

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, November 19, 2007.

Following the Invocation and Pledge of Allegiance to the Flag, the meeting was called to order in the Council Chambers at 6:30 p.m. by Mayor Guerrero. Present: Council Member Ofelia Hernandez, Vice Mayor Mario Gomez, Council Member Juan R. Noguez, Council Member Elba Romo, and Mayor Elba Guerrero. Absent: None.

Mayor Guerrero and Council Members presented plaques in recognition of National Immigrants Day to the following individuals who migrated to this country: 1) Carlos Diego (nominated by Council Member Romo); 2) Cuauhctemoc Moreno (nominated by Council Member Noguez); 3) Orlando Baldelomar (nominated by Council Member Hernandez); 4) Bernard Alison (nominated by Vice Mayor Gomez); and 5) Nancy Lozano (nominated by Mayor Guerrero).

Mayor Guerrero 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.

Andy Molina, representing the Huntington Park Sister Cities Association, informed City Council that they participated in the 57<sup>th</sup> Annual “The Fabulous Holiday Christmas Lane Parade” on November 17, 2007. Mr. Molina thanked City Council, Police Department, and City staff for their assistance in welcoming all of the Huntington Park Sister Cities in touring the City and various departments.

Joseph Baltazar, representing the Huntington Park Sister Cities Association, thanked City Council for their support with the Huntington Park Sister Cities Beauty Pageant and stated that the Queen is Delia Lara.

Dante D’Eramo, Executive Director/CEO of The Greater Area Huntington Park Chamber of Commerce and Ronald V. Garcia, President of The Greater Area Huntington Park Chamber of Commerce, thanked City Council, City Manager Korduner, Chief of Police Trevis, and Department Heads, for their support in the presentation of the Holiday Parade. Mr. D’Eramo informed City Council that the Parade will be televised soon and announced that they will be showing the movie “Shrek The Third” at Park Theatre on Pacific Boulevard, Saturday, December 1, 2007 at 9:00 a.m. and that they will be collecting toys and food for the Salvation Army.

A gentleman informed City Council that his brother owns a company that specializes in synthetic turf that the parks can use and his other brother Louis Huffington who is a muralist is interested in painting murals in the City.

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

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider an appeal of a Planning Commission decision denying Case No. 1851- DP/CUP/VAR (Development Permit/Conditional Use Permit/Variance), a request to establish a convenience store with the off-sale of beer and wine within an existing commercial center located at 5941 State Street within the General-Commercial (C-G) Zone and adoption of a Mitigated Negative Declaration environmental assessment associated with the project. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Alberto Fontanez displayed a PowerPoint presentation of the Appeal of the Planning Commission Case No. 1851 – DP/CUP/VAR at 5941 State Street and requested City Council adopt the proposed resolution approving Planning Commission Case No. 1851- DP/CUP/VAR and the associated Mitigated Negative Declaration Environmental Assessment; or consider one of the following two actions: 1) refer the request to the Planning Commission for reconsideration; or 2) uphold the Planning Commission’s current action to deny the request to establish a convenience store with the off-sale of beer and wine within an existing commercial center located at 5941 State Street within the General-Commercial (C-G) Zone and adoption of a Mitigated Negative Declaration environmental assessment associated with the project. Mayor Guerrero called for oral communications from the public. The following individuals addressed City Council against the appeal and expressed their concerns with the issuance of a permit associated with the off-sale of beer and wine near schools: 1) Ismael Fernandez; 2) Elena Garcia; 3) Otto Hernandez; 4) Gerardo Quiroz; 5) Luis Garcia; 6) Juan Ramos; 7) Leilani Hickman; 8) Emma Gutierrez; 9) Pastor Orlando Baldelomar; 10) Victor Leo; and a gentleman who works at Henry T. Gage Middle School. Mayor Guerrero declared the appeal hearing open and called for oral communications from the appellant. The following individuals addressed City Council in favor of the appeal: 1) Bruce Bertz, appellant, owner of Variants Development Inc., and developer of the commercial center located at 5941 State Street; 2) Del Swatch, owner of the proposed Circle K store located at 5941 State Street; and 3) Kevin Variants. Mayor Guerrero called for any other oral communications, and hearing none, declared the **appeal hearing** closed.

**RESOLUTION NO. 2007-65. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING A DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT AND VARIANCE IN CONNECTION WITH REAL PROPERTY LOCATED AT 5941 STATE STREET, HUNTINGTON PARK, CALIFORNIA AND THE ADOPTION OF A MITIGATED NEGATIVE DECLARATION ENVIRONMENTAL ASSESSMENT ASSOCIATED WITH THE PROJECT** was presented. Motion by Romo, seconded by Gomez, to adopt Resolution No. 2007-65, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: Council Member Hernandez; Absent: None.

The meeting recessed at 8:08 p.m.

