

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, November 5, 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.

Mayor Molina and City Council presented a proclamation to the Huntington Park Kiwanis Club in celebration of the Key Club Week observed November 5 through 9, 2012. Martin Delgado, Community Library Manager at the Huntington Park Library, briefed City Council on the Key Club's involvement in the community and introduced some of the Key Club members.

Chief of Police Cisneros read biographies and introduced Paul Weinrich and Darryl Inouye, new Reserve Officers for the Huntington Park Police Department.

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, Director/Editor of LA VOZ Editorial Newspaper, read literature to City Council titled: "A Viva Voz" prepared by Henry J. Garcia.

Yvonne Correa read the remainder of Mr. Garcia's literature to City Council titled: "A Viva Voz" prepared by Henry J. Garcia.

Vice Mayor Guerrero left her seat at 6:32 p.m. and returned at 6:34 p.m.

Rodolfo Cruz informed City Council that he is a property owner in the City and addressed his concerns regarding high property taxes in the City and water left running from the water well near Huntington Park High School, especially after the City recently raised its water rates. Mr. Cruz also addressed his concerns to City Council regarding City staff collecting fees from businesses operating in the City without a business license and building fees for construction to garages. Mr. Cruz also addressed his concern to City Council with police officers using their cell phones while driving, the deteriorating condition of streets, and the amount of trash and dog waste throughout the City.

Elena Maciel informed City Council that she moved to Huntington Park from West Covina last year and she has received approximately ten parking citations since. Ms. Maciel informed City Council that she did not know that the City had a lack of parking for residents and stated that she cannot afford to pay for these citations. Ms. Maciel asked City Council for assistance with this matter.

Karina informed City Council that people in the community are hard workers and want their questions answered. Karina stated that City Council is corrupt because of their association with John Noguez who is now in jail and their mention of City's sound economy when the City is facing a deficit. Karina stated that City Council's policies have been harmful to business owners and encouraged City Council to walk down Pacific Boulevard to see the damage they have caused to the business community. Karina stated that the community is united to bring out the truth.

Interim City Attorney Todd Litfin introduced himself and stated that under the Brown Act, City Council meetings are supposed to be professionally run meetings dealing with City issues and that there should be no applause, cheering, or yelling during the meetings so everyone can express their viewpoints.

Betty Retama asked City Council who has visited John Noguez and addressed her concern with the appointment of a new City Attorney. Ms. Retama addressed her concern with S&P's downgrading of the City of Huntington Park's credit rating and stated that if City Council is concerned with the potential cost of a recall, that they should consider resigning.

City Manager Bobadilla introduced the new Director of Finance Julio Morales and briefed City Council on Mr. Morales' education and professional background.

Director of Finance Morales briefed everyone on the status of S&P's downgrading of the City's credit rating and stated that it is the result of the dissolution of the Redevelopment Agencies many cities are facing throughout the State of California.

Veronica Lopez, longtime resident, stated that all cities in the State of California are

suffering financially due to the dissolution of their Redevelopment agencies and that she was in support of the Utility Users' Tax when it was placed on the tax roll because she understands the importance of the paying to maintain a good level of services in the City. Ms. Lopez addressed her concern with individuals who do not reside in the City addressing City Council regarding John Noguez even though his matter is already being handled by the District Attorney's office. Ms. Lopez stated that people complain to City Council about trash, mattresses and other items being dumped throughout the City and encouraged residents to get involved and help police their neighborhood.

City Manager Bobadilla briefed City Council on the subject of why property taxes in the City of Huntington Park are higher than some of the surrounding cities. City Manager Bobadilla stated that approximately 20% of the property taxes come to the City and the other 80% goes to the State of California, County of Los Angeles, and Los Angeles Unified School District.

