

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, August 20, 2012.

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 Molina. Present: Vice Mayor Elba Guerrero, Council Member Ofelia Hernandez, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: Council Member Mario Gomez.

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 addressed his concerns to City Council regarding recent criminal activity and the lack of police response. Mr. Murillo asked if sales tax revenues go to the Police Department and asked how much the City pays the City Attorney per month. Mr. Murillo asked City Council to consider having the Los Angeles County Sheriff's Department provide police services to the City if the current Police Department does not provide good service to the community.

Carlos Pando, informed City Council that he is a longtime resident of the City and distributed literature to City Council, City Attorney Leal, and Chief of Police Cisneros. Mr. Pando informed City Council that according to his calculations, there are approximately eleven (11) City employees that make together make over \$1 Million and stated that the City pays a lot for the Chief of Police and newly hired City Manager. Mr. Pando stated that the City does not have a revenue problem but an expense problem and asked City Council to reassess the City's financial condition and to consider cutting back on expenses especially salaries for City staff. Mr. Pando stated that residents pay enough taxes to sustain the City's budget.

Edmundo Vicente Perez, informed City Council that he is a longtime resident of the City and stated that on August 12, 2012, the Southeast Post Newspaper published an article in which Mayor Molina claimed that without the proposed water rate increase, the City would be bankrupt and Desi Alvarez stated that in the last four years because of the water and the handling of the department costs, expenses went up to \$2.4 Million. Mr. Perez addressed his concern with the City firing former Director of Finance Elba Padilla and asked who makes those decisions for an employee at that level. Mr. Perez stated that the procedure used to pass the water rate increase is not in compliance with Proposition 218 and it will be challenged in the proper forum. Mr. Perez informed City Council that the proposed water rate increase will not save the City from going bankrupt but affect the residents economically and that the City does not have a revenue problem but an expenditure problem. Mr. Perez asked City Council to redo all contracts from 2004 to present and that any contracts not observing the state laws are void. Mr. Perez asked City Council to reconsider the proposed water rate increase, especially when City Council is serving their last term in office and hopes that Mr. Noguez cooperates with the authorities to negotiate his sentence.

Linda Caraballo informed City Council that she has copies of City Council's contribution forms showing that City Council received contributions from contractors for the City and that Council Member Hernandez received contributions from Ramin Salari who is under investigation by the District Attorney and stated that City Council laundered money for John Noguez. Ms. Caraballo stated that in regards to the proposed water rate increase, City Council is lying. Ms. Caraballo stated that City Council pays consultants over \$1.9 Million and asked why City Council pays the City Attorney over \$600,000 and encouraged City Council to make an appointment with her if they think she is lying. Ms. Caraballo stated that City Council is corrupted and that she never stole money from the City. Ms. Caraballo asked Vice Mayor Guerrero what her opinion is now regarding her cousin John Noguez.

Edgar Gordillo thanked everyone for attending the meeting and stated that it shows unity and that people care about their community. Mr. Gordillo encouraged people to be informed about any new laws that are being proposed and stated that residents have a right to know how much City Council gets paid by the City.

Sonia Santoya informed City Council that she is a longtime resident of the City of Huntington Park and addressed her concern with Council Member Hernandez's demeanor while City Council's salaries and the City's financial concerns were being addressed.

Agustin Ruiz, property owner and President of the Homeowners Association, informed City Council that at the last community meeting held regarding the proposed water rates, he informed City Council of the type of community Huntington Park is and that it consists of primarily low-income families. Mr. Ruiz stated that if the City Council continues to raise the water rates, the City could possibly be facing a scandal similar to the City of Bell.

Balle Dario Machuca displayed a map and addressed his concern to City Council regarding the lack of parking for residents on Seville Avenue and nearby streets. Mr. Machuca stated that residents cannot afford to pay parking citations and asked City Council to stop abusing residents and find a permanent solution to this problem. Mr. Machuca also addressed his concern to City Council with the City allowing businesses as large as El Aviso to take parking from residents in that area and stated that public parking is available but it is approximately one block away from his residence and it is unsafe because vehicles parked there get vandalized. Mr. Machuca informed City Council that he is a volunteer at a Huntington Park center near his home but parking is an issue there too and stated that Channel 52 interviewed him a while back regarding the lack of parking issue but they did not air the interview.

