

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, October 15, 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: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Ofelia Hernandez, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: None.

Linda Guevara approached the podium and stated that she had official documents to serve upon City Council. Various residents served each current City Council Member with a Notice of Intention to Circulate Recall Petition.

Mayor and City Council read a biography and presented Plaques in Recognition of National Immigrants Day to the following individuals who immigrated to the United States of America: 1) Eva Castillo Rodriguez (nominated by Council Member Perez); 2) Benito De Jesus Rodriguez (nominated by Council Member Gomez); 3) Miriam Laguardia (nominated by Council Member Hernandez); 4) Hipolito Serrano (nominated by Vice Mayor Guerrero); and 5) Santos Pulido (nominated by Mayor Molina).

Mayor Molina recessed the City Council meeting at 6:40 p.m. for a reception and the meeting resumed at 6:52 p.m. to resolve into a **closed session** pursuant to California Government Code Section 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: City Attorney. Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:52 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 7:40 p.m. Present: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Ofelia Hernandez, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: None.

Irene Muro, Executive Director of Oldtimers Foundation and Michelle Keldorf with USA Properties Fund, Inc. displayed a presentation regarding the proposed purchase and rehabilitation of the Rugby Plaza Senior Apartments located at 6330 Rugby Avenue. Ms. Keldorf gave City Council an overview of the proposed rehabilitation housing project at 6330 Rugby Avenue known as the Rugby Plaza Senior Apartments. Ms. Keldorf briefed City Council on the proposed changes to the current social programs, services and common area spaces in the facility. Ms. Keldorf briefed City Council regarding current and proposed partnerships associated with the acquisition and rehabilitation of this project and presented a financing plan. Ms. Muro informed City Council that the Oldtimers Housing Development Corporation has over 25 years of experience in acquisition, rehabilitation and management of housing properties and that their goal is to create safe and affordable housing for low income seniors and working families. Ms. Keldorf briefed City Council on USA Properties Fund, Inc. and Riverside Charitable's mission and long-time experience in creating affordable housing.

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.

Henry Garcia, resident of the City, stated that there is always a circus caused by individuals each year before a City election and asked if someone wants to run for office, they should do it in a legal manner. Mr. Garcia also stated that City Council is always doing positive things in the community and that the same individuals that are talking about John Noguez are the same individuals who were his acquaintances in the past. Mr. Garcia asked why people are not protesting the high prices of gasoline and milk but yet they protest the City's water rate increase that will prevent the City from going bankrupt. Mr. Garcia commended City Council for working hard and doing a great job.

Wally Shidler, resident of Walnut Park, addressed City Council on behalf of commuters who use public transportation and stated that closing Pacific Boulevard for events affects merchants and inconveniences commuters because they are forced to take detours that delay their arrival to their destinations. Mr. Shidler informed City Council that because of the detour, only one (1) vehicle per green light is able to go southbound on Santa Fe Avenue turning left on Florence Avenue. Mr. Shidler stated that he has requested the Police Department to place a traffic control officer at said intersection but it has been denied due to potential liability issues. Mr. Shidler asked City Council to reconsider closing City streets for events.

Karina stated that she would like to clarify that people having a voice in their government is not a circus, but democracy. Karina informed City Council that this people movement is not a plot by Linda Guevara but by the people of Huntington Park. Karina informed City Council that the people have raised concerns to the City but they have not received answers and stated that the government should function for the people and not for special interests. Karina stated that an example of the lack of transparency in the City is that John Noguez, who is currently under investigation, still has ties with the City. Karina stated that the City voted to designate John Noguez's house a historic resource therefore it was saved from foreclosure and he no longer had to pay taxes on his property.

Marilyn Sanabria stated that she would like to clear Linda Guevara's name and stated that she was a former Council Member in the City of Huntington Park who still represents the interest of the residents. Ms. Sanabria thanked the members of the public who were present and stated that she has addressed City Council numerous times to address issues but City Council has failed to take action on the following crucial issues: 1) City Attorney Francisco Leal's contract; 2) unjustifiable taxes; 3) recent water rate increase; 4) the questionable ties that City Council currently has with John Noguez. Ms. Sanabria addressed her concern with the process used to appoint the City Attorney. Ms. Sanabria also addressed her concerns to City Council regarding the City charging 30% more in property taxes than the cities of Beverly Hills or Downey and City Council approving a water rate increase even though hundreds of residents protested against it. Ms. Sanabria informed City Council that she loves her community; she is here to serve and believes the City needs new leadership.

