

CITY OF HUNTINGTON PARK

City Council Agenda Monday, February 4, 2013

6:00 p.m.
City Hall Council Chambers
6550 Miles Avenue
Huntington Park, CA 90255

Andy Molina
Mayor

Elba Guerrero
Vice Mayor

Mario Gomez
Council Member

Ofelia Hernandez
Council Member



Rosa E. Perez
Council Member

All agenda items and reports are available for review in the City Clerk's Office and www.huntingtonpark.org. Any writings or documents provided to a majority of the City Council regarding any item on this agenda (other than writings legally exempt from public disclosure) will be made available for public inspection in the Office of the City Clerk located at 6550 Miles Avenue, Huntington Park, California 90255 during regular business hours, 7:00 a.m. to 5:30 p.m., Monday – Thursday, and at the City Hall Council Chambers during the meeting.

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Public Comment

The Council encourages all residents of the City and interested people to attend and participate in the meetings of the City Council.

Prior to the business portion of the agenda, the City Council and all other agencies meeting on such date will convene to receive public comments regarding any agenda items or matters within the jurisdiction of such governing bodies. This is the only opportunity for public input except for scheduled public hearing items. The Mayor or Chairperson will separately call for testimony at the time of each public hearing. If you wish to address the Council, please complete the speaker card that is provided at the entrance to the Council Chambers and place it in the box at the podium. When called upon by the Mayor or Mayor's designee, each person addressing the Council shall step up to the microphone and state his/her name or organization he/she represents for the record. Each speaker will be limited to three minutes per Huntington Park Municipal Code 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. All comments or queries shall be addressed to the Council as a body and not to any specific member thereof. Pursuant to Government Code Section 54954.2(a)(2), the Ralph M. Brown Act, no action or discussion by the City Council shall be undertaken on any item not appearing on the posted agenda, except to briefly provide information, ask for clarification, provide direction to staff, or schedule a matter for a future meeting.

Additions/Deletions

Items of business may be added to the agenda upon a motion adopted by a minimum two-thirds vote finding that there is a need to take immediate action and that the need for action came to the attention of the City or Agency subsequent to the agenda being posted. Items may be deleted from the agenda upon the request of staff or Council.

Consent Calendar

All matters listed under the Consent Calendar are considered to be routine and will all be enacted by one motion. The City Council Members have received detailed staff reports on each of the items recommending an action. There will be no separate discussion of these items prior to the time the Council votes on the motion unless members of the Council, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for separate action.

Important Notice

The City of Huntington Park shows replays of City Council Meetings on Local Access Channel 3 and over the Internet at www.huntingtonpark.org. Your attendance at this public meeting may result in the recording and broadcast of your image and/or voice as previously described.

PLEASE SILENCE ALL PAGERS, CELL PHONES AND OTHER ELECTRONIC EQUIPMENT WHILE COUNCIL IS IN SESSION.

Thank you.

1. INVOCATION

2. FLAG SALUTE:

Julia Alvarez and Daniel Alvarez, students at Los Angeles Academy Middle School.

- 3. ROLL CALL:** Mayor Andy Molina
Vice Mayor Elba Guerrero
Council Member Mario Gomez
Council Member Ofelia Hernandez
Council Member Rosa E. Perez

4. PRESENTATIONS

- 4.1 Presentation to students who led the flag salute: Julia Alvarez and Daniel Alvarez.
- 4.2 Presentation of a plaque of appreciation to The Port of Los Angeles for allowing the City of Huntington Park the opportunity to host the TRADEconnect Workshop held January 22, 2013 at Raul R. Perez Memorial Park.
- 4.3 Presentation of a plaque of appreciation to Jose Zepeda of El Aviso Magazine for publicizing the Port of Los Angeles TRADEconnect Workshop held January 22, 2013 at Raul R. Perez Memorial Park.
- 4.4 Presentation regarding the Huntington Park Police Department Gang Unit.

5. PUBLIC COMMENTS

Each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207.

6. CONSENT CALENDAR

OFFICE OF THE CITY CLERK

- 6.1 Approve minutes of the regular meetings of the City Council held Monday, November 19, 2012 and December 3, 2012.
- 6.2 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

- 6.3 Approve Accounts Payable and Payroll Warrants dated February 4, 2013.

POLICE DEPARTMENT

- 6.4 **Amendment Number Two to Food Services Agreement.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve Amendment Number Two to Food Services Agreement by and between the County of Los Angeles and the City of Huntington Park.

- 6.5 **Request for Proposals (RFP) for a Public Safety Mobile and Surveillance Wireless Mesh Network.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Authorize staff to issue a Request for Proposals for the Public Safety Mobile and Surveillance Wireless Mesh Network.

END OF CONSENT CALENDAR

7. HEARING

- 7.1 **Public hearing to consider extending Urgency Interim Ordinance No. 904-NS, which established a forty-five day moratorium on the issuance of any permits to subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces within the City's Business Improvement District.**

7. **HEARING** – (Continued)

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Open the public hearing to receive any comments.
2. Close the public hearing.
3. Adopt for first and final reading Ordinance No. 907-NS an urgency ordinance extending Urgency Interim Ordinance No. 904-NS, which established a forty-five day moratorium on the issuance of any permits to subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces within the City's Business Improvement District.

8. **REGULAR AGENDA**

COMMUNITY DEVELOPMENT DEPARTMENT

8.1 Ordinance repealing Title 9, Chapter 5 (Subdivisions) of the Huntington Park Municipal Code in its entirety and establishing Title 10 (Subdivisions) within the Huntington Park Municipal Code.

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Adopt for second reading Ordinance No. 905-NS an ordinance of the City Council of the City of Huntington Park, California repealing Title 9 (zoning), Chapter 5 (Subdivisions) of the Huntington Park Municipal Code in its entirety and establishing Title 10 (Subdivisions) within the Huntington Park Municipal Code.

8.2 Informational report regarding off-sale alcohol establishments in the City of Huntington Park.

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Discuss the City's regulations pertaining to establishments selling alcoholic beverages for off-site consumption.
2. Receive and file this report.

8. REGULAR AGENDA – (Continued)

FINANCE DEPARTMENT

- 8.3 Ordinance to change billing method from monthly to bi-monthly billing for Water Department customers.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Adopt for second reading Ordinance No. 906-NS an ordinance of the City Council of the City of Huntington Park, California, amending Title 6, Chapter 5, Article 2, Sections 6-5.205 (a) and (d) of the Huntington Park Municipal Code charging billing for water department customers from monthly to bimonthly.

PUBLIC WORKS DEPARTMENT

- 8.4 Purchase Six Traffic Signal Controller Cabinets.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

It is recommended that the City Council:

1. Approve the purchase of six replacement traffic signal controller cabinets from Los Angeles County Department of Public Works in the total amount of \$90,000 to be paid from Measure R funds.

9. CITY MANAGER'S AGENDA

- 9.1 Update on the Caltrans Environmental Justice Planning Study for Orange Line Development Authority (OLDA) High Speed Transit by Michael R. Kodama, Executive Director of OLDA.
- 9.2 Update on the Los Angeles County Metropolitan Transportation Authority (MTA) 2013 Call for Project Applications.
- 9.3 Update on the Los Angeles County Clean Water, Clean Beaches Measure.

10. CITY ATTORNEY'S AGENDA

11. WRITTEN COMMUNICATIONS

12. COUNCIL COMMUNICATIONS

12.1 Mayor Andy Molina

12.1-1 Discussion regarding the Downtown Pacific Area.

12.2 Vice Mayor Elba Guerrero

12.3 Council Member Mario Gomez

12.4 Council Member Ofelia Hernandez

12.4-1 Update on status of Warner Theatre.

12.5 Council Member Rosa E. Perez

13. CLOSED SESSION

14. ADJOURNMENT

14.1 In memory of Lydia Ramirez, sister-in-law of former Mayor Jessica Maes Zepeda

NEXT REGULAR MEETING OF THE
CITY OF HUNTINGTON PARK CITY COUNCIL
TUESDAY, FEBRUARY 19, 2013 at 6:00 p.m.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on January 31, 2013 on the bulletin board outside City Hall and available at www.huntingtonpark.org



Rosanna M. Ramirez, City Clerk

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, November 19, 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 Molina. Present: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Ofelia Hernandez, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: None.

Robert Cabrales, Community Organizer with Communities for a Better Environment (CBE) and Mark Lopez, representing Coalition for Environmental Health and Justice (C.E.H.A.J.), displayed a PowerPoint presentation from the Coalition for Environmental Health and Justice regarding Community Alternative 7 for the I-710 Corridor Project.

City Manager Bobadilla presented a request from Council Member Perez for discussion and/or action concerning the environmental impact of Central Metal, Inc. located at 8201 Santa Fe Avenue. Robert Cabrales, representing Communities for a Better Environment, displayed a PowerPoint presentation regarding the Conditional Use Permit application, operations, environmental violations, and a community survey of Central Metal, Inc. located at 8201 Santa Fe Avenue. The following individuals urged City Council to send a letter to the County of Los Angeles demanding that Central Metal, Inc. conduct an Environmental Impact Report (EIR): 1) Jose Luis Silva; 2) Jose Huevo; 3) Monica Raso; and 4) Salvador Diaz. Motion by Guerrero, seconded by Gomez, to **authorize a letter of support to the County of Los Angeles asking that Central Metal, Inc. conduct an Environmental Impact Report (EIR) at 8201 Santa Fe Avenue**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Mayor Molina 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.

Balle Dario Machuca addressed City Council regarding the lack of parking in the City and inquired about a community meeting to address the parking issues in the City and expressed his support for a recall. City Manager Bobadilla announced that the community meeting to address parking issues will be held November 20, 2012 and invited Mr. Machuca to attend.

Alex Reynoso briefed City Council regarding his educational and professional background and stated he opposes recall of the City Council. Mr. Reynoso stated that Mr. Bobadilla is proactive and involved with the community. Mr. Reynoso invited City Council to attend the Reynoso's Hit N' Walk 2nd Annual Community Fair at the Family Center located at 3355 E. Gage Avenue on Saturday, December 1, 2012 and encouraged everyone interested in cleaning the City to participate in the upcoming Reynoso Hit N' Walk event. Mr. Reynoso thanked City Council for their good work in the community.

Henry Garcia, Director/Editor of LA VOZ Editorial Newspaper, read literature titled "La Realidad Sin Tapujo" to City Council in opposition to a people led movement against City Council.

Miriam Garcia, wife of Director/Editor of LA VOZ Editorial Newspaper, read the remainder of Mr. Garcia's literature titled: "La Realidad Sin Tapujo" to City Council in opposition to a people led movement against City Council.

Mayor Molina left his seat at 7:14 p.m. and returned at 7:18 p.m.

Council Member Hernandez left her seat at 7:22 p.m.

Antonio Padilla addressed his concerns to City Council regarding the payment due date on his water bill versus the date that he received the new water bill in the mail and the increase in the water rate fee. Director of Finance Morales addressed Mr. Padilla's concerns.

Council Member Hernandez returned to her seat at 7:25 p.m.

Deyanira Ruiz addressed her concern to City Council regarding the individual proposing to recall City Council and expressed her support for City Council.

Flor Ruiz Solis thanked Council Member Perez for assisting her family and thanked City Council for all the work that they do. Ms. Solis congratulated Council Member Hernandez for having a son that attends Harvard University like her son. Ms. Solis expressed her disapproval with an individual who is working against City Council.

Nancy and an individual, representing Communities for a Better Environment (CBE), invited City Council to attend CBE's 15th Anniversary event to be held at the Salt Lake Community Center on December 15, 2012.

Rodolfo Cruz addressed his concern to City Council with the amount of the recent water bill he received and asked why the City dumped water for approximately three (3) months from the water well by the intersection of Slauson and Soto Avenues. City Manager Bobadilla stated that he will follow up with Mr. Cruz with an explanation regarding his inquiry.

Nick Ioannidis stated that Council Member Perez made a statement that previous City Council made the problems. Mr. Ioannidis stated that he received documents from Council Member Perez regarding the recall and that he has had problems with the City since 1983 regarding his property. Mr. Ioannidis stated that he is the founder of National Immigrants Day and presented a document to the City Clerk.

Council Member Gomez left his seat at 7:38 p.m.

Leonardo Meza informed City Council that he has been promoting circuses in the community for many years and addressed City Council in support of merchants on Pacific Boulevard that were affected by the closure of Pacific Boulevard for the filming of a television show. Mr. Meza stated that the City imposes high fees for businesses to do business in the City and asked City Council to look into attracting businesses to open in the City.

Council Member Gomez returned to his seat at 7:41 p.m.

Jim Allnutt addressed City Council regarding an item on the City Council agenda concerning uses on the ground level of Pacific Boulevard within the Huntington Park Downtown Specific Plan. Mr. Allnutt stated that allowing professional office and service uses will help fill in the empty storefront locations in the downtown area and urged City Council to approve a moratorium on the current zoning to allow professional office and service uses on the ground level of Pacific Boulevard.

Vice Mayor Guerrero left her seat at 7:43 p.m. and returned at 7:46 p.m.

Council Member Hernandez left her seat at 7:49 p.m. and returned at 7:50 p.m.

Andres Ramirez, representing Ciclavia Southeast Host Committee, informed City Council that Ciclavia is expanding to the southeast cities and they are organizing their next ride scheduled to take place on Sunday, November 25, 2012. Mr. Ramirez stated that they will be working with the Police Department to make this event safe and that the goal is to promote health, pedestrian and bike friendly communities and invited anyone interested to participate. Robert Cabrales informed City Council that the Ciclavia ride in Los Angeles attracts up to approximately 500,000 people and stated that this event will help promote businesses in the City. City Manager Bobadilla stated that the City will be applying for funding in March 2013 to conduct a comprehensive study to make the City more bicycle friendly.

Angelica Vazquez addressed City Council to inquire about the upcoming community meeting scheduled to address the parking issues in the City. City Manager Bobadilla informed everyone that the meeting to address the parking issues in the City will be held November 20, 2012. Ms. Vazquez informed City Council that she is the co-leader of a Girls Scouts troop in Huntington Park and addressed her concern with the lack of support from the City of Huntington Park in helping the Girls Scouts troop volunteer in the community. Ms. Vazquez stated that the Girls Scouts will be writing letters to the troops and volunteering in the convalescent home located on Gage Avenue in the City and expressed the importance of having the Girls Scouts troop volunteer and be active in the community.

Karina stated that she would like to clarify that the purpose of the people led movement to recall City Council is to bring out the truth to the community. Karina stated that the individuals addressing City Council have been thanking City Council for personal reasons. Karina stated that the community is suffering economically and some of the businesses are closed and empty because of this. Karina stated that there needs to be more organizations like Communities for a Better Environment that are promoting things that benefit the entire community.

Marilyn Sanabria stated that at the last City Council meeting she addressed her concern with a public records request that she submitted to the City and has not yet received the documents or a response as to when the documents will be furnished. Ms. Sanabria stated that the reasons that she decided to get involved in the community is the City's water rate increase and other issues that affect the community. Ms. Sanabria stated that the City is awakening and

is questioning City leaders about what is going on in the City and stated that the community is concerned with the future of the City. Ms. Sanabria stated that she is concerned with the City's financial position and encouraged anyone interested to ask questions and get involved in the community.

Rosa Meza stated she has not seen the woman that addressed City Council involved in any of the City-wide clean ups and other community events and stated that a good leader is one who does good things for others without any personal interest.

