.

7) Independent Cities Association

Council Member Sanabria nominated herself, seconded by Vice Mayor Ortiz. By unanimous consensus, Marilyn Sanabria was appointed as the Director.

Mayor Macias nominated Vice Mayor Ortiz, seconded by Vice Mayor Ortiz. By unanimous consensus, Graciela Ortiz was appointed as the Alternate.

8) Independent Cities Finance Authority (ICFA)

Council Member Sanabria nominated herself, seconded by Vice Mayor Ortiz. By unanimous consensus, Marilyn Sanabria was appointed as the Delegate.

Mayor Macias nominated Council Member Pineda, seconded by Council Member Sanabria. By unanimous consensus, Jhonny Pineda was appointed as the Alternate.

9) Independent Cities Risk Management Authority (ICRMA)

Mayor Macias nominated Council Member Pineda, seconded by Council Member Sanabria. By unanimous consensus, Jhonny Pineda was appointed as the Delegate.

Council Member Sanabria nominated Mayor Macias, seconded by Mayor Macias. By unanimous consensus, Karina Macias was appointed as the Alternate.

10) League of California Cities

Mayor Macias nominated Vice Mayor Ortiz, seconded by seconded by Council Member Sanabria. By unanimous consensus, Graciela Ortiz was appointed as Member.

Mayor Macias nominated Council Member Sanabria, seconded by Council Member Sanabria. By unanimous consensus, Marilyn Sanabria was appointed as the Alternate.

11) Los Angeles County Library District

Mayor Macias nominated Council Member Sanabria, seconded by Council Member Pineda. By unanimous consensus, Marilyn Sanabria was appointed as the Director.

Mayor Macias nominated Vice Mayor Ortiz, seconded by Vice Mayor Ortiz. By unanimous consensus, Graciela Ortiz was appointed as Alternate.

12) Los Angeles County Sanitation District No. 1

Council Member Sanabria nominated herself, seconded by seconded by Council Member Pineda. By unanimous consensus, Marilyn Sanabria was appointed as the Alternate.

13) Southern California Association of Governments (SCAG)

Mayor Macias nominated Vice Mayor Ortiz, seconded by Council Member Sanabria. By unanimous consensus, Graciela Ortiz was appointed as Delegate.

Mayor Macias nominated Council Member Amezcuita, seconded by Council Member Pineda. By unanimous consensus, Valentin Amezcuita was appointed as the Alternate.

Motion: Mayor Macias motioned to adopt Resolution No. 2015-13, Appointing a Representatives and Alternate Representative to the Independent Cities Risk Management Authority's Governing Board (ICRMA), seconded by Council Member Sanabria. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcuita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias

NOES: Council Member(s): None

Motion: Mayor Macias motioned to adopt Resolution No. 2015-14, Appointing a Representative and Alternate Representative to the Board of Directors of the Independent Cities Finance Authority (ICFA), seconded by Council Member Sanabria. Motion passed by the following vote:

REGULAR AGENDA ITEM 13 (continued)

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Sanabria, Vice Mayor
Ortiz and Mayor Macias

NOES: Council Member(s): None

COUNCIL

14. Discussion/Action on State Audit

Mayor Macias stated the reason why this is being brought forward for discussion is not only due to the many changes with regard to a City Manager but many questions from the public regarding the City's budget. She feels it is in the best interest of the City and the residents and to aid the new Council in navigating the deficit the City is carrying and in order to regain stability we need to know what we're facing and take control of it. She then opened it up to Council discussion.

Council Member Amezquita wishes to extend it to a Federal level since the City has a lot of bonds and what the City is responsible for and to inform himself with information he does not know.

Mayor Macias stated this can certainly be looked into but my motion would be to direct staff to look into a State Audit but would like to hear from the rest of the Council.

Council Member Sanabria feels that a State audit should take place first to see where the City stands and that perhaps a Federal audit can be discussed at a later date.

Council Member Amezquita would like to know how much these audits will cost.

City Attorney Birrueta informed Council that her agency represented a City that has gone through a State audit and shared that the City was billed approximately \$130,000 for the audit noting that Huntington Park would probably be billed more since it has a larger population. The Controller for this City prepared a report identified all the internal control deficiencies for the City, it does not come in to make policy, for example it looks at contracts and how payments were made etc. its more having to do with internal controls. They also reviewed the Successor Agency as part of the audit, at the end of the day the City was asked to return money to the State, not every City is different but at the end of the day you will have to pay a certain amount of fees, the City will get a report on internal

deficiencies.

