

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, May 5, 2014.

Following the Invocation, the Pledge of Allegiance to the Flag was led by Emily Cortez, 8<sup>th</sup> grade student at Nimitz Middle School. The meeting was called to order in the Council Chambers at 6:00 p.m. by Mayor Perez. Present: Council Member Valentin Palos Amezcuita, Vice Mayor Karina Macias, Council Member Ofelia Hernandez, Council Member Mario Gomez, and Mayor Rosa E. Perez; Absent: None.

Mayor Perez and City Council presented a Certificate of Appreciation to Emily Cortez for leading the flag salute at the City Council meeting May 5, 2014.

Mayor Perez and City Council presented a Proclamation to Jonathan Sanabria in honor of "Parents Who Host, Lose The Most: Don't be a party to teenage drinking".

Mayor Perez presented a Proclamation to Henry Garcia, Director/Editor of La Voz Editorial Newspaper.

Ani Meymarian, Principal of Alliance Margaret M. Bloomfield High School-Alliance College Ready Public Schools, displayed a PowerPoint presentation regarding the academic standards and API scores associated with Alliance Margaret M. Bloomfield High School. Jesse Marquez, student at Alliance Margaret M. Bloomfield High School, informed City Council regarding his experience at Alliance College Ready Public Schools.

Mayor Perez and City Council presented a Proclamation to Jesse Ibarra for Neighborhood Housing Services for celebrating their 30<sup>th</sup> Anniversary.

Mayor Perez recessed the meeting at 7:08 p.m. and resumed at 7:15 p.m.

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.

Jesus Diaz, Field Representative with Senator Ricardo Lara's Office, announced that Senator Lara's Office now has an office located in the second floor of the Huntington Park City Hall and stated that their office hours are Monday through Thursday from 9:00 a.m. to 5:00 p.m.

Jesus Gonzalez informed City Council that he suffers from various illnesses and expressed his support of medicine collectives in the community.

Marla James, representing Americans for Safe Access, addressed City Council in support of medicine collectives in the community. Ms. James urged City Council to consider adopting an ordinance supporting medical marijuana dispensaries in the City.

Balle Dario Machuca addressed concerns to City Council regarding lack of parking for residents in the City and a parking citation he received recently. Mr. Machuca asked City Council to look into the outcome of a traffic authority meeting that took place in April 2012.

Rosaisela Rowen, representing Urban Associates Inc., distributed a flyer and briefed City Council regarding California's energy crisis and introduced reliable and affordable energy.

Dave Ford, Regional Manager Local Public Affairs Metro Region with Southern California Edison, informed City Council that Southern California Edison will be investing \$2-3 Million on an upcoming infrastructure replacement project in the City and distributed information regarding planned power outages.

Angel Ramirez, Project Manager with Southern California Edison, briefed City Council regarding the proposed infrastructure project, specifically related to the proposed replacement of 3-4 deteriorated underground vaults within the City.

Rodolfo Cruz addressed various concerns to City Council including the City's pension tax, water rates, the sale of City properties, and use of City vehicles.

Edgar Gordillo thanked City Council and City staff for their participation in a recent citywide clean-up event and expressed support for Henry Garcia.

Francisco Rivera addressed concerns with illegal posting of advertisement flyers and stickers on poles throughout the City for taxicab services.

Sandra Orozco addressed concerns to City Council regarding Fiesta Taxi.

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

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

## **6. CONSENT CALENDAR**

### **OFFICE OF THE CITY CLERK**

6.1 Approve minutes of the following City Council meeting:

6.1-1 Regular meeting held Monday, April 21, 2014.

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 May 5, 2014.

### **END OF CONSENT CALENDAR**

## **7. HEARING**

**7.1 Public hearing to consider adoption of the City of Huntington Park's Fiscal Year 2014-2015 Annual Action Plan.**

### **RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

1. Open the public hearing to consider public comment.

Julio Morales, Director of Finance, displayed a PowerPoint presentation regarding the City of Huntington Park's Draft Fiscal Year 2013-2014 Amendment to the Annual action Plan and Fiscal Year 2014-2015 Annual Action Plan.

2. Close the public hearing and include any comments received during the 30-day public review period and during this evening's hearing.

3. Adopt the Fiscal Year 2014-2015 Annual Action Plan.

4. Authorize the City Manager to execute all required documents for transmittal to the U.S. Department of Housing and Urban Development Department (HUD); and

**8.2 Review the City of Huntington Park's Draft Fiscal Year 2013-2014 Amendment to the Annual action Plan.**

### **RECOMMENDATION OF ITEM UNDER CONSIDERATION:**

1. Review the Draft Amendment to the Annual Action Plan for Fiscal Year 2013-2014.

Motion by Gomez, seconded by Hernandez to adopt the Fiscal Year 2014-2015 Annual Action Plan and authorize the City Manager to execute all required documents for transmittal to the U.S. Department of Housing and Urban Development Department (HUD), carried as follows: Ayes: Council Member Amezcuita, Vice Mayor Macias, Council Members Hernandez, Gomez and Mayor Perez; Noes: None; Absent: None.

## **8. REGULAR AGENDA**

### **PUBLIC WORKS DEPARTMENT**

#### **8.1 Pavement resurfacing of Gage Avenue between Salt Lake Avenue and Maywood Avenue.**

##### RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Authorize the City Manager to execute a Purchase Order and payment to the City of Bell for reimbursement of construction costs to resurface the pavement on Gage Avenue between Salt Lake Avenue and Maywood Avenue for a not-to-exceed amount of \$15,000.