Council Member Perez left her seat at 8:11 p.m.

Valentin Amezcuita stated that he has addressed his concerns to City Council regarding the City having high property taxes, which was confirmed by City Manager Bobadilla at a previous City Council meeting; a water rate increase; and the salary of the former City Attorney. Mr. Amezcuita stated that the community is asking for information that is not being provided and asked City Council not to scare people and let the recall process happen. City Manager Bobadilla stated that he previously stated that the City of Huntington Park has some of the highest property taxes and that the main reason is because of voter indebtedness obligations.

Council Member Perez returned to her seat at 8:14 p.m.

Mayor Molina 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 any protest or public comment regarding the City of Huntington Park's Congestion Management Plan, self assessment, related to compliance with the Los Angeles County Metropolitan Transportation Authority. The City Clerk reported that no written communications had been received in the Office of the City Clerk. Mayor Molina declared the public hearing open and called for oral communications and hearing none, Mayor Molina declared the **public hearing** closed.

RESOLUTION NO. 2012-59. 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 Gomez, seconded by Guerrero, to adopt Resolution No. 2012-59, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

RESOLUTION NO. 2012-60. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, ADOPTING A LAND USE ANALYSIS PROGRAM PURSUANT TO STATE GOVERNMENT CODE SECTIONS 65089 AND 65089.3 was presented. Motion by Guerrero, seconded by Hernandez, to adopt Resolution No. 2012-60, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the following City Council meetings:

- a. Regular meeting held Monday, October 15, 2012
- b. Special meeting held Wednesday, October 31, 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.

FINANCE DEPARTMENT

Approve Accounts Payable and Payroll Warrants dated November 19, 2012.

END OF CONSENT CALENDAR

City Manager Bobadilla presented for discussion and/or action a request from Council Member Hernandez to form an "Immediate Emergency Response" Ad Hoc Committee for the City of Huntington Park. **Following a brief discussion and there being no objection, Mayor Molina directed staff to look into the City's current Emergency Response Plan and report back to City Council early next year.**

City Manager Bobadilla requested discussion and/or action regarding the following: 1) closure of City Hall December 24, 2012 thru January 2, 2013; and 2) that the regular City Council meeting scheduled for December 17, 2012 go dark. Following a discussion, motion by Guerrero, seconded by Gomez, to **consider approving the closure of City Hall December 24, 2012 thru January 2, 2013, with the option of having a skeleton crew in the Finance and Community Development departments, at the discretion of the City Manager**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Hernandez, and Mayor Molina; Noes: Council Member Perez; Absent: None. Motion by Guerrero, seconded by Gomez, to **approve that the regular City Council meeting scheduled for December 17, 2012 go dark**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Hernandez, and Mayor Molina; Noes: Council Member Perez; Absent: None.

City Manager Bobadilla presented for discussion and/or action a request from the Huntington Park Coordinating Council for the City to co-sponsor a Thanksgiving Food Basket Giveaway and Christmas Holiday Toy Giveaway. Motion by Gomez, seconded by Hernandez, to **approve the request from the Huntington Park Coordinating Council for the City to co-sponsor a Thanksgiving Food Basket Giveaway and Christmas Holiday Toy Giveaway**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Interim Director of Community Development Wong requested approval of the First Amendment to the Lead-based Paint Hazard Control Program Subrecipient Agreement between the City of Huntington Park and Los Angeles Community Legal Center and Education. Motion by Gomez, seconded by Guerrero, to **approve the First Amendment to the Lead-based Paint Hazard Control Program Subrecipient Agreement between the City of Huntington Park and Los Angeles Community Legal Center and Education**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Interim Director of Community Development Wong requested discussion and/or action allowing professional office and service uses on the ground level of Pacific Boulevard within the Huntington Park Downtown Specific Plan. Jim Allnutt asked City Council to consider parking meters on Pacific Boulevard be turned off after a certain time in the evening and asked how fast the City can place a moratorium to allow professional office and service uses on the ground level of Pacific Boulevard within the Huntington Park Downtown Specific Plan. Council Member Hernandez left her seat at 8:47 p.m. Motion by Gomez, seconded by Perez, to **direct staff to approve a moratorium to allow professional office and service uses on the ground level of Pacific Boulevard within the Huntington Park Downtown Specific Plan and report back to City Council with the necessary documents**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Chief of Police Cisneros requested approval for the purchase of two (2) electric vehicles from the Electric Car Company of Long Beach for an amount of \$107,465.19 using Air Quality Management District (AQMD) funding. Motion by Guerrero, seconded by Perez, to **approve the purchase of two (2) electric vehicles from the Electric Car Company of Long Beach for an amount of \$107,465.19 using Air Quality Management District (AQMD) funding**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Chief of Police Cisneros requested approval of the 2012-2013 "Sobriety Checkpoint" Grant Program Agreement. Council Member Hernandez returned to her seat at 8:51 p.m. Motion by Guerrero, seconded by Perez, to **approve the 2012-2013 "Sobriety Checkpoint" Grant Program Agreement**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Chief of Police Cisneros requested approval of the 2012-2013 "Avoid the 100 DUI Campaign (West)" Grant Project Agreement between the Gardena Police Department and Huntington Park Police Department. Motion by Guerrero, seconded by Gomez, to **approve the 2012-2013 "Avoid the 100 DUI Campaign (West)" Grant Project Agreement between the Gardena Police Department and Huntington Park Police Department**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

RESOLUTION NO. 2012-61. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **APPROVING AN AMENDMENT TO THE LOS ANGELES INTERAGENCY METROPOLITAN POLICE APPREHENSION CRIME TASK FORCE JOINT POWERS AGREEMENT (JPA), AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE JPA AMENDMENT** was presented. Motion by Gomez, seconded by Hernandez, to adopt Resolution No. 2012-61, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

City Clerk Ramirez announced that the following item was pulled from the agenda: RESOLUTION NO. D. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2007-43 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ASSISTANT CITY MANAGER.

RESOLUTION NO. 2012-62. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, CALIFORNIA, **PROVIDING CERTAIN BENEFITS FOR THE NON-REPRESENTED EMPLOYEES OF THE CITY OF HUNTINGTON PARK** was presented. Motion by Guerrero, seconded by Gomez, to adopt Resolution No. 2012-62, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

ORDINANCE NO. 901-NS. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **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. 901-NS for second reading be waived, and that Ordinance No. 901-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

ORDINANCE NO. 902-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA **AMENDING TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT), CHAPTER 11 (NUISANCES), OF THE HUNTINGTON PARK MUNICIPAL CODE BY ADDING SECTIONS 5-11.05.1 (DEFINITIONS), 5-11.05.2 (DISPOSAL OF GARBAGE, RUBBISH, AND OTHER WASTE MATTER), 5-11.05.3 (MAINTENANCE OF STREETS, HIGHWAYS, ALLEY SAND RIGHTS-OF-WAY IN CLEAN AND ORDERLY CONDITION), 5-11.05.4 (PENALTY FOR VIOLATIONS), 5-11.05.5 (REQUIRED NOTICE FOR INFRACTION VIOLATIONS), AND 5-11.23 (ILLEGAL DUMPING – NUISANCE VEHICLES)** was read by title. Motion by Gomez, seconded by Guerrero, that reading in full of Ordinance No. 902-NS for first reading be waived, and that Ordinance No. 902-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Members Hernandez, Perez, and Mayor Molina; Noes: None; Absent: None.

Interim City Attorney Litfin requested the City Council resolve into a **closed session** for CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1) and pursuant to Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Maria Gomez, et al. vs. City of Huntington Park, et al., Case No. BC481770. Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 9:25 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 10:00 p.m. Present: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Ofelia Hernandez, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: None.

Interim City Attorney Litfin reported that in closed session for Conference with Legal Counsel–Anticipated Litigation, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1) and pursuant to Government Code Subdivision (a) of Section 54956.9, Conference with Legal Counsel–Existing Litigation, Name of Case: Maria Gomez, et al. vs. City of Huntington Park, et al., Case No. BC481770, direction was given and no action was taken.

Mayor Molina declared the meeting adjourned at 10:01 p.m., in memory of Larry Van Nostran, Council Member for the City of Lakewood.

Andy Molina, Mayor

Rosanna M. Ramirez, City Clerk

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, December 3, 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 Molina. Present: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: Council Member Ofelia Hernandez.

Interim City Attorney Litfin requested the City Council resolve into a **closed session**, pursuant to Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Lee Alirez, Case No. WCAB No. ADJ7503811. Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:02 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 6:11 p.m. Present: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: Council Member Ofelia Hernandez.

Mayor Molina and City Council presented a Certificate of Appreciation to Mario Sibaja for demonstrating his artwork to delegates from China during their visit to Huntington Park on November 9, 2012. Mr. Sibaja informed City Council that his art depicts people of pre-Hispanic culture and stated that he currently has a mural being exhibited at an office of the Consulate General of Mexico.

Marylou Ascension, Executive Assistant to the City Manager and Danny Bueno, Management Analyst for the Parks and Recreation Department, conducted a presentation of the City of Huntington Park Website. Ms. Ascension thanked City Council for the opportunity to work on the website redesign project with Mr. Bueno and stated that after four (4) years, the City will be eligible for a free website redesign by the City's current website provider CivicPlus. Mr. Bueno displayed the newly redesigned City of Huntington Park website and briefed City Council on the changes and new features. Mr. Bueno briefed City Council of various City services now offered through the City's website.

Mayor Molina introduced James Enriquez, the new Director of Public Works for the City of Huntington Park.

Ebi Simhaee, President and owner of Crown Poly, Inc., informed City Council that he has been in business for over 20 years with a location in Huntington Park for approximately 10 years. Mr. Simhaee informed City Council that he is actively involved with non-profit organizations that specialize in education and that he would like to give back to this community by offering skills training to students. Mr. Simhaee informed City Council that there is a great need for maintenance workers especially in the mechanical, electronic, and robotics fields but there are not enough qualified candidates to fill these jobs. Mr. Simhaee informed City Council that through the non-profit organizations, they would like to offer training and internship for students in local manufacturers. City Manager Bobadilla informed City Council that he will place this item on the agenda in the near future for City Council consideration.

Mayor Molina 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.

Henry Garcia, Director/Editor of LA VOZ Editorial Newspaper, read literature to City Council titled: "As I see it" prepared by Henry J. Garcia.

Jon addressed City Council to ask for answers regarding the salary that the former City Attorney received from the City and why he also provided legal representation for the water company that services the City. Jon also addressed his concern with City Manager Bobadilla leaving the City of El Monte and stated that there is an investigation by the Federal Bureau of Investigation (FBI) concerning the City of El Monte. Jon asked why the City is hiring a public relations firm using public funds. Jon asked that the City be more transparent and to answer his questions. Director of Finance Morales clarified that the City hired Francisco Leal's law firm to provide the City with legal services not him as an individual and paid \$400,000 per year and that in addition to this, the City also hires other specialized legal firms for specialized cases. City Manager Bobadilla stated that the City of Covina pays approximately \$800,000 and the City of Whittier pays approximately over \$1 Million for legal services and that he can provide the action form and his resignation to the City of El Monte for anyone who is interested.

Nick Ioannidis informed City Council that he has participated in the annual Christmas Parade conducted by The Greater Huntington Park Area Chamber of Commerce for many years and that he was asked by the Interim Director of the Chamber of Commerce not to participate in this year's parade. Mr. Ioannidis informed City Council that he is the founder of National Immigrants Day and supports people of all ethnic backgrounds.

Yvonne Correa commended City Council, especially Mayor Molina for conducting a turkey basket giveaway event. Ms. Correa stated that various organizations, the community and the City worked together to make this event successful. Ms. Correa also commended the City for a good turnout with its Tree Lighting Ceremony and wished everyone a Merry Christmas and Happy New Year.

Rodolfo Cruz addressed his concern previously addressed to City Council at the last Council meeting regarding the City dumping water at Slauson and Miles Avenues and stated that he is now paying more for water because of this. Mr. Cruz stated that the government needs to step in and investigate why so much water was being dumped. City Manager Bobadilla stated that the City's Water Well No. 17 was removed from service by the State of California Health Department because the water contained high nitrates and cannot be used for drinking or irrigation and therefore the water was discharged and that they will continue to discharge contaminated water as required.

Enrique Murillo addressed his concern with the lack of a recreational facility for senior citizens in the City and stated that former Council Members and City administrators promised to replace the facility that senior citizens used previously but have not yet replaced it.

Edgar Gordillo stated that the community needs to work in unity with the City and City Council and asked everyone to give City Manager Bobadilla an opportunity to make a difference. Mr. Gordillo also stated that the former City Attorney Francisco Leal was brought into the City by Linda Guevara.

Betty Retama stated that it has been a long time since Linda Guevara was on the City Council and that although she does not reside in the City, her family does. Ms. Retama stated that she called City Manager Bobadilla but that he did not return her call. Ms. Retama addressed her concern with a letter sent by Council Member Perez's attorney to all who signed to recall certain council members because it was delivered to these individuals at 9:00 p.m. Ms. Retama stated that City Council received money from John Noguez.

Leticia Martinez, Interim Executive Director/CEO of the Greater Huntington Park Area Chamber of Commerce, invited City Council to attend the 35th Annual Arrival of Santa Claus on Saturday, December 8, 2012 at 9:00 a.m. Ms. Martinez informed City Council that the Chamber of Commerce partnered with Park Theatre to feature a free movie at the event called "Alvin and the Chipmunks-Chipwreck". Ms. Martinez also informed City Council that the Chamber of Commerce will be collecting new toys and food for the children and families in the community as well as the surrounding cities. Ms. Martinez commended the City for conducting a community meeting to address parking issues on Seville Avenue.

Claude Bilodeau, representing the Huntington Park Coordinating Council, thanked Director of Parks and Recreation Espinosa for allowing use of the Community Center at Salt Lake Park to conduct a turkey and food giveaway event on November 21, 2012, which fed over 600 families. Mr. Bilodeau stated that the Huntington Park Coordinating Council consisted of The Greater Huntington Park Area Chamber of Commerce, Reynoso's Hit N' Walk, Southeast Churches, Huntington Park Woman's Club, Friends of the Huntington Park Library, Southeast Rio Vista YMCA, General Employees Association (GEA), Police Officers Association (POA), and the Oldtimers Foundation. Mr. Bilodeau thanked City Council for their assistance and participation with this event and commended City Manager Bobadilla for suggesting that they go door to door to deliver the remaining fifty (50) turkeys to the needy families in the City after the event ended. Mr. Bilodeau announced that they will be conducting a toy drive on December 22, 2012.

Rosa Mesa stated the last speaker that addressed City Council informed the community regarding City Council's involvement and good deeds in the community and encouraged members of the public to address City Council and exercise their rights without being offensive.

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

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Approve minutes of the regular meeting of the City Council held Monday, November 5, 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.

FINANCE DEPARTMENT

Approve Accounts Payable and Payroll Warrants dated December 3, 2012.

COMMUNITY DEVELOPMENT DEPARTMENT

Authorize staff to issue a Request for Proposals (RFP) for Community Development Block Grant (CDBG) and HOME Investment Partnership Act (HOME) Contract Administrative Services.

