

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, August 2, 2010.

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 Noguez. Present: Council Member Ofelia Hernandez, Vice Mayor Mario Gomez, Council Member Elba Guerrero, Council Member Andy Molina, and Mayor John R. Noguez; Noes: None; Absent: None.

Raul Correa, Principal of Huntington Park High School, conducted a presentation on the status of Huntington Park High School. Mr. Correa distributed copies of an overview of Huntington Park High School and informed City Council of Huntington Park High School student demographics, Academic Performance Index (API) scores and graduation rates from 2006 to 2009. Mr. Correa also informed City Council of various specialized programs and intervention services offered to Huntington Park High School students. Mr. Correa also thanked the Huntington Park staff for their hard work and support in improving the quality of education at Huntington Park High School and distributed copies of their newsletter.

Doug Dove, President of Bartle Wells Associates, displayed a PowerPoint presentation regarding the City of Huntington Park Water and Sewer Rate Study. Mr. Dove informed City Council that the City is facing substantial capital project needs in both water and sewer utilities and that in order to pay for water capital improvements as well as being able to meet the expense for significant increases to water supply costs, water and sewer rate increases are necessary. Mr. Dove informed City Council that the last water rate increase was in 2007 and the last sewer rate increase was in 2005. Mr. Dove informed City Council of a proposed water structure consisting of three (3) Tiers as well as proposed water rate increases from 2010 through 2015.

Mayor Noguez 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.

Ronald V. Garcia, Southern California Edison (SCE) Regional Manager Public Affairs, distributed flyers and invited everyone to attend a free community forum at the Family Center on August 6, 2010 from 8:00 a.m. to 2:00 p.m., to assist nonprofit organizations and small businesses obtain discounted energy rates and other assistance programs.

Richard V. Loya addressed his concern to City Council regarding the lack of quality and service provided by Charter Communications and urged City Council not to consider renewing their contract when the cable franchise contract term expires.

Yolanda Alaniz, Youth Services Librarian at the Huntington Park Library, informed City Council of the success of their summer reading program and commended all the students who volunteer and participate in this program. Ms. Alaniz informed City Council that the library will have an election soon to elect a new member to the Teen Advisory Board.

Maria Elena Arreola addressed her concern to City Council regarding META2000's request to sell alcoholic beverages at their proposed El Grito event.

Edgar Portillo urged City Council to walk the streets of the City to see how the conditions of certain sidewalks in the City affect the aesthetics of the City. Mr. Portillo informed City Council that these raised sidewalks, due to tree roots, may pose a threat to pedestrians, especially senior citizens and asked City Council to look into this matter.

Yvonne Correa asked the Director of Public Works Fu to consider placing speed bumps on Middleton Street and nearby alleys to reduce the risk of accidents. Director of Public Works Fu stated that he will refer this request to the Traffic Authority.

Mayor Noguez 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 invite public comment regarding the 2010 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 Noguez declared the public hearing open and called for oral communications and hearing none, Mayor Noguez declared the public hearing closed.

RESOLUTION NO. 2010-48. 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 Guerrero, seconded by Gomez, to adopt Resolution No. 2010-48, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to invite public comment to consider extending Urgency Interim Ordinance No. 843-NS, which established a ten month and fifteen day moratorium on the consideration or approval of medical marijuana dispensaries within the City of Huntington Park pursuant to Government Code Section 65858. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Noguez declared the public hearing open and called for oral communications. Richard V. Loya informed City Council that as a former Health Teacher at Huntington Park High School, he strongly opposes marijuana dispensaries in the City of Huntington Park. Yvonne Correa expressed her disapproval with having medical marijuana dispensaries in the City of Huntington Park. A student addressed City Council in support of allowing medical marijuana dispensaries in the City. Mayor Noguez called for any other oral communications, and hearing none, declared the public hearing closed.

