

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, October 19, 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 Gomez. Present: Council Member Ofelia Hernandez, Vice Mayor Juan R. Noguez, Council Member Elba Guerrero, Council Member Andy Molina, and Mayor Mario Gomez. Absent: None.

Mayor Gomez and City Council presented a proclamation designating October 28, 2009 as National Immigrants Day to Nick M. Ioannidis, founder of National Immigrants Day. Mr. Ioannidis informed City Council that he sent letters to the U.S. Congress and Senators thanking them for supporting National Immigrants Day and stated that he supports all ethnicities and religions.

Mayor Gomez and each City Council Member read biographies and presented plaques in recognition of National Immigrants Day to the following individuals who immigrated to the United States of America: 1) Rosa Elena Perez (nominated by Council Member Hernandez); 2) Leonardo Lopez Family (nominated by Council Member Molina); 3) Maria Isabel Juarez Montero (nominated by Council Member Guerrero); 4) Jose and Nancy Guarderrama (nominated by Vice Mayor Noguez); and 5) Narciso I. Sanchez (nominated by Mayor Gomez). Also, a special recognition in honor of National Immigrants Day was given to Leo and Maria Ganssens of Belgium who are visiting Huntington Park.

The meeting recessed at 6:30 p.m. and resumed at 6:40 p.m.

Mariachi Cielo Nuevo performed "Las Mañanitas" in honor of Council Member Hernandez's birthday.

Mayor Gomez and City Council presented certificates of appreciation to the following entertainers who performed at the "Concert in the Park" at Robert H. Keller Park on October 11, 2009: 1) Mariachi Cielo Nuevo: Claudia Zuniga, Desiree Hernandez, Stacy Lopez, Martha Diaz, Jennifer Hernandez, Carlos Vidaurri, Anthony Martinez, Selina Vidaurri, Judith Rosas, Yesenia Martinez, Alyssa Luna, Mariana Godinez, Naomi Chaqueco, and Diana Calderon; 2) Ritmo, Sabor y Estilo Jazz Band: Tonatiuh Hernandez, Matt Amper, and Jesse Moreira; 3) Jealous Monkeys Band: Carlos Perales, Alex Pozar, Alejandro Estrada, and Carlos Cruz; 4) Celestial Caravan Band: Evan Walker, Richard Delgado, and Christian Delgado; 5) The Cardio Line Band: Jose Torres, Moises Vasquez, Uriel Ceja, and Jimmy Torres. In addition, Mayor Gomez and City Council presented certificates of appreciation for participating in the "Concert in the Park" event to Valeria Servin, the 2009 Miss Huntington Park Queen and Edward L. Pozuelos, Manager of the abovementioned entertainers

Mayor and City Council presented certificates of appreciation to the following Arts and Culture Commissioners for their service to the community in 2009: 1) Diane Spalding; 2)

Francisco Ibarra; 3) Jackie Gutierrez (not present); 4) Dante D'Eramo; and 5) Sonia Bautista.

Yvonne Correa, representing the Huntington Park Women's Club, introduced the following members of the 2009-2010 Miss Huntington Park Pageant court: Queen Valeria Servin; Princess Myra Avila; and Princess Areviz Camelo. Ms. Correa thanked City Council and the Huntington Park Women's Club for making it possible for them to participate in the pageant and get involved in the community. Council Member Hernandez thanked Mayor Gomez and all the sponsors for supporting the 2009 Miss Huntington Park Pageant. Ms. Servin thanked City Council, the Huntington Park Women's Club, and her father for giving her the opportunity to serve the community and for supporting her. Ms. Camelo thanked City Council and family for supporting her. Also, a special recognition was given to the following Miss Huntington Park Pageant sponsors: 1) City Attorney Francisco Leal; 2) Primestor Development Inc.; and 3) Dr. Lili Mirtorabi, D.D.S, MS.

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.

Chris Robles, representing the Los Angeles County Democratic Party, addressed City Council in support of the November 3, 2009 Special Municipal Election Measure E. Mr. Robles announced that the entire committee of the Los Angeles County Democratic Party unanimously voted in support of Measure E.