END OF CONSENT CALENDAR

City Manager Bobadilla requested appointment of a City representative to the Greater Los Angeles County Vector Control District for a term commencing January 7, 2013. Motion by Gomez, seconded by Perez, to **appoint Vice Mayor Guerrero as the City representative to the Greater Los Angeles County Vector Control District for a four (4) year term commencing January 7, 2013**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

City Manager Bobadilla presented information regarding the City of Huntington Park and Port of Los Angeles TRADEconnect Business Development Workshop to be held on January 22, 2013 at Raul R. Perez Memorial Park Community Center from 1:30 p.m. to 5:00 p.m.

Chief of Police Cisneros requested approval of a Subrecipient Agreement between the County of Los Angeles and the City of Huntington Park for the 2009 State Homeland Security Grant Program. Motion by Guerrero, seconded by Perez, to **approve a Subrecipient Agreement between the County of Los Angeles and the City of Huntington Park for the 2009 State Homeland Security Grant Program**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Chief of Police Cisneros requested approval of a License and Service Agreement by and between Public Safety Online LLC and the City of Huntington Park for a public safety online database application system for the Huntington Park Police Department. Motion by Guerrero, seconded by Gomez, to **approve a License and Service Agreement by and between Public Safety Online LLC and the City of Huntington Park for a public safety online database application system for the Huntington Park Police Department**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Chief of Police Cisneros requested that City Council authorize the Police Department to accept reallocated 2010 and 2011 State Homeland Security Grant Program (SHSGP) funding and authorize the Police Department to execute necessary documents. Motion by Guerrero, seconded by Gomez, to **accept the reallocated 2010 and 2011 State Homeland Security Grant Program (SHSGP) funding and authorize the Police Department to execute necessary documents**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Director of Finance Morales requested authorization to install electronic parking meters along Pacific Boulevard for a free 90-day trial period. Motion by Perez, seconded by Gomez, to **authorize installation of electronic parking meters along Pacific Boulevard for a free 90-day trial period**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Director of Public Works/City Engineer Enriquez requested approval of the proposed traffic signal synchronization project and authorize the development and submission of the grant application for the 2013 Metropolitan Transportation Authority (MTA) Call for Projects. Motion by Perez, seconded by Guerrero, to **approve the proposed traffic signal synchronization project in concept and authorize the development and submission of the grant application for the 2013 Metropolitan Transportation Authority (MTA) Call for Projects**, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Resolution Nos.: 2012-63, 2012-64, 2012-65, 2012-66, 2012-67, 2012-68, 2012-69, 2012-70, and 2012-71 were presented as follows:

RESOLUTION NO. 2012-63. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2006-88 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ADMINISTRATIVE ASSISTANT TO CHIEF OF POLICE.

RESOLUTION NO. 2012-64. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2007-42 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ADMINISTRATIVE ASSISTANT TO CITY COUNCIL.

RESOLUTION NO. 2012-65. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2006-70 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ADMINISTRATIVE ASSISTANT - FINANCE.

RESOLUTION NO. 2012-66. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2006-89 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ADMINISTRATIVE SPECIALIST.

RESOLUTION NO. 2012-67. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2007-43 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF ASSISTANT CITY MANAGER.

RESOLUTION NO. 2012-68. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2004-53 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF EXECUTIVE ASSISTANT TO CITY MANAGER.

RESOLUTION NO. 2012-69. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 1989-91 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF HUMAN RESOURCES ASSISTANT.

RESOLUTION NO. 2012-70. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK REPEALING RESOLUTION NO. 2006-68 AND ADOPTING NEW CLASS SPECIFICATION FOR THE POSITION OF HUMAN RESOURCES SUPERVISOR.

RESOLUTION NO. 2012-71. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING AND ADOPTING NEW CLASS SPECIFICATIONS FOR THE POSITION OF FINANCE MANAGER.

Motion by Gomez, seconded by Guerrero, Resolution Nos.: 2012-63, 2012-64, 2012-65, 2012-66, 2012-67, 2012-68, 2012-69, 2012-70, and 2012-71, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, and Mayor Molina; Noes: None; Abstain: Council Member Perez; Absent: Council Member Hernandez.

The following resolution was pulled from this agenda: **RESOLUTION NO. J. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK APPROVING AND ADOPTING NEW CLASS SPECIFICATIONS FOR THE POSITION OF POLICE COMMANDER.**

ORDINANCE NO. 902-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA AMENDING TITLE 5 (PUBLIC WELFARE, MORALS, AND CONDUCT), CHAPTER 11 (NUISANCES), OF THE HUNTINGTON PARK MUNICIPAL CODE BY ADDING SECTIONS 5-11.05.1 (DEFINITIONS), 5-11.05.2 (DISPOSAL OF

GARBAGE, RUBBISH, AND OTHER WASTE MATTER), 5-11.05.3 (MAINTENANCE OF STREETS, HIGHWAYS, ALLEY SAND RIGHTS-OF-WAY IN CLEAN AND ORDERLY CONDITION), 5-11.05.4 (PENALTY FOR VIOLATIONS), 5-11.05.5 (REQUIRED NOTICE FOR INFRACTION VIOLATIONS), AND 5-11.23 (ILLEGAL DUMPING – NUISANCE VEHICLES) was read by title. Motion by Gomez, seconded by Gnerrero, that reading in full of Ordinance No. 902-NS for second reading be waived, and that Ordinance No. 902-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Gomez, Vice Mayor Guerrero, Council Member Perez, and Mayor Molina; Noes: None; Absent: Council Member Hernandez.

Interim City Attorney Litfin reported out that in closed session for CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Lee Alirez, Case No. WCAB No. ADJ7503811, no reportable action and requested the City Council resolve into a closed session for the following: 1) pursuant to Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Central and West Basin Water Replenishment District vs. Charles E. Adams, et al. LASC Case No. C786656; 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) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, pursuant to California Government Code Subdivision (c) of Section 54956.9 (c), Number of potential cases: (1). Mayor Molina declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 8:28 p.m.

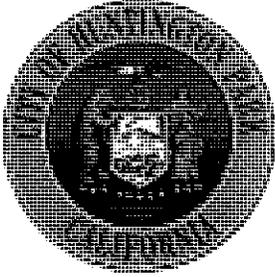
Following the closed session, the meeting was called to order in the Council Chambers at 9:35 p.m. Present: Council Member Mario Gomez, Vice Mayor Elba Guerrero, Council Member Rosa E. Perez, and Mayor Andy Molina; Absent: Council Member Ofelia Hernandez.

Interim City Attorney Litfin reported out that there was no reportable action on the following closed session items: 1) pursuant to Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of Case: Central and West Basin Water Replenishment District vs. Charles E. Adams, et al. LASC Case No. C786656; 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) CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION, pursuant to California Government Code Subdivision (c) of Section 54956.9 (c), Number of potential cases: (1).

Mayor Molina declared the meeting adjourned at 9:36 p.m., in memory of Harold Campbell, former Chief Administrative Officer for the City of Huntington Park 1965-1981; and Dionisia Chavez, mother of Henry Garcia from La Voz Newspaper.

Andy Molina, Mayor

Rosanna M. Ramirez, City Clerk



CITY OF HUNTINGTON PARK

Police Department
City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

AMENDMENT NUMBER TWO TO FOOD SERVICES AGREEMENT

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve Amendment Number Two to Food Services Agreement between City of Huntington Park and County of Los Angeles.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The City currently contracts with the County of Los Angeles to provide pre-packaged meals for inmates held in the Police Department Jail. Meals provided by the County of Los Angeles are prepared by the Sheriff's Department Food Services Unit and meet the County of Los Angeles Health Department menu and nutritional guidelines. Approval of the amendment extends the Agreement through June 30, 2013.

FISCAL IMPACT/FINANCING

This item is funded from the City General Fund adopted budget, (Contract Services). No additional funds are necessary and there is no change required to the adopted budget for this item. The cost per meal remains the same at \$2.25 per meal.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The City and County of Los Angeles originally entered into a two year Food Services Agreement on February 16, 2010. The Amendment is an extension to the Agreement and changes only the length of the Agreement. All other provisions, terms and conditions of the Agreement remain unchanged. The final form of the Amendment must be approved by City and County of Los Angeles to become effective.

CONTRACTING PROCESS

The County of Los Angeles seeks approval of the Amendment by the City in order to extend the current Food Services Agreement.

CONCLUSION

Please return one approved copy of Amendment Number Two to the Police Department.

Respectfully submitted,



RENE BOBADILLA
City Manager, P.E.



JORGE CISNEROS
Chief of Police

ATTACHMENTS

- Attachment A: Letter from Los Angeles County Sheriff's Department, Captain Fogarty
Attachment B: Amendment Number Two to Food Services Agreement



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

4700 Ramona Boulevard
Monterey Park, California 91754-2169



November 19, 2012

Cosme Lozano, Lieutenant
Huntington Park Police Department
6542 Miles Avenue
Huntington Park, California 90255

Dear Lt. Lozano:

Attached is an Amendment to the Food Services Agreement between the County of Los Angeles and the City of Huntington Park to provide pre-packaged prepared meals for use in the city jail facility. The County wishes to modify Section 6.0, Term of Agreement, to terminate the Agreement concurrent with County's food services agreements with other cities.

The County will send a new (5) year food services contract in March 2013 for your approval. The terms of the new (5) agreement will be from July 1, 2013 to June 30, 2018.

If you have any questions regarding this program, you may contact Lieutenant Joe Badali of Custody Food Services Unit at (213) 893-5099 or Sergeant Nancy Ohara of Contract Law Enforcement Bureau at (323) 526-5683.

Sincerely,

LEROY D. BACA, SHERIFF

Bruce Fogarty, Captain
Contract Law Enforcement Bureau

**AMENDMENT NUMBER TWO
TO
FOOD SERVICES AGREEMENT**

This Amendment Number Two ("Amendment") to Food Services Agreement ("Agreement") is entered into by and between the County of Los Angeles ("COUNTY") and the City of Huntington Park ("CITY"), effective upon execution by both parties.

RECITALS

- A. WHEREAS, on February 16, 2010, COUNTY and CITY entered into the Agreement for the provision of food services to prisoners of the CITY jail facility; and
- B. WHEREAS, COUNTY desires to modify the term of the Agreement to terminate the Agreement concurrent with COUNTY's food services agreements with other cities; and
- C. WHEREAS, COUNTY and CITY agree to modify Section 6.0, Term of Agreement, to terminate the Agreement on June 30, 2013.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for good and valuable consideration, COUNTY and CITY mutually agree to amend the Agreement as follows:

- 1. Section 6.0, Term of Agreement, of the Agreement is deleted in its entirety and replaced as follows:

6.0 TERM OF AGREEMENT

The term of this Agreement shall commence on December 1, 2012 and shall terminate on June 30, 2013, unless sooner terminated, in whole or in part, as provided herein.

- 2. CITY and the person executing this Amendment on behalf of the CITY hereby represent and warrant that the person executing this Amendment for CITY is an authorized agent who has actual authority to bind the CITY to each and every provision, term, and condition of the Amendment and that all CITY requirements have been fulfilled to provide such actual authority.
- 3. Except as provided in this Amendment, all other provisions, terms, and conditions of the Agreement shall remain the same and in full force and effect.

**AMENDMENT NUMBER TWO
TO
FOOD SERVICES AGREEMENT**

IN WITNESS WHEREOF, the County of Los Angeles has caused this Amendment to be executed on its behalf by the Sheriff of the County of Los Angeles, and CITY has caused this Amendment to be executed on its behalf by its duly authorized representative.

COUNTY OF LOS ANGELES

By _____
Leroy D. Baca, Sheriff

Date _____

APPROVED AS TO FORM:
JOHN F. KRATTLI
County Counsel

By _____
Senior Deputy County Counsel

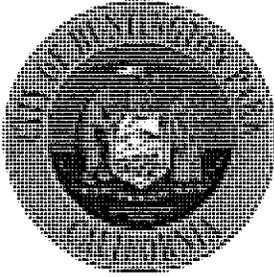
CITY OF HUNTINGTON PARK

By _____

Date _____

APPROVED AS TO FORM:

By _____
City Attorney



CITY OF HUNTINGTON PARK

Police Department
City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

REQUEST FOR PROPOSAL FOR A PUBLIC SAFETY MOBILE AND SURVEILLANCE WIRELESS MESH NETWORK

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve Request For Proposal (RFP) for a Public Safety Mobile and Surveillance Wireless Mesh Network.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the RFP is to provide prospective proposers with an overall Scope of Work ("SOW") for the "Public Safety Mobile and Surveillance Wireless Mesh Network". The RFP identifies general specifications, conditions and guidelines for proposers to recommend the necessary tasks and deliverables to furnish and install the wireless mesh network, cameras, cabling, racks, monitors, recorders, site preparation, testing, training, and all related components to provide a turnkey solution.

The Police Department seeks to establish a "Public Safety Mobile and Surveillance Wireless Mesh Network" to make The City of Huntington Park a safer place to live, work, and play by providing law enforcement personnel with the ability to remotely monitor criminal activity and provide a self-sustaining model for service acquisition and long term viability of the network.

The "Public Safety Mobile and Surveillance Wireless Mesh Network" incorporates several goals which include but are not limited to: replacement of existing cameras, expand intelligence gathering capabilities, crime prevention and intervention, evidence collection, crime deterrence and data transfer. The Huntington Park Police Department is seeking a public-private model of "sharing" the network with commercial interests and individuals within the City to support the long term viability of police network.

FISCAL IMPACT/FINANCING

In preparation for this project, the Police Department has identified funds within our Fiscal Year 2012-2013 budget for this project under Federal Asset Forfeiture. The purpose of the RFP is to present the Police Department's requirements for the "Public Safety Mobile and Surveillance Wireless Mesh Network" so that proposers may provide their recommendations and costs for meeting our requirements.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The RFP is the first step in the process for the "Public Safety Mobile and Surveillance Wireless Mesh Network" project. Proposers seeking to respond to the RFP will be required to submit their proposals within an identified time frame, meeting the requirements established in the RFP. Proposals received in response to the RFP will be reviewed by the Police Department and a recommendation for award of contract will be brought before the City Council at a later date.

CONTRACTING PROCESS

The Police Department shall not be deemed to have finally selected a proposer until a contract has been successfully negotiated and signed by both parties (City). Any contract award must be approved by the City Council.

For the purposes of the RFP process, the Police Department reserves the right to award a contract, based on initial offers received from proposers, without discussion and without conducting further negotiations. Under such circumstance, the acceptance of a proposal by the Police Department shall be deemed to be an acceptance of an offer that such acceptance will be binding upon the proposer. The Police Department expects proposing offers should therefore be based on the most favorable terms available from a price, business requirements and technical standpoint.

Also for the purposes of the RFP process, the Police Department may, at its sole discretion, have discussions with those proposers that it deems in its sole discretion to fall within a competitive range. The Police Department may enter into negotiations separately with such proposers.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The Police Department expects that this project will have a significant positive impact on our current services and public safety

CONCLUSION

Upon approval by City Council the RFP for a "Public Safety Mobile and Surveillance Wireless Mesh Network" shall be properly published and/or posted as required by law. Proposals received in response to the RFP shall be received by the City Clerk and forwarded to the Police Department.

Respectfully submitted,



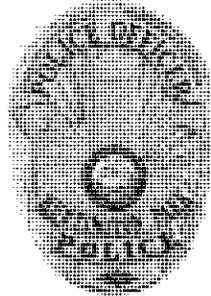
RENÉ BOBADILLA
City Manager, P.E.