Nancy Piña informed City Council that she is a registered nurse and that her son is about to get his Eagle Scout badge and that she has never voted for Council Member Hernandez because she does not see positive change in schools and in the City. Ms. Piña stated that residents are hesitant about watering their lawns because they pay high water bills in the City while City Council and the attorney get paid a high salary. Ms. Piña asked City Council to resign from their position and allow someone else to come in and do the job if the previously stated allegations are true, otherwise thank you for your work.

Robert Cabrales, representing Communities for a Better Environment (CBE), addressed City Council to request their support in the near future in passing a resolution asking the County of Los Angeles to require an Environmental Impact Report (EIR) of Central Metal,

a scrap metal company located on Santa Fe Avenue in Walnut Park, who is planning on expanding their facility. Mr. Cabrales stated that at Central Metal there are dust particles, water runoff, and high levels of lead associated with the storage of items such as car batteries at Central Metal. Mr. Cabrales informed City Council that the conditional use permit for Central Metal is up for renewal in November 2012 and they have violated the Conditional Use Permit (CUP) and have been under investigation by the Department of Toxic Substances Control. Mr. Cabrales stated that the community is in the process of collecting signatures to ask the county to make sure that Central Metal complies with the EIR. Mr. Cabrales also asked anyone interested to sign the petition.

Rodolfo Cruz, longtime resident of the City, addressed his concern to City Council regarding their decision to close Pacific Boulevard for the filming of a television program. Mr. Cruz stated that he has been told by merchants that they do not benefit from street fairs and events on Pacific Boulevard instead they lose business and commuters of public transportation are affected. Mr. Cruz questioned City Council's honesty, especially because they allow the City Attorney to make \$600,000 a year.

Emilio Martinez addressed his concern to City Council regarding a dog that barks during the day and night and stated that he has left many messages for the Police Department's Code Enforcement and Animal Enforcement divisions to contact him regarding this matter over the course of three months and he has yet to receive a response. Mr. Martinez stated that he would like the City to enforce the laws that regulate animals.

Valentin Amezcuita stated that in regards to a comment made previously by a gentleman at this meeting that the City Council is doing a good job; residents pay 30% more in taxes in the City and will be paying approximately half the amount of the water rate than the cities of Beverly Hills and Downey, per the Los Angeles Times Newspaper. Mr. Amezcuita asked who is responsible for the planning and research regarding the new water rates increases in the City and stated that residents need change of leadership. Mr. Amezcuita stated that City Council has failed the residents because rents and property taxes are very high in the City. Mr. Amezcuita asked City Council to consider conducting bids for all City contracts, including City Attorney services to potentially save the City money. Mr. Amezcuita expressed his support for another statement previously made by a woman clarifying that people having a voice in government is not a circus but democracy. Mr. Amezcuita stated that if the City was more affluent, the public would be more informed and certain members of the City Council would not be in office.

Esperanza Rodriguez, longtime resident of the City, informed City Council that she is one of the merchants affected by the recent closure of Pacific Boulevard for the filming of a television program. Ms. Rodriguez stated that merchants previously addressed their concerns to City Council regarding their financial losses as a result of this event and City Council has not resolved this matter. Ms. Rodriguez stated that businesses on Pacific Boulevard are the main source of revenue for the City and urged City Council to support the merchants affected by the event. Ms. Rodriguez asked why anyone would elect the current City Council if they are not doing their job and stated that there needs to be more transparency in the City.

Linda Guevara addressed City Council to clarify previous statements made that City Council earns a lot of money because it is untrue. Ms. Guevara stated that City Council's salaries were reduced by a bill passed by Assembly Member Hector De La Torre and prior to that their salaries were higher. Ms. Guevara informed City Council that while she was on City Council she voted to increase City Council salaries from under minimum wage and stated that City Council members have a retirement plan, medical and dental insurance coverage. Ms. Guevara stated that she voted in favor of bringing in the current City Attorney and that his fee was initially no more than \$5,000 per month and it was later increased to almost \$40,000 per month. Ms. Guevara stated that she is not running for office and that City Council would not be in their posts without the money laundering. Ms. Guevara stated that Council Member Hernandez received \$4,000 from John Noguez's family and then she donated the same amount back to Mr. Noguez, who then donated the same amount. Ms. Guevara informed City Council that laundering money has been going on since 2003 and that City Council raised and spent \$250,000 during the City's 2007 election, which is the highest amount raised because monies came from the City Attorney, Waste Management and other contractors doing business in the City. Ms. Guevara asked City Council to meet with her if they have any questions.

