

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, March 16, 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 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 City Council presented flowers, a key to the City, and a plaque to Council Member Romo in recognition of her dedication and devoted service to the residents of Huntington Park during her term on City Council (2005-2009). Council Member Romo thanked her colleagues, City staff, City residents, her family and friends for supporting her.

Mayor Guerrero and City Council presented a plaque to Harold Frentz for 59 years of involvement with the Huntington Park Kiwanis Club and in celebration of his 90th birthday. Mr. Frentz introduced his family to City Council and thanked City Council for the recognition.

Mayor Guerrero and City Council presented a plaque to the Kiwanis Club in recognition of their 85th Anniversary. Jose Zepeda, representing the Kiwanis Club thanked City Council, City Manager Korduner, and City Clerk Ramirez for the recognition and for working with them in the past. Mr. Zepeda invited City Council to attend the Kiwanis Club 85<sup>th</sup> Anniversary celebration at the YMCA in Huntington Park on Tuesday, March 24, 2009 at 12:15 p.m.

City Clerk Ramirez requested the City Council resolve into a **closed session** for the following: 1) pursuant to California Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Ronda (Watson) Rossberger v. City of Huntington Park, WCAB Case Nos.: VNO 0476672 and VNO 0476673; 2) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (3); and 3) 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. 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 7:06 p.m. Present: Council Member Ofelia Hernandez, Vice Mayor Mario Gomez, Council Member Juan R. Noguez, Council Member Elba Romo, and Mayor Elba Guerrero. Absent: None.

Council Member Noguez left his seat at 7:08 p.m. and returned at 7:09 p.m.

Mayor Guerrero and City Council presented a Key to the City to George Cole of Oldtimer's Foundation for his leadership and strong conviction for under-served communities. Mr. Cole thanked City Council for the recognition and stated that Huntington Park City staff is always a pleasure to work with.

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.

Christobal Tixie, thanked Council Member Romo for her years of service to the community and congratulated Mayor Guerrero on her re-election.

Enrique Murillo thanked Council Member Romo for her years of service to the City and expressed his satisfaction with the City's Dial-A-Ride service.

Esperanza Galvan addressed City Council in support of Administrative Service Cooperative Inc., and their dedication to the community and attention to customer service. Ms. Galvan asked City Council to continue the Dial-A-Ride program.

Michael Carcamo, Director of Control of Sanitation of Shopping Carts, briefed City Council regarding his organization and their commitment to educate and assist shopping cart owners in the sanitation of shopping carts. Mr. Carcamo asked City Council for a letter of support asking grocery stores to sanitize their shopping carts.

Adrien Yule, representing LaRouche PAC, addressed City Council regarding the item on the agenda requesting the City to adopt a resolution endorsing the Homeowners and Bank Protection Act of 2007 and wished Council Member Romo good luck in her future endeavors.

Dante D'Eramo, Executive Director/CEO of The Greater Area Huntington Park Chamber of Commerce on behalf of President Lupe Cruz and the rest of the Board, thanked Council Member Romo for her years of dedication to the community. Mr. D'Eramo announced that the State of the City Address will be Thursday, March 19, 2009 at 7:30 a.m. at the Family Center, 3355 E. Gage Avenue.

Valentin Amezcua thanked Council Member Romo for her years of service and dedication to the City of Huntington Park and wished her good luck in the future.

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

City Clerk Ramirez announced that 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. Director of Community Development Gray displayed a PowerPoint presentation of the Appeal of Planning Commission Case No. 1892-VAR, 7812 State Street. Council Member Noguez recused himself from this item and left the Council Chambers at 7:35 p.m. City Clerk Ramirez reported that no written communications had been received in the Office of the City Clerk. Mayor Guerrero declared the appeal hearing open and called for oral communications. Pete Shubin, Sequoia Deployment Services Inc., representing Omnipoint Communications, Inc., a subsidiary of T-Mobile USA, Inc., addressed City Council in support of a variance to deviate from the development standards in order to establish a wireless telecommunication facility at

7812 State Street, within the Neighborhood Commercial (C-N) Zone. Mr. Shubin stated that a letter was sent to the City on November 19, 2008 on their proposal to construct, operate and maintain a wireless telecommunications facility at 7812 State Street within the C-N Zone. Mr. Shubin stated that it would not be detrimental to the health of the residents surrounding this location and requested reversal of the Planning Commission decision to deny Case No. 1892-VAR. Mayor Guerrero called for any other oral communications and hearing none, Mayor Guerrero declared the **appeal hearing** closed.