JORGE CISNEROS
Chief of Police

ATTACHMENTS

- Attachment A: Request For Proposal (RFP) for a Public Safety Mobile and Surveillance Wireless Mesh Network.
- Attachment B: Public Notice - Request For Proposal (RFP) for a Public Safety Mobile and Surveillance Wireless Mesh Network.



CITY OF HUNTINGTON PARK

Request for Proposal

“Public Safety Mobile and Surveillance Wireless Mesh Network”

February 7, 2013

TABLE OF CONTENTS

1.0 Introduction

I.1 Introduction	5
1.2 Background	5
1.3 Project Scope	6
1.4 General Bidding Requirements	6

2.0 General Submittal Requirements

2.1 Pre-qualification Criteria	7
2.2 Proposal Contact	7
2.3 Proposal Submittal Requirements	8
2.4 Proposer Expenses	8
2.5 Proposer's Offer	9
2.6 Interpretations, Discrepancies, and Omissions	9
2.7 Tentative Schedule	9
2.8 Mandatory Pre-proposal Conference	9
2.9 Award	10
2.10 Non-disclosure of Information	10
2.11 Retention of Proposer Material.....	10
2.12 Warranty	10
2.13 Maintenance Fees	11

3.0 General Terms and Conditions

3.1 Certification	11
3.2 Conflict of Interest	11

3.3 Assignment	11
3.4 Indemnification	12
3.5 Delivery of the Project Plan and Initial System Design	12
3.6 Liability for Failure to Provide Functionality.....	12
3.7 Independent Contractor	13
3.8 Payment	13
3.9 Insurance	13
3.10 Compliance with Laws and Regulations	14
3.11 Acceptance	14
3.12 New Services	15

4.0 Detailed Submittal Requirements

4.1 Proposal Format	15
4.2 Executive Summary	16
4.3 Scope of Services	16
4.4 Company Background	16
4.5 Proposed Software and Computing Environment	17
4.6 Responses to Functional/ Technical Requirements	17
4.7 System Specifications.....	18
4.8 Deployment Plan.....	19
4.9 Implementation Plan	19
4.10 Maintenance and Support Program.....	20
4.11 Client Preferences.....	20
4.12 Cost Proposal.....	21
4.13 Exceptions to the RFP	21

4.14 Sample Documents22

5.0 Current System Environment

5.1 Current Systems22

6.0 Current Evaluation Criteria

6.1 Selection Participants22

6.2 Evaluation of Proposals22

6.3 Evaluation Selection Process23

1. INTRODUCTION

1.1 Introduction

HUNTINGTON PARK POLICE DEPARTMENT is seeking proposals from qualified firms for a mobile video surveillance and wireless data network using MESH technology and utilizing the 4.9 GHz Public Safety spectrum. The intended use for this technology will be the Public Safety organizations of HUNTINGTON PARK POLICE DEPARTMENT for both wireless data and video needs.

1.2 HUNTINGTON PARK POLICE DEPARTMENT Background

Demographics 2010

The 2010 United States Census reported that Huntington Park had a population of 58,114. The population density was 19,270 people per square mile (7,440.2/km²). The racial makeup of Huntington Park was 29,776 (51.2%) White, 440 (0.8%) African American, 752 (1.3%) Native American, 393 (0.7%) Asian, 28 (0.0%) Pacific Islander, 24,535 (42.2%) from other races, and 2,190 (3.8%) from two or more races. Hispanic or Latino of any race were 56,445 persons (97.1%).

The Census reported that 57,859 people (99.6% of the population) lived in households, 248 (0.4%) lived in non-institutionalized group quarters, and 7 (0%) were institutionalized.

There were 14,597 households, out of which 8,581 (58.8%) had children under the age of 18 living in them, 7,461 (51.1%) were opposite-sex married couples living together, 3,212 (22.0%) had a female householder with no husband present, 1,623 (11.1%) had a male householder with no wife present. There were 1,377 (9.4%) unmarried opposite-sex partnerships, and 81 (0.6%) same-sex married couples or partnerships. 1,644 households (11.3%) were made up of individuals and 694 (4.8%) had someone living alone who was 65 years of age or older. The average household size was 3.96. There were 12,296 families (84.2% of all households); the average family size was 4.19.

The population was spread out with 18,439 people (31.7%) under the age of 18, 6,984 people (12.0%) aged 18 to 24, 17,886 people (30.8%) aged 25 to 44, 10,942 people (18.8%) aged 45 to 64, and 3,863 people (6.6%) who were 65 years of age or older. The median age was 28.9 years. For every 100 females there were 99.6 males. For every 100 females age 18 and over, there were 97.8 males.

There were 15,151 housing units at an average density of 5,023.9 per square mile (1,939.7/km²), of which 3,936 (27.0%) were owner-occupied, and 10,661 (73.0%) were occupied by renters. The homeowner vacancy rate was 1.5%; the rental vacancy rate was 3.2%. 18,054 people (31.1% of the population) lived in owner-occupied housing units and 39,805 people (68.5%) lived in rental housing units.

For more information about HUNTINGTON PARK POLICE DEPARTMENT in general, please visit the web site at: www.huntingtonparkpd.org

1.3 Project Scope

HUNTINGTON PARK POLICE DEPARTMENT defined general scope:

The project will be to design and install a wireless data network using high performance multi-radio MESH technology used for Public Safety access, mobility and video surveillance. Utilization of the network will include but not be limited to anti-virus updates, software application updates, field reporting upload, database synchronization, mass file transfer, wireless video, incident scene communications and interoperable data communications among other possible future uses. This system must be CJIS and CLETS compliant as well as compliant with any other applicable federal and state regulations with regard to public safety communications and confidentiality.

1.4 General Bidding Requirements

When responding to this RFP, please follow all instructions carefully. Please submit proposal contents according to the outline specified and submit all hard copy and electronic documents according to the instructions. Failure to follow these instructions will be considered a non-responsive proposal and may result in immediate elimination from further consideration.

By virtue of submitting a proposal, interested parties are acknowledging:

- 1.4.1 HUNTINGTON PARK POLICE DEPARTMENT reserves the right to reject any or all proposals if it determines that select proposals are not responsive to the RFP. HUNTINGTON PARK POLICE DEPARTMENT reserves the right to reject or reconsider any proposal submitted at any phase of the procurement process. It also reserves the right to meet with select Proposers at any time to gather additional information. Furthermore, HUNTINGTON PARK POLICE DEPARTMENT reserves the right to delete or add functionality up until the final contract signing and after contract signing through Change Orders, at any time in the implementation phase.
- 1.4.2 All proposers submitting proposals agree that their pricing is valid for a minimum of one year after proposal submission to HUNTINGTON PARK POLICE DEPARTMENT.
- 1.4.3 HUNTINGTON PARK POLICE DEPARTMENT prefers that licenses for software be "perpetual" (i.e., HUNTINGTON PARK POLICE DEPARTMENT purchases and retains the license to use the software forever) and of a "fixed" price nature (i.e., license fees, maintenance, and support cost schedule for first five years are presented).
- 1.4.4 Proposals will be received by HUNTINGTON PARK POLICE DEPARTMENT at the time and place so stated in this document. At that point, HUNTINGTON PARK POLICE DEPARTMENT will close

the receipt of proposals and begin the evaluation process. The only information that may be released will be the names of the respondent(s). No other information will be disclosed, except as required by the evaluation process, unless and/or until a contract is awarded.

HUNTINGTON PARK POLICE DEPARTMENT, solely at our option, may disclose the name(s) of any firms or companies being considered or elevated during the process. Realizing the nature of a competitive environment and protecting the integrity of the process, respondents are not to contact any staff or elected official in reference to the process unless they are solicited for contact by members of the RFP process at HUNTINGTON PARK POLICE DEPARTMENT. As information becomes available and is relevant for release, that information will be shared with respondents. Any and all information submitted in conjunction with this RFP and the evaluation process will not be returned to the respondent.

- 1.4.5 All firms submitting proposals are encouraged to submit the most competitive proposal possible, as any failure to do so may lead to elimination from consideration.
- 1.4.6 The project proposal must be “turn-key”. All services, design, equipment, etc., must be included in a single contract.

2. GENERAL SUBMITTAL GUIDELINES

2.1 Pre-qualification Requirements

Proposers must meet the following pre-qualification criteria in order for a proposal to receive consideration.

- The proposer’s solution must be capable of operating in the FCC licensed 4.9 GHz Public Safety band. HUNTINGTON PARK POLICE DEPARTMENT has successfully filed for and obtained a 4.9 license from the FCC.
- The proposer’s solution must be deployed and operational with full implementation (tested and accepted by HUNTINGTON PARK POLICE DEPARTMENT) prior to one year from the date of an approved contract between the City and chosen proposer.
- The proposer agrees that they will warranty the solution, including implementation, to the business requirement responses requested in this RFP.
- The proposal for all implementation services must be provided on a not-to-exceed basis.

2.2 Proposal Contact

This RFP and any subsequent action taken as a result thereof, is issued by the HUNTINGTON PARK POLICE DEPARTMENT in accordance with LAWS or PROCUREMENT RULES on behalf of HUNTINGTON PARK POLICE DEPARTMENT. Proposal responses should be directed to Huntington Park City Clerk, as outlined below. In regards to this RFP and subsequent procurement process, vendors shall make NO CONTACTS, either written or verbal, with any HUNTINGTON

PARK POLICE DEPARTMENT employee, staff member, or Board of Commissioner members during the period beginning with the issuance of this document through approval of award unless authorized by the proposal contact. Any attempt by a proposer to contact or influence a member or members of the aforementioned will result in the immediate disqualification of the proposer from award for items or services on this RFP.

Proposal Contact:
Neal Mongan, Administrative Lieutenant

2.3 Proposal Submittal Requirements

In order to facilitate the analysis of responses to this RFP, Proposers are required to prepare their proposals in accordance with the instructions outlined in this part and elsewhere in this RFP. Each proposer is required to submit its proposal in a sealed package.

An original proposal plus (3) hard copies and 1 CD with electronic version of proposal and any supporting material and be labeled "Public Safety Mobile and Surveillance Wireless Mesh Network."

Submittals must be sealed and addressed to:

Office of the City Clerk
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

The Huntington Park City Clerk's office must receive proposals no later than 5:00 PM on **March 11, 2013**. The Proposer's name, RFP title, and proposal closing time and date must be marked clearly on the proposal submission. The time of receipt shall be determined by the time clock in the City of Huntington Park City Clerk's office. Late proposals will not be accepted.

HUNTINGTON PARK POLICE DEPARTMENT and the CITY OF HUNTINGTON PARK will not be held responsible for the failure of any mail or delivery service to deliver a proposal response prior to the stated proposal due date and time. It is solely the proposer's responsibility to: (1) ascertain that they have all required and necessary information, documents and addenda, prior to submitting a response; (2) ensure that the response is received at the correct location and time. Late responses, regardless of delivery means, will not be accepted.

2.4 Proposer Expenses

HUNTINGTON PARK POLICE DEPARTMENT will not be responsible for any expenses incurred by any proposer in the development of a response to this Request for Proposal or any other activities

associated with this procurement including but not limited to any onsite (or otherwise) interviews and/or presentations, and/or supplemental information provided, submitted, or given to HUNTINGTON PARK POLICE DEPARTMENT and/or its representatives. Further, HUNTINGTON PARK POLICE DEPARTMENT shall reserve the right to cancel the RFP and the need for work described herein prior to issuance and acceptance of any contractual agreement by both parties.

2.5 Proposer's Offer

The Proposer offers to furnish all materials, labor, supplies, equipment and incidentals necessary to provide the solutions and services described herein and in any applicable related documents (e.g., Notification of Solicitation, Request for Information, Addenda, Contract, Bonds, insurance, Plans, etc.).

2.6 Interpretations, Discrepancies, and Omissions

Should any proposer find discrepancies, omissions or ambiguities in this RFP, the proposer must at once request in writing an interpretation from proposal contact listed in Section 2.2. All questions submitted must be in writing. The deadline for submitting questions is February 15, 2013. All questions will be answered to the extent possible in the form of addenda to the specifications. All written requests for clarification should be addressed to the attention: **Neal Mongan, Administrative Lieutenant**

Failure to request an interpretation will be considered evidence that the Proposer understands the provision of the RFP.

The issuance of a written addendum is the only official method by which interpretation, clarification or additional information will be given by HUNTINGTON PARK POLICE DEPARTMENT. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarification will be without legal effect. Acceptance of a contract will be deemed as acceptance by Proposer of all clarifications provided by HUNTINGTON PARK POLICE DEPARTMENT and no claim of ambiguity will be valid.

2.7 Tentative Schedule

Action	Applicable Dates
Publication of Request for Proposal	02-07-13
Mandatory Pre-proposal Meeting	02-13-13
Deadline to submit questions	02-15-13
Proposals due before 5:00 PM	03-11-13

2.8 Mandatory Pre-proposal Conference

HUNTINGTON PARK POLICE DEPARTMENT will host a MANDATORY Pre-proposal Conference to answer questions regarding the Request For Proposals – “Public Safety Mobile and Surveillance Wireless Mesh Network” on Wednesday, February 13, 2013 at 1:00 PM.

2.9 Award

HUNTINGTON PARK POLICE DEPARTMENT reserves the right to award a contract, based on initial offers received from Proposers, without discussion and without conducting further negotiations. Under such circumstance, the acceptance of a proposal by HUNTINGTON PARK POLICE DEPARTMENT shall be deemed to be an acceptance of an offer that such acceptance will be binding upon Proposer. A proposing offer should therefore be based on the most favorable terms available from a price, business requirements and technical standpoint. HUNTINGTON PARK POLICE DEPARTMENT may also, at its sole discretion, have discussions with those proposers that it deems in its sole discretion to fall within a competitive range. HUNTINGTON PARK POLICE DEPARTMENT may enter into negotiations separately with such Proposers. Negotiations with a proposer may continue with a proposer that HUNTINGTON PARK POLICE DEPARTMENT has tentatively selected to award a contract to. HUNTINGTON PARK POLICE DEPARTMENT shall not be deemed to have finally selected a proposer until a contract has been successfully negotiated and signed by both parties.

2.10 Non-disclosure of Information

All data and information gathered by the proposer and its agents, including this RFP and all reports, recommendations, specifications, and data shall be treated by the proposer and its agents as confidential. The proposer and its agents shall not disclose or communicate the aforesaid matters or any relationship to a third party or use them in advertising, propaganda, and/or in another job or jobs, unless written consent is obtained from HUNTINGTON PARK POLICE DEPARTMENT.

2.11 Retention of Proposer Material

HUNTINGTON PARK POLICE DEPARTMENT reserves the right to retain all proposals and affiliated materials regardless of which response is selected. No proposals or affiliated materials will be returned to proposers.

2.12 Warranty

A warranty is required for hardware, software and implementation services. It is assumed that Proposers have priced their services to recognize these warranty provisions. The extent of warranty coverage will be evaluated as part of the overall procurement process.

Hardware and Software: The selected Proposer shall warrant that any proposed hardware and software will conform to the requirements and specifications as stated in this RFP. That is, the detailed requirements as stated in this RFP and as later clarified in addenda will become part of the selected hardware and software Proposer's contract and will be warranted as such, except to the extent that the proposer's response explicitly excepts from a requirement or specification. The selected respondent must warrant that the content of its proposal accurately reflects the hardware and software's capability

to satisfy the functional requirements as included in this RFP and no merchantability disclaimer shall be accepted. Furthermore, the warranty, at a minimum, should be valid for a period of 24-months from the final acceptance of all modules by HUNTINGTON PARK POLICE DEPARTMENT (as will be further defined during the negotiations process) HUNTINGTON PARK POLICE DEPARTMENT will look more favorably at Proposers with warranty periods longer than the minimum specified herein.