Following a brief discussion, motion by Gomez, seconded by Macias, to authorize the City Manager to execute a Purchase Order and payment to the City of Bell for reimbursement of construction costs to resurface the pavement on Gage Avenue between Salt Lake Avenue and Maywood Avenue for a not-to-exceed amount of \$15,000, carried as follows, Ayes: Council Member Amezcuita, Vice Mayor Macias, Council Members Hernandez, Gomez and Mayor Perez; Noes: None; Absent: None.

## **9. CITY MANAGER'S AGENDA**

## **10. CITY ATTORNEY'S AGENDA**

## **11. WRITTEN COMMUNICATIONS**

## **12. COUNCIL COMMUNICATIONS**

### **12.1 Mayor Rosa E. Perez**

### **12.2 Vice Mayor Karina Macias**

### **12.3 Council Member Ofelia Hernandez**

### **12.4 Council Member Valentin Palos Amezcuita**

(The following statements made by Council Member Amezcuita are typed verbatim)

*Council Member Amezcuita:* I have two quite serious items. One has to do, well both have to do with the RFP on the, you know...trash...it's come to my attention that there was an audit done and it was completed in June of 2013 and we haven't...I don't know if you...some of my colleagues are aware of that but if you're not, I'm just sharing it for your benefit as well, I just learned about that recently. So I was thinking, you know, the proposals are coming due pretty fast and should one of the two current...you know, vendors or contractors not get the

contract, the question is how, how, how...you know, how receptive they're going to be to paying us, I believe it's \$3 million what the audit found, so what I want to know is...why haven't we moved and if they were not to be awarded the contract, that they'd be...you know, will have to litigate to get the money.

...the other item was...again on the RFP and the trash services. I've been looking at the revenue that was coming in, you know, previously, it's about...you know...and it's also in the RFP so it's not my data or my fact, it's about \$300,000 and the gross receipts are \$6.3 million, correct...James? That's was in the RFP.

So, given that...was to go with the RFP and the proposals that we receive presumably they are going to be more competitive, meaning that the gross that we receive is going to be less than \$6.3, who knows what it is going to be...\$5.5, \$5.0, it's going to be somewhere maybe \$6.0 whatever, I'll bet it's going to be lower than what it is now, correct?

...Now, under that scenario if you're to say, let's say they are very aggressive and we pick one that's going to lower, you know, this...commercial and lower residential, whatever, let's say it's \$5 million, the franchise fee is based on 15% of the gross.

So that 15% on \$5 million is going to be \$750,000 per year, which is great because currently we're getting about \$300,000.

The \$6.3 is both commercial and residential. So let's say for mathematical illustration purposes, you know, bids that come in are very competitive and let's say it could be \$5.5 million per year, it could be \$5.0, it could be \$4.5, who knows. So let's say \$5.5, so based on the franchise fee, that's 15% of \$5 million is \$750,000 per year, which is almost double...what we're getting right now. So that's great. Now, what I'd like to say is for my colleagues to keep an open mind because I think that, you know, we're not going to force a trash company to bid, you know, it's a free country and they can bid or not bid or they can bid in one aspect and not a different aspect. And I can't explain all of that but I sent some information to the City Manager and City Attorney and what I'd like to do without going to the details ...what I'd like to do is, you know, keep an open mind and for all of us to look at that more in detail, because if there is a possibility that we could be more competitive and get more revenue for the City, I think we should be open to that idea. Because we do need the revenue for various programs, parks, police, etc., so if we have a bid that bids and that gives us more than 15%, and it's a good company that's got the depth and...assets and so forth, why not do that, so it's more money for the City. So that's basically...in a nutshell.

If example, if someone is trying to put more money on the City's table versus what they need in terms of profit, how can we say no? I mean....

...All else being equal, If you have two or three bidders that are the same rate, plus or minus a few pennies, which is insignificant pretty much...that are the same for...for residential and commercial and one of them offers you a higher, higher revenue than all else being equal that one bidder out of three that's giving more profit or revenue to the city, I would think that's the one that we would want to choose.

My recommendation is to look at that to, to, so that...when we receive proposals, no one is precluded from...not paying any more revenue to the City.

(End of verbatim)

## **12.5 Council Member Mario Gomez**

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

### **13. CLOSED SESSION**

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

13.2 Pursuant to California Government Code Section 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS  
Property: APN: 6322-017-901 – 6322-017-910  
Agency Negotiator: City Manager  
Negotiating Parties: City of Huntington Park and Primestor  
Under Negotiation: Price and Terms of Payment

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

Name of Case: Addison Weeks, et. al. v. City of Huntington Park et. al.,  
Case No. EDCV13-1257

13.4 Pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS  
Agency designated representative: City Manager Bobadilla.

Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, and Non-Represented Employees' Association.

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

Name of Case: City of Huntington Park v. Watanabe et al., Case No. 34-2013-80001678.

13.6 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)

Mayor Perez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 8:47 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 11:19 p.m. Present: Present: Council Member Valentin Palos Amezcuita, Vice Mayor Karina Macias, Council Member Ofelia Hernandez, Council Member Mario Gomez, and Mayor Rosa E. Perez; Absent: None.

Interim Assistant City Attorney Larsen reported out no reportable action taken in closed session.

### **13. ADJOURNMENT**

Mayor Perez declared the meeting adjourned at 11:20 p.m.

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Rosa E. Perez, Mayor

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Rocio Martinez, Senior Deputy City Clerk