

Final Minutes Approved May 17, 2016

Regular Meeting of the
City of Huntington Park City Council
Tuesday, April 19, 2016

Sergeant at Arms read the Rules of Decorum.

The regular meeting of the City Council of the City of Huntington Park, California was called to order at 6:01 p.m. on Tuesday, April 19, 2016, in the Council Chambers at City Hall, 6550 Miles Avenue, Huntington Park, California; Mayor Graciela Ortiz presiding.

ROLL CALL

PRESENT: Mayor Graciela Ortiz; and Council Members Valentin Palos Amezquita, Jhonny Pineda, Karina Macias and Vice Mayor Marilyn Sanabria. CITY OFFICIALS/STAFF: Edgar Cisneros City Manager; Arnold Alvarez-Glasman, City Attorney; Noel Tapia, Assistant City Attorney; Cosme Lozano, Chief of Police; Josette Espinosa, Director of Parks and Recreation; Jan Mazyck, Interim Finance Director; Manuel Acosta, Economic Development Manager; Michael Ackerman, City Engineer, Christina Dixon, Staff Analyst, Public Works, and Donna Schwartz, City Clerk.

INVOCATION

The invocation was led by Mayor Ortiz.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Analize Lopez, 10 years old, Lucille Roybal-Allard Elementary School.

PRESENTATIONS AND ANNOUNCEMENTS

Council presented a "Certificate of Recognition" to Analize Lopez for leading the Pledge of Allegiance.

Council presented "Certificates of Recognition" to Linda E. Marquez High School Boys Varsity Basketball Team for Winning the CIF Championships and "Certificates of Appreciation" to the Head Coach, Assistant Coach, Athletic Director and Principals for their Support, Dedication and Commitment to the Students of Linda E. Marquez High School.

Council presented a "Certificate of Recognition" to the Middleton Primary Center, Celebrating 10 Years of Establishment in the City of Huntington Park.

Council presented "Certificates of Recognition" to the Baker to Vegas Team for Their Competitive Effort in the 2016 Baker to Vegas 120 Mile Relay Race Competition.

Christina Dixon, Staff Analyst, Public Works Department introduced Shana Miclea, and Sigrid Lopez of United Pacific Waste (UPW) who presented awards to the winners of the "Bucks for Bulkies" program.

PUBLIC COMMENT

1. Vaughn Becht, We the People Rising, commented on different versions of the bible and noted his desire for two appointments on the commissions be removed.
2. Armando Contreras, voiced concern with bulky items being dropped off on his block by people that don't live there. Noted his items are being picked up but not the rest of the items, requested that Police to drive through his block to attempt to catch the people who are dropping off their items.
3. Lorena Anaya, Middleton Elementary School, spoke in support of Middleton School and in opposition to Valiente Charter School. Ms. Anaya also spoke in support of agenda item 3 resolution in support to stop the privatizing of California's public school.

PUBLIC COMMENT (continued)

4. Lucinda Cruz, stated she uses the bus service and would like to see it running on Saturdays and Sundays to allow her to go to mass and to the hospital, feels the taxi service can't accommodate all the calls and would like the bus to be available more hours.
5. Rodolfo Cruz, commented on various issues in the city, campaign funds, streets need fixing, tax on cell phones, not having enough police on the streets with regard to the homeless, trash in the streets, and falling trees.
6. Jenny Rosales, representative of SELPA South East Los Angeles, spoke in support of Middleton School and opposed to Valiente Charter School.
7. Betty Robinson, We the People Rising, spoke in regards to immigration and areas that are sanctuaries, noted deaths involving people who shouldn't be in the country, and commented on the 287G program.
8. Sandra Orozco, quoted the bible, spoke about righteousness, noted Middleton teachers in attendance and Council that had attended a meeting in support of Middleton, noted those who attended City of Cudahy's reorganization, commented on City Attorney, acknowledged We the People, Nick the Greek and spoke in opposition to Council.
9. Betty Retama, commented on the medical marijuana dispensaries, the Mexican mafia and remarked forensic audit.
10. Robin Hvidston, We the People Rising, stated City Council should be an example by appointing commissioners legally, noted Nick the Greek would be celebrating 41 years of citizenship, and that a cake was brought tonight for Nick.
11. Arthur Schaper, We the People Rising, honored Nick Ioannidis in celebrating 41 years of citizenship, acknowledged Council Member Amezcuita, noted Council Member Pineda's attendance at City of Cudahy's reorganization, commented on agenda item 2, and spoke in opposition to Council.