Implementation Services: HUNTINGTON PARK POLICE DEPARTMENT also requires a warranty for implementation services (e.g., work products, developed modifications, and system configuration) for a minimum of 24-months after the system acceptance date of the respective modules. The implementation services firm must ensure that the implemented hardware and software conforms to the requirements responses warranted by the software vendor.

2.13 Maintenance Fees

Provide a breakdown of maintenance fees for years 2-5.

- 1) Additional Users and Modules
- 2) Certification
- 3) Maintenance and assumed support

All pricing must provide "guaranteed pricing" for 24 months from the award of contract for additional users and identified partners.

3. GENERAL TERMS AND CONDITIONS

3.1 Certification

The Proposer hereby certifies that they have carefully examined this Request for Proposal and documents attached hereto for terms, conditions, specifications, covenants, requirements, software, services, etc. and the Proposer certifies that they understand the scope of the work to be done, that the Proposer has knowledge and expertise to provide the scope of the work, and that their proposal is based upon the terms, conditions, specifications, services, software and requirements of this RFP and attachments. The Proposer further agrees that the performance time specified is a reasonable time. By their signature on the response to the RFP, the Proposer certifies that their proposal is made without prior understanding, agreement, or connection with any corporation, firm or person submitting a proposal for the same materials, supplies, or equipment, and is in all respects fair and without collusion or fraud, so that all proposals for the purchase will result from free, open and competitive proposing among all vendors. Further, the Proposer certifies that they understand collusive bidding/proposing is a violation of Federal law and can result in fines, prison sentences, and civil damage awards.

3.2 Conflict of Interest

By submission of a response, the Proposer agrees that at the time of submittal, they: (1) have no interest (including financial benefit, commission, finder's fee, or any other remuneration) and shall not acquire any interest, either direct or indirect, that would conflict in any manner or degree with the performance of Proposer's services, or (2) will not benefit from an award resulting in a "Conflict of Interest." A "Conflict of Interest" shall include holding or retaining membership, or employment, on a board, elected office, department, division or bureau, or committee sanctioned by and/or governed by HUNTINGTON PARK POLICE DEPARTMENT. Proposers shall identify any interests, and the individuals involved, on separate paper with the response and shall understand that HUNTINGTON PARK POLICE DEPARTMENT, in consultation with legal counsel, may reject their proposal.

3.3 Assignment

No assignment of the Proposer's obligations nor the Proposer's right to receive payment hereunder shall be permitted without prior consent of HUNTINGTON PARK POLICE DEPARTMENT. The Proposer may not sell, assign, transfer or convey the contract resulting from this RFP, in whole or in part, without the prior written approval from HUNTINGTON PARK POLICE DEPARTMENT.

3.4 Indemnification

(a) CITY and its respective elected and appointed boards, officials, officers, agents, employees and volunteers (individually and collectively, "INDEMNITEES") shall have no liability to Proposer or any other person for, and Proposer shall indemnify, defend and hold harmless INDEMNITEES from and against, any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs and expenses of whatever nature, including reasonable attorneys' fees and disbursements (collectively "CLAIMS"), which INDEMNITEES may suffer or incur or to which INDEMNITEES may become subject by reason of or arising out of any injury to or death of any person(s), damage to property, loss of use of property, economic loss or otherwise occurring as a result of the Proposer's performance of or failure to perform under this RFP, and/or the contract resulting from this RFP by the negligent or willful acts or omissions of Proposer, its agents, officers, directors, subcontractors or employees, committed in performing under this RFP and/or the contract resulting from this RFP.

(b) If any action or proceeding is brought against INDEMNITEES by reason of any of the matters against which Proposer has agreed to indemnify INDEMNITEES as provided above, Proposer, upon notice from HUNTINGTON PARK POLICE DEPARTMENT, shall defend INDEMNITEES at Proposer's expense by counsel acceptable to HUNTINGTON PARK POLICE DEPARTMENT, such acceptance not to be unreasonably withheld. INDEMNITEES need not have first paid for any of the matters to which INDEMNITEES are entitled to indemnification in order to be so indemnified. The insurance required to be maintained by Proposer under Section 3.9 shall ensure Proposer's obligations under this section, but the limits of such insurance shall not limit the liability of Proposer hereunder. The provisions of this section shall survive the expiration or earlier termination of this AGREEMENT.

(c) The provisions of this section do not apply to CLAIMS occurring as a result of the HUNTINGTON PARK POLICE DEPARTMENT 's sole negligence or willful acts or omissions.

3.5 Delivery of the Project Plan and Initial System Design

The project plan and initial system design document (or other substantively equivalent implementation documents as may be agreed to by HUNTINGTON PARK POLICE DEPARTMENT prior to contract signing) are to be delivered within a contractually specified timeframe after contract signing. The project plan shall contain a complete work breakdown structure with task dependencies and predecessors. Non-performance in this regard may result in penalties. Extensive delay (defined under the contract) in delivery under this section may result in penalties and ultimate cancelation of the project with a new Proposer being selected.

3.6 Liability for Failure to Provide Functionality

In the event the selected proposer (Implementer) fails to provide a functionality in accordance with its response to this RFP after notice and reasonable opportunity to cure, HUNTINGTON PARK POLICE DEPARTMENT may (1) terminate the implementation agreement for cause, or (2) upon written notice to the Implementer, obtain the functionality from a third party, in which case the Implementer shall be liable for any additional costs incurred by HUNTINGTON PARK POLICE DEPARTMENT in obtaining the promised functionality and such amount may be subtracted from any amount owed to the Implementer. This remedy will be in addition to any other warranties or remedies provided.

3.7 Independent Contractor

It is understood that in the performance of any services herein provided, the Proposer shall be, and is, an independent contractor, and is not an agent or employee of HUNTINGTON PARK POLICE DEPARTMENT and Proposer shall furnish such services in its own manner and method, except as required by this contract. Further, the Proposer has, and shall retain the right to exercise full control over the employment, direction, compensation, and discharge of all persons employed by the Proposer in the performance of the services hereunder. The Proposer shall be solely responsible for, and shall indemnify, defend, and save HUNTINGTON PARK POLICE DEPARTMENT harmless, from all matters relating to the payment of its employees, including compliance with Social Security, withholding, and all other wages, salaries, benefits, taxes, exactions, and regulations of any nature whatsoever.

3.8 Payment

Payment for the mobile wireless MESH network and for the implementation of services rendered pursuant to the Agreement resulting from this RFP shall be made in amounts and at times set forth in the Agreement and shall be made upon receipt of original invoice(s) in accordance and in conformity with payment dates for bills and claims as established by HUNTINGTON PARK POLICE DEPARTMENT. Prior to payment, the Contractor must submit an original dated itemized invoice of services rendered. (Photographs or facsimiles of invoices will not be accepted.) Any reimbursement for expenses as allowed in the Agreement that are included in the invoice(s) must be supported with attached original billings for such expenses.

In addition, HUNTINGTON PARK POLICE DEPARTMENT will retain 20% of all service payments, with such retention being released on final acceptance of the entire system, which will be defined during the contract negotiation phase.

3.9 Insurance

Proposers shall obtain, at their sole expense, all insurance required in the following paragraphs and shall not commence work until such insurance is in effect and certification thereof has been received by City of Huntington Park's Risk Manager.

Commercial General Liability - Combined single limits of no less than \$1,000,000 each occurrence and \$2,000,000 aggregate. This insurance shall include Comprehensive Broad Form Coverage including contractual liability.

Commercial Automobile Liability, with limits of no less than \$1,000,000 Combined Single Limit for bodily injury and property damage. Evidence of commercial automobile coverage is only necessary if vehicles are used in the provision of services under this Agreement and/or are brought on a HUNTINGTON PARK POLICE DEPARTMENT site.

Professional Liability (Errors and Omissions) with limits of no
Less than \$3,000,000 each occurrence and \$5,000,000 aggregate.

All insurance companies must be licensed and be acceptable to City of Huntington Park's Risk Manager. Insurance Policies, except Workers' Compensation, shall be endorsed (1) to show the City of Huntington Park as additional insured, as their interests may appear and (2) to amend cancellation notice to 30 days, pursuant to law.

If an "ACCORD" Insurance Certificate is used, the words "endeavor to" and "but failure to mail such notice shall impose no obligation or liability of any kind upon the company" in the "cancellation" paragraph of the form shall be deleted.

Copies or originals of correspondence, certificates, endorsements or other items pertaining to insurance shall be sent to:

HUNTINGTON PARK CITY CLERK
6550 Miles Avenue | Huntington Park, CA 90255

If the Proposer does not meet the insurance requirements of the specifications, alternate insurance coverage satisfactory to HUNTINGTON PARK POLICE DEPARTMENT may be considered.

3.10 Compliance with Laws and Regulations

Proposer must comply with all applicable State and Federal Laws. In the event any Governmental restrictions may be imposed which would necessitate alteration of the material, quality, workmanship or performance of the items offered on this proposal prior to their delivery, it shall be the responsibility of the successful Proposer to notify HUNTINGTON PARK POLICE DEPARTMENT at once, indicating in their letter the specific regulation which required such alterations. HUNTINGTON PARK POLICE DEPARTMENT reserves the right to accept any such alterations, including any price adjustments occasioned thereby, or to cancel the contract. HUNTINGTON PARK POLICE DEPARTMENT shall have no liability for such cancelation and any deposits, payments, etc., shall be returned to HUNTINGTON PARK POLICE DEPARTMENT. All losses, investment, etc., shall be

borne by proposer for not having identified the regulations prior to proposing the solution in their response to the RFP.

3.11 Acceptance

Submission of any proposal indicates a Proposer's acceptance of the conditions contained in this RFP unless clearly and specifically noted otherwise in the proposal. Any limitation or exclusions shall be clearly listed as such under a section titled, Limitations and Exclusions. Failure to clearly list items in such a manner will be grounds for elimination from consideration.

Furthermore, HUNTINGTON PARK POLICE DEPARTMENT is not bound to accept a proposal on the basis of lowest price, and further, HUNTINGTON PARK POLICE DEPARTMENT has the sole discretion and reserves the right to cancel this RFP, and to reject any and all proposals, to waive any and all informalities and or irregularities, or to re-advertise with either the identical or revised specifications, if it is deemed to be in HUNTINGTON PARK POLICE DEPARTMENT's best interests to do so. HUNTINGTON PARK POLICE DEPARTMENT reserves the right to accept or reject any or all of the items in the proposal, and to award the contract in whole or in part and/or negotiate any or all items with individual Proposers if it is deemed in HUNTINGTON PARK POLICE DEPARTMENT's best interest. Moreover, HUNTINGTON PARK POLICE DEPARTMENT reserves the right to make no selection if proposals are deemed to be outside the fiscal constraint or not in the best interest of HUNTINGTON PARK POLICE DEPARTMENT.

3.12 New Services

From time to time during the implementation period and afterward, HUNTINGTON PARK POLICE DEPARTMENT may elect to have the Proposer perform services that are not specifically described in the Statement of Work but are related to the contracted services (the "New Services"). Prior to beginning work on any New Services, the Proposer and will agree and document the scope of work to be performed and compensation rate. This will be accomplished through an amendment to the contract.

4. DETAILED SUBMITTAL REQUIREMENTS

4.1 Proposal Format

Proposers shall prepare their proposals in accordance with the instructions outlined in this section. Each proposer is required to submit the proposal in a sealed package. Proposals should be prepared as simply as possible and provide a straightforward, concise description of the proposer's capabilities to satisfy the requirements of the RFP. Utmost attention should be given to accuracy, completeness, and clarity of content. All parts, pages, figures, and tables should be numbered and clearly labeled. The proposal should be organized into the following major sections:

PROPOSAL SECTION TITLE

- 1) Executive Summary
- 2) Scope of Services

- 3) Company Background
- 4) Proposed Software, Hardware and Computing Environment
- 5) Responses to Functional/Technical Requirements
- 6) System Specifications
- 7) Deployment Plan
- 8) Implementation Plan
- 9) Maintenance and Support Program
- 10) Client References
- 11) Cost Proposal
- 12) Exceptions to the RFP
- 13) Sample Documents

Instructions relative to each part of the response to this RFP are defined in the remainder of this section. Response information should be limited to pertinent information only.

4.2 Executive Summary

(Proposal Section 1.0) This part of the response to the RFP should be limited to a brief narrative summarizing the proposer's proposal. The summary should be oriented toward the business personnel who would implement the project and should include technical information and language only to the extent required to describe the proposal. Please note that the executive summary should identify the primary engagement contact for the software and hardware firm, the contact for the implementation services firm if different, and the contact for any third-party software being proposed. Contact information should include a valid e-mail address, fax number, and a toll-free telephone number (if applicable).

4.3 Scope of Services

(Proposal Section 2.0) This section of the Proposer's proposal should include a general discussion of the proposer's overall understanding of the project and the scope of work proposed. The scope statement should include all work from project inception to the completion of the warranty period.

The selected Proposer shall be required to provide all labor, new installation of materials, all new devices, coordination, planning, scheduling, design support, engineering, permitting, plan checking, materials, supplies, tools, equipment, installation equipment, installation, supervision, transportation, testing labor, terminations, testing and acceptance and any other services or items necessary to accomplish the installation of a fully-functioning system.

4.4 Company Background

(Proposal Section 3.0) Each proposal must provide the following information about the submitting proposer's company, the implementation partner's company, if any, and any third-party vendor being proposed to provide a business function so that HUNTINGTON PARK POLICE DEPARTMENT can evaluate the Proposers' stability and ability to support the commitments set forth in responses to the RFP. HUNTINGTON PARK POLICE DEPARTMENT, at its option, may require the Proposer to provide additional support or clarify requested information.

Background information shall include:

- How long the company has been in business.
- A brief description of the company size and organizational structure.
- How long the company has been selling the proposed solution to clients similar to HUNTINGTON PARK POLICE DEPARTMENT.
- Most recent audited financial statements. The statements should include information on annual sales, profitability, etc.
- Listing of installs at entities similar to HUNTINGTON PARK POLICE DEPARTMENT by name and state.
- A brief description of any pending litigation where Proposer is either defendant or plaintiff.
- A list of clients where the contractual relationship was not completed and or/severed for reasons other than convenience. A brief description of why the relationship was severed and the name of the implementer, the implementer's engagement manager, and project manager are also required.
- If partnering, how long the implementer has worked with vendor and how many implementations the two parties have completed together.
- Copies of business licenses, professional certifications and/or other relevant credentials.

4.5 Proposed Software, Hardware and Computing Environment

(Proposal Section 4.0) The proposer must present, in detail, the version, features and capabilities of the proposed system. In addition to the description, please provide in succinct narrative form (at least one paragraph per item) answers to the following questions:

- 4.5.1 Technology Architecture. Included in this section should be a detailed technical overview of any proposed hardware or software platform. Include hardware/software architecture diagrams, process flow diagrams, network diagrams and minimum client computer configurations where appropriate. Ensure the following questions are answered: upon which platforms does your system run? What are the optimal and minimum network requirements? What are the optimal and minimum server requirements?
- 4.5.2 Administration Toolsets. What administration toolsets are included with the system? What skills are required to maintain the system? What tools are available to customize the system? What monitoring is routinely required for optimal system performance?
- 4.5.3 Security and Compliance. What security tools are included with the system? How is the security profile defined? What is included in the user security profile?
- 4.5.4 Upgrade Function. What is the software upgrade frequency? How are patches and fixes

applied? How are patches and fixes deployed? How are upgrades applied? How much training (technical training and end user) is generally required with upgrades to the system? What happens to software customizations (e.g., user-defined tables and fields) during the upgrade? How many versions of the software does your company support? Please provide details of all upgrades and bug patches over the last three years. Also provide an anticipated future release schedule.

