

Minutes of the regular meeting of the City Council of the City of Huntington Park held Tuesday, February 21, 2012.

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 Hernandez. Present: Council Member Mario Gomez, Vice Mayor Andy Molina, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Mayor Ofelia Hernandez; Absent: None.

Assistant City Attorney Wolfsohn requested the City Council resolve into a **closed session** pursuant to California Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Arthur L. DeClercq (deceased) WCAB Case No. ADJ6818091: ADJ 7102248. Mayor Hernandez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:03 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 6:09 p.m. Present: Council Member Mario Gomez, Vice Mayor Andy Molina, Council Member Elba Guerrero, Council Member Rosa E. Perez, and Mayor Ofelia Hernandez; Absent: None.

Hector Hernandez, Administrator for Community Hospital of Huntington Park, displayed a floor plan and presented an update on the status of the Community Hospital of Huntington Park. Mr. Hernandez briefed City Council on the history of the hospital and informed City Council of their renovated emergency department which will be operating by this summer. Mr. Hernandez also informed City Council that having an emergency department

at Community Hospital of Huntington Park will benefit the community because the hospital will be able to provide medical emergency services to residents that call 911 for emergency medical assistance rather than being transported to other emergency departments at hospitals outside the City. Mr. Hernandez invited City Council to attend the groundbreaking of Community Hospital of Huntington Park in the near future.

Mayor Hernandez 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 Regional Manager Public Affairs, informed City Council that Arlene Savage, Health and Education Commissioner for the City of Huntington Park, is currently in critical health and asked everyone to pray for her to get well.

Eve Rodriguez of the American Cancer Society Southeast Cities Relay for Life thanked everyone for supporting the pancake breakfast fundraising event on Saturday, February 11, 2012 at The Salvation Army in Huntington Park; stated that the proceeds will go to the American Cancer Society Southeast Relay for Life event to be held on June 23-24, 2012; and introduced Jackie, the new co-chair of the American Cancer Society Southeast Cities Relay for Life.

A woman informed City Council that she is the mother of a student at Hope Street Elementary School, addressed her concerns regarding lack of visibility of the traffic signs and crosswalk at State Street/Live Oak Street intersection, and asked City Council to place a stop sign or paint the crosswalk because it is very dangerous for the children who have to cross State Street at this intersection.

A gentleman addressed City Council regarding the City's proposed water and sewer rate options for infrastructure improvements and asked City Council to reconsider the proposed rate increase. Interim City Manager Romero informed this gentleman that staff is currently looking into the proposed water and sewer rate increases and will report back to City Council in the near future.

Mayor Hernandez 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 public comment on an ordinance amending Title 4 of the Huntington Park Municipal Code to include regulations for smoke-free multi-unit housing, entitled "Smoke-free Housing". The City Clerk reported that one (1) written communication had been received in the Office of the City Clerk from the American Cancer Society in support of proposed ordinance prohibiting smoking in and around multi-unit residences. Mayor Hernandez declared the public hearing open and called for oral communications. Don Brabant informed City Council that he worked with City staff to put together the proposed ordinance prohibiting smoking in and around multi-unit residences and asked City Council to consider approving the proposed ordinance. David Reynoso, representing the Los Angeles County Public Health Department-Project TRUST, informed City Council that he has been working with parents and students in the community in efforts to support and promote a smoke-free environment. Mr. Reynoso distributed copies and informed City Council of statistics of smoke-free housing in cities throughout the State of California. Katie Balderas, representing the Los Angeles County Public Health Department-Project TRUST, informed City Council that she has been working with City staff to address the needs of the community in regards to exposure to second-hand smoke, particularly affecting those living in multi-unit residences. Ms. Balderas informed City Council that Baldwin Park, Pasadena, and Compton among other cities in the State of California have adopted similar ordinances prohibiting smoking. Ms. Balderas informed City Council of some of the benefits of adopting the proposed ordinance such as make Huntington Park a healthier community, reduce the risk of fire related accidents caused by tobacco, reduce costs associated with the cleaning and maintenance of housing units previously occupied by smokers, and reduce fire insurance premiums. Nancy Ahlswede, Executive Director of Apartment Association, congratulated City staff for working on finding a solution to the issues of second-hand smoke exposure at multi-unit housing and the lack of smoke-free housing. Ms. Ahlswede informed City Council of the statistics of children who suffer from asthma in the area especially in highly dense populated housing and stated that she will continue to work with City staff to change the distance that smoking is allowed from a building entrance and to put the responsibility on the person violating the smoking ordinance and not the landlords or property owners. Esther Schiller, Executive Director of Smoke-free Apartment House Registry, informed City Council that the Smoke-free Apartment Registry is funded by the California Department of Public Health and informed City Council of the issues caused by drifting tobacco smoke. Ms. Schiller distributed copies of a pamphlet containing information regarding condominiums and apartments that are smoke-free and distributed copies of articles on the dangers of second-hand and third-hand smoke. Zachery Scott, Director of Programs at