ORDINANCE NO. 858-NS. AN INTERIM URGENCY ORDINANCE OF THE CITY OF HUNTINGTON PARK **EXTENDING FOR A PERIOD OF TWELVE MONTHS 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 Gomez, seconded by Guerrero, that reading in full of Urgency Ordinance No. 858-NS for first and final reading be waived; and that Urgency Ordinance No. 858-NS be introduced and approved for fist and final reading and adopted, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to invite public comment regarding proposed water and sewer rate increases for City of Huntington Park property owners, in compliance with Proposition 218. The City Clerk reported that nineteen (19) written communications had been received in the Office of the City Clerk. Mayor Noguez declared the public hearing open and called for oral communications. The following property owners expressed their concerns to City Council regarding the proposed water and sewer rate increases: 1) Edgar Portillo; 2) Selena Garcia; 3) Rosa Meza; 4) Gloria Enciso; 5) Jose R. Ballejos; 6) Jesus Calderon; 7) Alicia Garcia; 8) Felipe Aztlan; 9) Lupe Maricano; 10) Bernave Ruiz; and two (2) more individuals. The following property owners addressed City Council to oppose the computation for calculating the proposed sewer and water rate increases: 1) Maria Correa; 2) Rosa E. Perez; 3) and Delia

Lerit. The following property owners asked City Council to allow installation of multiple water meters at residential rental properties: 1) John Arredondo and 2) Alex Alvarez. Mayor Noguez called for any other oral communications and hearing none, declared the public hearing closed. Following a discussion regarding the notification to residents and the computation for the proposed rate increases, motion by Molina, seconded by Hernandez, to **form an Ad-Hoc Committee comprised of Vice Mayor Gomez and Council Member Guerrero to work with staff to identify priority infrastructure projects, research the data supporting the proposed water and sewer rate increases and TABLED this item pending a report to City Council**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Monday, July 19, 2010.

Deny claim filed by Luis Carcache, Date of Incident: May 1, 2010 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 Accounts Payable and Payroll Warrants dated August 2, 2010.

END OF CONSENT CALENDAR

City Clerk Ramirez presented for discussion and/or action a request from Council Member Molina to form a Task Force and/or Ad-Hoc Committee to research revenue generating options for the City. **There being no objection, City Council appointed an Ad-Hoc Committee comprised of Mayor Noguez and Council Member Molina to to research revenue generating options for the City and report back to City Council with recommendations.**

City Clerk Ramirez presented a request from Council Member Guerrero for discussion and/or action regarding vendor concessions and extension of contract terms. Following a discussion, motion by Guerrero, seconded by Molina, **to approve a two (2) year contract term extension in exchange for concessions rate reduction for the following: 1) Mag Sweeping, 5% reduction; 2) TruGreen Landscare Inc., 10% reduction; 3) Graffiti Protective Coatings Inc., 10% Citywide graffiti removal, 5% Parks graffiti removal, and 1% bus stop cleaning; and 4) Public Engineering Services, Permit fees to PES will be reduced from 75% to 67.5%**, carried as follows: Ayes: Council Member Hernandez, Council Members Guerrero, and Molina; Noes: Vice Mayor Gomez and Mayor Noguez; Absent: None.

Director of Finance Padilla requested approval of Agreement for Provision of Professional Consulting Services to the City of Huntington Park with AK & Company for State Mandated Cost Claiming Services for Fiscal Year 2010-2011. Motion by Guerrero, seconded by Gomez, **to approve the Agreement for Provision of Professional Consulting Services to the City of Huntington Park with AK & Company for State Mandated Cost**

Claiming Services for Fiscal Year 2010-2011, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

Director of Public Works Fu requested approval of Communications Site Lease Agreement between Clear Wireless, LLC and the City of Huntington Park for the lease of the Water Yard at Miles and Slauson Avenues. Motion by Gomez, seconded Guerrero, to approve the **Communications Site Lease Agreement between Clear Wireless, LLC and the City of Huntington Park for the lease of the Water Yard at Miles and Slauson Avenues**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

Mayor Noguez recessed the meeting at 8:02 p.m. and resumed at 8:10 p.m.

Rosa Perez commended City Council for saving the City money by approving contract extensions for various vendors to reduce the cost of service.

Veronica Aceves addressed City Council regarding making the decision to approve certain contract extensions without finding out if approving a two-year extension will be a cost savings to the City.