Francisco Ibarra, Customer Service Supervisor for the Huntington Park Library, informed City Council of the success of various events held in honor of National Hispanic Heritage Month, including an Art Exhibition and Discussion with Herman Sillas on October 17, 2009. Mr. Ibarra informed City Council of the following upcoming events: 1) a special workshop called "College...How to go, how to pay" on October 20, 2009 at 4:00 p.m.; 2) Halloween activities on October 27, 2009 at 4:00 p.m.; 3) a Financial Responsibility Workshop on October 24, 2009 at 2:00 p.m.; 4) an Individual Taxpayer Identification Numbers (ITIN's) workshop on November 7 at 2:00 p.m.; and 5) "Dia de los Muertos" activities on November 4, 2009 at 3:30 p.m.; and "Native American Heritage" activities on November 10, 2009 at 3:30 p.m.

A business owner addressed his concerns to City Council regarding the start time of the Christmas Lane Parade and asked City Council to consider changing it to 11:00 a.m. so the preparation will not interfere with businesses on Pacific Boulevard.

Janine Hamburg, representing Waste Management, informed City Council that they recently partnered with The Greater Huntington Park Area Chamber of Commerce at the "Sabor de Mexico Lindo" Downtown Festival on October 2, 3, and 4, 2009. Ms. Hamburg stated that they recycled the trash generated at the festivals and they are currently working with Director of Public Works Fu on a bulky item program; and working with Assistant City Manager Shear on a "Green, Cleaning the City Plan". Ms. Hamburg stated that Waste Management is in the final stages of completing an environmental audit; and that she will report back to City Council on those items in the near future.

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

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to California Government Code Subdivision (b) of Section 54956.9: (1) for CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION. Mayor Gomez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 7:10 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 7:16 p.m. Present: Council Member Ofelia Hernandez, Vice Mayor Juan R. Noguez, Council Member Elba Guerrero, Council Member Andy Molina, and Mayor Mario Gomez. Absent: None.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider comment on an ordinance amending Title 9 of the Huntington Park Municipal Code regarding standards for exterior color buildings. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Gomez declared the **public hearing** open and called for oral communications and hearing none, Mayor Gomez declared the public hearing closed.

ORDINANCE NO. 842-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK AMENDING PROVISIONS OF TITLE 9 OF THE HUNTINGTON PARK MUNICIPAL CODE, REGARDING **STANDARDS FOR EXTERIOR COLORS** was read by title.

Motion by Noguez, seconded by Guerrero, that reading in full of Ordinance No. 842-NS for first reading be waived, and that Ordinance No. 842-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comment on extending Urgency Ordinance No. 839-NS which established a forty-five day moratorium on the consideration or approval of medical marijuana dispensaries within the City of Huntington Park for a period of ten months and fifteen days pursuant to Government Code Section 65858 to allow the City Council additional time to study and consider enactment of regulatory standards and definitions. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Gomez declared the **public hearing** open and called for oral communications and hearing none, Mayor Gomez declared the public hearing closed

Motion by Noguez, seconded by Hernandez, to **receive and file a status report on Urgency Ordinance No. 839-NS, as required in accordance with California Government Code Section 65858**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

ORDINANCE NO. 843-NS. AN INTERIM URGENCY ORDINANCE OF THE CITY OF HUNTINGTON PARK EXTENDING FOR A PERIOD OF TEN MONTHS AND FIFTEEN DAYS A MORATORIUM ADOPTED BY URGENCY ORDINANCE NO. 839-NS ON THE CONSIDERATION OR APPROVAL OF MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF HUNTINGTON PARK PURSUANT TO GOVERNMENT CODE SECTION 65858 was read by title. Motion by Noguez, seconded by Guerrero, that reading in full of Urgency Ordinance No. 843-NS for first and final reading be waived and that Urgency Ordinance No. 843-NS be introduced and approved for first and final reading and adopted, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the special meeting of the City Council held Tuesday, September 29, 2009.

Approve minutes of the regular meeting of the City Council held Monday, October 5, 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 Accounts Payable and Payroll Warrants dated October 19, 2009.

Authorize staff to issue a Request for Proposals (RFP) for Bus Stop Maintenance Program.