Paul Tapia briefed City Council on his professional and educational background and stated that he grew up in Huntington Park. Mr. Tapia informed City Council that he worked for the Huntington Park Police Department for one (1) year and stated that the City has spent approximately half a million dollars defending a Council Member who abused the position. Mr. Tapia also informed City Council that previous accusations of misconduct have been ignored and asked Council Member Guerrero to step down from City Council.

Nancy Piña stated that the residents of the City of Huntington Park vote for various propositions which cause their taxes to increase but other cities vote on the same propositions and yet they pay a lot less in taxes than the City of Huntington Park. Ms. Piña stated that residents should educate themselves regarding proposed measures and propositions. Ms. Piña stated that if residents are unhappy with the job that City Council is doing, residents can remove them from office and that people are responsible for cleaning and picking up their trash but if they refuse then the City should do it.

Phillip Enriquez stated that he sent e-mails to City Council informing them why he was fired as a City inspector by former Interim City Manager Raul Romero and stated that he has this information if City Council is interested in hearing it. Mr. Enriquez stated that things were different in the City many years ago and that the Code Enforcement officers did not take advantage of residents who do not have the education or power to fight back or defend themselves.

Rosa Mesa addressed her concerns to City Council with statements made by a gentleman regarding trash in the City and asked if he has ever attended the neighborhood meetings in the community or has volunteered to assist in community organized clean-up events. Ms. Mesa stated that there are many residents in the community that support City Council and have been here in good and bad times and does not recognize the residents protesting because they are not active in the community.

Alex Reynoso, longtime resident of the City, stated that the proposed recall will cost the City and the community a lot of money and that those individuals raising concerns with City Council do not reside in the City. Mr. Reynoso stated that City Council is involved in cleaning the community and asked members of the public who support City Council to stand up and show unity. Mr. Reynoso stated that he has talked to residents and the business community about the proposed recall and that they are not in favor and asked those individuals who do not reside in the City to go back to the cities in which they reside and fix them first before coming to Huntington Park. Mr. Reynoso thanked the Police Department for servicing the City.

Francine Casillas, longtime resident of the City, stated that if people complain about the City being dirty that they should join the community events to help clean up the City and for the gentleman that complained regarding police officers using their cell phones, there is nothing they can do about it but obey the law. Ms. Casillas also stated that she supports City Council and opposed the recall.

Nick Ioannidis welcomed City Manager Bobadilla and Interim City Attorney Litfin and stated that since 1983 he has had an economic injury from the City and as a result he pays \$2,239 every month. Mr. Ioannidis stated that he is the chairman for the recall and asked City Council to resign now because they have not fixed the problems.

A woman stated that she has been a volunteer in the City for many years and supports City Council. The woman stated that it is a shame that the new City Manager and the Chief of Police have to deal with accusations from the public.

A woman stated that a lady has been trying to hurt the reputation of the City of

Huntington Park but urged residents not to listen to her and that if the City is dirty, the community can help clean it. The woman stated that residents are not allowed to use their cell phones while driving but the Police Department can and they do it for many reasons including emergencies. The woman stated that she supports City Council.

Enrique Murillo informed City Council that people call him to complain about City Council because they are doing a bad job. Mr. Murillo stated that Rosario Marin came to visit him years back to ask for his support and that she betrayed the senior citizens once she got on City Council. Mr. Murillo stated that senior citizens need their own building and that the community center did not replace their former facility. Mr. Murillo stated that they used to have many chairs for senior citizens to sit and asked what happened to these chairs.

Maria addressed her concern with the lack of Combi buses that stop in front of City Hall especially because too many children rely on this transportation to get home and stated that it is not safe for children to get off and on the bus and asked for assistance with this matter.

Karla Santiago, longtime resident of the City, stated that she gets the feeling that individuals addressing City Council are personal friends of Council and stated that she does not see City Council is doing a good job based on the amount of trash in the City and lack of youth programs available at Salt Lake Park. Ms. Santiago addressed her concern with the condition of the American Flag in front of the Police Department and stated that she supports the recall.

