

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, November 18, 2013.

Following the Invocation, the Pledge of Allegiance to the Flag was led by Noe Sandoval, Nicholas Delgadillo, and Raymond Godoy, Eagle Scouts from Boy Scouts Troop 419 from the City of Vernon. The meeting was called to order in the Council Chambers at 6:00 p.m. by Vice Mayor Perez. Present: Council Member Valentin Palos Amezcua, Vice Mayor Rosa E. Perez, Council Member Ofelia Hernandez, Council Member Karina Macias; Absent: Mayor Mario Gomez.

Vice Mayor Perez and City Council presented the Certificates of Appreciation to the following Eagle Scouts from Boys Scouts Troop 419 from the City of Vernon for leading the flag salute and for their service and support to their community and for attaining the rank of Eagle Scout with the Boy Scouts of America: 1) Noe Sandoval, 2) Nicholas Leonardo Delgadillo, and 3) Raymond Lucky Godoy. Vice Mayor Perez acknowledged Michael McCormick, Mayor of the City of Vernon, representing the Boys Scouts Troop 419.

Vice Mayor Perez and City Council presented a Proclamation to Johnny Cerda on behalf of Avila's El Ranchito Restaurant in honor of their 47th Anniversary.

Vice Mayor Perez and City Council presented a Certificate of Recognition to Shaow Kwan for her 17 years of service as a teacher at Miles Early Education Center. City Council also presented a Certificate of Appreciation to Ms. Kwan on behalf of the Los Angeles Unified School District for her dedication and 23 years of service.

Vice Mayor Perez and City Council presented a Plaque of Recognition to Fermin Castillo, Facility Repair Specialist, for his 23 years of dedication, loyalty and outstanding service to the City of Huntington Park. Mr. Castillo thanked City Council and the City of Huntington Park for the recognition.

Ruben Sanchez, representing LA Business Connect, presented a quarterly performance report of providing business technical assistance to local businesses for the City of Huntington Park.

9. CITY MANAGER'S AGENDA

- 9.1 Discussion and/or action regarding presentation by Primestor Development Inc. regarding branding for the City of Huntington Park. Vanessa Delgado, representing Primestor Development Inc., displayed a PowerPoint presentation regarding new branding for the City.

Director of Finance Morales displayed a PowerPoint presentation of the Reconciliation of Fiscal Year 2013-2014 General Fund Budget Phase I. There being no objection, City Council so ordered staff to schedule a Special City Council meeting for a budget study session on Monday, November 25, 2013 at 6:00 p.m.

7. HEARING

- 7.1 City Council Call for Review of Planning Commission Case No. 2013-12-CUP.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

Senior Planner Albert Fontanez displayed a PowerPoint presentation and reviewed staff's reports and analysis regarding Planning Commission Case No. 2013-12-CUP, a request for a Conditional Use Permit to allow the expansion and operation of an existing metal recycling facility at 6069-6105 Maywood Avenue, within the Manufacturing Planned Development (MPD) Zone. Mr. Fontanez stated that the Planning Commission took

7. HEARING – (Continued)

action to approve the request on September 18, 2013, however, the City Council has the authority under Huntington Park Municipal Code (HPMC) Section 9-2.1711 to request a Call for Review of any action taken by the Planning Commission.

Director of Public Works/City Engineer Enriquez announced that a revised report and resolutions for City Council Call for Review of Planning Commission Case No. 2013-12-CUP was placed on the dais for City Council at tonight's meeting.

Phil Martin, environmental consultant representing Phil Martin & Associates, briefed City Council regarding the environmental studies conducted in connection with the recycling facility at 6069-6105 Maywood Avenue. City Council addressed questions to Mr. Martin regarding the environmental studies.

Rick Chung, Assistant Manager at Ace Recycling, displayed a PowerPoint presentation regarding the proposed expansion of Ace Recycling located at 6069-6105 Maywood Avenue. Mr. Chung informed City Council that Ace Recycling has been in business in the City for approximately two years. Mr. Chung stated that Ace Recycling has created jobs for the community and invests on education for the best practices for their business.