RESOLUTION NO. 2009-22. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, **UPHOLDING THE DECISION OF THE HUNTINGTON PARK PLANNING COMMISSION DENYING A REQUEST FOR A VARIANCE TO DEVIATE FROM THE DEVELOPMENT STANDARDS FOR A WIRELESS TELECOMMUNICATION FACILITY AT 7812 STATE STREET, HUNTINGTON PARK, CALIFORNIA** was presented. Motion by Gomez, seconded by Romo, to adopt Resolution No. 2009-22, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Romo, and Mayor Guerrero; Noes: None; Absent: Council Member Noguez.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comments on opportunities for Neighborhood Stabilization Program (NSP) Funding. 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.

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

#### CONSENT CALENDAR

#### OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Monday, March 2, 2009.

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 March 16, 2009.

#### PARKS AND RECREATION DEPARTMENT

**Authorize staff to issue Request for Proposals (RFP) for the 2009 4th of July Fireworks Display.**

#### INFORMATIONAL – Received and filed

Parks and Recreation Department report on Private and Non-Profit Groups Storage Practices.

Field Services Department status report on Community Center Drought-Tolerant Plantings.

#### END OF CONSENT CALENDAR

Council Member Noguez returned to his seat at 7:50 p.m.

City Clerk Ramirez presented correspondence from The LaRouche Youth Movement requesting the City of Huntington Park adopt a resolution endorsing the Homeowners and Bank Protection Act of 2007. Motion by Romo, seconded by Noguez, to **direct staff to prepare a resolution in support of the Homeowners and Bank Protection Act of 2007 and authorize execution of resolution (Assigned No. 2009-39)**, carried as follows: Ayes: Council Members Hernandez, Noguez, Romo, and Mayor Guerrero; Noes: Vice Mayor Gomez; Absent: None.

City Clerk Ramirez on behalf of Council Member Romo requested discussion and/or action regarding the City's role or guidelines to look into or audit organizations the City supports. Assistant City Attorney Wolfsohn briefly addressed City Council regarding City Council's authority to oversee/audit non-profit organizations the City supports and distributed a Sample Non-Profit Funding Policy. **There being no objection, Mayor Guerrero so ordered this item be received and filed.**

City Clerk Ramirez presented for discussion and/or action a request from Council Member Hernandez to participate with neighboring Southeast cities in a walk on May 1, 2009 in support of the DREAM Act. Motion by Gomez, seconded by Hernandez, to **participate with neighboring Southeast cities on May 1, 2009 in a walk in support of the DREAM Act, which will begin in the City of Maywood and finish at Salt Lake Park from 4:00 p.m. to 8:00 p.m.**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Noguez and Romo, and Mayor Guerrero; Noes: None; Absent: None.

City Clerk Ramirez presented for discussion and/or action a request from Council Member Romo for an update on the City's "Green" Committee. Director of Field Services Viramontes informed City Council of various City "Going Green" programs and distributed an annual calendar of events to City Council.

Council Member Romo excused herself from the meeting at 8:10 p.m.