Balle Dario Machuca informed City Council that he met with City Manager Bobadilla to come up with ideas to try to resolve the lack of parking issue in the City. Mr. Machuca stated that he gave Mr. Bobadilla suggestions and thanked him for setting up a meeting with the residents in the area to address this issue. Mr. Machuca stated that there was no need to use City staff to distribute information about the proposed community meeting to address the lack of parking issue in the City because he has offered to be a volunteer to the City.

Emma Gutierrez asked the following questions: when did the corruption begin; was it not Linda Guevara who voted to raise the salary of the City Council; and was it Ms. Guevara who lied to the City about being a resident so she could be on City Council. Ms. Gutierrez stated that we all live in the City and can work together and if people want to vote Council out they can to it the right way.

A woman stated that she supports the recall and the District Attorney doing a full investigation. This woman stated that City Council has received the support of the community and that it is time for the truth to come out and have an investigation.

Valentin Amezcuita informed City Council that senior citizens cannot afford to pay more taxes and that the premise for passing Measures L and E was to pay for public services and yet people still complain about the lack of police response to calls. Mr. Amezcuita stated that the water presentation by Desi Alvarez showed that the City would increase the water rate by 28% when it will be more than that and stated that the City of Huntington Park is paying more for water than the City of Downey because of mismanagement. Mr. Amezcuita also stated that City Council awarded a contract to George Cole as soon as they came into office as a reward for his support on their campaigns. Mr. Amezcuita also asked why City Council did not fire the former City Attorney prior to now, especially for making over \$600,000 a year and read the definition of the word corruption from the Oxford Dictionary.

Marilyn Sanabria stated that she is looking forward to Mr. Bobadilla's water presentation because she has been trying to get Desi Alvarez to reproduce documents and respond to her inquiries, phone calls and e-mails. Ms. Sanabria stated that she supports democracy and is glad that residents have been asking questions and addressing issues that affect them on a daily basis, including water, property taxes, and police. Ms. Sanabria stated that it is no secret that she has been asking questions about what is going on in the City for approximately three (3) months and is waiting for answers. Ms. Sanabria asked City Council to let true democracy happen and let the recall take place because it is supported by the law and read a quote from Thomas Jefferson on democracy. Ms. Sanabria stated that City Council did not address the issue on the recall papers that in 2003 John Noguez gave Council Member Hernandez \$5,000 and Ramin Salari gave Council Member Hernandez \$7,500 and then gave money to Council Member Gomez and asked City Council to meet with her to go over these numbers with the District Attorney. Ms. Sanabria asked City Council to answer the questions regarding John Noguez and the properties and the mismanagement of the funds.

Esperanza Rodriguez, longtime business owner and 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 did not offer a solution or help with this matter. Ms. Rodriguez asked for how long the City has been without a Finance Director and stated that if City Council is not doing their job, they should step down from their position on the City Council. City Manager Bobadilla informed Ms. Rodriguez that the former Finance Director was fired in August 2012 and that the City has been without one until now.

Linda Guevara stated that Interim City Attorney Litfin allowed people to speak longer in support of City Council versus those opposed to City Council and that any discussion or comments by City Council not on the agenda such as the report on the S&P is a violation of the Brown Act. Ms. Guevara stated that City Manager Bobadilla failed to let everyone know that Finance Director Morales came from the City of El Monte and that he plans on bringing three (3) more individuals. Ms. Guevara also stated that Mr. Bobadilla had two (2) years managerial experience because he was fired from the City of El Monte and that he is under investigation by the FBI. Ms. Guevara also stated that City Council took money from Ramin Salari and that they laundered money from campaign donations and it is on their 460 forms. Ms. Guevara stated that there is a petition going around asking the State Controller step in and look into these finances and that the previous City Manager stated that City Council commingled funds. Ms. Guevara also stated that she is not running for office and that she went through a process and that she does reside in Downey but her family lives here so she is their voice.