Mayor Ortiz gave Arthur Schaper his first warning for being disruptive.

12. Dr. Newman, read passages from the bible, commented on marijuana dispensaries, closed session items, and noted an event he attended.
13. America First Latinos, We the People Rising, Raul Rodriguez Jr., noted previous request to remove illegal immigrants, commented on a forensic audit, referenced the Constitution of the United States, acknowledged Council Member Amezcuita, and spoke in opposition to Council.
14. Nick Ioannidis, commented on his 41st anniversary of citizenship and his life and various issues he has had in the city.
15. DeAnn D'Lean, We the People Rising, commented on removing the two appointees, demanded a forensic audit, referenced the Brown Act, and remarked accurate tallies and videos are being kept of the meetings to send to DA.
16. Valentin Amezcuita, recognized Nick the Greek and his years in the city, noted all the certificates he has received, feels a museum is needed for his artifacts, mentioned a certificate to be presented to him at the next Council meeting, commented on the law and sentimental things with regard to immigration.

STAFF RESPONSE

Mayor Ortiz asked City Manager to follow-up with Mr. Armando Contreras regarding the bulky items on Clarendon. Mayor Ortiz commented on Ms. Rosales's comment regarding the charter school issue. Ms. Ortiz stated it is LAUSD that is in charge of the

decisions that are made at Middleton Elementary School and asked City Manager to clarify the situation. City Manager Cisneros explained that LAUSD is considering co-locating Valiente Charter and that the City Council has no formal way to sway any decisions made by LAUSD, however public pressure and support by Council can urge them to take the community into account.

Vice Mayor Sanabria asked City Manager to clarify the cell phone tax stating it is a State law that was passed. City Manager Cisneros confirmed that it is a State law that passed and asked Interim Finance Director Mazyck to explain. Ms. Mazyck stated last year the City began to collect the tax associated with the law that was passed in the State of California.

Council Member Amezquita stated he voted against the tax feels it would have a negative effect to the residents and noted it was optional.

Mayor Ortiz called first warning on Dr. Newman for being out of order.

Mayor Ortiz announced a certificate will be given to Nick the Greek at the next meeting and that the request was made after the agenda had already been posted.

Mayor Ortiz announced she would be recusing herself from the entire Consent Calendar due to the resolution regarding public schools and the fact that she works for the Los Angeles Unified School District, Vice Mayor Sanabria will reconvene the meeting after closed session and she (Mayor) will be returning at the start of Regular Agenda.

CLOSED SESSION

At 7:37 p.m. City Attorney Alvarez-Glasman recessed to closed session.

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code section 54956.9(d)(2)) – Two matters

2. CONFERENCE WITH LABOR NEGOTIATOR - Regarding Represented Employees
(Government Code Section 54957.6(a))
City's Designated Representative(s) for Negotiations: Edgar Cisneros, City Manager
Employee Organization: Police Officers Association

3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)

Santa Fe Ave Marijuana Dispensary/Huntington Park v. OG 25 CAP Collective
L.A.S.C No. VC 065057

4. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)

City of Huntington Park v. Santa Coronado
L.A.S.C No. BC 564026

5. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
Government Code Section 54956.9(d)(1)

City of Huntington Park v. County of Los Angeles, et al.
L.A.S.C No. BC 547969

6. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Government Code Section 54956.9 (d)(4)) – One matter

At 9:45 p.m. Vice Mayor Sanabria reconvened to open session. All Council Members present with the exception of Mayor Ortiz who recused herself from the consent calendar due to conflict of interest related to consent item 3.