Director of Parks and Recreation Espinosa requested discussion and/or action regarding the Ad-Hoc Committee's recommendations and the Facility Use Agreement between the City of Huntington Park and META2000 to conduct "El Grito" event. City Clerk Ramirez distributed copies of a letter from Mothers Against Drunk Driving (MADD) expressing support to a group of City residents opposing the sale of alcohol at the proposed El Grito event. Yvonne Correa addressed City Council to oppose the sale of alcoholic beverages at the proposed El Grito event at the park and informed City Council that MADD urges the City to reconsider the sale of alcohol at the El Grito event and asked Chief of Police Cisneros if he received a letter from the Huntington Park Women's Club opposing the sale of alcohol near the park. Ms. Correa asked City Clerk Ramirez to read the letter from MADD and informed City Council that META2000 is not the only organization conducting the El Grito event. Maria Elena Arreola presented a petition to City Council of over 500 individuals opposing the sale of alcohol near the park at the El Grito event. Ms. Arreola stated that the El Grito event is a family-oriented event and a lot of people, including children from everywhere attend this event. Ms. Arreola addressed her concern with an organization requesting City fee waivers when the City is suffering a financial crisis. Lelani Hickman addressed City Council to oppose the sale of alcohol at the park at the El Grito event and expressed the importance of maintaining a positive image of the City by keeping this alcohol free and family oriented. Rosa Meza stated that the City would be unfair to its residents if they allow waiver of City fees when proposing water and sewer rate increases and urged City Council to deny any fee waivers. Gloria Enciso informed City Council that there is no need to have alcohol at the El Grito event. Council Member Guerrero announced that a fee waiver will not be given to META2000. Vice Mayor Gomez informed everyone that Fiesta Taxi has volunteered to issue vouchers for a free ride home at the El Grito event. Eloy Jordan, representing META 2000, informed City Council that the proposed beer garden will be secured and regulated by the California Department of Alcoholic Beverage Control (ABC). Motion by Gomez, seconded by Guerrero, to **approve the Facility Use Agreement between the City of Huntington Park and META2000 to conduct the 2010 "El Grito" event; to allow a beer garden pending META2000 obtaining the proper permit from the California Department of Alcoholic Beverage Control (ABC) with the condition that there be a three (3) drink maximum per person; and deny any waiver of City fees associated with the event**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

Chief of Police Cisneros requested approval to purchase a 2010/2011 Chevrolet Suburban for the Police Department; and authorize staff to solicit bids for said purchase. Motion by Guerrero, seconded by Gomez, to **approve purchase of a 2010/2011 Chevrolet Suburban for the Police Department; and authorized staff to solicit bids for said purchase**, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez,

Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2010-51. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON AUTHORIZING SUBMISSION OF AN APPLICATION TO THE STATE OF CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR DESIGNATION OF THE HARBOR GATEWAY COMMUNITIES ENTERPRISE ZONE was presented. Motion by Gomez, seconded by Hernandez, to adopt Resolution No. 2010-51, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2010-52. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON SUPPORTING THE EXPANSION OF THE LOS ANGELES COUNTY RECYCLING MARKET DEVELOPMENT ZONE was presented. Motion by Gomez, seconded by Guerrero, to adopt Resolution No. 2010-52, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2010-53. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON, AUTHORIZING THE CITY MANAGER, DIRECTOR OF FINANCE, PUBLIC WORKS DIRECTOR AND/OR THE CITY ENGINEER TO SIGN MASTER AGREEMENTS, PROGRAM SUPPLEMENTAL AGREEMENTS, FUND EXCHANGE AGREEMENTS AND/OR FUND TRANSFER AGREEMENTS TO BE EXECUTED WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION BEFORE SUCH FUNDS COULD BE CLAIMED was presented. Motion by Gomez, seconded by Guerrero, to adopt Resolution No. 2010-53, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

ORDINANCE NO. 857-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING TITLE 5 OF THE HUNTINGTON PARK MUNICIPAL CODE TO ADD CHAPTER 40 REGARDING THE PROCEDURES AND REGULATIONS FOR THE PARTICIPATION IN AND CONDUCT OF SIDEWALK SALES was read by title. Motion by Gomez, seconded by Molina, that reading in full of Ordinance No. 857-NS for second reading be waived, and that Ordinance No. 857-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

ORDINANCE NO. 859-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 859-NS for first reading be waived, and that Ordinance No. 859-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Hernandez, Vice Mayor Gomez, Council Members Guerrero, Molina, and Mayor Noguez; Noes: None; Absent: None.

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Gregory D. Korduner, Employee organization: General Employees' Association. Mayor Noguez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 8:50 p.m. City Clerk Ramirez was excused from the closed session.

Following the closed session, the meeting was called to order in the Council Chambers at 8:53 p.m. Present: Council Member Ofelia Hernandez, Vice Mayor Mario Gomez, Council Member Elba Guerrero, Council Member Andy Molina, and Mayor John R. Noguez; Noes: None; Absent: None.

City Attorney Leal reported out that in closed session for Conference with Labor Negotiators, a status report was given to City Council.

Mayor Noguez declared the meeting adjourned at 8:59 p.m.

John R. Noguez, Mayor

Rosanna M. Ramirez, City Clerk