Council Member Amezquita asked if the City owed monies would they consider the City in financial hardship? Ms. Birrueta stated no. Mr. Amezquita went on to ask if it's determined in the audit that the City's properties need to be sold now we have to pay Department of Finance is this a risk? Ms. Birrueta stated she has not reviewed this in detail so I cannot answer, what a State Controller will do is come in and try and identify what monies, if any, a City owes or should have paid to the State every City is different but the State will assess a fee for that audit. Mr. Amezquita asked if we can control the scope of the audit. Ms. Birrueta they will audit whatever they feel is necessary and is not controlled by the City.

Council Member Pineda asked Council Member Amezquita if any Cities have had a Federal Audit and if so, what the outcome was. Council Member Amezquita stated he has read about these types of audits being conducted, they are not very common but it's one way to get the uncertainty of the situation but they could come and take a look at our bond situation and asked Interim Finance Director Mazyck to discuss. Ms. Mazyck explained that inviting the IRS to come in is like having a personal audit done. The IRS itself has stepped up enforcement in a number of places, generally what they look for is to see if bonds should remain tax exempt, its usually that focus in mind and is personally not aware of anyone inviting the IRS to come and do an audit.

City Attorney Birrueta also mentioned that the City that had the audit also had their tax exempt bond proceeds reviewed. One thing that was considered was hiring a private auditor to audit the City because then the City can control the scope of the audit. Some of the Council that voted to have the State audit, now regret it for various reason and noted she can provide information to get in contact with them to discuss if they would like.

Vice Mayor Ortiz feels the biggest issue is transparency and something they campaigned about to make sure to bring in an audit to show how contracts were given. Her concern with a private agency coming in is if there is any special interest. I feel if the State does the audit it would be the only time to do this, I feel uneasy making decision on contracts because of how previous contracts were brought in and given.

Council Member Sanabria understand the fear of opening up a State audit but feels this will allow us to see what we have.

Council Member Pineda feels the issue is the cost and would like to hear from the Interim City Manager.

Mayor Macias thinks that having the State in mind will allow to fill in the pot holes to move forward with other perspectives into play look at the options we have

Council Member Pineda would like to hear what thoughts the Interim City Manager has on this is.

Interim City Manager Ornelas feels that staff has the competency to get the City where it needs to be and is currently working together to move forward. He recommends not going with a State audit but understands what the Council would like to do, transparency, starting off on the right foot making sure there's nothing hidden so there's no surprises later.

Council Member Sanabria is glad that the City is going in the direction to clean house, to move forward.

Motion: Mayor Macias motioned to have staff move forward to proceed with the process of bringing in a State audit, seconded by Council Member Sanabria. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcua, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias

NOES: Council Member(s): None

DEPARTMENTAL REPORTS (Information only)

WRITTEN COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Council Member Amezcua – commented on the termination of the consultants and would have liked for each of them to make a statement. He would also like to know how the City is going to move forward with regards to grants and would have preferred to have the City do some Request for Proposals. He noted that City of Compton is eliminating all fees for all children in their parks and would like the City do the same but understand this can't be done right now.

Council Member Pineda – recommended planning for a long term working with the youth and creating a summer program for teens and requested staff bring back a report regarding jobs for youth at a later date.

Council Member Sanabria – agrees with revisiting a youth job program. Thanked those in attendance this evening, wants to see the City move forward knows there's a lot of work to do and looks forward to working with her colleagues.

Vice Mayor Ortiz also thanked everyone in attendance this evening. Noted the decisions made are not personal but to move the City forward in order to have transparency to not double dip, but to make cuts to help the City's Budget, and is grateful to have the opportunity to work for the residents, in agreement to focus on the youth and invited the public to attend the Diabities/Latino forum in Maywood, April 15, 2015.

Mayor Macias also thanked everyone in attendance this evening, apologized for a lengthy closed session, thanked the current City Attorney for their service, thanked her

colleagues for being pro active in the first few weeks, commented on items on the agenda and thanked staff for all their support.

ADJOURNMENT

At 10:24 p.m. Mayor Macias adjourned the meeting in memory of Janice Jackson, wife of former Mayor/City Council Member Thomas Jackson to a Regular Meeting on Monday, April 20, 2015, at 6:00 P.M.

Respectfully submitted,

Donna G. Schwartz, CMC
City Clerk