Nick Ioannidis announced that October 28, 2012 is National Immigrants Day and asked what the City is doing for all American people and immigrants. Mr. Ioannidis stated that City Council was elected by the people and should support people of any ethnic background. Mr. Ioannidis also informed City Council that he had to pay \$2,339 and borrowed \$1,000 for the National Immigrants Day celebration, of which he is the founder of. Mr. Ioannidis stated that the City Attorney and Council Member Gomez offered him \$10,000 to solve a civil matter but that he is still paying a lot of money per month. Mr. Ioannidis asked City Council for

improvements in the City.

Vice Mayor Guerrero left her seat at 8:38 p.m. and returned at 8:41 p.m.

Dino, representing Dino's Chicken and Burgers, informed City Council that he opened his business in Huntington Park approximately seven months ago and that he regrets not fully researching the many obstacles that would affect his business prior to opening in the City. Dino stated that he feels that he does not have the support from the City, City Council, and other businesses. Dino thanked Council Member Hernandez for being a good customer and stated that he has catered free lunches to the City and other events and briefed City Council on the history of his family business. Dino informed City Council that his business had to close for 16 days in the course of one month because of different events in the City and stated that this hurt his business financially. Dino informed City Council that many of the merchants are about to go out of business and moving out of the City and it may potentially include his business as well. Dino addressed his concern with the lack of lighting and customers having to pay for parking on Pacific Boulevard, especially at night. Dino urged City Council to help the businesses in the City.

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

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

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 October 15, 2012.

END OF CONSENT CALENDAR

City Manager Bobadilla presented a request from Council Member Gomez for discussion and/or action regarding the role of the Downtown Huntington Park Business Improvement District. Hector Perez-Pacheco, Rosalinda Huerta, and Victoria Jamreovnit Miranda, Business Improvement District (BID) Board Members, addressed City Council in support of the BID Board and their efforts to outreach to their members regarding the BID meetings and events in the City. Mr. Perez-Pacheco invited City Council to attend the BID Board meeting on October 16, 2012. Ms. Miranda informed City Council that the BID constantly notifies its members regarding events in the City and that the filming of Caso Cerrado was approved by City Council prior to the BID's consent or opportunity to communicate with its members and the businesses that would be affected. Ms. Huerta informed City Council that the BID Board represents the business community in the City and asked City Council to work with the BID to get feedback from the businesses. Esperanza Rodriguez, business owner, informed City Council that most businesses on Pacific Boulevard open at 9:00 a.m. or 10:00 a.m. and cannot attend the BID Board meetings because the meeting time is scheduled at the time that the businesses open. Ms. Rodriguez asked City Council to consider upgrading the lighting on Pacific Boulevard to improve safety and attract more clientele. Following a discussion, motion by Gomez, seconded by Perez, to **form an Ad-Hoc Committee comprised of Council Member Gomez and Mayor Molina to meet with the Business Improvement District Board and stakeholders to address the role of the BID, improve outreach to the business community, and to better address any issues or concerns of the merchants**, carried as follows: carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes:

None; Absent: None.

City Manager Bobadilla presented a request from Vice Mayor Guerrero for discussion and/or action regarding the City's Special Event Policy. Motion by Guerrero, seconded by Gomez, to **direct staff to look into other cities in regards to their special event policy and process and report back to City Council with a proposal, including a communication mechanism among City staff, Business Improvement District, The Greater Area Huntington Park Chamber of Commerce, and other parties affected by these events**, carried as follows: carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

City Manager Bobadilla requested discussion and/or action of proposed City-sponsored events. Following a discussion, motion by Guerrero, seconded by Hernandez, to **designate the Southeast Churches Annual toy giveaway as a City-sponsored event**, carried as follows: carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

City Manager Bobadilla announced that the following items will be continued: 1) a request from Council Member Gomez for discussion and/or action regarding the City's water rate structure; and 2) the contract between the City of Huntington Park and Leal Trejo, A Professional Corporation, for City Attorney Services for the City of Huntington Park.