CLOSED SESSION ANNOUNCEMENT

City Attorney Alvarez-Glasman announced closed session items 1-6 were discussed by Council, for Item 1) one matter was discussed regarding the State Department of Finance, direction given to legal Counsel, no final action was taken, nothing to report. Item 2) Conference with labor negotiator and Police Officers Association, no action taken, nothing to report. Item 3) no action taken, nothing to report. Item 4) no action taken, nothing to report. Item 5) County of LA vs. City of Huntington Park, direction was provided, bring back to council at later date for further consideration and for Item 6) direction was provided, no action taken, nothing to report.

CONSENT CALENDAR

Motion: Council Member Amezcuita motioned to pull item 2 for discussion. Motion failed due to lack of a second.

Motion: Council Member Macias motioned to approve consent items, seconded by Council Member Pineda. Motion passed 3-1 by the following vote (Amezcuita voted NO) with the exception of (Mayor Ortiz had recused herself from consent calendar):

ROLL CALL:

AYES: Council Member(s): Pineda, Macias and Vice Mayor Sanabria
NOES: Council Member(s): Amezcuita
ABSTAIN: Council Member(s): Mayor Ortiz (recused)

OFFICE OF THE CITY CLERK

1. Approved Minute(s) of the following City Council Meeting(s):
 - 1-1 Regular City Council Meeting held Tuesday, April 5, 2016;
 - 1-2 Special City Council Meeting, Goal Setting Discussion, held Friday, March 11 and Saturday, March 12, 2016; and
 - 1-3 Regular City Council Meeting held Tuesday, March 15, 2016

CITY MANAGER

2. Rescinded the actions taken by the City Council at its Special City Council meeting dated December 23, 2015, relative to the approval of an additional appropriation for contract services with Granicus, Inc., the authorization to replace bus numbers 962, 978, 369 and 961 with new vehicles purchased in a not-to-exceed amount of \$260,000 and the approval of accounts payable and payroll warrants dated December 23, 2015; approved additional appropriation of \$8,287 to account 111-1010-411.56-41 to ensure budgetary sufficiency for FY 15-16 for Granicus Inc. for upgrade to video streaming software (Granicus Open Platform) and encoder (Granicus Encoding Appliance) and monthly management and hosting services; authorized the replacement of bus numbers 962, 978, 369 and 961 with Starcraft Allstar buses purchased from Creative Bus Sales; approved a budget appropriation in to account 748-8060-431.74-20 in a not-to-exceed amount of \$260,000 and authorize the Interim Finance Director to transfer the amount of \$260,000 from the City's General Fund to the Vehicle and Equipment Replacement Fund, 748-0000-101.10-00; and approved accounts payable and payroll warrants dated December 23, 2015.

COUNCIL

3. Adopted Resolution No. 2016-14, in Support of Opposing the Privatizing of California's Public Schools.

CONSENT CALENDAR (continued)

COMMUNITY DEVELOPMENT

4. Adopted Resolution No. 2016-13, Establishing Non-Refundable Fees for Medical Marijuana Business Permit (“MMBP”) and Medical Marijuana Delivery Permit (“MMDP”) Applications.

FINANCE

5. Approved Accounts Payable and Payroll Warrants dated April 19, 2016

END OF CONSENT CALENDAR

REGULAR AGENDA

At 9:49 p.m. Mayor Ortiz returned to the Council Chambers.

COUNCIL

6. Resolution Adopting an Order of Business at City Council Meetings

Motion: Mayor Ortiz moved to adopt Resolution No. 2016-12, Amending Resolution No. 2014-45, Adopting an Order of Business at City Council Meetings, seconded by Vice Mayor Sanabria. **Substitute Motion:** Council Member Amezquita motioned to include “Closed Session Announcement” after “Closed Session” in the order. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz
NOES: Council Member(s): None

CITY MANAGER

7. Approve Extension/Renewal of Contract Services Agreement with Joel Gordillo for Media Technician Services

Motion: Vice Mayor Sanabria motioned to approve the extension/renewal of contract services agreement with Mr. Joel Gordillo for media technician services, authorize the Mayor/City Manager to execute the agreement, and direct the City Clerk and City Manager to conduct a request for proposals (RFP) for the service consistent with city practices prior to July 1, 2016, seconded by Council Member Pineda. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor Sanabria and Mayor Ortiz
NOES: Council Member(s): None

PARKS AND RECREATION

8. Review and Consider Concessionaire Service at Keller Park

Council Member Macias noted an error on page 8 under section C of the RFQ to change “Gage Elementary” to “Miles Elementary.”