4.6 Responses to Functional/Technical Requirements

(Proposal Section 5.0) Responses to the functional / technical requirements listed below must be provided in this section of the proposer's proposal.

Functional/Technical Requirements:

- 1) The wireless mesh system must be capable of operating multiple frequencies, with multiple radios dedicated for backhaul that simultaneously send and receive traffic along with multiple radios dedicated for simultaneous client access.
- 2) The wireless mesh system must be 100% IP-based network solution and non-proprietary 802.1x standards.
- 3) The wireless mesh system must be capable of supporting laptops, PDAs, Wi-Fi phones, smart phones, tablets, stationary CPE, in-vehicle mobile CPE, and other wireless access devices compliant to 802.11 technology standards.
- 4) Cameras using the ONVIF standards are preferred.
- 5) The wireless mesh system must support mobile mesh units using 4.9 GHz and 2.4 GHz frequency for connections to the wireless infrastructure and mobile computing devices.
- 6) The wireless mesh system must support encryption types AES, TKIP, static and dynamic WEP.
- 7) The wireless mesh system must support authentication types 802.1x, WPA, WPA2, WPA-PSK, WPA2-PSK, EAP-MD5/TLS/TTLS/PEAP, and Access Control Lists.
- 8) The wireless mesh system must support Layer 2 security traffic isolation between users at the same AP radio as well as throughout the entire wireless network.
- 9) The wireless mesh system must support Rogue Device Detection and reporting for adhoc or infrastructure devices in 2.4 GHz, 4.9 GHz, and 5 GHz frequencies.
- 10) The wireless mesh system must support VPN sessions in the network.
- 11) The wireless mesh system must support SSID suppression.
- 12) The wireless mesh system must cover a specific area between Florence Avenue to the South, Slauson Avenue to the North, Rugby Avenue to the West, and Miles Avenue to the East (to include the Civic Center).

4.7 System Specifications

- 4.7.1 HUNTINGTON PARK POLICE DEPARTMENT has identified the following items are needed to complete the system. The Proposer must fit their proposal to these items and specifications.
- 4.7.2 Multi-radio wireless Layer 2 switched architecture with: 5 GHz, 2.4 GHz and 4.9 GHz
- 4.7.3 Centralized Element Management System of Hardware and Software that does not require a Hardware Controller Appliance for Control or Mobility.
- 4.7.4 (40) Mobile wireless units that will be vehicular mounted.
- 4.7.5 (16) IP cameras for day and night operation outdoors covering downtown areas
- 4.7.6 Core network equipment: switches, routers, servers, etc.
- 4.7.7 Deployment Services for the system to include a project manager to oversee all Proposer responsibilities, technical resources for system design and planning, installation resources, system optimization, testing, documentation and warranty services.
- 4.7.8 (One/Two/Three) year software and hardware warranty including technical support included in initial purchase price. Optional extended warranties for software, hardware and technical support to extend to 5 years and beyond.
- 4.7.9 Training for usage, operating, and maintaining the wireless mesh network.

4.8 Deployment Plan

- 4.8.1 The deployment planner will coordinate with Proposer, HUNTINGTON PARK POLICE DEPARTMENT and local partners.
- 4.8.2 HUNTINGTON PARK POLICE DEPARTMENT and partners will provide network integration based on requested specs and mutual agreement.
- 4.8.3 Proposer will provide installation at all locations,
- 4.8.4 HUNTINGTON PARK POLICE DEPARTMENT and partners will provide continuous one hundred and twenty (120) VAC power within six (6) feet of each device.
- 4.8.5 HUNTINGTON PARK POLICE DEPARTMENT and partners will provide bonding and a single point ground connection within six (6) feet of each device per NEC standards.
- 4.8.6 HUNTINGTON PARK POLICE DEPARTMENT and partners will provide IP

connections from the edge router to host and servers.

4.9 Implementation Plan

(Proposal Section 6.0) The proposer must provide a detailed plan for implementing the proposed system. This information should include:

4.9.1 Specific phases of the engagement to be executed by the Proposer. Typical implementation phases include:

- Engagement Preparation
- Solution Planning
- Project Kick-Off
- Solution Implementation
- HUNTINGTON PARK POLICE DEPARTMENT Deliverables & Knowledge Transfer
- Implementation Engagement Closure

4.9.2 Project duration and scheduling. This section should include the following:

- Estimate of when the engagement will be scheduled (within a specific timeframe or based on an event such as contract execution).
- Period of performance for the engagement (in days).
- When the work will be conducted (normal business hours versus after hours or weekends...).

4.10 Maintenance and Support Program

(Proposal Section 7.0) The proposal must specify the nature of any post-implementation and on-going support provided by the Proposer including:

4.10.1 Post-implementation support (e.g., 60 days of on-site support after go-live).

4.10.2 Telephone support (e.g., include toll-free support hotline, hours of operation, availability of 24 x 7 hotline, etc.).

4.10.3 Special plans defining “levels” of Huntington Park Police Department support (e.g., gold, silver, etc.). Define what level of support is being proposed.

4.10.4 Delivery method of future upgrades and product enhancements including historical frequency of upgrades by module.

4.10.5 Availability of user groups and their geographic areas.

4.10.6 Problem reporting and resolution procedures.

4.10.7 Bug fixes and patches.

4.10.8 Support provided for third-party solutions.

4.10.9 Other support (e.g., on-site, remote dial-in, Web site access to patches, fixes and knowledge base).

4.11 Client References

(Proposal Section 8.0) HUNTINGTON PARK POLICE DEPARTMENT considers references to be important in its decision to award a contract. HUNTINGTON PARK POLICE DEPARTMENT will not call Proposers to tell them that their references will be contacted because all references provided will be contacted by HUNTINGTON PARK POLICE DEPARTMENT during the selection process. Similarly, HUNTINGTON PARK POLICE DEPARTMENT will not work through a proposer's Reference Manager to complete a reference. The names and phone numbers of the project manager for each reference must be listed.

The proposal must contain three (3) verifiable references of the vendor's proposed solution that has been operational for a minimum of 90 days, preferably local government. One of the references must have a deployed network of the mesh technology proposed herein with a minimum of either 3 square miles or 250 units due to the size of HUNTINGTON PARK POLICE DEPARTMENT's network.

4.12 Cost Proposal

(Proposal Section 9.0) Proposers should submit an estimate of project costs in the proposal.

Project scope should be assumed to include all functionality listed in the RFP.

HUNTINGTON PARK POLICE DEPARTMENT reserves the right to contact proposers on cost and scope clarification at any time throughout the selection process and negotiation process. HUNTINGTON PARK POLICE DEPARTMENT is asking proposers to estimate costs for all categories with the understanding that they may have to make assumptions. Such assumptions should be stated.

HUNTINGTON PARK POLICE DEPARTMENT may award a contract, based on initial offers received without discussion of such offers. A proposer's initial offer should, therefore, be based on the most favorable terms available. HUNTINGTON PARK POLICE DEPARTMENT may, however, have discussion with those proposers that it deems in its discretion to fall within a competitive range. It may also request revised pricing offers from such proposers, and make an award and/or conduct negotiations thereafter.

Further information, which may be useful in developing the cost proposal, is included in Section 5 of this RFP.

Users: (example below)

For this initial project, HUNTINGTON PARK POLICE DEPARTMENT would like to have (40) wireless users; (30) vehicle mounted modems and (16) wireless cameras. If additional users are identified, the system must have the ability to expand.

4.13 Exceptions to the RFP

(Proposal Section 10.0) All requested information in this RFP must be supplied. Proposers may take exception to certain requirements in this RFP. All exceptions shall be clearly identified in this section and a written explanation shall include the scope of the exceptions, the ramifications of the exceptions for HUNTINGTON PARK POLICE DEPARTMENT, and the CLEAR description of the advantages or disadvantages to HUNTINGTON PARK POLICE DEPARTMENT as a result of exceptions. HUNTINGTON PARK POLICE DEPARTMENT, in its sole discretion, may reject any exceptions or specifications within the proposal. Proposers may also provide supplemental information, if necessary, to assist HUNTINGTON PARK POLICE DEPARTMENT in analyzing responses to this RFP.

4.14 Sample Documents

(Proposal Section 11.0) Proposers should include sample copies of the following documents:

- Sample software/hardware licensing agreement
- Sample maintenance agreement
- Sample documentation (user guides, training materials, etc.)

5. CURRENT SYSTEM ENVIRONMENT

5.1 Current Systems

HUNTINGTON PARK POLICE DEPARTMENT has a modern technology environment and the following aspects of HUNTINGTON PARK POLICE DEPARTMENT's technology infrastructure should position HUNTINGTON PARK POLICE DEPARTMENT to support public safety operations.

- For security reasons all other technical information will be provided to qualified and vetted bidders who have exercised a confidentiality agreement.

6. EVALUATION CRITERIA

6.1 Selection Participants

Evaluation Team. HUNTINGTON PARK POLICE DEPARTMENT IS and Public Safety Teams will evaluate the proposals.

Stakeholders. Stakeholders consist of subject matter experts from other entities that have knowledge of specific processes. Stakeholders will support the Evaluation Team during the procurement process.

6.2 Evaluation of Proposals

Evaluation criteria will be used to determine the successful vendor. The vendor's proposal will be evaluated based on the following criteria:

- Compliance with the general bidding requirements, general submittal requirements, and detailed submittal requirements of the RFP.
- Implementation capability and strategy.
- Compliance with system deployment, implementation and acceptance dates as set forth in section 2.1 Pre-qualification Requirements.
- Total system cost.
- Provision of three verifiable references of the vendor's proposed solution that has been operational for a minimum of 90 days, preferably local government.

These criteria are provided for informational purposes and are not intended to represent an order of preference or weight.

6.3 Evaluation Selection Process

A forced choice factor weighting analysis of the evaluation criteria will be utilized to determine the vendor that represents the best value, most flexible and scalable solution for HUNTINGTON PARK POLICE DEPARTMENT and its partners.

**REQUEST FOR PROPOSAL – PUBLIC SAFETY MOBILE and
SURVEILLANCE WIRELESS MESH NETWORK**

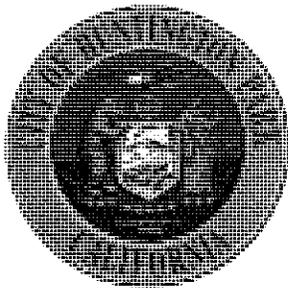
The City of Huntington Park is soliciting “Requests for Proposal” (RFP) from qualified companies interested in providing the City with a “Public Safety Mobile and Surveillance Wireless Mesh Network.” This project will be to design and install a wireless data network using high performance multi-radio MESH technology used for Public Safety access, mobility and video surveillance. Utilization of the network will include but not be limited to anti-virus updates, software application updates, field reporting upload, database synchronization, mass file transfer, wireless video, incident scene communications and interoperable data communications among other possible future uses. A mandatory pre-proposal conference will be held on February 13, 2013 at 1:00 PM. All qualified parties are invited to submit an original plus three copies and (1) CD with electronic version of the Proposal, which must be received by the City Clerk no later than 5 p.m. on March 11, 2013.

Submittals must be sealed and labeled “Public Safety Mobile and Surveillance Wireless Mesh Network” and addressed to:

**Office of the City Clerk
City of Huntington Park
6550 Miles Avenue, Huntington Park, CA 90255**

Interested parties can review the Request for Proposal on the City of Huntington Park website at: www.huntingtonpark.org

For additional information or questions or if you need a copy of the RFP and/or wish one to be mailed please contact Lieutenant Neal Mongan at (323) 826-6691.



CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

URGENCY ORDINANCE TO EXTEND INTERIM URGENCY ORDINANCE NO. 904-NS WHICH ESTABLISHED A FORTY-FIVE DAY MORATORIUM ON THE ISSUANCE OF ANY PERMITS TO SUBDIVIDE ANY 10,000+ SQUARE FOOT COMMERCIAL BUILDING/STRUCTURE INTO SMALLER TENANT SPACES WITHIN THE CITY'S BUSINESS IMPROVEMENT DISTRICT.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Conduct a public hearing; and
2. Adopt the proposed Urgency Ordinance extending Interim Urgency Ordinance No. 904-NS for an additional 10 months and 15 days.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The City Council, at its January 7, 2013 meeting, adopted Ordinance No. 904-NS, which established a 45-day moratorium on the issuance of any permits to subdivide any 10,000 square foot or greater commercial building/structure into smaller tenant spaces within the City's Business Improvement District (see attached map).

The City Council adopted the current 45-day moratorium due to increased requests by commercial property owners to subdivide their tenant spaces into smaller tenant spaces. To date, staff has received approximately 15-20 inquiries regarding the subdivision of large commercial spaces within the Business Improvement District (BID). Although the City welcomes and encourages business activity, the City is also concerned about the long term effects that such tenant space subdivisions will cause within the BID. The loss of commercial spaces having an area of 10,000 square feet or larger will be detrimental and greatly impact the feasibility of attracting national retailers.

Currently there is no process or level of review in the City's Municipal Code to prohibit or restrict the subdivision of tenant spaces of any size. Therefore, the moratorium was established to allow time to study the possible impacts of such improvements, and

possible alternatives to the present process, including either to restrict such proposals, impose a discretionary review, or create development standards and conditions for such proposals.

During the 45-day period staff has researched appropriate measures necessary to alleviate the condition(s) which led to the adoption of the Interim Urgency Ordinance. However, staff is requesting that the City Council extend the moratorium for 10 months and 15 days in order to allow additional time to conduct further research to develop appropriate review procedures and standards addressing the subdivision of existing tenant spaces that are 10,000 square feet or larger within the BID. Additionally, the City has recently awarded a contract to prepare a Revitalization Strategy for Downtown Huntington Park within the next 10 months. The extension of the moratorium will also provide sufficient time for the completion of the Revitalization Strategy.

The extension would continue the suspension on the issuance of any permits to subdivide any 10,000 square foot or larger commercial building/structure into smaller tenant spaces within the City's Business Improvement District. If the extension of the moratorium is approved, Staff will provide the City Council a status report prior to the expiration of the Urgency Ordinance.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In accordance with California Government Code Section 65858(1), "the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time." The urgency ordinance requires a four-fifths vote of the legislative body (City Council) for adoption. The interim urgency ordinance shall be in effect for 45 days from the date of adoption. After a duly noticed public hearing, an interim urgency ordinance may be extended by the legislative body for an additional 10 months and 15 days and subsequently extended for an additional one-year period. Therefore, not more than two extensions totaling a maximum of two years may be adopted. Any extension shall also require a four-fifths vote for adoption.

Pursuant to California Government Code Section 36937(b), an urgency ordinance shall take effect immediately, if it is an ordinance for the immediate preservation of the public peace, health or safety, containing a declaration of the facts constituting the urgency, and is passed by a four-fifths vote of the city council.

