

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, July 7, 2008.

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

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to California Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Lidia Leon, as Guardian Ad Litem for Joshua Leon, a minor, individually, and as successor in interest to Juan Sanchez Jr., deceased, Juan Sanchez Sr., Berta Sanchez vs. City of Huntington Park, Officer Miguel Navia, Case No.07-6569-VBF (JTLx). Mayor Guerrero declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:35 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 6:50 p.m. Present: Vice Mayor Mario Gomez, Council Member Juan R. Noguez, and Mayor Elba Guerrero. Absent: Council Member Ofelia Hernandez and Council Member Elba Romo.

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.

Marial Sanders, Planning Commissioner, thanked City Council and Director of Parks and Recreation Espinosa for conducting the 4<sup>th</sup> of July event at Salt Lake Park and stated that it was a success.

Leticia Martinez, Chair of the American Cancer Society Southeast Cities Relay for Life, thanked City Council and the Field Services Department for their support and assistance in the 2008 Relay for Life event and presented City Council with gift bags. Ms. Martinez informed City Council that they have raised over \$40,000 this year that will go towards the fight against cancer. Ms. Martinez also informed City Council that this is her last year as chair of the Southeast Cities Relay for Life and that she will continue to be involved through the American Cancer Society CAN (Cancer Action Network).

Dante D'Eramo, Executive Director/CEO of The Greater Area Huntington Park Chamber of Commerce, congratulated the City on the success of the 4<sup>th</sup> of July event and thanked City Council and Director of Parks and Recreation Espinosa for doing a great job. Mr. D'Eramo invited City Council to attend the 2<sup>nd</sup> Annual Latino Bridal and Quinceañera Expo at Leonardo's on Sunday, July 20, 2008 from 11:00 a.m. to 4:00 p.m.

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 public comment regarding the collection of delinquent rubbish charges pursuant to section 6-2.205 of the Huntington Park Municipal Code. The City Clerk reported that no written communications had been received in the Office of the City Clerk and distributed updated copies of Exhibit "A" to the following resolution regarding delinquent refuse collection fees to City Council. Mayor Guerrero declared the **public hearing** open and called for oral communications. Sadie Adranda, Collections Manager at Consolidated Disposal, stated that the list of delinquent accounts has been decreasing and that it will continue to decrease as balances are paid off. Mayor Guerrero called for any other oral communications and hearing none, Mayor Guerrero declared the public hearing closed.

RESOLUTION NO. 2008-37. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AUTHORIZING AND DIRECTING THE COUNTY ASSESSOR TO INCLUDE **DELINQUENT REFUSE COLLECTION FEES** AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY TAXES (172.52 WASTE MANAGEMENT FEE) was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2008-37, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comment regarding the collection of delinquent fees as a special assessment to be collected at the same time and in the same manner as county taxes (172.56 Recycling Fees), (172.54 Refuse Collection Fees), (172.53 Sewer Maintenance Fees) and (172.57 Utility Tax). 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 Nos.: 2008-38, 2008-39, 2008-40, and 2008-41 were presented as follows:

RESOLUTION NO. 2008-38. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AUTHORIZING AND DIRECTING THE COUNTY ASSESSOR TO INCLUDE **DELINQUENT RECYCLING FEES** AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY TAXES (172.56 RECYCLING FEES).

RESOLUTION NO. 2008-39. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AUTHORIZING AND DIRECTING THE COUNTY ASSESSOR TO INCLUDE **DELINQUENT REFUSE COLLECTION FEES** AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY TAXES (172.54 REFUSE COLLECTION FEES).

RESOLUTION NO. 2008-40. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AUTHORIZING AND DIRECTING THE COUNTY ASSESSOR TO INCLUDE **DELINQUENT SEWER MAINTENANCE FEES** AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY TAXES (172.53 SEWER MAINTENANCE FEES).

RESOLUTION NO. 2008-41. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AUTHORIZING AND DIRECTING THE COUNTY ASSESSOR TO INCLUDE **DELINQUENT UTILITY TAXES** AS A SPECIAL ASSESSMENT TO BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS COUNTY TAXES (172.57 UTILITY TAX).

Motion by Gomez, seconded by Noguez, to adopt Resolution Nos.: 2008-38, 2008-39, 2008-40, and 2008-41, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comment regarding the 2008 Local Implementation Report for the Congestion Management Program (CMP) and adoption of a resolution certifying the City's conformance with all elements of the CMP. 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. 2008-42. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK FINDING THE CITY TO BE IN CONFORMANCE WITH THE **CONGESTION MANAGEMENT PROGRAM** (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089 was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2008-42, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members

Hernandez and Romo.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comment regarding amending the zoning ordinance and General Plan and adoption of a Negative Declaration associated with the amendments establishing the Downtown Huntington Park Specific Plan (DTSP). 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 **continued to July 21, 2008**.

Motion by Gomez, seconded by Noguez, to approve the Consent Calendar with direction given to the Traffic Authority to rescind action taken at the Traffic Authority meeting held June 26, 2008 and approve the request for speed bumps/speed humps in the 6900 block of Passaic Street, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

#### CONSENT CALENDAR

#### OFFICE OF THE CITY CLERK

Approve minutes of the special regular meeting of the City Council held Tuesday, June 10, 2008.

Approve minutes of the special meeting of the City Council held Monday, June 16, 2008.

Approve minutes of the regular meeting of the City Council held Monday, June 16, 2008.

**Deny claim filed by Rogelio Virgen**, Date of Incident: May 29, 2008 and refer to the City's insurance administrator and Graffiti Protective Coatings, Inc.