1. Open the public hearing.

The following individuals addressed various concerns to City Council regarding potential health hazards associated with air emissions, traffic, noise, and earth vibrations, therefore opposed the Planning Commission's decision to approve a request for a Conditional Use Permit to allow the expansion and operation of the existing metal recycling collection and processing facility at 6069-6105 Maywood Avenue as proposed: 1) Delia Gonzalez; 2) Martha Aguilar; 3) Jonathan Hernandez; 4) Jesus Hernandez; 5) Hector Alvarado; 6) Angelica Hernandez; 7) Edelia Ruiz; 8) Gladys Obando; 9) Jesus Moyeda; 10) Alejandro Baez; 11) George Franco; and 12) Edgar Gordillo.

The following individuals addressed City Council in support of the Planning Commission's decision to approve a request for a Conditional Use Permit to allow the expansion and operation of the existing metal recycling collection and processing facility at 6069-6105 Maywood Avenue as proposed: 1) Paul Kim; 2) Alvaro Rojas; 3) Adrian Gonzalez; 4) Daniel Reyes; 5) Stephanie Morales; 6) Vicente Paredes; and 7) Miguel Ramirez.

Vice Mayor recessed the meeting at 9:16 p.m. and resumed at 9:21 p.m.

Ricardo Chung, Assistant General Manager and Steven Ko, General Manager, representing Ace Recycling responded to various inquiries from City Council and the public regarding the operations at Ace Recycling.

2. Close the public hearing and consider all public testimony and staff's analysis.

City Council announced the following findings for overturning the Planning Commission's decision on Planning Commission Case No. 2013-12-CUP and denying a Conditional Use Permit (CUP) to allow expansion and operation of an existing metal recycling collection and processing facility at 6069-6105 Maywood Avenue, within the Manufacturing Planned

7. HEARING – (Continued)

Development (MPD) Zone and the adoption of an associated Mitigated Negative Declaration under the California Environmental Quality Act (CEQA): 1) Council Member Hernandez: noise, dust, traffic, earth vibration, and health concerns of the surrounding community; 2) Council Member Macias: noise, conflict with the opinion of the residents and the environmental report, and lack of information in the environmental report regarding consequences/impacts to the nearby land uses; 3) Council Member Amezcuita: lack of information/feedback from environmental agencies regarding impacts to the nearby land uses that can potentially threaten the health and safety of the surrounding community; and 4) Vice Mayor Perez: potential threat to the health and safety of the surrounding community.

3. Adopt Resolution No. 2013-53 upholding or overturning the Planning commission's decision to approve a request for a Conditional Use Permit to allow the expansion and operation of an existing metal recycling collection and processing facility at 6069-6105 Maywood Avenue, within the Manufacturing Planned Development (MPD) Zone and the adoption of an associated Mitigated Negative Declaration under the California Environmental Quality Act (CEQA). Motion by

Motion by Amezcuita, seconded by Hernandez, to **overturn the Planning commission's decision to approve a request for a Conditional Use Permit to allow the expansion and operation of an existing metal recycling collection and processing facility at 6069-6105 Maywood Avenue, within the Manufacturing Planned Development (MPD) Zone and the adoption of an associated Mitigated Negative Declaration under the California Environmental Quality Act (CEQA)**, carried as follows: Ayes: Council Member Amezcuita, Hernandez, Macias, and Vice Mayor Perez; Noes: None; Absent: Mayor Gomez.

Vice Mayor Perez 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.

Nick Ioannidis congratulated City Council on their proposed downtown revitalization plan and addressed concerns regarding the carnival along Pacific Boulevard.

A representative from South Coast Air Quality Management District (AQMD), stressed the importance of public comment for the development of public policy and rules and informed City Council of a new rule being developed to target arsenic commissions regarding battery recycling facilities, particularly related to Exide Technologies and invited the community to attend a meeting on December 6, 2013 at 9:00 a.m. at their headquarters in Diamond Bar and another meeting scheduled to be held in the community in December 2013 regarding the order of abatement.

City Manager Bobadilla invited the community on behalf of Claude Bilodeau to a Turkey Giveaway event on November 26, 2013.

Leticia Martinez, Executive Director/CEO of The Greater Huntington Park Area Chamber of Commerce, informed City Council that the 63rd Annual Christmas Parade will be held Saturday, November 22, 2013 at 6:00 p.m. along Pacific Boulevard and stated that Tommy Lasorda will be the Grand Marshall. Ms. Martinez stated that to clarify a previous statement made to City Council regarding a fee; said fee is for participating in the parade.