An extension of an Interim Urgency Ordinance requires that a written report be issued and a public hearing be conducted as prerequisites. This report shall serve as the required written report.

CONCLUSION

Due to the pending expiration of the 45-day moratorium on February 21, 2013, established by Interim Urgency Ordinance No. 904-NS, staff recommends that the City Council conduct a public hearing and adopt an Urgency Ordinance extending said Interim Urgency Ordinance for an additional 10 months and 15 days commencing on February 22, 2013.

Respectfully submitted,



RENÉ BOBADILLA
City Manager, P.E.



JACK L. WONG
Interim Community Development Director

ATTACHMENT

- A: Map of Business Improvement District Boundaries
- B: Proposed Urgency Ordinance

BUSINESS IMPROVEMENT DISTRICT MAP

ATTACHMENT: A

EXHIBIT "A"



1 10,000+ square foot commercial building/structure into smaller tenant spaces within the
2 City's BID in order for the City to review its regulations and study the potential impacts; and

3 **WHEREAS**, California Government Code sections 36937 and 65858 allows the City
4 Council to adopt as an urgency measure an interim ordinance prohibiting any uses that
5 may jeopardize the public's health, welfare and safety, or which conflicts with a
6 contemplated zoning proposal, policy or enactment, in order to allow the City Council, the
7 Planning Commission, or the Community Development Department a reasonable period of
8 time to study the proposed us and its potential secondary effects; and

9 **WHEREAS**, the City Council of the City of Huntington Park adopted Urgency
10 Ordinance No. 904-NS, on January 7, 2013, creating a moratorium on issuance of permits
11 to subdivide any 10,000+ square foot commercial building/structure into smaller tenant
12 spaces within the City of Huntington Park's BID pursuant to Government Code Section
13 65858; and

14 **WHEREAS**, a study of the potential impacts of subdividing any 10,000+ square foot
15 commercial building/structure into smaller tenant spaces within the City's BID is being
16 pursued, but has not yet been completed.

17 **WHEREAS**, the moratorium will allow staff time to complete the Revitalization
18 Strategy for Downtown Huntington Park and to develop appropriate review procedures and
19 standards addressing the subdivision of tenant spaces within the BID.

20 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK**
21 **DOES RESOLVE AS FOLLOWS:**

22 **SECTION 1:** Urgency Ordinance No. 904-NS is hereby extended for a period of ten
23 (10) months and fifteen (15) days from the date of expiration of Ordinance No. 904-NS.
24 Urgency Ordinance No. 904-NS established a moratorium on the issuance of permits to
25 subdivide any 10,000+ square foot commercial building/structure into smaller tenant spaces
26 within the City's BID for the immediate preservation of the public health, safety and welfare
27 and to allow the City Council time to study and consider enactment of regulatory standards.

28 //

1 **SECTION 2:** For purposes of this Ordinance, the boundaries of the BID are set forth
2 in Exhibit A which is attached hereto and incorporated by reference herein.

3 **SECTION 3:** The City Council hereby extends Urgency Ordinance No. 904-NS by not
4 less than a four-fifths vote, and in light of the findings set forth in Section 4, under the
5 authority granted to it by Article XI, Section 7 of the California Constitution and Section
6 65858(a) of the California Government Code, which allows the City to extend an interim
7 urgency ordinance.

8 **SECTION 4:** The City Council hereby finds and determines as follows:

9 (a) The above recitals are incorporated herein and are each relied upon independently
10 by the City Council for its adoption of this urgency ordinance; and

11 (b) The City must protect the character of the City and its residents and promote and
12 encourage commercial economic diversity under its General Plan; and

13 (c) The City cannot ensure that the City's objectives and policies will be implemented
14 properly without specific regulatory standards in place; and

15 (d) There exists a current and imminent threat to the public health, safety and welfare,
16 and California Government Code sections 36937 and 65858 authorizes the City Council to
17 adopt as an urgency measure an interim ordinance prohibiting any uses that may jeopardize
18 the public's health, welfare and safety, or which conflicts with a contemplated zoning
19 proposal, policy or enactment, in order to allow the City Council, the Planning Commission,
20 or the Community Development Department a reasonable period of time to study the
21 proposed use and its potential secondary effects; and

22 (e) There is no feasible alternative to enactment of this interim moratorium that will
23 satisfactorily mitigate or avoid the previously identified impacts to the public health, safety
24 and welfare with a less burdensome or restrictive effect; and

25 (f) In order to ensure the effective implementation of the City's General Plan objectives
26 and policies, a temporary moratorium on the issuance of permits to subdivide any 10,000+
27 square foot commercial building/structure into smaller tenant spaces within the City's BID is
28 necessary. Therefore it is necessary to extend Urgency Ordinance No. 904-NS.

1 **SECTION 5:** The City Council hereby directs the Planning Division of the Community
2 Development Department to continue its consideration and study the potential impacts of
3 subdividing any 10,000+ square foot commercial building/structure into smaller tenant
4 spaces within the City's BID on the community and possible means of regulating such
5 improvements to address impacts, including zoning-based regulations and other regulations.

6 **SECTION 6:** The City Council finds that this ordinance is exempt from the application
7 of the California Environmental Quality Act, Public Resources Code section 21000 et seq.,
8 pursuant to Sections 15601(b), 15262 and 15603 of the State CEQA Guidelines, 14
9 California Code of Regulations section 15000, et seq.

10 **SECTION 7:** If any section, subsection, subdivision, paragraph, sentence, clause or
11 phrase in this Chapter, or any part thereof is for any reason, held to be unconstitutional or
12 invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the
13 validity or effectiveness or the remaining portions of this chapter or any part thereof. The City
14 Council hereby declares that it would have passed each section, subsection, subdivision,
15 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more
16 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared
17 unconstitutional, or invalid or ineffective.

18 **SECTION 8:** This Ordinance shall become effective immediately upon adoption by
19 the City Council and shall be in effect for ten (10) months and fifteen (15) days from the date
20 of the end of the term of Ordinance No. 904-NS, unless earlier terminated by the City
21 Council.

22 **SECTION 9:** The Mayor shall sign this Ordinance and the City Clerk shall certify to
23 the passage and adoption of this Ordinance and shall cause the same to be posted in at
24 least three (3) public places in the City, and published in a newspaper of general circulation
25 published and circulated in the City of Huntington Park. Such posting and publishing to be
26 completed not later than fifteen (15) days after the passage hereof.

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1 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

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Andy Molina, Mayor

ATTEST:

Rosanna Ramirez, City Clerk

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF LOS ANGELES)
4

5 I, ROSANNA M. RAMIREZ, CITY CLERK OF THE CITY OF HUNTINGTON PARK, DO
6 HEREBY CERTIFY that the foregoing Ordinance, being Ordinance No. _____,
7 was passed and adopted by the City Council of the City of Huntington Park, signed by the
8 Mayor of said City, and attested by the City Clerk, all at the regular meeting of the City
9 Council held on the ____ day of _____, 2013, and that the same was passed
10 and adopted by the following vote, to wit:

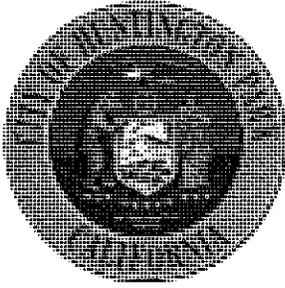
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12 AYES:

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14 NOES:

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16 ABSENT:

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18 _____
19 City Clerk

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CITY OF HUNTINGTON PARK

Community Development Department
City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

SECOND READING AND ADOPTION OF AN ORDINANCE REPEALING TITLE 9, CHAPTER 5 (SUBDIVISIONS) OF THE HUNTINGTON PARK MUNICIPAL CODE IN ITS ENTIRETY AND ESTABLISHING TITLE 10 (SUBDIVISIONS) WITHIN THE HUNTINGTON PARK MUNICIPAL CODE. (PC CASE NO. 1958-ZOA)

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve the Second Reading and adopt an Ordinance amending Title 9 of the Huntington Park Municipal Code related to Subdivisions and establishing Title 10 (Subdivisions) within the Huntington Park Municipal Code.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On October 17, 2012, the Planning Commission considered a proposed zoning ordinance amendment to repeal Title 9, Chapter 5 (Subdivisions) of the Huntington Park Municipal Code (HPMC) in its entirety and to establish Title 10 (Subdivisions) within the HPMC. Following public testimony, the Planning Commission unanimously voted to recommend adoption of the proposed ordinance amendment to the City Council.

On January 22, 2013, the City Council conducted a public hearing and approved the First Reading of the proposed ordinance.

In September of 2001, the City Council adopted Ordinance No. 666-NS which repealed and replaced the previously existing Huntington Park Municipal Zoning Code (Title 9) in its entirety. The repeal of the Zoning Code included provisions regulating the division of land within the City. However, the proposed Zoning Code which replaced the existing Zoning Code included partial regulations for the division of land. Provisions for Tentative, Vesting Tentative and Final Maps were included, but provisions for Lot Line Adjustments, Parcel Mergers and Certificates of Compliance were inadvertently excluded.

SUBDIVISIONS ORDINANCE – CASE NO. 1958-ZOA

February 4, 2013

Page 2 of 3

The Tentative Map process can be somewhat protracted and expensive as it requires Planning Commission approval and ultimately City Council approval of a Final Map. The process may take approximately 18 to 24 months. Requiring a Tentative Map is sensible for large development projects. However, it can be impractical in cases where a property owner solely wishes to merge lots for property tax bill purposes. For such instances, a more inexpensive and less time consuming process would be appropriate. In addition to Tentative Maps, Vesting Tentative Maps, and Final Maps, the California Subdivision Map Act provides the ability for property owners to apply for Lot Line Adjustments, Parcel Mergers and Reversion to Acreage. The process for these requests is shorter in comparison to the Tentative and Final Map process. The costs associated with the approval process are also significantly less.

The proposed ordinance will provide property owners with a cost effective option to subdivide land and if adopted, it will repeal the existing ordinance in HPMC Title 9 (Zoning) and replace it with a newly established HPMC Title 10 (Subdivisions). Both the Community Development Director and the City Engineer will be responsible for implementing the newly established ordinance. The responsible reviewing entity will depend on the type of application as stipulated in Section 10-3.104, Review Authority.

It is not anticipated that the proposed amendment to the HPMC will create adverse impacts to public health, welfare and safety. The overall goal and purpose of the proposed amendment is to promote orderly growth and development within the City that is consistent with the City's General Plan and, more specifically, with the community's vision.

FISCAL IMPACT/FINANCING

Fees for applications pertaining to division of land per the Subdivision Map Act shall be established by a Resolution of the City Council. If the proposed ordinance is adopted, staff will present a proposed fee schedule for City Council consideration at a future City Council meeting.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to HPMC Section 9-2.1401, the City Council may amend the zoning ordinance whenever required by public necessity and general welfare. The proposed ordinance shall take effect 30 days after its final passage by the City Council.

Public notification of the proposed ordinance amendment was published and posted, as required by State law and in accordance with the provisions of the HPMC.

ENVIRONMENTAL FINDINGS

Per the California Environmental Quality Act (CEQA), it has been determined that adoption and implementation of the proposed ordinance is categorically exempt pursuant to Section 15183 of the California Code of Regulations.

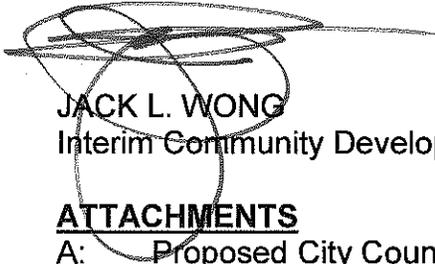
CONCLUSION

Based on the aforementioned, staff recommends that the City Council approve the second reading and adopt the proposed ordinance. If adopted, the proposed ordinance will become effective 30 days after adoption.

Respectfully submitted,



RENÉ BOBADILLA
City Manager, P.E.



JACK L. WONG
Interim Community Development Director

ATTACHMENTS

A: Proposed City Council Ordinance

1 Professions Code, and all other regulations provided by law concerning the design,
2 improvement and survey data of subdivisions, the form and content of maps provided for by
3 the Subdivision Map Act and the procedure to be followed in securing official approval
4 regarding such maps.

4 To fulfill these purposes, the intent of this Title is to:

5 A. Promote orderly growth and development to preserve the public health, safety, and
6 general welfare;

7 B. Promote open space, conservation, protection, and proper use of land; and

8 C. Provide for adequate traffic circulation, utilities, and other services in the City.

9 **10-1.102 Authority and relationship to general plan.**

10 The subdivision regulations are enacted based upon authority vested in the City by the state
11 of California, including but not limited to: the State Constitution and the Subdivision Map Act
12 (Government Code Section 66410 et seq.).

13 The subdivision regulations are a tool used by the City to implement the goals, objectives
14 and policies established in the Huntington Park General Plan.

14 **10-1.103 Applicability of subdivision regulations.**

15 The subdivision regulations shall apply to all divisions of land within or partially within the
16 City, except as provided in HPMC Section 10-3.102, Exemptions from subdivision
17 requirements.

18 Every division of land proposed within or partially within the City shall be consistent with the
19 Huntington Park general plan, zoning ordinance, any applicable specific plan, this Title, and
20 other applicable provisions of the Huntington Park Municipal Code.

21 The type and intensity of land use as shown on the general plan, zoning ordinance, any
22 applicable specific plan, this Title, or other applicable provisions of the Huntington Park
23 Municipal Code shall determine, together with the requirements of the Subdivision Map Act
24 and subdivision regulations, the type of streets, roads, highways, utilities, and other public
25 services that shall be provided by the subdivider.

23 **10-1.104 Responsible entities.**

24 A. City Council. The City Council shall be the legislative body as identified in the Subdivision
25 Map Act and shall have the responsibility and authority to conduct public hearings, and
26 approve, impose conditions or disapprove subdivisions in compliance with HPMC Section
27 10-3.104, Authority for subdivision decisions.

28 B. Planning Commission. The Planning Commission shall be the advisory agency as
identified in the Subdivision Subdivision Map Act and shall have the responsibility to review
and recommend to the City Council actions, findings, and conditions pertinent to the

1 application for a division of land in compliance with HPMC Section 10-3.104, Authority for
2 subdivision decisions.

3 C. City Engineer. The City Engineer shall be responsible for:

- 4 1. Establishing design and construction details, standards, and specifications.
- 5 2. Determining if proposed subdivision improvements comply with the provisions of this Title
6 and the Subdivision Map Act, and for reporting the findings together with any
7 recommendations for approval, or conditional approval, of the tentative map.
- 8 3. The processing and certification of final maps, reversion to acreage maps and amended
9 maps; the processing and approval of parcel maps, subdivision improvement plans, lot line
10 adjustments, certificates of compliance, and the waiver of parcel maps.
- 11 4. The inspection and approval of subdivision improvements.
- 12 5. The acceptance of dedications and improvements for land division by parcel map.

13 D. City Attorney. The City Attorney shall be responsible for approving as to form all
14 subdivision improvement agreements and securities, all governing documents for a common
15 interest development, and covenants, conditions and restrictions. The City Attorney shall
16 also have the authority to make legal interpretations of the subdivision regulations.

17 E. Community Development Department. The Community Development Department shall
18 be responsible for the processing of preliminary maps, tentative maps, final maps and parcel
19 maps, and for the collection of all required deposits and fees.