Council Member Macias recommended Council review the RFQs and to discuss as a whole at a future special or regular city council meeting. Ms. Macias would like to see the structure blend in to the whole scenery of Keller Park and City Hall.

Mayor Ortiz recommended adding presentations during the evaluation process.

REGULAR AGENDA ITEM 8 (continued)

Motion: Council Member Pineda motioned to review Sample RFQ for Concessionaire Services, direct staff to issue a Request for Qualifications for Concessionaire Services at Keller Park, and include Council Member Macias' noted change, seconded by Vice Mayor Sanabria. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor
Sanabria and Mayor Ortiz
NOES: Council Member(s): None

PUBLIC WORKS

9. Select and Approve Award of Contract for Construction Management for Pacific Boulevard Pedestrian Improvement Project

Council Member Amezquita asked for a short presentation by the bidders.

At this time AIMCS and Transtech both introduced themselves and provided a short presentation.

Motion: Council Member Pineda motioned to award to lowest bidder, approve award of contract services agreement to AIMCS for construction management on Pacific Boulevard and authorize the City Manager to execute agreement, seconded by Council Member Macias. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor
Sanabria and Mayor Ortiz
NOES: Council Member(s): None

END OF REGULAR AGENDA

PUBLIC HEARING

COMMUNITY DEVELOPMENT

10. Ordinance Amending the Land Use Element of the General Plan; and Ordinance Amending Title 9, Chapter 4, Article 3 of the Huntington Park Municipal Code Relating to Property Development Standards; a Conditional Use Permit to Establish a Self-Storage Facility; a Development Permit for the Construction of Two Warehouse Buildings Totaling 245,000 Square Feet; a Tentative Parcel Map to Divide One Parcel into Two; and the Adoption of a Mitigated Negative Declaration Under the California Environmental Quality Act (CEQA) for Property Located at 6901 Alameda Street within the Manufacturing Planned Development (MPD) Zone

Mayor Ortiz opened up the item for public comment, hearing none, declared public comment closed

Council Member Pineda asked if the applicant was in attendance and asked if he could brief the Council on the proposed project and benefits it will bring to the city.

City Manager Cisneros stated yes Mr. Jackson is in attendance.

Mayor Ortiz reopened public comment.

PUBLIC HEARING ITEM 10 (continued)

PUBLIC COMMENT

1. Ken Jackson, Camfield Partners, applicant, thanked staff for all their support, stating it was his second approval for a project in the city. Mr. Jackson briefly explained that the proposed project will bring in revenue through the property tax roll and a tremendous benefit to the city with the property being sold or used.

Mayor Ortiz closed public comment.

Motion: Vice Mayor Sanabria motioned to introduce Ordinance No. 2016-948, amending the Land Use Element of the General Plan, and Title 9, Chapter 4, Article 3 of the Huntington Park Municipal Code relating to property development standards, schedule the second reading and adoption of the Ordinance for May 3, 2016 and approve a Conditional Use Permit, Development Permit, Tentative Parcel Map, and adoption of a categorical exemption for the construction of two warehouse buildings and to establish a self-storage facility, within the Manufacturing Planned Development (MPD) Zone, seconded by Council Member Amezquita. Motion passed 5-0 by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Macias, Vice Mayor
Sanabria and Mayor Ortiz
NOES: Council Member(s): None

DEPARTMENTAL REPORTS (Information only)

WRITTEN COMMUNICATIONS - None

COUNCIL COMMUNICATIONS

Council Member Valentin Palos Amezquita, commented on some of his comments not being included in the Minutes of the Goal Setting Workshop of March 11 and 12, 2016, regarding fund balance projected for FY 2016/2017, his “no” vote on the medical marijuana dispensaries and the Dial-A-Ride contract and the Minutes of March 15, 2016, regarding Dial-A-Ride, he acknowledged the motion regarding construction management and going to the lowest bidder and is glad he and his colleagues voted this way, he feels Transtech has more experience but the city needs to save monies, he reiterated his position to vote for the lowest bidders for the Graffiti and Bus Stop Maintenance contracts although not supported by my colleagues and the higher bids got awarded, thanked staff and wished everyone a good night.