A woman informed City Council that she has been a resident of the City for over 50 years and was under the impression that the City was financially stable due to sales tax revenues produced by all the new businesses in the City. This woman stated that senior citizens such as her cannot afford to pay for increases, especially the proposed water rate increase.

Rafael Orduño, addressed his concern to City Council regarding the lack of parking on Rita Avenue and informed City Council that he just moved in the City approximately three (3) months ago and has received eight (8) parking citations and continues to receive them even when he parks in the public parking lots. Mr. Orduño stated that he likes the City and would like to stay here and asked City Council for assistance with this matter.

Valentin Amezcuita informed City Council that the proposed water rate increase will affect low-income residents of the City especially senior citizens and disabled individuals because they will not be able to afford paying for water in addition to food and medicine. Mr. Amezcuita stated that the proposed water rate would be the same as that of the City of Bell and suggested that the City emulate other cities such as the City of Downey for their rate structure. Mr. Amezcuita also addressed his concern to City Council regarding the amount that the City pays the City Attorney for legal services and stated that paying excessive fees for City contracts takes funding away for other services such as police services, water infrastructure, better salaries for City employees and other vital expenses.

Joan Leas informed City Council that she has been a resident of the City for over 50 years and addressed her concerns regarding the lack of shade trees in the City, residents not picking up waste from their dogs, and the lack of lawn maintenance in the City. Ms. Leas also addressed her concerns to City Council regarding criminal activity taking place near her home, the lack of police response, and the lack of public restroom facilities, especially on Pacific Boulevard.

Marilyn thanked everyone for attending the meeting and stated that the City Council and the City of Huntington Park have failed their residents and that the City has an administrative problem not a revenue problem. Marilyn stated that City Council has given contracts without allowing for competitive bids and that the City has not addressed the issues involving the City's water system in order to find solutions instead of proposing to increase the water rates. Marilyn stated that City Council has received money from John Noguez who was a former Mayor of Huntington Park and is currently facing federal indictment for stealing money from the County of Los Angeles. Marilyn stated that the City should provide records, be transparent as to how the City's money is spent, and have accountability.

Gentleman addressed his concern with the poor condition of streets in the City, especially Hill Street and asked City Council to repair the deteriorated streets without having to raise the water rates.

Jesse Estrella informed City Council that he is a teacher and addressed City Council to oppose the proposed water rate increase and submitted letters opposing the proposed water rate increase. Mr. Estrella informed City Council that Interim Director of Public Works Quintero assisted him with an unsafe intersection. Mr. Estrella also informed City Council that he spoke to City staff regarding the City's interpretation of aesthetics under the Huntington Park Municipal Code associated with a wooden fence and was referred to the City Attorney for clarification. Mr. Estrella stated that he left a message at the City Attorney's office and is waiting for a response.

George Montoya informed City Council that he and his wife are retired and have lived in the City for approximately 35 years and stated that everyone has to maintain a tight budget, especially low-income working class individuals and retirees and suggested the City do the same. Mr. Montoya recommended that the City undergo federal auditing to restore economic health in the City of Huntington Park.

Corinna addressed her concerns with the City's proposed water rate increase and stated that the City Council should not expect residents to pay more fees for their mistake. Corinna informed City Council that she was present when Council Member Hernandez recognized an activist from another country for fighting corruption in his own country and yet there is corruption taking place in the City of Huntington Park and stated that she will work with organizations to try to resolve the problems in the City.

Nick Ioannidis addressed his concern to City Council regarding the loan amount he pays every month to the City of Huntington Park since approximately 1986 and informed City Council that the City Attorney asked him to pay a lump sum to settle the loan. Mr. Ioannidis also addressed his concern regarding the proposed water rate increase and how it will affect the business community. Mr. Ioannidis stated that the City pays a lot of money to the City Attorney and asked City Council what improvements they have made to the City since they have been on City Council and stated that they are not qualified to be on Council and that they should resign.

Rodolfo Cruz informed City Council that he is a longtime resident of the City of Huntington Park and addressed his concern with the proposed water rate increase. Mr. Cruz asked City Council the reason why water was left running down the street recently near the intersection of Soto and Slauson Avenues. Mr. Cruz addressed his concern regarding criminal activity taking place on Passaic Street, the lack of police response and asked City Council to increase police patrol in the area. Mr. Cruz also informed City Council that he works next to a metal company in the City and that there was a recent incident involving a metal fragment that went flying to his place of employment. Mr. Cruz stated that a police report was requested for this incident but it was denied because they were told that they needed to take civil action. Mr. Cruz stated that the metal company's operations are unsafe and a health hazard due to the amount of smoke produced in this business and asked the City to look into the company's operations.