City Manager Korduner requested discussion and/or action regarding the Los Angeles County Commission on Aging call for nominations for honorees to participate in the 44<sup>th</sup> Annual Older Americans Recognition Day (OARD) Awards Program. **There being no objection, Mayor Guerrero nominated Harold Frentz as the honoree to participate in the 44<sup>th</sup> Annual Older Americans Recognition Day Awards Program.**

City Manager Korduner requested discussion and/or action regarding the City's Dial-A-Ride Service Contract. Motion by Gomez, seconded by Hernandez, to **extend the agreement with Administrative Services Cooperation, Inc., for Dial-A-Ride Services on a month to month basis and direct staff to issue a Request for Proposals (RFP) for Dial-A-Ride Services**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Finance Padilla requested approval of First Amendment to Professional Services Agreement between the City of Huntington Park and Bartle Wells Associates to complete the update to the water rate study. Motion by Gomez, seconded by Noguez, to **approve the First Amendment to Professional Services Agreement between the City of Huntington Park and Bartle Wells Associates to complete the update to the water rate study**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Finance Padilla requested discussion and/or action regarding a Dance and Entertainment Permit for La Casa Honduras Restaurant located at 6030 Santa Fe Avenue. Donald Nicholson, representing residents from the 6000 block of Santa Fe Avenue, addressed City Council to oppose the Dance and Entertainment Permit request by La Casa Honduras Restaurant and stated that they are in support of the restaurant but are against the proposed nightclub. Armando Chavira, Attorney representing La Casa Honduras, stated that this location would serve as a place for social gatherings for the Central Americans in the community and that the new owner will make sure that this place is properly secured. Mr. Chavira asked City Council to consider approval of the Dance and Entertainment Permit and to give La Casa Honduras Restaurant a chance. Motion by Gomez, seconded by Hernandez, to **deny the Dance and Entertainment Permit for La Casa Honduras Restaurant located at 6030 Santa Fe Avenue**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Member Romo. Motion by Noguez, seconded by Guerrero, to **form an Ad-Hoc Committee comprised of Council Members Noguez and Hernandez to meet with the owner of La Casa Honduras Restaurant and residents of the 6000 block of Santa Fe Avenue to obtain their views and opinions on the proposed Dance and Entertainment Permit for La Casa Honduras Restaurant**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez and Mayor Guerrero; Noes: None; Absent: Council Member

Romo.

Council Member Noguez left his seat at 8:30 p.m. and returned at 8:31 p.m.

Director of Finance Padilla requested approval of an amendment to the Finance Department Policy and Procedure manual to include a Procedure for Reimbursements to the City from City Council Members. Motion by Gomez, seconded by Hernandez, to **approve an amendment to the Finance Department Policy and Procedure manual to include a Procedure for Reimbursements to the City from City Council Members for meeting/conference fees if they fail to attend the event for which they requested to be registered**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Community Development Gray requested approval of an Activity in Public Places Permit (S09-11) request by Iglesia Sagrada Familia to conduct a street procession along Rugby Avenue, Randolph Street, Middleton Street, and Zoe Avenue on April 10, 2009. Motion by Noguez, seconded by Hernandez, to **approve an Activity in Public Places Permit (S09-11) request by Iglesia Sagrada Familia to conduct a street procession along Rugby Avenue, Randolph Street, Middleton Street, and Zoe Avenue on April 10, 2009**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Community Development Gray requested acceptance of the Draft Annual Action Plan for Fiscal Year 2009-2010 and authorization to initiate the 30-day public review period of the documents. Motion by Gomez, seconded by Hernandez, to **accept the Draft Annual Action Plan for Fiscal Year 2009-2010 and authorize initiation of the 30-day public review period of the documents**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Parks and Recreation Espinosa requested City Council approve the proposed utility box designs in concept and funding in the amount of \$2,500 from the Arts in Public Places Fund; and authorization for staff to develop an agreement with Creative Flow to paint utility boxes in Huntington Park, subject to City Attorney approval. Motion by Gomez, seconded by Hernandez, to **approve the proposed utility box designs in concept and funding in the amount of \$2,500 from the Arts in Public Places Fund; authorize staff to prepare an agreement with Creative Flow to paint utility boxes in Huntington Park, subject to City Attorney approval; and authorize execution of necessary documents**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Parks and Recreation Espinosa requested to award the contract to Major League Softball, Inc., in the amount of \$28,927, for the Renovation of Salt Lake Park Baseball Field #4. Motion by Hernandez, seconded by Noguez, to **award the contract to Major League Softball, Inc., in the amount of \$28,927, for the Renovation of Salt Lake Park Baseball Field #4**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Director of Parks and Recreation Espinosa requested approval of Agreement between the City of Huntington Park and Events by Noonan for Services relating to the Production of the City's 2009 "Fourth of July" Event. Motion by Gomez, seconded by Hernandez, to **approve Agreement between the City of Huntington Park and Events by Noonan for Services relating to the Production of the City's 2009 "Fourth of July" Event**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Resolution Nos.: 2009-23, 2009-24, 2009-25, 2009-26, 2009-27, 2009-28, 2009-29, 2009-30, 2009-31, 2009-32, 2009-33, 2009-34, 2009-35, and 2009-36, were presented as follows:

