

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, February 2, 2009.

Following the Invocation and Pledge of Allegiance to the Flag, the meeting was called to order in the Council Chambers at 6:00 p.m. by Vice Mayor Gomez. Present: Council Member Ofelia Hernandez, Council Member Elba Romo, and Vice Mayor Mario Gomez. Absent: Council Member Juan R. Noguez and Mayor Elba Guerrero.

City Clerk Ramirez announced that the PowerPoint presentation by Consolidated Disposal Services of "Over the Top", a program to assist with unsightly overflow and litter, was continued to the next Council meeting.

Vice Mayor Gomez 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.

Enrique Murillo, President of the Americans Association for Retired Persons (AARP), addressed City Council to request the status of the donation of a pool table for senior citizens which was previously requested.

Frank Anguiano, owner of Heaven Sent Flowers and Gifts on State Street, addressed his concerns to City Council on behalf of a group of florists regarding the City's Planning

Division issuance of special permits to sell flowers in the City. Mr. Anguiano stated that the permits are taking away business from the florists who currently have a business license and pay taxes to the City and asked City Council to assist them with this matter.

A woman addressed her concern to City Council regarding a neighbor and the amount of vehicles he parks in the street, which block entrances for emergency response vehicles and asked City Council to assist her with this matter. Vice Mayor Gomez referred the woman to the Police Department.

Reagan informed City Council that other cities place pictures of military heroes in their City Halls. Reagan thanked Council Member Romo for her dedication and involvement in her students' interests, including the Native American Heritage event at Robert H. Keller Park held on November 3, 2008.

Andy Carrasco, Public Affairs Manager for the Gas Company, informed City Council that they resolved a labor dispute and briefed everyone on the different programs they are currently offering, including the direct assistance program. Mr Carrasco requested to publish an article in the City's newsletter to inform the residents of such programs and distributed information packets to City Council.

Vice Mayor Gomez 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 the adoption of the 2008-2014 Housing Element Update for the General Plan and adoption of a California Environmental Quality Act (CEQA) Negative Declaration associated with the project. Karen Warner of Karen Warner Associates displayed a PowerPoint presentation of the 2008-2014 Housing Element Update for the General Plan. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Vice Mayor Gomez declared the public hearing open and called for oral communications and hearing none, Vice Mayor Gomez declared the **public hearing** closed.

**RESOLUTION NO. 2009-13.** A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING THE **CITY OF HUNTINGTON PARK GENERAL PLAN 2008-2014 HOUSING ELEMENT UPDATE AND THE ADOPTION OF A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NEGATIVE DECLARATION ASSOCIATED WITH THE UPDATE** was presented. Motion by Hernandez, seconded by Romo, to adopt Resolution No. 2009-13, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider the City's Housing and Community Development needs and priority Non-Housing Community Development needs for the City's 2009-2010 Annual Action Plan. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Vice Mayor Gomez declared the public hearing open and called for oral communications and hearing none, Vice Mayor Gomez declared the **public hearing** 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. 1892-VAR, a request for a Variance to deviate from the development standards for a Wireless Telecommunications Facility at 7812 State Street within the Neighborhood Commercial (C-N) Zone. The City Clerk reported that one (1) written communication had been received in the Office of the City Clerk from Omnipoint Communications, Inc. requesting continuance of the appeal hearing to the next Council meeting. Vice Mayor Gomez declared the **appeal hearing** open and called for oral communications and hearing none, Vice Mayor Gomez declared the appeal hearing closed.

Motion by Romo, seconded by Hernandez, to **continue the appeal hearing of a Planning Commission decision denying Case No. 1892-VAR, a request for a Variance to deviate from the development standards for a Wireless Telecommunications Facility at 7812 State Street within the Neighborhood Commercial (C-N) Zone to the next Council meeting**, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Tuesday, January 20, 2009.

**Deny claims filed by the following** and refer to an Attorney and the City's insurance administrator:

**Cosme Lozano**, Date of Incident: July 3, 2008

**Paul Tapia**, Date of Incident: July 8, 2008

**Josefa Bernal Sanchez**, Date of Incident: December 5, 2008

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 February 2, 2009.