The meeting was called to order in the Council Chambers at 8:15 p.m. by Mayor

Guerrero. Present: Vice Mayor Mario Gomez, Council Member Juan R. Noguez, Council Member Elba Romo, and Mayor Elba Guerrero. Absent: Council Member Ofelia Hernandez .

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider an appeal of a Planning Commission decision approving Case No. 1852-CUP, a request for a Conditional Use Permit to allow the on-site sale of beer and wine in conjunction with a bona-fide public eating establishment at 5933 State, in the General Commercial (C-G) Zone. Mayor Guerrero declared the appeal hearing open and called for oral communications from the appellant, and hearing none, declared the **appeal hearing** closed.

RESOLUTION NO. 2007-66. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK UPHOLDING A DECISION OF THE HUNTINGTON PARK PLANNING COMMISSION APPROVING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW THE ON-SITE SALE OF BEER AND WINE IN CONJUNCTION WITH A BONA FIDE PUBLIC EATING ESTABLISHMENT AT 5933 STATE STREET, HUNTINGTON PARK, CALIFORNIA was presented. Motion by Gomez, seconded by Romo, to adopt Resolution No. 2007-66, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider a resolution establishing fees for listed services in conjunction with the City of Huntington Park User Fee Study. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Guerrero declared the public hearing open and called for oral communications and hearing none, Mayor Guerrero declared the **public hearing** closed.

RESOLUTION NO. 2007-67. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK ESTABLISHING FEES FOR LISTED SERVICES IN ACCORDANCE WITH THE CITY OF HUNTINGTON PARK USER FEE STUDY was presented. Motion by Gomez, seconded by Romo, to adopt Resolution No. 2007-67, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider a resolution revising fee amounts applicable to list City services in accordance with the City of Huntington Park User Fee Study. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Guerrero declared the public hearing open and called for oral communications and hearing none, Mayor Guerrero declared the **public hearing** closed.

RESOLUTION NO. 2007-68. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REVISING FEES AMOUNTS APPLICABLE TO LISTED CITY SERVICES IN ACCORDANCE WITH THE CITY OF HUNTINGTON PARK USER FEE STUDY was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2007-68, with the exception of removal of the Live Scan Fees from the User Fee Study; and directed staff to report back to City Council with a policy on Live Scan Fees charged to City volunteers, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider a resolution revising fees applicable to false alarm services rendered by the City of Huntington Park Police Department and establishing penalty charges for excessive false alarms pursuant to Section 4-9.08 of the Huntington Park Municipal Code. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Guerrero declared the public hearing open and called for oral communications and hearing none, Mayor Guerrero declared the **public hearing** closed.

RESOLUTION NO. 2007-69. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REVISING CHARGES APPLICABLE TO FALSE ALARM SERVICES RENDERED BY THE CITY OF HUNTINGTON PARK POLICE DEPARTMENT AND ESTABLISHING PENALTY CHARGES FOR EXCESSIVE FALSE ALARMS PURSUANT TO SECTION 4-9.08 OF THE HUNTINGTON PARK MUNICIPAL CODE was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2007-69, carried as follows: Ayes: Vice Mayor Gomez, Council Members

Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Motion by Gomez, seconded by Noguez, to approve the Consent Calendar with the exception that Council Member Romo abstained on the minutes of the special meeting of the City Council held Monday, October 29, 2007, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

#### CONSENT CALENDAR

#### OFFICE OF THE CITY CLERK

Approve minutes of the special meeting of the City Council held Monday, October 29, 2007.

Approve minutes of the regular meeting of the City Council held Monday, November 5, 2007.

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 the Payroll Demands dated November 19, 2007.

#### INFORMATIONAL ITEM – Received and filed

Correspondence from Waste Management requesting a rate adjustment for annual Consumer Price Index (CPI) Department of Labor Index and Tipping Fees, effective January 1, 2008.

City Manager report on Joe A. Gonsalves & Son City Managers' Meeting held November 1, 2007 in Sacramento, in accordance with Assembly Bill 1234.

#### END OF CONSENT CALENDAR

City Clerk Ramirez presented a request from Council Member Romo for discussion and/or action regarding a Native American program at Salt Lake Park. There being no objection, Mayor Guerrero appointed an Ad-Hoc Committee of Council Members Romo and Noguez to research the possibility of implementing a Native American program at Salt Lake Park and report back to City Council with recommendations.

City Clerk Ramirez presented a request from Council Member Noguez for discussion and/or action regarding changing the Neighborhood Watch Meetings to another date other than Wednesdays. Council Member Noguez stated that the Neighborhood Watch Meetings have been changed to Tuesdays by the Police Department.