RESOLUTION NO. 2009-23. A RESOLUTION OF THE CITY COUNCIL OF THE CITY

**OF HUNTINGTON PARK REPEALING NO. 87-87 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ACCOUNTANT.**

RESOLUTION NO. 2009-24. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2003-76 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ACCOUNTING SUPERVISOR.

RESOLUTION NO. 2009-25. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 74-45 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF CODE ENFORCEMENT OFFICER.

RESOLUTION NO. 2009-26. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 96-71 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF CODE ENFORCEMENT SUPERVISOR.

RESOLUTION NO. 2009-27. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2000-85 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF DIRECTOR OF FINANCE.

RESOLUTION NO. 2009-28. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2003-74 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF FINANCE ASSISTANT I.

RESOLUTION NO. 2009-29. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2003-75 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF FINANCE ASSISTANT II.

RESOLUTION NO. 2009-30. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2007-44 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF FINANCE TECHNICIAN.

RESOLUTION NO. 2009-31. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2005-18 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF REVENUE COLLECTIONS SUPERVISOR.

RESOLUTION NO. 2009-32. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 2006-16 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF SENIOR ACCOUNTANT.

RESOLUTION NO. 2009-33. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING NO. 75-136 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF SERVICE MECHANIC.

RESOLUTION NO. 2009-34. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF SENIOR FACILITY REPAIR SPECIALIST.

RESOLUTION NO. 2009-35. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF SENIOR JOURNEYMAN ELECTRICIAN.

RESOLUTION NO. 2009-36. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF SENIOR MAINTENANCE WORKER.

Motion by Gomez, seconded by Hernandez, to adopt Resolution Nos.: 2009-23, 2009-24, 2009-25, 2009-26, 2009-27, 2009-28, 2009-29, 2009-30, 2009-31, 2009-32, 2009-33, 2009-34, 2009-35, and 2009-36, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

RESOLUTION NO. 2009-37. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING THE ANNUAL REPORT FOR THE DOWNTOWN HUNTINGTON PARK BUSINESS IMPROVEMENT DISTRICT was presented. Motion by Gomez, seconded by Hernandez, to adopt Resolution No. 2009-37, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member

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

RESOLUTION NO. 2009-38. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK FINDING AND DETERMINING THAT **RONDA WATSON ROSSBERGER IS DISABLED AND INCAPACITATED TO PERFORM THE DUTIES OF POLICE OFFICER** FOR THE PURPOSE OF PUBLIC EMPLOYEE DISABILITY RETIREMENT was presented. Motion by Gomez, seconded by Noguez, to adopt Resolution No. 2009-38, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Member Noguez, and Mayor Guerrero; Noes: None; Absent: Council Member Romo.

Assistant City Attorney Wolfsohn reported out that there was no action taken for the following closed session items: 1) Existing Litigation, Name of Case: Ronda (Watson) Rossberger v. City of Huntington Park, WCAB Case Nos.: VNO 0476672 and VNO 0476673; and 2) Anticipated Litigation: (2).

City Clerk Ramirez reported out that in the closed session for Existing Litigation, Name of Case: David John Alvarez vs. City of Huntington Park, Case No. VC052531, a status report was given to City Council and direction was given to staff.

Mayor Guerrero declared the meeting adjourned at 8:45 p.m.

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Elba Guerrero, Mayor

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Rosanna M. Ramirez, City Clerk