Council Member Guerrero left her seat at 7:10 p.m.

Jose Salvador Ponce informed City Council that he is a longtime resident of the City of Huntington Park and addressed his concern with the proposed water rate increase and stated that the City is trying to copy other cities by raising the water rate. Mr. Ponce addressed his concern with the City's reasons for raising the water and stated that the City's election is approaching and asked them to reconsider the proposed water rate increase.

A woman thanked City Council and City staff for the City's appearance and quality education in the City and informed City Council that she had been paying excessive water bills due to plumbing issues in her property and that once she had her plumbing fixed, she no longer pays excessive water bills. The woman urged the community to work together with the City to find a positive solution to the proposed water increase.

Council Member Guerrero returned to her seat at 7:13 p.m.

Oscar Castro informed City Council that he is a resident of the City of Huntington Park and addressed his concern with the proposed water rate increase and the increase in dog license and parking citations fees over the years and stated that Huntington Park is a low-income community and cannot afford to pay for such increases. Mr. Castro also addressed his concern with the City Council and City Attorney salaries.

A woman informed City Council that she has been calling the City to request that the sidewalk in front of her home be fixed. This woman informed City Council that vehicles speed down the street and requested the City place speed bumps to avoid an accident.

Robert Cabrales, representing Communities for a Better Environment (CBE), informed City Council that the street sweeper does not pass through the alley located at Templeton Street and Stafford Avenue. Mr. Cabrales informed City Council that the proposed water rate increase will impact everyone, especially because of the drought in California. Mr. Cabrales stated that he looks forward to working with the community to find a solution to the water issue without affecting the community and the City. Mr. Cabrales briefed City Council regarding the success of their past tree planning events and announced that CBE is seeking volunteers for their future tree planning events and encouraged individuals to participate.

Veronica presented protest letters to the City Clerk and stated that she had requested for someone in the City to contact her regarding finding a solution to the water issue and left her contact information but did not receive a call to invite her to attend any of the meetings. Veronica stated that the community needs to have input regarding this matter and made herself available to meet with City staff to find solutions.

Irma Villalobos, informed City Council that she is a longtime resident of the City of Huntington Park and addressed her concern with the salaries that City Council receive from the City and recommended that a pay cut be considered to help the City.

Victoria Santoyo, informed City Council that she is a longtime resident of the City of Huntington Park, addressed her concern with the proposed water rate increase and Council Member Hernandez's demeanor during the meeting. Ms. Santoyo informed City Council that if the water rate increase goes through, it will affect the community.

Jose Murga, informed City Council that he is a longtime resident of the City of Huntington Park, addressed his concern with the proposed water rate increase and stated that raising the water rate will affect the community, especially disabled individuals such as himself because they are on a fixed-income. Mr. Murga asked City Council to reconsider the proposed water rate increase.

Gloria Gutierrez thanked City Council for the National Night Out event that took place August 7, 2012 and addressed her concern regarding the lack of parking on Seville Avenue. Ms. Gutierrez informed City Council that she owes the City approximately \$1,000 in parking tickets and as a result her vehicle was towed away. Ms. Gutierrez informed City Council that the City is not safe to park her vehicle far from home and urged City Council to find a solution to the lack of parking issue in the area.

Crystal Morales addressed her concern to City Council regarding a former request to find viable solutions to the water issue and sees that there is no revenue solutions made available. Ms. Morales informed City Council that the majority of the residents in the City are low-income individuals working hard labor jobs and asked City Council to make the right decision for the community. Ms. Morales asked City Council who paid for stamps when the notice on the proposed water rate increase had to be mailed again. Ms. Morales also addressed her concern with the City making unnecessary expenses and asked City Council to represent the community with integrity.

A gentleman informed City Council that he is an attorney residing in the City of Bell Gardens and that it is against the State of California constitution if residents in Huntington Park did not receive the notice requirements pertaining to the proposed water rate increase and inquired regarding an Environmental Impact Report and stated that dialog between the community and City Council is important and offered to volunteer his services to assist the City in finding a solution to this problem.