City Clerk Ramirez presented for discussion and/or action a request from Mayor Guerrero to adopt Jalpa, Zacatecas, Mexico as a Sister City of Huntington Park. Motion by Gomez, seconded by Romo, **to adopt Jalpa, Zacatecas, Mexico as a Sister City of Huntington Park and for staff to report back with the formal documentation to formalize the City of Jalpa Zacatecas, Mexico as a sister city**, carried as follows: carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Clerk Ramirez presented for discussion and/or action a request from Council Member Noguez for the City to host the California Contract Cities Board of Director's

meeting on Wednesday, December 19, 2007 at Nick Alexander's Museum located at 6000 South Alameda, Huntington Park. Motion by Gomez, seconded by Romo, **to authorize the City to host the California Contract Cities Board of Director's meeting on Wednesday, December 19, 2007 at Nick Alexander's Museum located at 6000 South Alameda, Huntington Park for an amount not to exceed \$5,000**, carried as follows: carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Manager Korduner requested discussion and/or action regarding a non-renewal notice of Solid Waste Agreements. Following a discussion, City Attorney Leal advised City Council to authorize the City Manager to send a non-renewal notice of solid waste pick-up service agreement to both solid waste companies for the City. Motion by Romo, seconded by Gomez, **to approve a non-renewal notice of solid waste pick-up service agreements and authorize the City Manager to send said notice to Waste Management and Consolidated Disposal**, carried as follows: carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Director of Finance Pruyn requested approval of the First Amendment to the City of Huntington Park Professional Services Agreement for Updating the City's Water Fees by and between the City of Huntington Park and Bartle Wells Associates. Motion by Gomez, seconded by Noguez, **to approve the First Amendment to the City of Huntington Park Professional Services Agreement for Updating the City's Water Fees by and between the City of Huntington Park and Bartle Wells Associates**, carried as follows: carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Director of Finance Pruyn requested approval to purchase the Crediton Digital Payment Scanner to process payments faster and avoid NSF (Non Sufficient Funds) checks. Motion by Gomez, seconded by Romo, **to approve purchase of the Crediton Digital Payment Scanner to process payments faster and avoid NSF checks**, carried as follows: carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Chief of Police Trevis requested approval of donation of one (1) surplus police 1988 Ford E-350 passenger van to the Huntington Park Sister Cities Association. Motion by Gomez, seconded by Romo, **to approve donation of one (1) surplus police 1988 Ford E-350 passenger van to the Huntington Park Sister Cities Association**, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Engineer Fu requested that Project No. 08-005, Improvement of Alleys at Various Locations (Neighborhood Preservation Project), be awarded to Kalban, Inc. of Sun Valley in the amount of \$356,230. Motion by Gomez, seconded by Guerrero, **to award Project No. 08-005, Improvement of Alleys at Various Locations (Neighborhood Preservation Project), to Kalban, Inc. of Sun Valley in the amount of \$356,230**, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

City Engineer Fu requested that Project No. 08-015A, Installation of Pedestrian Crosswalk Lights at Various Locations, be awarded to TDS Engineering of Westlake Village in the amount of \$189,808. Motion by Gomez, seconded by Romo, **to award Project No. 08-015A, Installation of Pedestrian Crosswalk Lights at Various Locations, to TDS Engineering of Westlake Village in the amount of \$189,808**, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Director of Parks and Recreation Espinosa requested selection of Paula Slater to commission the bronze bust for Man of the Century Frank Bonelli for an amount of \$9,500; and request approval of the Commission Agreement. Motion by Noguez, seconded by Guerrero, **to approve selection of Paula Slater to commission the bronze bust for Man of**

**the Century Frank Bonelli for an amount of \$9,500; and approve the Commission Agreement**, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Director of Field Services Poole requested approval of the Second Amendment to Water Replenishment District Wellhead Treatment Agreement to allow for expansion of the treatment system at Well 17, located at 5920 Miles Avenue; and retain ECO Resources as project manager, subject to City Attorney approval. Motion by Gomez, seconded by Romo, to **approve the Second Amendment to Water Replenishment District Wellhead Treatment Agreement to allow for expansion of the treatment system at Well 17, located at 5920 Miles Avenue; and retain ECO Resources as project manager, subject to City Attorney approval**, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

RESOLUTION NO. 2007-70. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2003-70 **ADOPTING A NEW SCHEDULE OF FINES FOR PARKING RELATED VIOLATIONS** was presented. Motion by Gomez, seconded by Romo, to adopt Resolution No. 2007-70, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

ORDINANCE NO. 820-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK CALIFORNIA AMENDING SECTION 4-09.08 (a) OF THE HUNTINGTON PARK MUNICIPAL CODE AS IT RELATES TO **FALSE ALARM RESPONSE CHARGES** was read by title. Motion by Gomez, seconded by Romo, that reading in full of Ordinance No. 820-NS for first reading be waived, and that Ordinance No. 820-NS be introduced and approved for first reading, carried as follows: Ayes: Vice Mayor Gomez, Council Members Noguez, Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Hernandez.

Mayor Guerrero declared the meeting adjourned at 8:51 p.m.

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Elba Guerrero, Mayor

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Rosanna M. Ramirez, City Clerk