PARKS AND RECREATION DEPARTMENT

**Authorize staff to issue Request for Proposals for the production of 2009 4th of July Celebration.**

INFORMATIONAL ITEM – Received and filed

City Manager report on the California Contract Cities Association Legislative Orientation Conference held January 12 through 14, 2009, in accordance with Assembly Bill 1234.

END OF CONSENT CALENDAR

Director of Finance Padilla requested approval of Los Angeles County Metropolitan Transportation Authority (LACMTA) Metro Pass Seller Agreement between the LACMTA and the City of Huntington Park to use a compact point of sales device to sell Transit Access Passes. Motion by Hernandez, seconded by Romo, to **approve the Los Angeles County Metropolitan Transportation Authority (LACMTA) Metro Pass Seller Agreement between the LACMTA and the City of Huntington Park to use a compact point of sales device to sell Transit Access Passes**, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

Director of Community Development Gray requested approval of Second Amendment to Contract Services Agreement by and between the City of Huntington Park and PCR Services Corporation to increase the contract amount associated with the preparation of an Initial Study and Mitigated Negative Declaration for a proposed charter school at 6724 Alameda Street. Motion by Hernandez, seconded by Romo, to **approve the Second Amendment to Contract Services Agreement by and between the City of Huntington Park and PCR Services Corporation to increase the contract amount associated with the preparation of an Initial Study and Mitigated Negative Declaration for a proposed charter school at 6724 Alameda Street**, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

Director of Community Development Gray requested approval of a Second Amendment to City of Huntington Park Reimbursement Agreement between the City of Huntington Park and Pacific Charter School Development for Costs Related to an Initial Study and Mitigated Negative Declaration for the Development of a Public Charter Elementary

School at 6724 Alameda Street, Huntington Park, California. Motion by Hernandez, seconded by Gomez, to **approve the Second Amendment to City of Huntington Park Reimbursement Agreement between the City of Huntington Park and Pacific Charter School Development for Costs Related to an Initial Study and Mitigated Negative Declaration for the Development of a Public Charter Elementary School at 6724 Alameda Street, Huntington Park, California**, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

Director of Parks and Recreation Espinosa requested review and approval of a Parks and Recreation Commission recommendation to increase the Sports Facility Rental Fees. Motion by Hernandez, seconded by Romo, to **approve increase of the Parks and Recreation Sports Facility Rental Fees**, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

RESOLUTION NO. 2009-14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK CALIFORNIA **IN SUPPORT OF EFFORTS TO INFORM AND PROTECT CHILDREN AND FAMILIES AGAINST THE HAZARD OF LEAD CONTAINED IN TOYS** was presented. Motion by Romo, seconded by Hernandez, to adopt Resolution No. 2009-14, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

ORDINANCE NO. 834-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK ADDING CHAPTER 5-26B (STATE VIDEO FRANCHISES) TO TITLE 5 OF THE HUNTINGTON PARK MUNICIPAL CODE RELATING TO **REGULATIONS FOR THE PROVISION OF VIDEO SERVICE BY STATE FRANCHISE HOLDERS** was read by title. Motion by Hernandez, seconded by Romo, that reading in full of Ordinance No. 834-NS for second reading be waived, and that Ordinance No. 834-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Hernandez, Council Member Romo, and Vice Mayor Gomez; Noes: None; Absent: Council Member Noguez and Mayor Guerrero.

City Clerk Ramirez requested the City Council resolve into a **closed session** pursuant to California Government Code Section 54957 for Public Employee Performance Evaluation, Title: City Attorney; and pursuant to Government Code Subdivision (a) of Section 54956.9, Conference With Legal Counsel – Existing Litigation, Name of Case: David John Alvarez vs. City of Huntington Park, Case No. VC052531. Vice Mayor Gomez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:57 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 7:11 p.m. Present: Council Member Ofelia Hernandez, Council Member Elba Romo, and Vice Mayor Mario Gomez. Absent: Council Member Juan R. Noguez and Mayor Elba Guerrero.

City Manager Korduner reported out that in closed session regarding Public Employee Performance Evaluation, Title: City Attorney; and Conference With Legal Counsel – Existing Litigation, Name of Case: David John Alvarez vs. City of Huntington Park, Case No. VC052531, direction was given to staff.

Vice Mayor Gomez declared the meeting adjourned at 7:12 p.m.

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Mario Gomez, Vice Mayor

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Rosanna M. Ramirez, City Clerk