

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

Vice Mayor Molina presented a proclamation designating December 15, 2011 as “A Day Without a Bag” in Huntington Park to Acting Public Works Superintendent Claude Bilodeau.

Vice Mayor Molina and City Council presented Mayor’s Christmas Award certificates and lawn signs to the following winners: 1st Place Winner- Bernice Alvarez; 2nd Place Winner- Evelyn Granillo; and 3rd Place- Jose Zepeda and Jessica Maes.

City Attorney Leal gave the following status report on the proposed water and sewer rate increases. In November of 2011, the City received its final water and sewer charge report from an outside consultant which revealed that the revenues the City receives from its water and sewer fees cannot pay for the necessary expenses to operate the City’s water and sanitary sewer system. The report therefore recommends that the City increase its current base structure to help pay the current expenses and future capital improvements necessary for the operation of the City’s water system and sanitary sewer system. The State law requires that a public hearing be held to inform the public of the proposed water and sewer fee increases. Notices of this public hearing which was scheduled for January 3, 2012 was mailed to all property owners; however, we have been informed that not all notices were mailed within the 45 day period prior to the hearing, as required by law. Therefore, new notices be mailed and a new public hearing needs to be rescheduled. At this juncture we are still working with the consultant to determine a fee structure that minimizes the financial impact on the residents and

we understand residents have questions regarding this issue. The City will hold a public hearing at a later date to address citizens' comments and concerns so that residents can participate in the process and be fully informed as to the underlying reasons for any increase. At this time, given the Brown Act and given the fact that it is not on the agenda and also that it will be held later at a public hearing, it is not recommended that City Council address any questions related to this issue; however, if any Council Member should desire to make a general comment either now or after public participation, they may do so.

Vice Mayor Molina 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, President of the American Association of Retired Persons (AARP) Chapter 221, presented certificates to Vice Mayor Andy Molina, Council Member Rosa E. Perez and Acting Public Works Superintendent Claude Bilodeau for their service to the City of Huntington Park. Mr. Murillo addressed his concerns to City Council regarding the proposed water and sewer rate increases and stated that residents cannot afford the proposed rate increases. Mr. Murillo informed City Council that residents are unhappy and questioned why residents were not made aware of the proposed rate increases at the beginning of the year.

A woman addressed City Council regarding the following concerns: 1) the amount of the City Attorney's salary; 2) the amount charged by MAG for street sweeping services in the City; 3) Council Members' support for Chamber of Commerce events; and 4) the lack of large retail stores in the City. The resident also stated that the City should have a budget for any problems that arise in the City rather than going to the tax payers.

Rosa Meza addressed her concern to City Council regarding the proposed water and sewer rate increase and stated that the proposed increases are substantially high. Ms. Meza stated that she understands the need to improve the sewer system but asked City Council to look for other ways to pay for these improvements rather than to raise these rates. Ms. Meza informed City Council that as an active member of the community, she serves the City in many capacities to benefit the City and asked City Council to do the same for the community. Ms. Meza also informed City Council that increasing water and sewer rates will have a financial impact on the community, particularly property owners which may result in having more properties for sale and abandoned homes.

Crystal Morales stated that City Council Members and City staff are public servants and to really listen to the public's comments. Ms. Morales addressed City Council regarding the proposed water and sewer rate increases and informed City Council that over half of the community are single parents or providers and that they cannot afford to pay increases for five (5) consecutive years, especially senior citizens. Ms. Morales informed City Council that State and Federal budgets are expected to be cut even more in 2012, which could affect education and health services. Ms. Morales asked City Council to consider finding other cost saving solutions and to allow the community to be able to pay for their rent and food because they may not be able to afford it if the water rate is increased.

Gloria Enciso addressed her concern to City Council regarding the proposed water and sewer rate increases and stated that they are high rates in comparison to the City of Downey. Ms. Enciso asked City Council why these rate increases were not proposed at the beginning of this year or during election time and stated that she thinks it is unfair to propose the rate increases now. Ms. Enciso also addressed her concern with members of the City Council not being present at the community forum held at Salt Lake Park December 14, 2011 regarding the proposed water and sewer rate increases.