END OF CONSENT CALENDAR

City Clerk Ramirez presented for discussion and/or action correspondence from The Greater Huntington Park Area Chamber of Commerce requesting funding assistance for the Annual Huntington Park Christmas Parade and television production on Saturday, November 21, 2009, in the amount of \$25,000; and waiver of all City departmental fees. Don Brabant and

Dante D'Eramo, representing The Greater Huntington Park Area Chamber of Commerce, informed City Council that the parade has been reduced substantially in size in order to keep the expenses low and asked City Council for funding assistance in the amount of \$25,000 from the City's Cable Origination Fund and waiver of Police and Public Works Departmental fees for this event. Mr. Brabant distributed copies of a letter and check in the amount of \$10,000 toward the amount due for police services rendered at their Carnaval Primavera Downtown Festival in April 2009. In addition, attached was a copy of the loss of parking meter revenue prior to and after the Sabor de Mexico Lindo Downtown Festival held October 2-4, 2009. Motion by Noguez, seconded by Molina, to **approve funding assistance for the Annual Huntington Park Christmas Parade and television production on Saturday, November 21, 2009, in the amount of \$25,000; and waiver of all City departmental fees**, carried as follows: Ayes: Vice Mayor Noguez, Council Member Molina, and Mayor Gomez; Noes: Council Members Hernandez and Guerrero; Absent: None.

City Manager Korduner requested discussion and/or action to schedule a Special City Council Meeting to conduct a Study Session with Assembly Member John A. Perez on Monday, November 16, 2009. Motion by Noguez, seconded by Molina, to **schedule a Special City Council Meeting to conduct a Study Session with Assembly Member John A. Perez on Monday, November 16, 2009**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Manager Korduner requested approval of the Eleventh Amendment to Employment Agreement for Spanish Translation Services by and between the City of Huntington Park and Samantha L. Lubrani. Motion by Guerrero, seconded by Hernandez, to **approve the Eleventh Amendment to Employment Agreement for Spanish Translation Services by and between the City of Huntington Park and Samantha L. Lubrani for a period of one (1) year ending October 19, 2010**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of a Service Agreement for Preparation of the City of Huntington Park 2011-2015 Consolidated Plan between the City of Huntington Park and Karen Warner Associates. Motion by Guerrero, seconded by Hernandez, to **approve a Service Agreement for Preparation of the City of Huntington Park 2011-2015 Consolidated Plan between the City of Huntington Park and Karen Warner Associates**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of the proposed Annual Mayor's Business Recognition Awards Program, including selection of an Awards Committee and for the City to fund an amount not to exceed \$1,200 for related expenses from the Community Development Block Grant (CDBG), Economic Development budget. Motion by Noguez, seconded by Molina, to **approve the Annual Mayor's Business Recognition Awards Program and for the City to fund an amount not to exceed \$1,200 for related expenses from the Community Development Block Grant (CDBG), Economic Development budget; and directed staff to report back to City Council regarding the selection of an Awards Committee**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of the First Amendment to Contract Services Agreement by and between the City of Huntington Park and The Planning Center for the preparation of the Initial Study and Mitigated Negative Declaration for a proposed charter school campus at 58th Street and Pacific Boulevard. Motion by Guerrero, seconded by Molina, to **approve the First Amendment to Contract Services Agreement by and between the City of Huntington Park and The Planning Center for the preparation of the Initial Study and Mitigated Negative Declaration for a proposed charter school campus at 58th Street and Pacific Boulevard**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested approval of the First Amendment to City of Huntington Park Reimbursement Agreement with Pacific Charter School Development for the preparation of an Initial Study and Mitigated Negative Declaration for a proposed charter school campus at 58th Street and Pacific Boulevard. Motion by Guerrero, seconded by Noguez, to **approve the First Amendment to City of Huntington Park Reimbursement Agreement with Pacific Charter School Development for the preparation of an Initial Study and Mitigated Negative Declaration for a proposed charter school campus at 58th Street and Pacific Boulevard**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Community Development Gray requested appointment of a Planning Commissioner. Daniel Calderon withdrew his application to the Planning Commission and expressed his gratitude to the Planning Commission for their recommendation and stated that he will serve the community possibly through another commission. Avygail Sanchez stated that it has been a pleasure to get to know Mr. Calderon because he also shares the same passion for the community and thanked City Council for considering her for the position on the Planning Commission. Motion by Guerrero, seconded by Hernandez, to **appoint Avygail Sanchez to the Planning Commission to fill an unexpired term ending January 16, 2010**, carried as follows: Ayes: Council Members Hernandez, Guerrero, Molina, and Mayor Gomez; Noes: None; Abstain: Vice Mayor Noguez; Absent: None.