Interim City Attorney Litfin stated that under the Brown Act, City Council meetings are supposed to be run in a professional and civilized manner to have intellectual conversations about issues in the City and that staff is allowed to answer questions addressed by the public such as the S&P comment.

City Manager Bobadilla stated that a developer in the city he came from is under investigation by the FBI for defrauding the city for over \$4 Million and staff reported this to the FBI. City Manager Bobadilla stated that when he took over that city, it had a deficit of \$500,000 and left the city with a \$5 Million surplus.

Alicia Aguilar, longtime resident of the City, stated that people address many issues to City Council but no solutions have been offered to these issues. Ms. Aguilar stated that residents are responsible for cleaning the City because it is their home and stated that she has had complaints regarding the water and other issues and they have been resolved. Ms. Aguilar asked City Council to offer solutions to residents speaking before them and stated that there are reasons why people did not vote for those in office.

Irma Garcia, longtime resident of the City, stated that people in the community should be educated and addressed her concern with poor quality of education in schools in the City and the lack of youth programs. Ms. Garcia asked City Council who was in charge of notifying residents regarding the community meeting to address the lack of parking issue because she resides on Arbutus Street and there are limited parking spaces because most of the curbs are painted red. Ms. Garcia stressed the need for a traffic light at the intersection of Arbutus Street and Saturn Avenue. Ms. Garcia also addressed her concern with the refuse collection company because her trash does not get picked up on time and stated that Council Member Gomez damaged her vehicle.

Eve Rodriguez, representing the American Cancer Society Southeast Cities Relay for Life, asked the public to be respectful and presented Council Member Perez with an award for being a leader as a top fundraiser and for her involvement in promoting Proposition 29, which made this the City of Huntington Park smoke free. Ms. Rodriguez stated that on behalf of the American Cancer Society, they are very proud to have City Council and thanked them for their support with their many activities and events.

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

Mayor Molina recessed the meeting at 8:24 p.m.

Following the recess, the meeting was called to order in the Council Chambers at 8:47 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.

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 minutes of the regular meeting of the City Council held Monday, October 1, 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 November 5, 2012.

END OF CONSENT CALENDAR

Manny Acosta, Housing and Community Development Manager presented a request for approval of \$7,500 from the Business Improvement District (BID) budget for installation of the 2012 Downtown Christmas decorations. Mr. Acosta stated that staff is recommending an increase from \$5,000 to \$7,500 from the Business Improvement District (BID) budget for installation of the 2012 Downtown Christmas decorations. Leticia Martinez, Executive Director of The Greater Huntington Park Area Chamber of Commerce, informed City Council that the Chamber has partnered with the BID for the last five (5) years to share the cost of the Christmas decorations along Pacific Boulevard. Ms. Martinez stated that the Chamber will be looking into revenue generating ideas for the years to come without requesting funding assistance from the City and stated that she looks forward to partnering with the BID once again for this year's decorations. Motion by Gomez, seconded by Guerrero, to **approve \$5,000 from the Business Improvement District (BID) budget for installation of the 2012 Downtown Christmas decorations with the option to backstop the additional \$2,500 from the BID budget in the event that City staff is unable to locate funds in the amount of \$2,500 from other sources**, 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 briefed City Council and presented for discussion and/or action the following recommendations from the Business Improvement District (BID) Advisory Board: 1) eliminate the 2013 Three Kings and Children's Fair event; 2) authorize the City Manager to solicit a firm to provide a marketing and promotion program for the holiday season with a budget not to exceed \$25,000; 3) authorize weekly sidewalk sales in the BID area from November 17, 2012 through January 6, 2013; and 4) allow free meter parking in the BID area on Friday, November 23, 2012. Director of Finance Morales briefed City Council on the fiscal impact for allowing free meter parking in the BID area on November 23, 2012 which is approximately \$5,000 and conducted an analysis of the annual revenues for parking meters which is approximately \$800,000. Mr. Morales hopes that the sales revenue would increase by approximately 2% to 5% to make up for the loss of parking meter revenue. Mr. Bobadilla stated that the intent is to promote businesses in the BID. Esperanza Rodriguez, business owner in the City, asked City Council to consider allowing free meter parking along Pacific to get shoppers enough time to visit more stores on Pacific Boulevard. Motion by Perez, seconded by Gomez, to **approve the following recommendations from the BID: 1) authorize the City Manager to solicit a public relations firm to conduct a public relations campaign for the BID for the 2012 Holiday Season not to exceed an amount of \$7,500; 2) authorize the City Manager to solicit firms to provide marketing and promotions program for the holiday season with a budget not to exceed \$25,000; 3) authorize weekly sidewalk sales in the BID area in the weekends from November 17, 2012 through January 6, 2013; and 4) allow free meter parking in the BID area on Friday, November 23, 2012**, carried as follows: carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Council Member Gomez excused himself from the meeting at 9:13 p.m.