**Deny claim filed by David John Alvarez**, Date of Incident: December 18, 2007 and refer to the City's insurance administrator.

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 July 7, 2008.

#### INFORMATIONAL ITEM – Received and filed

Minutes of the Traffic Authority meeting held June 26, 2008.

#### END OF CONSENT CALENDAR

City Manager Korduner requested discussion and/or action regarding a proposal from Hartzog and Crabill to paint five (5) traffic signal cabinets with decorative mural art. Motion by Noguez, seconded by Gomez, **to appropriate \$10,000 to the Arts and Culture Commission to utilize for the purchase of paint and implementation of the painting of traffic signal cabinets with decorative mural art**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

City Manager Korduner requested approval of an Agreement between the City of Huntington Park and Brettler Corporation for Newsrack Removal Services for the City of Huntington Park. Motion by Noguez, seconded by Gomez, **to approve the Agreement between the City of Huntington Park and Brettler Corporation for Newsrack Removal**

**Services for the City of Huntington Park**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

City Manager Korduner requested approval of Contract Services Agreement between the City of Huntington Park and John F. “Jack” Hoffman & Associates for professional services related to personnel and employee relations. Noguez, seconded by Gomez, to **approve Contract Services Agreement between the City of Huntington Park and John F. “Jack” Hoffman & Associates for professional services related to personnel and employee relations**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

City Manager Korduner requested discussion and/or action regarding appointment of a voting delegate and up to two (2) alternates to conduct business at the League of California Cities Annual Business meeting on Saturday, September 27, 2008. Motion by Guerrero, seconded Gomez, to **appoint Council Member Noguez as the voting delegate and Vice Mayor Gomez and Mayor Guerrero as alternates to the League of California Cities Annual Business meeting on Saturday, September 27, 2008**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

Acting Director of Finance Padilla requested refund of business license penalty fees in the amount of \$580.35 to Mari Hispanic Research. Motion by Noguez, seconded by Gomez, to **approve a refund of business license penalty fees in the amount of \$580.35 to Mari Hispanic Research**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

Director of Community Development Gray requested authorization for staff to issue Request for Proposals (RFP) to assess the cost effectiveness of the City’s marketing and promotional events. Motion by Gomez, seconded by Noguez, to **authorize staff to issue Request for Proposals (RFP) to assess the cost effectiveness of the City’s marketing and promotional events with the caveat that any cost reports by organizations such as META 2000, Business Improvement District, and The Greater Area Chamber of Commerce be incorporated into the assessment**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

Director of Community Development Gray requested approval of an Activity in Public Places Permit to Dicarno, LLC/Church of the Nazarene for a proposed 10K Run/Walk on October 18, 2008. Otto Hernandez, representing Dicarno, LLC/Church of Nazarene, stated that he has already acquired approval for this event from the Police Department. **Following a discussion, City Council referred Mr. Hernandez to work with the Police Department and report back to City Council with a new route for this event.**

Director of Community Development Gray presented a recommendation from the Business Improvement District (BID) Advisory Board to reappoint Jaime Mendez and Ed Lara to the BID Advisory Board. Motion by Gomez, seconded by Noguez, to **reappoint Jaime Mendez and Ed Lara to the BID Advisory Board for a three (3) year term expiring July 7, 2011**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

Interim Director of Field Services Viramontes requested approval of Second Amendment to Agreement for Professional Engineering Services by and between the City of Huntington Park and Public Engineering Services, subject to City Attorney approval. Motion by Noguez, seconded Guerrero, to **approve the Second Amendment to Agreement for Professional Engineering Services by and between the City of Huntington Park and Public Engineering Services, subject to City Attorney approval**, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

**RESOLUTION NO. 2008-43. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AMENDING RESOLUTION NO. 80-123 AND 97-89 TO ADD PARK RANGERS AS AUTHORIZED BY THE CHIEF OF POLICE TO ISSUE**

**CITATIONS** was presented. Motion by Noguez, seconded by Guerrero, to adopt Resolution No. 2008-43, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

RESOLUTION NO. 2008-44. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING **FINAL PARCEL MAP NO. 69007** was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2008-44, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

RESOLUTION NO. 2008-45. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK CALIFORNIA REPEALING ALL PRIOR RESOLUTIONS ESTABLISHING PROVISIONS OF THE CITY OF HUNTINGTON PARK CONFLICT OF INTEREST CODE AND ADOPTING A **NEW CONFLICT OF INTEREST** IN ACCORDANCE WITH THE POLITICAL REFORM ACT was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2008-45, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

RESOLUTION NO. 2008-46. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING AND ADOPTING THE **BUDGET FOR THE CITY OF HUNTINGTON PARK FOR FISCAL YEAR 2008-2009** was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2008-46, carried as follows: Ayes: Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Members Hernandez and Romo.

City Attorney Leal reported out that in **closed session** for Conference With Legal Counsel – Existing Litigation, Name of Case: Lidia Leon, as Guardian Ad Litem for Joshua Leon, a minor, individually, and as successor in interest to Juan Sanchez Jr., deceased, Juan Sanchez Sr., Berta Sanchez vs. City of Huntington Park, Officer Miguel Navia, Case No.07-6569-VBF (JTLx), no action was taken

Mayor Guerrero declared the meeting adjourned at 7:30 p.m. in memory of Hortencia Magaña of Diana's Restaurant in Huntington Park.

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Elba Guerrero, Mayor

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Rosanna M. Ramirez, City Clerk