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

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to express opinions or submit evidence for or against the proposed water rate increase. The Clerk reported that as of now, 535 protest letters had been received in the Office of the City Clerk. Desi Alvarez displayed a PowerPoint presentation regarding the City's water system and proposed water rates. Mayor Molina left his seat at 7:58 p.m. and returned at 8:03 p.m. Council Member Hernandez left her seat at 8:05 p.m. and returned to her seat at 8:10 p.m. Mayor Molina declared the public hearing open and called for oral communications. The following questions and concerns were addressed by the public: reasons for changing the billing cycle, reasons why the City is not operating one of the City's water wells, and the length of time it has taken the City to fix its sewer system. Linda Guevara informed City Council that she knows Desi Alvarez from the City of Downey and stated that he is not qualified to run this operation. Crystal Morales asked City Council if the City has considered contacting different legislative offices to request assistance to remedy the City's water issue including grant funding assistance rather than increasing the water rates. Valentin Amezcua urged City Council to have the City prepare a master plan of the City's water system and addressed his concern to City Council regarding the amount that the City pays the City Attorney for legal services. Mr. Amezcua also addressed his concern to City Council regarding lack of competitive bidding for City contracts and the need to assist low-income senior citizens and handicap individuals in the City that may not be able to afford the proposed water rate increase. Linda Guevara inquired regarding a chart shown in the PowerPoint presentation on the water system and asked City Council if City staff's salaries would be paid from the proposed water rate increase requested clarification on the percentages of the water system components. Interim City Manager Strenn informed City Council and the public that certain staff's salaries were removed from the water system component prior to creating the rate structure and were returned to the City's General Fund. Crystal Morales asked City Council why they have not requested assistance from qualified members of the community to volunteer their time to the City to try to solve the financial matter associated with the City's water system. A gentleman asked City Council to find out what can be done prior to increasing the City's water rate and why City Council is asking the community to pay their salaries. A

gentleman asked City Council not to get influenced by other people that make a lot of money. A gentleman stated that it is going to take the City a long time to fix the water system problem and that it is economically unviable. The gentleman informed City Council that in the process of removing contaminants from the water located in the unused water well, they would lose a lot of the water; addressed his concern with the City hiring analysts to figure out how to fix the City's water system problem; and addressed his concern to City Council regarding senior citizens that are on a fixed income and will not be able to afford the rate increase and the City's association with a member of the Central Basin Water Municipal District Board. A woman asked City Council if it is safe to drink the City's water and informed City Council that aside from paying their water bill, residents still purchase drinking water because the City's water occasionally comes out dirty from the faucet. Marilyn addressed her concerns to City Council regarding the lack of accountability for City records and assurance that water revenues are utilized for water related expenses only. Marilyn inquired about the possibility of leasing unused water from the City's water pumps to other cities and the possibility of issuing refunds in the future once the City's water budget is stabilized. Enrique Murillo, President of American Association of Retired Persons (AARP), addressed his concern to City Council with the City's proposal to raise water rates, especially when residents are already struggling economically to pay their rent and other expenses. Mr. Murillo also addressed his concern to City Council regarding what happened to the funds that the City had to fix the City's sewer system. The meeting recessed at 9:27 p.m. and reconvened at 9:37 p.m. Following comments by City Council, City Clerk Ramirez announced that a final count of 542 protest letters had been received and called for any other oral communications and hearing none, declared the **public hearing** closed.

RESOLUTION NO. 2012-39. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **ADJUSTING WATER RATES AND CHARGES AND ESTABLISHING AN ANNUAL RATE ADJUSTMENT AND REPEALING RESOLUTION NUMBER 96-38** was presented. Motion by Guerrero, seconded by Hernandez, to adopt Resolution No. 2012-39, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez and Perez; Noes: Mayor Molina; Absent: Council Member Gomez.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comment on an appeal of the Historic Preservation Commission decision regarding a request for a Certificate of Appropriateness relating to an alteration to a supporting structure of Historic Resource Designation 08-04, St. Matthias Church, located at 3095 E. Florence Avenue (APN: 6323-019-009). City Clerk reported that one (1) written communications had been received in the Office of the City Clerk from the appellant agreeing upon the rescheduling of the appeal hearing to Monday, September 17, 2012. Mayor Molina declared the public hearing open and called for oral communications and hearing none, Mayor Molina declared the **public hearing** continued to 6:00 p.m. on September 17, 2012.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Monday, August 6, 2012.

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 August 20, 2012.