City Manager Bobadilla introduced Julio Morales, Director of Finance, who displayed a presentation regarding the implementation water rate increases. Mr. Morales stated that the billing process was changed from bi-monthly to monthly and the water rates and late fee structures were changed as well. **There being no objection, City Council received and filed this report.**

City Manager Bobadilla announced that the agenda item titled a request from Council Member Hernandez to form an "Immediate Emergency Response" Ad Hoc Committee for the City of Huntington Park, will be continued to the next City Council meeting.

Resolution Nos.: 2012-55, 2012-56, 2012-57, and 2012-58 were presented as follows:

RESOLUTION NO. 2012-55. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR NON-REPRESENTED EMPLOYEES AND REPEALING RESOLUTION 2011-55.**

RESOLUTION NO. 2012-56. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE GENERAL EMPLOYEES' ASSOCIATION AND REPEALING RESOLUTION 2011-56.**

RESOLUTION NO. 2012-57. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE POLICE OFFICERS' ASSOCIATION AND REPEALING RESOLUTION 2011-57.**

RESOLUTION NO. 2012-58. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **FIXING THE EMPLOYER'S CONTRIBUTION UNDER THE PUBLIC EMPLOYEE'S MEDICAL AND HOSPITAL CARE ACT FOR EMPLOYEES REPRESENTED BY THE POLICE MANAGEMENT ASSOCIATION AND REPEALING RESOLUTION 2011-58.**

Council Member Gomez returned to his seat at 9:22 p.m.

Motion by Guerrero, seconded by Perez, to adopt Resolution Nos.: 2012-55, 2012-56, 2012-57, 2012-58, carried as follows: Ayes: Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Abstain: Council Member Gomez; Absent: None.

ORDINANCE NO. 901-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM** was read by title. Motion by Guerrero, seconded by Perez, that reading in full of Ordinance No. 901-NS for first reading be waived, and that Ordinance No. 901-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Interim City Attorney Litfin requested the City Council resolve into a **closed session** pursuant to Government Code Subdivision (a) of Section 54956.9, **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**, Name of Case: Huntington Patients' Association, Edwin Movagharian vs. City of Huntington Park, et al., Case No. BC466323. Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 9:42 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 10:02 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.

Interim City Attorney Litfin reported out that in closed session for Conference with

Legal Council – 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, no action taken.

Mayor Molina declared the meeting adjourned at 10:03 p.m., in memory of the following: 1) Delfina Correa, mother of Mary Lou Ascencion, Executive Assistant to the City Manager for the City of Huntington Park; 2) Michael Leinen, retired Lieutenant and former Reserve Police Officer for the City of Huntington Park Police Department; and 3) Ruben Walter Ramos, brother of Veronica Romero, longtime resident and active community volunteer for the City of Huntington Park.

Andy Molina, Mayor

Rosanna M. Ramirez, City Clerk