Dulce Montoya addressed City Council regarding the proposed water and sewer rate increases and the City's proposal to implement such high rate increases over the next five years. Ms. Montoya informed City Council that the annual cost of living increase is typically very low but with today's economy it is not being increased and the unemployment rate is growing and more individuals are forced to live on a reduced income, especially retirees and social security recipients. Ms. Montoya informed City Council that increasing said rates will force homeowners and business owners to leave the City and it will affect the economy. Ms. Montoya questioned why the City did not reserve funds for the water infrastructure a decade ago when the issue arose and when the City was financially stable. Ms. Montoya asked if City Council has looked into reducing their salary and that the City should have saved the revenue generated by charging for various services such as special events at the park, licenses, fairs, and parking.

David Reynoso, representing the Los Angeles County Public Health Department-Project TRUST, thanked City Council for adopting the ordinance regarding regulations and requirements for the licensing of tobacco retailers and informed City Council that Project TRUST is funding costs associated with related signage. Mr. Reynoso also informed City Council that Project TRUST is currently working with City staff to place signs at City parks as

well as community events; and that he is working with businesses to display windowpane signs. Mr. Reynoso displayed samples of the various signages.

Katie Balderas, representing the Los Angeles County Public Health Department-Project TRUST, distributed literature to City Council regarding Project TRUST, which include a guide for tobacco control and information regarding smoke-free housing. Ms. Balderas also informed City Council that Project TRUST is working with members of the community who are exposed to secondhand smoke.

Dante D'Eramo, Executive Director/CEO of The Greater Area Huntington Park Chamber of Commerce, addressed City Council to clarify statements previously made during public appearances and stated the following: 1) that the Chamber has not received funding for their events from the City for 15 years; 2) that the Chamber pays for Police Services; 3) that the Chamber is self-sufficient; and 4) that the budget for their events comes from membership to the Chamber and revenue generated at their events. Mr. D'Eramo stated that he has attended the International Council of Shopping Centers (ICSC) Convention in Las Vegas, NV to solicit large businesses such as Walmart to open in the City but it has been unsuccessful due to the size of the City. Mr. D'Eramo thanked City Council for approving the 2011 Christmas Lane Parade event and distributed DVDs to City Council of the parade. Mr. D'Eramo also informed City Council that the Huntington Park Christmas Lane Parade will be shown on Television Channel LA36, KLCS, and the Charter Local Access Channel 3.

Balle Dario Machuca addressed City Council regarding a previous request for the City to look into the lack of parking for residents on Seville Avenue. Mr. Machuca informed City Council that he still has to find parking far away from his home and continues to receive parking citations for exceeding the parking time limit. Mr. Machuca thanked City Council for taking his concern into consideration and placing it on the City Council agenda.

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

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Monday, December 5, 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 December 19, 2011.

Authorize staff to Request for Proposals (RFP) for professional auditing services.

END OF CONSENT CALENDAR

Vice Mayor Molina reopened oral communications.

A gentleman expressed his concern regarding City Council's approach to increase the water and sewer fees and stated that if City Council cannot carry out their jobs they can be removed from their post.

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

City Clerk Ramirez presented for discussion and/or action a request from Council

Member Gomez to form an Ad-Hoc Committee regarding parking in the City. Motion by Guerrero, seconded by Gomez, to **form an Ad-Hoc Committee comprised of Council Members Guerrero and Gomez to review parking problems in the City and report back to City Council**, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

City Clerk Ramirez presented a request from Mayor Hernandez for discussion and/or action regarding free holiday parking in the Downtown Area. **Following a brief discussion, no action was taken.**

City Clerk Ramirez presented for discussion and/or action correspondence from The Greater Huntington Park Area Chamber of Commerce presenting the 2012 Retail Promotional and Proposed Special Events Calendar and requesting approval of 2012 Sidewalk Sale dates. Motion by Gomez, seconded by Perez, to **approve The Greater Huntington Park Area Chamber of Commerce 2012 Sidewalk Sale dates and receive and file the 2012 Retail Promotional and Proposed Special Events Calendar**, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez. Council Member Perez asked staff to remind businesses to adhere to the rules and regulations the City has in place pertaining to sidewalk sales.

