

Minutes of the regular meeting of the City Council of the City of Huntington Park held Tuesday, September 2, 2008.

Following the Invocation and Pledge of Allegiance to the Flag, the meeting was called to order in the Council Chambers at 6:30 p.m. by Mayor Guerrero. Present: Council Member Ofelia Hernandez, Vice Mayor Mario Gomez, Council Member Juan R. Noguez, Council Member Elba Romo, and Mayor Elba Guerrero. Absent: None.

Housing and Community Development Manager Manny Acosta introduced Ed Lara, President of the Business Improvement District (BID) and Mayor Guerrero presented him with a Plaque of Appreciation for his commitment and service as president of the BID Advisory Board. Mr. Lara stated that he will be relocated to the J.C. Penny store in Montebello and thanked City Council for the opportunity to serve on the BID Advisory Board.

Mayor Guerrero 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.

The following individuals addressed City Council in opposition to an item on the agenda to prohibit the sale or free distribution of any alcoholic beverage at any time at any public park or facility, or outdoors; and that approval cannot be granted by any official department head, or employee: 1) Andy Molina; 2) Joseph Baltazar; 3) Rodolfo Guviano; 4) Angel Nieves; 5) Enrique Murillo; 6) Alejandro; 7) Eloy Jordan; 8) Ellen Shawn; 9) Monica Jordan; and 10) a professional singer. Speakers defended people's rights to drink alcohol and did not feel it was a problem if managed properly at the event.

Vicente Ortiz, owner of Tacos Don Chente, informed City Council that META 2000 was asking for a permit to sell alcohol on only one day at the event from 2:00 p.m. to 7:00 p.m.; and that many people involved have worked hard and were successful with Univision television and radio agreeing to broadcast one (1) hour live from the El Grito event. Mr. Ortiz stated that the City needs Council Members with a vision.

The following individuals addressed City Council in support of an item on the agenda to prohibit the sale or free distribution of any alcoholic beverage at any time at any public park or facility, or outdoors; and that approval cannot be granted by any official department head, or employee: 1) Rosa Herrera; 2) Carol Hernandez; 3) Maria Elena Arreola; 4) Leilani Hickman; 5) Ignacio Ariaga; 6) Guillermo Delgado; 7) Luis Garcia; and 8) Maricela Talamantes. Speakers expressed their concerns with the safety at events where alcohol is sold.

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

City Clerk Ramirez presented a request from Council Member Noguez to review for

modification the Activity in Public Places Permit No. 08-29 requested by Saint Matthias Church for their annual fair on September 5-7, 2008. **Following a discussion, Mayor Guerrero ordered this item be received and filed.**

City Clerk Ramirez presented for discussion and/or action a request from Council Member Hernandez to prohibit the sale or free distribution of any alcoholic beverage at any time at any public park or facility, or outdoor; and that approval cannot be granted by any official, department head, or employee. City Attorney Leal read Section 5-21.102 of the Huntington Park Municipal Code which states that it is prohibited to bring or possess alcoholic beverages within any recreation center or park or consume alcoholic beverages at any time within any recreation center or park, except when in conjunction with an indoor event or indoor activity for which the consumption of alcoholic beverages has been specifically authorized by the City. Following a discussion, **no action was taken**. Council Member Hernandez stated that she merely wanted to make sure the City abide by that ordinance.

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

#### CONSENT CALENDAR

#### OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Monday, August 18, 2008.

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 September 2, 2008.

#### COMMUNITY DEVELOPMENT DEPARTMENT

**Authorize staff to solicit a Request for Proposals (RFP) for an Event Coordinator for the 2nd Annual Children's Fair" in coordination with the Three Kings Event on January 6, 2009, subject to City Attorney approval.**

#### END OF CONSENT CALENDAR

City Manager Korduner requested approval of Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and Reporting Data for the National Transit Database for Report Year 2006. Mr. Korduner stated that the amount to be submitted to the MTA is \$98,840. Motion by Noguez, seconded by Gomez, to **approve Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and Reporting Data for the National Transit Database for Report Year 2006**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Clerk Ramirez presents for discussion and/or action a request from Council Member Hernandez to recognize Norma Montero, Community Library Manager for the City of Huntington Park on her retirement; and present certificates of Recognition to recipients of the 2008 "Women of Distinction Award" presented by the office of former Speaker of the

Assembly Fabian Nuñez. Motion by Noguez, seconded by Gomez, **to approve the request to recognize Norma Montero, Community Library Manager for the City of Huntington Park on her retirement; and present certificates of Recognition to recipients of the 2008 “Women of Distinction Award” presented by the office of former Speaker of the Assembly Fabian Nuñez**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Clerk Ramirez presented a request from Council Members Hernandez and Noguez for discussion and/or action to approve a one-day bus donation for seniors to participate in EngAGE's 9th Annual Senior Olympics on Saturday, October 4, 2008. Motion by Gomez, seconded by Noguez, **to approve a one-day bus donation for seniors to participate in EngAGE's 9th Annual Senior Olympics on Saturday, October 4, 2008**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Clerk Ramirez presented for discussion and/or action a request from Mayor Guerrero to review policies and permit procedures for yard sales. Motion by Gomez, seconded by Hernandez, **to direct staff to prepare an ordinance designating a specific weekend every quarter for Citywide yard sales**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