California Chapter of the Asthma & Allergy Foundation of America, informed City Council of the results of a California Breathing Report in which Huntington Park had three times higher the amount of second-hand smoke than the Los Angeles County average and stated that second-hand smoke is one of the leading factors contributing to asthma and asthma attacks and asked City Council to pass the proposed ordinance prohibiting smoking at multi-unit residences. Marlene Gomez, Associate Director of Smoke Free for Everyone, representing the Chair of the Coalition for Tobacco Free Los Angeles County, congratulated the City of Huntington Park for taking leadership in improving the air quality of its residents by adopting ordinances regulating outdoor smoking and tobacco retailers and furthermore proposing to prohibit smoking in multi-unit housing and informed City Council that as a result the American Lung Association Report card has changed the City's grade from a "D" to a "B". Ms. Gomez also informed City Council of the statistics of children exposed to tobacco smoke living in multi-unit housing versus single-family residences and the results of a study that revealed the percentage of children that tested positive for cotinine. Jacquelyn Amiconi, heart disease survivor and volunteer with the American Heart Association, informed City Council that heart disease and cancer are the leading causes of death in Huntington Park and informed City Council of the physical damage second-hand smoke causes in just a short time of exposure. Ms. Amiconi also informed City Council that she has lost a family member to a smoking related disease and stated that adopting the proposed ordinance will help prevent deaths associated with smoking. Blanca Enriquez addressed City Council in support of the proposed ordinance that prohibits smoking at multi-unit residences and informed City Council that she has lived in an apartment complex for over thirty years and that for she sometimes does not want to come home with her son who suffers from chronic bronchitis because of the exposure to second-hand smoke at her home. A woman informed City Council that many people living in apartments such as her will have similar concerns in regards to their health and being exposed to second-hand smoke, especially in the summer months when they will be forced to open their windows and doors because of the lack of air conditioning. Albert Fontanez, Senior Planner, informed City Council of the purpose of the proposed ordinance which will prohibit smoking in and around multi-unit residences and briefed City Council on the proposed smoking regulations including distance requirements, designated smoking areas, common non-smoking areas, and deadlines of non-smoking designation of new and existing units of rental complexes. Mr. Fontanez informed City Council that in addition to the smoking regulations, lease and rental agreements for the occupancy of a rental unit must also designate units as "non-smoking" and signs must be posted at multi-unit complexes. Mayor Hernandez called for any other oral communications, and hearing none, Mayor Hernandez declared the public hearing closed.

Mayor Hernandez excused herself from the meeting at 6:58 p.m.

ORDINANCE NO. 882-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING TITLE FOUR OF THE HUNTINGTON PARK MUNICIPAL CODE TO **PROHIBIT SMOKING IN AND AROUND MULTI-UNIT RESIDENCES** was read by title. Motion by Gomez, seconded by Perez, that reading in full of Ordinance No. 882-NS for first reading be waived, and that Ordinance No. 882-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

City Clerk Ramirez removed the minutes of the regular meeting of the City Council held Monday, February 6, 2012 from the consent calendar and stated that they will be presented at the next City Council meeting.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the following City Council meetings:

- a. Special meeting held Wednesday, January 25, 2012
- b. Special meeting held Monday, January 30, 2012
- c. Special meeting held Monday, February 6, 2012

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.

Approve Accounts Payable and Payroll Warrants dated February 21, 2012.