Irene Muro, CEO of the Oldtimers Foundation, informed City Council that the Oldtimers Foundation, in collaboration with Tierra Blanca, will present two fundraising events titled "Un Diablito Con Muchas Alas Pastorela Navideña" on December 13 and 14, 2013 and invited everyone to attend. Ms. Muro announced that proceeds of the fundraiser will augment their home delivery meal program and stated that admission is \$7 per child and \$12 per adult. Ms. Muro also announced that the Oldtimers Foundation in collaboration with The Greater Huntington Park Area Chamber of

Commerce will have a Seniors Santa Program to provide assistance to senior citizens in the community.

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

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

6. CONSENT CALENDAR

OFFICE OF THE CITY CLERK

- 6.1 Approve minutes of the following City Council meeting:
 - 6.1-1 Special meeting held Wednesday, October 30, 2013
 - 6.1-2 Regular meeting held Monday, November 4, 2013
- 6.2 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

- 6.3 Approve Accounts Payable and Payroll Warrants dated November 18, 2013.

COMMUNITY DEVELOPMENT DEPARTMENT

- 6.4 **Ordinance amending Title 9, Chapter 3, Article 17 of the Huntington Park Municipal Code relating to Publicly Visible Art.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

- 1. Approve for second reading Ordinance No. 913-NS amending Article 17 of Title 9, Chapter 3 of the Huntington Park Municipal Code regarding the procedures and standards for Publicly Visible Art throughout the City of Huntington Park was read by title. Motion by Hernandez, seconded by Amezquita, that reading in full of Ordinance No. 913-NS for second reading be waived, and that Ordinance No. 913-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Amezquita, Hernandez, Macias, and Vice Mayor Perez; Noes: None; Absent: Mayor Gomez.

PUBLIC WORKS DEPARTMENT

- 6.5 **Resolution approving the application for grant funds from the Los Angeles County Regional Park and Open Space District for First Supervisorial District competitive excess funding for the Salt Lake Park Soccer Fields Project.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

- 1. Adopt a Resolution No. 2013-52 approving the application for grant funds from the Los Angeles County Regional Park and Open Space District for First Supervisorial District Competitive Excess Funding for the Salt Lake Park Soccer Fields Project was presented. Motion by Hernandez, seconded by Amezquita, to adopt Resolution No. 2013-53, carried as follows: Ayes: Council Member Amezquita, Hernandez, Macias, and Vice Mayor Perez; Noes: None; Absent: Mayor Gomez.

2. Authorize the City Manager to execute and submit all related grant application documents.

END OF CONSENT CALENDAR

8. REGULAR AGENDA

COMMUNITY DEVELOPMENT DEPARTMENT

8.1 Month-to-Month Agreement with Karen Warner Associates to continue providing consulting services related to the administration of Federal Housing and Urban Development (HUD) Grant Programs.

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Approve the month-to-month agreement with Karen Warner Associates for the administrative professional services for Community Development Block Grant (CDBG), HOME and Lead-Based Paint Programs.
2. Authorize the City Manager to execute the agreement.

Motion by Hernandez, seconded by Macias, to **approve the month-to-month agreement with Karen Warner Associates for the administrative professional services for Community Development Block Grant (CDBG), HOME and Lead-Based Paint Programs; and authorize the City Manager to execute the agreement**, carried as follows: Ayes: Council Member Amezcuita, Hernandez, Macias, and Vice Mayor Perez; Noes: None; Absent: Mayor Gomez.

FINANCE DEPARTMENT

8.2 Parking Covenant Agreement and Pedestrian Easement Agreement

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Approve a Covenant and Agreement for use of a Public Parking Facility located at 6330 Rugby Avenue.
2. Approve a Pedestrian Easement Deed and Agreement to continue to allow pedestrian access to the public parking spaces
3. Authorize the City Manager to execute these Agreements.

Motion by Hernandez, seconded by Macias, to approve a **Covenant and Agreement for use of a Public Parking Facility located at 6330 Rugby Avenue and Pedestrian Easement Deed and Agreement to continue to allow pedestrian access to the public parking spaces; and authorize the City Manager to execute these Agreements**, carried as follows: Ayes: Council Member Amezcuita, Hernandez, Macias, and Vice Mayor Perez; Noes: None; Absent: Mayor Gomez.