END OF CONSENT CALENDAR

Interim Director of Public Works Quintero requested approval of an open Purchase Order to Southern Counties Fuels for the annual purchase of gasoline fuel for Fiscal Year 2012-2013 in the amount of \$269,000. Motion by Guerrero, seconded by Perez, to **approve an open Purchase Order to Southern Counties Fuels for the annual purchase of gasoline fuel for Fiscal Year 2012-2013 in the amount of \$269,000**, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

Interim Director of Community Development Wong requested approval of a film permit by Iguanas Entertainment Inc. to film in the City of Huntington Park “Caso Cerrado”, a show broadcast by Telemundo including temporary closure of Pacific Boulevard between Clarendon and Gage Avenues from September 18 through 27, 2012. Adrian Potinga, representing Iguanas Entertainment Inc., distributed copies and briefed City Council on the proposed plan for filming of “Caso Cerrado” in Huntington Park and requested City Council approval of a film permit. Motion by Guerrero, seconded by Perez, to **approve a film permit by Iguanas Entertainment Inc. to film in the City of Huntington Park “Caso Cerrado”, a show broadcast by Telemundo including temporary closure of Pacific Boulevard between Clarendon and Gage Avenues from September 18 through 27, 2012**, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2012-40. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING A TEMPORARY AND LIMITED SUSPENSION OF TITLE 5, CHAPTER 1 OF THE HUNTINGTON PARK MUNICIPAL CODE REGARDING HANDBILL DISTRIBUTION ON A PORTION OF PACIFIC BOULEVARD** was presented. Motion by Perez, seconded by Guerrero, to adopt Resolution No. 2012-40, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

Resolution Nos.: 2012-41 and 2012-42 were presented as follows:

RESOLUTION NO. 2012-41. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **APPROVING AND ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE HUNTINGTON PARK POLICE MANAGEMENT ASSOCIATION AND RESCINDING RESOLUTION NO. 2008-48.**

RESOLUTION NO. 2012-42. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **APPROVING AND ADOPTING A MEMORANDUM OF UNDERSTANDING WITH THE HUNTINGTON PARK POLICE OFFICERS’ ASSOCIATION AND RESCINDING RESOLUTION NO. 2008-49.**

Motion by Guerrero, seconded by Perez, to adopt Resolution Nos.: 2012-41 and 2012-42, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2012-43. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **SUPPORTING THE TOD3 GRANT REQUEST TO CREATE A STRATEGY FOR A SUSTAINABLE TRANSIT ORIENTED DEVELOPMENT IN THE OLDA CORRIDOR** was presented. Motion by Guerrero, seconded by Hernandez, to adopt Resolution No. 2012-43, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2012-44. A RESOLUTION OF THE CITY COUNCIL OF THE CITY

OF HUNTINGTON PARK APPROVING AND AUTHORIZING THE SUBMITTAL OF A METRO TOD PLANNING GRANT FOR A CITY-WIDE UPDATE OF THE LAND USE, HOUSING AND CIRCULATION ELEMENTS OF THE GENERAL PLAN, COROLLARY ZONING CODE COMPLIANCE STUDY AND CEQA ANALYSIS was presented. Motion by Guerrero, seconded by Hernandez, to adopt Resolution No. 2012-44, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

RESOLUTION NO. 2012-45. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING THE APPLICATION TO THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE DISTRICT FOR FIRST SUPERVISORIAL DISTRICT EXCESS FUNDS FOR TREES FOR A BETTER ENVIRONMENT** was presented. Motion by Guerrero, seconded by Hernandez, to adopt Resolution No. 2012-45, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

ORDINANCE NO. 900-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **AMENDING TITLE 6, CHAPTER 5, ARTICLE 2 OF THE HUNTINGTON PARK MUNICIPAL CODE REGARDING THE FREQUENCY OF METER READING FOR THE WATER SYSTEM OF THE CITY OF HUNTINGTON PARK** was read by title. Motion by Guerrero, seconded by Hernandez, that reading in full of Ordinance No. 900-NS for first reading be waived, and that Ordinance No. 900-NS be introduced and approved for first reading, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: Council Member Gomez.

Mayor Molina declared the meeting adjourned at 10:26 p.m., in memory of Virginia Vidal, longtime resident of the City of Huntington Park.

Andy Molina, Mayor

Rosanna M. Ramirez, City Clerk