City Manager Bobadilla presented a request from Council Member Perez for discussion and/or action regarding the Agreement between the City of Huntington Park and Caroline Promotions, Inc. for the Services Relating to the Huntington Park Business Improvement Districts 2013 Children's Fair and Three Kings Event. Erica Frausto, Business Improvement District Manager, informed City Council that the BID will be discussing the possibilities of relocating the procession from Pacific Boulevard to minimize the traffic impact. **Following a discussion and there being no objection, Mayor Molina so ordered staff to prepare a new proposal for the Business Improvement Districts 2013 Children's Fair and Three Kings Event and report back to City Council.**

Acting Accounting Manager Ruiz requested approval of a Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and Reporting Data for the National Transit Database for Report Year 2010 between the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the City of Huntington Park. Motion by Guerrero, seconded by Hernandez, to **approve a Proposition A Discretionary Incentive Grant Program Memorandum of Understanding for Collecting and Reporting Data for the National Transit Database for Report Year 2010 between the Los Angeles County Metropolitan Transportation Authority (LACMTA) and the City of Huntington Park**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Interim Director of Community Development Wong requested approval of an Activity in Public Places Permit requested by The Greater Huntington Park Area Chamber of Commerce to conduct the annual Christmas Lane Parade along Pacific Boulevard between Slauson and Florence Avenues on Saturday, November 17, 2012, subject to approval from all applicable City departments and local public agencies and subject to the applicant agreeing to pay the entire of the total actual cost no later than 45 days after receiving the invoice. Motion by Gomez, seconded by Guerrero, to **approve an Activity in Public Places Permit requested by The Greater Huntington Park Area Chamber of Commerce to conduct the annual Christmas Lane Parade along Pacific Boulevard between Slauson and Florence Avenues on Saturday, November 17, 2012, subject to approval from all applicable City departments and local public agencies and subject to the applicant agreeing to pay the entire of the total actual cost no later than 45 days after receiving the invoice**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Director of Parks and Recreation Espinosa requested approval of a Facility Use Agreement with Circo Hermanos Vazquez for use of the Salt Lake Park Soccer Circle Area to conduct a circus March 26 through April 24, 2013. Motion by Gomez, seconded by Guerrero, to, **approve the Facility Use Agreement with Circo Hermanos Vazquez for use of the Salt Lake Park Soccer Circle Area to conduct a circus, subject to changing the dates of the**

event to comply with existing park policy for the length of circuses, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Director of Parks and Recreation Espinosa requested approval of a request from American Association of Retired Persons (AARP) Chapter 221 for waiver of permit, license and processing fees totaling \$69.53 for the Senior Citizen Bingo Program. Motion by Gomez, seconded by Hernandez, to **approve the request from American Association of Retired Persons (AARP) Chapter 221 for waiver of permit, license and processing fees totaling \$69.53 for the Senior Citizen Bingo Program**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Resolution Nos.: 2012-49, 2012-50, 2012-51, 2012-52, and 2012-53 were presented as follows:

RESOLUTION NO. 2012-49. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES.**

RESOLUTION NO. 2012-50. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **CONSENTING TO AN ELECTION CONSOLIDATION WITH THE CITY OF LOS ANGELES, INCLUDING THE LOS ANGELES COMMUNITY COLLEGE DISTRICT AND ORDERING THAT THE THREE (3) SEATS ON THE BOARD OF TRUSTEES OF THE LOS ANGELES COMMUNITY COLLEGE DISTRICT APPEAR ON THE BALLOT OF THE GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013.**

RESOLUTION NO. 2012-51. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013.**

RESOLUTION NO. 2012-52. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, MARCH 5, 2013.**

RESOLUTION NO. 2012-53. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **PROVIDING FOR THE CONDUCT OF A SPECIAL RUNOFF ELECTION FOR ELECTIVE OFFICES IN THE EVENT OF A TIE VOTE AT ANY MUNICIPAL ELECTION.**

Motion by Gomez, seconded by Perez, to adopt Resolution Nos.: 2012-49, 2012-50, 2012-51, 2012-52, and 2012-53, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

RESOLUTION NO. 2012-54. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **GIVING NOTICE OF ITS INTENTION TO APPROVE AN AMENDMENT TO THE CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK** was presented. Motion by Guerrero, seconded by Hernandez, to adopt Resolution No. 2012-54, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Council Member Hernandez excused herself from the meeting and left her seat at 9:33 p.m.

City Attorney Leal reported the following on the closed session items: 1) pursuant to California Government Code Section 54957, PUBLIC EMPLOYEE PERFORMANCE EVALUATION, Title: City Attorney, no formal action was taken; and 2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9:(1), this item was not discussed.

Mayor Molina declared the meeting adjourned at 9:34 p.m.

Andy Molina, Mayor

Rosanna M. Ramirez, City Clerk