Director of Finance Padilla presented for discussion and/or action a Deferred Fee Payment Agreement between the City of Huntington Park and The Greater Huntington Park Area Chamber of Commerce for the festival held October 3-5, 2009. Ms. Padilla announced that Section 1, B2 of the Deferred Fee Payment Agreement was changed and distributed revised copies to City Council. Don Brabant, President of The Greater Huntington Park Area Chamber of Commerce, informed City Council of their good long standing relationship with the City and stated that he feels that entering into an agreement for a short period of time seems unnecessary. **There being no objection, Mayor Gomez agreed to meet with the Chamber of Commerce to review this agreement and report back to City Council.**

Director of Public Works Fu requested that Bid Proposal M-112, be awarded to Honda World for the procurement of the following two (2) police units: 1) 2009 Honda Ridgeline RTS Pickup Truck, \$36,215; and 2) 2009 Honda Odyssey EX Mini Van, \$33,172. Motion by Noguez, seconded by Guerrero, to **award the contract for Bid Proposal M-112, to Honda World for the procurement of the following two (2) police units: 1) 2009 Honda Ridgeline RTS Pickup Truck, \$36,215; and 2) 2009 Honda Odyssey EX Mini Van, \$33,172**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Public Works Fu requested that the contract for Project No. 09-001, Miscellaneous Street Improvements be awarded to Nobest, Inc. of Westminster in the amount of \$474,003. Motion by Guerrero, seconded by Noguez, to **award Project No. 09-001, Miscellaneous Street Improvements to Nobest, Inc. of Westminster in the amount of \$474,003**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Director of Parks and Recreation Espinosa requested approval of an Emergency Preparedness and Response Services Agreement by and between the County of Los Angeles and the City of Huntington Park to be a Point of Dispensing (POD) for the H1N1 Influenza Mass Vaccination at Salt Lake Park. Motion by Guerrero, seconded by Noguez, to **approve an Emergency Preparedness and Response Services Agreement by and between the County of Los Angeles and the City of Huntington Park to be a Point of Dispensing (POD) for the H1N1 Influenza Mass Vaccination at Salt Lake Park**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

Chief of Police Wadley requests acceptance of the State of California Office of Traffic

Safety Grant in the amount of \$22,780 for the 2009-2010 Click It or Ticket Program; authorize the Chief of Police to execute the necessary documents; and approve a budget amendment to the Overtime Account for Personnel Over Time and Grant Revenue Account Nos.: 224-7092-421.13-00 and 724-000-335.30-85. Motion by Guerrero, seconded by Molina, to **accept the State of California Office of Traffic Safety Grant in the amount of \$22,780 for the 2009-2010 Click It or Ticket Program; authorize the Chief of Police to execute the necessary documents; and approve a budget amendment to the Overtime Account for Personnel Over Time and Grant Revenue Account Nos.: 224-7092-421.13-00 and 724-000-335.30-85**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

RESOLUTION NO. 2009-104. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF A PURCHASE AND SALE AGREEMENT AND RELATED DOCUMENTS WITH RESPECT TO THE **SALE OF THE SELLER'S PROPOSITION 1A RECEIVABLE FROM THE STATE**; AND DIRECTING AND AUTHORIZING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH was presented. Motion by Noguez, seconded by Guerrero, to adopt Resolution No. 2009-104, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Noguez, Council Members Guerrero, Molina, and Mayor Gomez; Noes: None; Absent: None.

City Attorney Leal reported out that in closed session regarding Conference with Legal Counsel – Anticipated Litigation, City Council by unanimous vote authorized legal counsel to execute a Tolling agreement with the County of Los Angeles in connection with a claim titled NRDC vs. County of Los Angeles.

Mayor Gomez declared the meeting adjourned at 8:00 p.m., in memory of Lakha Singh, father of Suki Singh, President of HP Tow.

Mario Gomez, Mayor

Rosanna M. Ramirez, City Clerk