Director of Community Development Gray presented a recommendation by the Health and Education Commission to change the day and time of the Health and Education Commission meetings to 6:00 p.m. on the fourth Tuesday of every month. Motion by Gomez, seconded by Noguez, **to change the day and time of the Health and Education Commission meetings to 6:00 p.m. on the fourth Tuesday of every month**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

Director of Community Development Gray presented for discussion and/or action an Activity in Public Places Permit No. 08-34 request by the META 2000 Committee to conduct the El Grito Parade along Florence Avenue between Pacific Boulevard and Bissell Street on September 14, 2008, subject to approval from all applicable City departments and local public agencies; and applicant submittal of full payment for costs associated with this event. Mr. Gray stated that the costs associated with this event total \$18,198.37. Motion by Noguez, seconded by Hernandez, **to approve the Activity in Public Places Permit No. 08-34 request by the META 2000 Committee to conduct the El Grito Parade along Florence Avenue between Pacific Boulevard and Bissell Street on September 14, 2008, subject to approval from all applicable City departments and local public agencies; and applicant submittal of full payment for costs associated with this event**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Engineer Fu requested that Project No. 08-003, Neighborhood Preservation Street Improvement Project at Various Locations, be awarded to Nobest, Inc. of Westminster, in the amount of \$646,000. Motion by Gomez, seconded by Hernandez, **to award the contract to Nobest, Inc. of Westminster in the amount of \$646,000 for Project No. 08-003, Neighborhood Preservation Street Improvement Project at Various Locations**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

Chief of Police Wadley requested approval of a Memorandum of Understanding between Immigration and Customs Enforcement and Local, County, or State Law Enforcement Agency for the Reimbursement of Joint Operations expenses from the Treasury Forfeiture Fund. Motion by Gomez, seconded by Hernandez, **to approve a Memorandum of Understanding between Immigration and Customs Enforcement and Local, County, or State Law Enforcement Agency for the Reimbursement of Joint Operations expenses from the Treasury Forfeiture Fund**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None;

Absent: None.

Chief of Police Wadley requested approval of the purchase of furniture for the Police Department Communications Center for a total amount of \$60,921.08. Motion by Gomez, seconded by Noguez, to **approve purchase of furniture for the Police Department Communications Center for a total amount of \$60,921.08**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Clerk Ramirez presented for discussion and/or action a request from Vice Mayor Gomez to purchase a business advertisement for the 2008-2009 Huntington Park High School Yearbook in honor of their 100 year Anniversary. Motion by Gomez, seconded by Romo, for **the City to purchase a business advertisement for the 2008-2009 Huntington Park High School Yearbook in honor of their 100 year Anniversary**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

Director of Parks and Recreation Espinosa requested review of the proposed plan for the unveiling of bronze sculptures of Women of the Century Marilyn Boyette and Man of the Century Frank Bonelli; and photo of Jessica Maes, first female mayor in the City of Huntington Park. **Following a discussion, City Council received and filed this item.**

**RESOLUTION NO. 2008-56.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, APPROVING AND ADOPTING **AMENDMENT #1 OF THE MEMORANDUM OF UNDERSTANDING WITH THE HUNTINGTON PARK GENERAL EMPLOYEES' ASSOCIATION** AND AMENDING RESOLUTION 2008-47 APPROVING AND ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE HUNTINGTON PARK GENERAL EMPLOYEES' ASSOCIATION was presented. Motion by Gomez, seconded by Romo, to adopt Resolution No. 2008-56, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

**RESOLUTION NO. 2008-57.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING RESOLUTION NO. 2008-50 APPROVING AND ADOPTING **AMENDMENT #1, INCREASES IN COMPENSATION AND PROVIDING CERTAIN OTHER BENEFITS FOR THE NON-REPRESENTED EMPLOYEES OF THE CITY OF HUNTINGTON PARK** was presented. Motion by Romo, seconded by Hernandez, to adopt Resolution No. 2008-57, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

**RESOLUTION NO. 2008-58.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK FINDING AND DETERMINING THAT **KEITH WALKER IS DISABLED AND INCAPACITATED TO PERFORM THE DUTIES OF POLICE OFFICER** FOR THE PURPOSE OF PUBLIC EMPLOYEE DISABILITY RETIREMENT was presented. Motion by Gomez, seconded by Hernandez, to adopt Resolution No. 2008-58, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

**ORDINANCE NO. 829-NS.** AN ORDINANCE OF THE CITY OF HUNTINGTON PARK AMENDING TITLE 2 CHAPTER 1 ARTICLE 2 SECTION 1.201 OF THE HUNTINGTON PARK MUNICIPAL CODE RELATING TO **CITY COUNCIL MEETINGS** was read by title. Motion by Gomez, seconded by Romo, that reading in full of Ordinance No. 829-NS for second reading be waived, and that Ordinance No. 829-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Attorney Leal reported out the following on the closed session items of the special meeting of the City Council: 1) CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Keith Walker, WCAB No. RIV 0012064; WCAB No. RIV 0012066; WCAB No. RIV 0012067; WCAB No. RIV 0012068; and WCAB No. RIV

0012069, a status report was given to City Council by Mr. Coble; 2) CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Gregory Korduner, Employee organizations: General Employees' Association, and Non-Represented Employees' Association, no action was taken; and 3) PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: City Manager, this item will be held at a special meeting.

Mayor Guerrero declared the meeting adjourned at 8:24 p.m.

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Elba Guerrero, Mayor

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Rosanna M. Ramirez, City Clerk