9. CITY MANAGER'S AGENDA

- 9.2 Discussion and/or action regarding Holiday decorations for the Downtown Area. Following a brief discussion, motion by Amezcuita, seconded by Hernandez, to **authorize expenditure for an amount not to exceed \$10,000 from the Arts in Public Places Fund for Holiday decorations for the Downtown Area**, carried as follows: Ayes: Council Member

Amezquita, Hernandez, Macias, and Vice Mayor Perez; Noes: None;
Absent: Mayor Gomez.

10. CITY ATTORNEY'S AGENDA

11. WRITTEN COMMUNICATIONS

12. COUNCIL COMMUNICATIONS

12.5 Council Member Karina Macias

12.5-1 Discussion and/or action regarding concerns from parent volunteers at Nimitz Middle School. The following individuals addressed various concerns to City Council regarding crime, street vendors, traffic safety, and lack of crossing guards affecting parents and students at Nimitz Middle School and requested Council's support: 1) Amparo Mendoza; 2) Raquel Toscano; 3) Maria Guadalupe Lopez; 4) Maria Mendy; 5) Neida Sanchez; and 6) Edgar Gordillo. Following a discussion by City Council and City staff, Vice Mayor Perez so ordered City Manager Bobadilla and Chief of Police Cisneros to contact Nimitz Middle School to offer training to parent volunteers and to report back to City Council.

12.1 Mayor Mario Gomez

12.1-1 Discussion and/or action regarding transit services and to forgo parking meters along Pacific Boulevard on "Black Friday" November 29, 2013. Irene Muro, CEO of Oldtimers Foundation, presented a sample flyer and briefed City Council on the proposed shuttle services for the community on Black Friday, November 29, 2013. Motion by Hernandez, seconded by Amezquita, to **approve free shuttle services to the community November 29 through November 31, 2013; and to forgo parking meters along Pacific Boulevard on "Black Friday" November 29, 2013**, carried as follows: Ayes: Council Member Amezquita, Hernandez, Macias, and Vice Mayor Perez; Noes: None; Absent: Mayor Gomez.

12.2 Vice Mayor Rosa E. Perez

12.3 Council Member Ofelia Hernandez

12.4 Council Member Valentin Palos Amezquita

Interim City Attorney Litfin requested the City Council resolve into a closed session for the following:

13. CLOSED SESSION

13.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to Government Code paragraph (2) or (3) of subdivision (d) of Section 54956.9: (1)

13.2 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of litigation pursuant to Government Code paragraph (4) of subdivision (d) of Section 54956.9: (1)

13.3 Pursuant to Government Code Paragraph (1) of Subdivision (d) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Name of Case: Water Replenishment District of Southern California vs. City of Huntington Park, Case No. BC512581

13. CLOSED SESSION – (Continued)

Vice Mayor Perez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 11:21 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 11:55 p.m. Present: Council Member Valentin Palos Amezcuita, Council Member Ofelia Hernandez, Council Member Karina Macias, and Vice Mayor Rosa E. Perez; Absent: Mayor Mario Gomez.

Interim City Attorney Litfin reported out the following on the **closed session**: 1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of litigation pursuant to Government Code paragraph (4) of subdivision (d) of Section 54956.9: (1), City Council authorized initiation of litigation and the action, the defendants and the other particulars once formally commenced shall be disclosed to any person upon inquiry unless to do so would jeopardize the City's ability to effectuate service of process or settlement negotiations. City Council authorized the City Manager to sign an agreement with legal counsel regarding the matter in which the City is initiating litigation; and 2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Initiation of litigation pursuant to Government Code paragraph (4) of subdivision (d) of Section 54956.9: (1), City Council authorized defense of potential litigation matter and authorized the City Manager to sign an agreement with a law firm on the Independent Cities Risk Management Authority (ICRMA) approved list of attorneys to defend the City.

14. ADJOURNMENT

Vice Mayor Perez declared the meeting adjourned at 11:56 p.m.

Rosa E. Perez, Vice Mayor

Rocio Martinez, Sr. Deputy City Clerk