END OF CONSENT CALENDAR

City Clerk Ramirez presented for discussion and/or action a request from Mayor Hernandez for the City to sponsor the 11th Annual Southeast Cities Relay for Life event on June 23 and 24, 2012. Motion by Guerrero, seconded by Gomez, **for the City to sponsor the 11th Annual Southeast Cities Relay for Life event on June 23 and 24, 2012, including use of Salt Lake Park, tables, and chairs**, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Community Development Department requests approval of a Covenant and Agreement by and between 5610 Soto, LLC and the City of Huntington Park. Eric Garcia, Planning Manager, displayed a PowerPoint presentation of the proposed building located at 5610 Soto Street also known as the Lane-Wells Building. Mr. Garcia informed City Council that the Historic Preservation Commission nominated the Lane-Wells Building to be considered a historic resource but that the property owner has submitted written opposition to place the property on the Huntington Park Historical Register. Ralph Weiss, property owner of 5610 Soto Street, informed City Council that he shares the City's appreciation of the architecture of the building at 5610 Soto Street but is concerned with the current configuration because it is not marketable to tenants and expressed his desire to make improvements to the property. Mr. Weiss asked City Council to approve the proposed covenant and agreement to allow him time to work with the City's Planning staff to come up with a feasible plan to make his building marketable while maintaining and preserving the architectural elements. Mr. Weiss proposed to mirror the architecture elements to the side of the building to match the front façade of the building. Barry Milofsky, Historic Preservation Commissioner, informed City Council that the building located at 5610 Soto Street is one of the first buildings people see when entering the City from the north side and asked City Council to approve the proposed covenant and agreement with 5610 Soto, LLC to allow the property owner of 5610 Soto Street enough time to work with City staff in regards to potentially reconfiguring his property to make it more marketable to prospective tenants. Motion by Guerrero, seconded by Perez, to **approve a Covenant and Agreement by and between 5610 Soto, LLC and the City of Huntington Park**, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Director of Parks and Recreation Espinosa requested approval of an Agreement between the City of Huntington Park and Nature Tech Landscaping, Inc. for the Salt Lake Park Trail Improvements Phase I; and distributed copies of a project construction notice which is available to the public. Motion by Guerrero, seconded by Gomez, to **approve an Agreement between the City of Huntington Park and Nature Tech Landscaping, Inc. for the Salt Lake Park Trail Improvements Phase I**, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Director of Parks and Recreation Espinosa requested authorization for staff to issue Request for Proposals (RFP) for the Production of 2012 4th of July Fireworks Display. Motion by Gomez, seconded by Guerrero, to **authorize staff to issue Request for Proposals (RFP) for the Production of 2012 4th of July Fireworks Display**, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Chief of Police Cisneros requested approval of selection and award of the contract for crossing guard services to All City Management Services, Inc. Motion by Guerrero, seconded by Perez, to **approve the selection and award of the contract for crossing guard services to All City Management Services, Inc.**, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

RESOLUTION NO. 2012-7. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, AMENDING **THE MEETING SCHEDULE FOR THE PLANNING COMMISSION** AND REPEALING ALL PRIOR PROVISIONS IN CONFLICT WITH THE PROVISIONS CONTAINED HEREIN was presented. Motion by Perez, seconded by Gomez, to adopt Resolution No. 2012-7, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

RESOLUTION NO. 2012-8. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **APPROVING THE “FIRST AMENDMENT TO THE FOURTH AMENDED JOINT EXERCISE OF POWERS AGREEMENT”** was presented. Motion by Perez, seconded by Guerrero, to adopt Resolution No. 2012-8, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

ORDINANCE NO. 883-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK AMENDING TITLE 4, CHAPTER 7, SECTION 4-7.1622 OF THE HUNTINGTON PARK MUNICIPAL CODE RELATING TO **PROHIBITED PARKING OF MOTOR HOMES AND TRAILERS** was read by title. Motion by Perez, seconded by Gomez, that reading in full of Ordinance No. 883-NS for first reading be waived, and that Ordinance No. 883-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Gomez, Council Members Guerrero, Perez, and Vice Mayor Molina; Noes: None; Absent: Mayor Hernandez.

Assistant City Attorney Wolfsohn requested the City Council resolve into a **closed session** for the following : 1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (4); 2) Pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Interim City Manager, Employee organizations: General Employees’ Association, Police Officers’ Association, Police Management Association, And Non-Represented Employees; and 3) pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Title: City Engineer. Vice Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 7:35 p.m.

Vice Mayor Molina left the meeting at 9:15 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 9:25 p.m. Present: Council Member Mario Gomez, Council Member Elba Guerrero, and Council Member Rosa E. Perez; Absent: Vice Mayor Andy Molina and Mayor Ofelia Hernandez.

Assistant City Attorney Wolfsohn reported out that on the closed session item for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Arthur L. DeClercq (deceased) WCAB Case No. ADJ6818091: ADJ 7102248, City Council by unanimous motion approved settlement on this matter; and reported out that a status report was given to City Council on the following closed session items: 1) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (4); 2) Pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: Interim City Manager, Employee organizations: General Employees’ Association, Police Officers’ Association, Police Management Association, And Non-Represented Employees; and 3) pursuant to California Government Code Section 54957: PUBLIC EMPLOYEE APPOINTMENT, Title: City Engineer.

City Clerk Ramirez declared the meeting adjourned at 9:27 p.m.

Andy Molina, Vice Mayor

Rosanna M. Ramirez, City Clerk