Community Development Department recommended City Council continue to exercise the First Amendment to the Professional Consulting Services Agreement between the City of Huntington Park and Karen Warner Associates, Inc., for an additional year ending January 1, 2013. Motion by Perez, seconded by Gomez, to **continue to exercise the First Amendment to the Professional Consulting Services Agreement between the City of Huntington Park and Karen Warner Associates, Inc., for an additional year ending January 1, 2013**, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Community Development Department presented for discussion and/or action an update by Caroline Promotions Inc. and the Business Improvement District (BID) on the upcoming **Three Kings and Children's Fair Event scheduled for January 6, 2012**. Erica Frausto, Business Improvement District (BID) Manager, invited everyone to attend the upcoming Three Kings and Children's Fair event on January 6, 2012. Carolina Jovenich, representing Caroline Promotions, Inc., informed City Council of the services and entertainment that will be offered at this event including free income tax preparation, emergency preparedness education, petting zoo, pony rides, inflatable obstacle course and slide, fashion show, and children's book club. Ms. Jovenich also informed City Council of the sponsors and television and radio media that will broadcast the event and stated El Gallo Giro will be preparing the traditional "Rosca de Reyes" for everyone to enjoy. Ms. Jovenich also informed City Council that the route of the procession will start at Randolph Avenue and Pacific Boulevard going south to Clarendon Avenue and the event is scheduled to begin at 12:30 p.m. and end at 8:30 p.m.

Director of Finance Padilla requested approval of Proposition A Discretionary Incentive Grant Program Memorandum of Understanding (MOU) for Collecting and Reporting Data for the National Transit Database for Report Year 2009 by and between Los Angeles County Metropolitan Transportation Authority (MTA) and the City of Huntington Park. Motion by Guerrero, seconded by Gomez, to **approve Proposition A Discretionary Incentive Grant Program Memorandum of Understanding (MOU) for Collecting and Reporting Data for the National Transit Database for Report Year 2009 by and between Los Angeles County Metropolitan Transportation Authority (MTA) and the City of Huntington Park**, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Chief of Police Cisneros requested approval of Sales Agreements with Cell Business Equipment (CBE) Business Solutions and Lease Agreements with De Lage Landen Financial Services, Inc. for the lease and maintenance of three (3) multifunction copy machines for Police Department and one (1) for the Office of the City Manager, subject to City Attorney approval. Motion by Guerrero, seconded by Gomez, to **approve Sales Agreements with Cell**

Business Equipment (CBE) Business Solutions and Lease Agreements with De Lage Landen Financial Services, Inc. for the lease and maintenance of three (3) multifunction copy machines for Police Department and one (1) for the Office of the City Manager, subject to City Attorney approval, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

ORDINANCE NO. 880-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, ADDING §2-1.107 TO TITLE 2 OF THE HUNTINGTON PARK MUNICIPAL CODE CONSISTENT WITH APPLICABLE LAW PERTAINING TO THE REGULATIONS AND LIMITATIONS ON GRATUITIES was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 880-NS for second reading be waived, and that Ordinance No. 880-NS be approved for second reading and adopted, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

ORDINANCE NO. 881-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING §2-5.18 OF THE HUNTINGTON PARK MUNICIPAL CODE was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 881-NS for second reading be waived, and that Ordinance No. 881-NS be approved for second reading and adopted, carried as follows: Ayes: Council Members Gomez, Guerrero, Perez and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

City Attorney Leal requested the City Council resolve into a **closed session** for the following: 1) pursuant to California Government Code Section 54956.9 (a), CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Huntington Patients' Association, Edwin Movagharian vs. City of Huntington Park, et al., Case No. BC466323; 2) pursuant to California 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; 3) pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Interim City Manager, Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, And Non-Represented Employees; 4) pursuant to California Government Code Section 54957, PUBLIC EMPLOYMENT, Title: City Engineer; and 5) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1). Vice Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 7:25 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 9:29 p.m. Present: Council Member Mario Gomez, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Vice Mayor Andy Molina; Absent: Mayor Ofelia Hernandez.

City Attorney Leal reported out that the following on the **closed session** items: 1) 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 to City Council by Legal Counsel; 2) 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; 3) CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Interim City Manager, Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, And Non-Represented Employees, a status report was given to City Council; 4) PUBLIC EMPLOYMENT, Title: City Engineer, a status report was given to City Council; and 5) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, a status report was given to City Council, no action taken.

Vice Mayor Molina declared the meeting adjourned at 9:30 p.m.

Andy Molina, Vice Mayor

Rosanna M. Ramirez, City Clerk