Council Member Karina Macias, thanked staff for all their hard work, her colleagues for this weekend and attending the events, Council Member Pineda and Vice Mayor Sanabria for attending the Tree Planting and Walk for Hunger events along with the residents and student volunteers. Ms. Macias addressed the comment made by a speaker during public comment regarding marijuana dispensaries trending and stated it was not true it was the *Wave* that misquoted her, her statement was “the State is moving towards making marijuana legal” and she will be addressing the *Wave* personally, she mentioned she does have a full-time job but has put her career aside to take care of family and makes time to attend city events. Ms. Macias remarked she wants to challenge her colleagues and staff and everyone in charge of moving the city forward, although the city is facing a tough financial situation, it is not the time to point fingers but to make sure the city move forward that the residents get the best quality services, with regard to lowest bid it may not always be the best and/or the company may not have the credibility or past experience with the community the resident deserve the best, wants to make sure we move forward as a family what matters is the city and the residents and the quality they deserve and thanked staff for all their support.

Council Member Jhonny Pineda, thanked everyone who helped with the Youth Employment Program, he addressed Council Member Amezquita's comments regarding saving monies and making tough choices and hopes when the Council makes tough choices they get his support, and thanked staff for all their support.

COUNCIL COMMUNICATIONS (continued)

Vice Mayor Marilyn Sanabria, echoes what her fellow colleagues have mentioned treating each other with respect, move city businesses forward, noting comments made by Council Member Amezquita, would like to see him at events, she also has a full time job, taking care of family and participates in city events giving back to the community, being a role model as an elected official, feels Council Member Amezquita needs to understand the challenges the city is facing and be more productive and positive moving the city forward. Ms. Sanabria recognized the Tree Planting event and how her family and residents participated, thanked staff for all their support and moving forward through these tough times, acknowledged the Chief of Police as well as the Police Department for their support and wished everyone a good night and hopes to see everyone at the city events.

Mayor Graciela Ortiz, asked City Manager Cisneros to explain the difference between action vs. summary minutes noting that Council previously approved going from summary to action minutes. City Manager Cisneros explained that action minutes are more brief focusing more on the action, was approved for cost effectiveness and staff time, adding that there are videos of the meetings for more information, if there are corrections staff is happy to correct it but not to go back to add more of a summary when action minutes have been approved but if Council wishes to change they have that option. Ms. Ortiz noted that the minutes were revisited because of how long they were taking, they were almost verbatim, and Council made the decision to change. Council can also bring items to the agenda, following protocol, but must go through the Mayor and done 72 hours prior, staff works diligently on reports in order to have them on time to post. Ms. Ortiz acknowledged the Walk for Hunger benefiting Southeast Cities, Tree Planting, Skateboarding Demo and Safety event, thanked Vice Mayor Sanabria and Council Members Pineda and Macias for taking the time to attend these events, acknowledged police efforts with closing of marijuana dispensaries, announced a CicLAvia meeting on Wednesday at Salt Lake Park, and thanked staff for staying late.

Council Member Amezquita, made statements concerning his views regarding the fairness and legality of not including his concise comments in the minutes. City Manager Cisneros informed Council Member Amezquita that there is nothing illegal with the way the minutes are being presented and that the Council had already taken a position on this matter and staff was following that direction and not editorializing the minutes for council members.

ADJOURNMENT

At 10:53 p.m. Mayor Ortiz adjourned the City of Huntington Park City Council to a Regular Meeting on Tuesday, May 3, 2016, at 6:00 P.M.

Respectfully submitted,

Donna G. Schwartz, CMC, City Clerk