20 F. Community Development Director. The Community Development Director shall be
21 responsible for the management of the Community Development Department in carrying out
22 the responsibilities imposed upon it by this Title.

23 **10-1.105 Severability clause.**

24 If a provision of this Title or the application thereof to any person(s) or circumstance(s) is
25 held invalid by a court of competent jurisdiction, the remainder of this Title and the
26 application of such provisions to other person(s) or circumstance(s) shall not be affected
27 thereby.

28 **Chapter 2 DEFINITIONS**

10-2.101 Definitions.

"Advisory agency" means a designated official or an official body charged with the duty of making investigations and reports on the design and improvements of proposed divisions of real property, the imposing of requirements or conditions thereon or having the authority to approve, conditionally approve, or disapprove maps as prescribed by this Title.

1 "Certificate of compliance" shall mean a document recorded by the county recorder which
2 identifies, by legal description, certain real property and states that the division thereof
3 complies with applicable provisions of this Title and the Subdivision Map Act.

4 "Condominium" means an estate in real property consisting of an undivided interest in
5 common in a portion of a parcel of real property together with a separate interest in space in
6 a residential, industrial, or commercial building on such real property, such as an apartment,
7 office, or store. A condominium may include, in addition, a separate interest in other portions
8 of such real property. Such estate may, with respect to the duration of its enjoyment, be
9 either: (1) an estate of inheritance or perpetual estate; (2) an estate for life; or (3) an estate
10 for years, such as a leasehold or a subleasehold. (Section 783 of the California Civil Code.)

11 "Condominium conversion" means the conversion of existing developed real property into a
12 condominium, a community apartment project, or a stock cooperative.

13 "Condominium project" means a proposed development or an existing building proposed for
14 conversion to a condominium, stock cooperative or community apartment project through
15 approval of a conditional use permit and a tract or parcel map pursuant to this Title and the
16 Subdivision Map Act.

17 "Council" shall mean and refer to the City Council of the City of Huntington Park as
18 established by City ordinance.

19 "Department" shall mean the Community Development Department of the City of Huntington
20 Park unless otherwise specified.

21 "Design" shall have the same meaning as the term is defined in the Subdivision Map Act
22 (Government Code § 66418).

23 "Director" shall mean the director of the Community Development Department unless
24 otherwise specified.

25 "Final map" means a map showing a subdivision for which a tentative and final map is
26 required by the Subdivision Map Act or this Title, prepared in accordance with the provisions
27 of this Title and the Subdivision Map Act designed to be recorded in the office of the county
28 recorder.

"General plan" means the general plan of the City of Huntington Park, adopted on February
19, 1991, and any amendment thereto.

"Government Code" shall mean the Government Code of the state of California.

"Improvement" refers to such street work, storm drainage, utility, and landscaping to be
installed, or agreed to be installed, by the subdivider on the land to be used for public or
private streets, highways, and easements, as are necessary for the general use of the lot
owners in the subdivision and local neighborhood traffic and drainage needs as a condition
precedent to the approval and acceptance of the final map thereof; or to such other specific
improvements or types of improvements, the installation of which, either by the subdivider,
by public agencies, by private utilities, by any other entity approved by the local agency, or

1 by a combination thereof, is necessary or convenient to ensure conformity to or
2 implementation of the general plan or any adopted specific plan.

3 Improvements shall be constructed in accordance with the City of Huntington Park standard
4 specifications and details and/or, when applicable, with standards as adopted by local utility
5 companies and approved by the City Engineer.

6 "Lot" means a parcel or portion of land separated from other parcels or portions by
7 description, as on a subdivision or record of survey map, or by metes and bounds, for the
8 purpose of sale, lease, or separate use.

9 "Lot line adjustment" means a minor or major shift or rotation of an existing lot line or other
10 adjustments where a greater number of parcels than originally existed is not created.

11 "Merger" means the joining of two or more contiguous parcels of land under one ownership
12 into one parcel pursuant to Section 66424.2 of the Subdivision Map Act.

13 "Parcel map" means a map showing a division of land of four or less parcels or as otherwise
14 provided by this Title, prepared in accordance with the provisions of this Title and the
15 Subdivision Map Act.

16 "Planning Commission" shall mean and refer to the Planning Commission of the City of
17 Huntington Park as established by City ordinance.

18 "Specific plan" shall mean a detailed and comprehensive land use and development plan for
19 a defined area within the city, adopted pursuant to Cal. Gov't Code §§ 65450 through
20 65456. A specific plan must be consistent with the General Plan and must contain
21 regulations for the uses of land, including the conservation of open space, along with
22 development standards and an implementation program to provide for all infrastructure and
23 public services needed to support the land uses described in the plan.

24 "Subdivider" shall have the same meaning as the term is defined in the Subdivision Map Act
(Government Code § 66423).

25 "Subdivision" shall have the same meaning as the term is defined in the Subdivision Map
26 Act (Government Code § 66424).

27 "Subdivision" does not include any building, land or property interest that is specifically
28 exempted from the Subdivision Map Act under Government Code section 66412:

"Subdivision improvement standards" means standard details, standard specifications, and
other standards approved by the City Engineer that shall govern the improvements to be
constructed pursuant to this Title and the Subdivision Map Act.

"Subdivision Map Act" means the Subdivision Map Act of the state of California
(Government Code § 66410 *et seq.*).

"Tentative map" shall have the same meaning as the term is defined in the Subdivision Map
Act (Government Code § 66424.5).

1 "Vesting map" shall mean "vesting tentative map," as that term is defined in the Subdivision
2 Map Act (Government Code § 66424.5).

3 "Zoning ordinance" shall mean Title 9 of the Huntington Park Municipal Code, or any
4 ordinance enacted under the zoning powers of the City.

5 **Chapter 3 MAPS GENERALLY**

6 **10-3.101 Maps required.**

7 A. Division of Land – Five or More Parcels. A tentative and final tract map shall be required
8 for all division of land when determined by the Community Development Department that
9 such land may be divided into five or more parcels, five or more condominiums, a
10 community apartment project containing five or more parcels, or for the conversion of a
11 dwelling to a stock cooperative containing five or more dwelling units, unless the subdivision
12 activity is listed in HPMC Section 10-3.102(B), Exemptions from Tentative Tract Map
13 Requirements.

14 B. Divisions of Land – Four or Less Parcels. A tentative and final parcel map shall be
15 required for all divisions of land when determined by the Community Development
16 Department that such land may be divided into four or less parcels, unless the subdivision
17 activity is listed in HPMC Section 10-3.102(C), Exemptions from Tentative Parcel Map
18 Requirements. In the interest of ensuring compliance with the Huntington Park General
19 Plan, the zoning ordinance, any applicable specific plan and this Title, the director may
20 require, at the director's discretion, a tentative tract map where a tentative parcel map is
21 required.

22 **10-3.102 Exemptions from subdivision requirements.**

23 A. Exemptions from the Subdivision Regulations. The following activities shall be exempt
24 from the requirements of the subdivision regulations:

25 1. Those activities identified in Sections 66412 (except subsection (d) related to lot line
26 adjustments), 66412.1, 66412.2 or 66426.5 of the Subdivision Map Act; and

27 2. The subdivision of four parcels or less for construction of removable commercial buildings
28 having a floor area of less than 100 square feet.

B. Exemptions from Tentative Tract Map Requirements. Consistent with the Subdivision
Map Act, a tentative tract map and final tract map shall not be required under any of the
circumstances set forth in Government Code section 66426.

C. Exemptions from Tentative Parcel Map Requirements. Consistent with the Subdivision
Map Act, the activities set forth in Government Code section 66428 shall be exempt from the
requirements of tentative parcel and final parcel map.

1 **10-3.103 Waiver of subdivision requirements.**

2 A. Waiver of Tentative Tract, Parcel Map and Final Map Requirements. The requirements
3 for a parcel map and/or the requirements for a tentative and final map for the construction of
4 a condominium project on a single parcel may be waived, in whole or in part, at the
5 discretion of the director and after consultation with the City Engineer, for the following
6 activities:

7 1. Division of real property or interests therein created by probate, eminent domain
8 procedures, partition, or other civil judgments or decrees.

9 2. Division of real property resulting from the conveyance of land or any interest therein to or
10 from the City, public entity or public utility for a public purpose, such as school sites, public
11 building sites, or rights-of-way or easements for streets, sewers, utilities, drainage, etc.

12 3. The unmerger, in accordance with the Subdivision Map Act and the subdivision
13 regulations, of real property which has been merged pursuant to the subdivision regulations,
14 the Subdivision Map Act or any prior ordinance of the City.

15 B. Waiver Findings. The requirements for a tentative tract map, tentative parcel map or final
16 map shall not be waived, in whole or in part, unless the director makes a finding that the
17 proposed division of land complies with requirements as to area, improvement and design,
18 floodwater drainage control, appropriate improved public roads, sanitary disposal facilities,
19 water supply availability, environmental protection, and other requirements of the
20 Subdivision Map Act, the subdivision regulations, the Huntington Park general plan, any
21 applicable specific plan, the zoning ordinance and other applicable provisions of the
22 Huntington Park Municipal Code.

23 C. Certificate of Compliance Required. The director shall file with the county recorder a
24 certificate of compliance for the land to be divided, in compliance with HPMC Section 10-
25 14.103, Certificate of compliance, and a plat map showing the division.

26 Conditions may be imposed to provide for, among other things, payment by the subdivider
27 of parkland dedication, drainage, and other fees that are permitted under the subdivision
28 regulations, the Subdivision Map Act, or other relevant law.

The decision of the director shall be considered final unless an appeal is filed in compliance
with HPMC Section 10-3.109, Appeals. The decision of the director, or any condition of
approval, can be appealed to the Planning Commission. The decision of the Planning
Commission, or any condition of approval, can be appealed to the City Council.

10-3.104 Authority for subdivision decisions.

The following table (Review Authority) identifies the City official or body responsible for
reviewing and making decisions on each type of application for divisions of land required by
this Title:

REVIEW AUTHORITY

Type of Decision	Decision-Making Body	Appeal Body
Certificate of Compliance	Director	Planning Commission ¹
Lot Line Adjustments	City Engineer	Council
Parcel Mergers	Planning Commission ²	Council
Tentative Maps	Planning Commission	Council
Vesting Tentative Maps	Planning Commission	Council
Final Maps	Council	—
Reversion to Acreage	Council	—

¹ The Planning Commission's decision may be appealed to the City Council.

² The City Engineer may approve Parcel Mergers pursuant to HPMC Section 10-9.108.

10-3.105 Application filing and fees.

A. Application Contents. Applications for divisions of land shall be filed with the Community Development Department. The department will consider an application complete when:

1. All necessary forms, materials and exhibits as identified in this chapter have been provided and accepted as adequate; and
2. All necessary application fees and/or deposits, as set by resolution of the City Council, have been accepted.

A registered civil engineer or licensed land surveyor shall prepare a tentative tract map, tentative parcel map, final map, and other drawings that are to be ultimately recorded. The maps and exhibits shall be clearly drawn and contain the necessary information as determined by the Community Development Department. The department may also require additional materials, exhibits, data or information determined necessary to accomplish the purposes of the Subdivision Map Act and/or the subdivision regulations.

B. Eligibility for Filing. Applications may be made by the owner of the subject property or by any other person with the written consent of the property owner.

10-3.106 Initial application review – Environmental assessment.

All applications filed with the Community Development Department in compliance with the subdivision regulations shall be initially processed as follows:

A. Review for Completeness. The Community Development Department shall review all applications for accuracy before they are accepted as being complete.

1. Notification of Applicant. The applicant shall be informed, as required by the Government Code, either that the application is complete or has been accepted for processing, or that

1 the application is incomplete and that additional information, specified in the letter, must be
2 provided.

3 2. Environmental Information. The Community Development Department may require the
4 applicant to submit such additional information as may be deemed reasonably necessary for
5 environmental review of the project in compliance with subsection (C) of this section,
6 Environmental Assessment.

7 3. Expiration of Application. If a pending application is not capable of being deemed
8 complete within six (6) months after the first filing with the Community Development
9 Department, the application shall be deemed withdrawn unless an extension is granted by
10 the Director. A new application, including fees, plans, exhibits and other materials, will be
11 required to commence processing of any subdivision on the same property.

12 B. Referral of Application. At the discretion of the Director, or where otherwise required by
13 the Subdivision Map Act, any application filed may be referred to any public agency that
14 may be affected or have an interest in the proposed subdivision.

15 C. Environmental Assessment. All subdivision applications shall be reviewed as required by
16 the California Environmental Quality Act (CEQA) to determine whether the proposed
17 subdivision is exempt from the requirements or is not a project as defined by CEQA,
18 whether a negative declaration may be issued, or whether an environmental impact report
19 shall be required. These determinations and, where required, the preparation of
20 environmental documents shall be in compliance with CEQA and other guidelines
21 established by the Community Development Department.

22 **10-3.107 Notice to affected agencies and utilities.**

23 Within five (5) days of determining a tentative parcel or tentative tract map application
24 complete, the Community Development Department shall:

25 A. Send notice and a copy of the tentative parcel or tentative tract map to the affected public
26 agencies which may, in turn, forward to the department their findings and recommendations
27 thereon.

28 B. Send a notice of the filing of the tentative parcel and tentative tract maps to the governing
board of any elementary, high school, or unified school district within the boundaries of
which the subdivision is proposed to be located. Such notice shall also contain information
about the location of the proposed subdivision, the number of units, density, and any other
information that would be relevant to the affected school district. Such governing board may
review the notice and may send a written report thereon to the agency required by law to
approve such tentative parcel and tentative tract maps. The report shall indicate the impact
of the proposed subdivision on the affected school district and shall make such
recommendations as the governing board of the district deems appropriate. In the event the
school district fails to respond within a 20-day period from receipt of notice of the tentative
parcel and tentative tract maps, such failure shall be deemed approval of the proposed
subdivision by the school district. The Planning Commission shall consider the report from
the school district in approving or conditionally approving the tentative parcel and tentative
tract maps.

1 The Planning Commission shall consider any reports from affected agencies, utilities or
2 school districts in approving, conditionally approving, or denying the tentative map
3 application.

3 **10-3.108 Public hearings.**

4 Upon receipt of a valid application and completion of the City Engineer's review of the
5 application, the Director shall set the matter for public hearing before the decision-making
6 body identified in HPMC Section 10-3.104. At least 10 calendar days before the public
7 hearing, the Director shall cause notice to be given of the time, date, and place of said
8 hearing, including a general explanation of the matter to be considered and a general
9 description of the area affected, and the street address, if any, of the property involved.

8 Said notice shall be published at least once in a newspaper of general circulation, published
9 and circulated in the City.

10 In addition to notice by publication, the City shall give notice of the hearing by mail or
11 delivery to all persons, including businesses, corporations, or other public or private entities,
12 shown on the last equalized assessment roll as owning real property within 300 feet of the
13 property which is the subject of the proposed tentative parcel and tentative tract maps.

13 In addition, in the case of a proposed conversion of residential real property to a
14 condominium project, community apartment project, or stock cooperative project, notice
15 shall be given as required by Government Code Section 66451.3. All costs of such notice
16 shall be paid by the subdivider as an application fee pursuant to HPMC Section 10-3.105(A),
17 Application Contents.

16 **10-3.109 Appeals.**

17 The subdivider, or any other interested party, may appeal any action of the decision-making
18 body to the appeal body identified in HPMC Section 10-3.104, Authority for subdivision
19 decisions. Appeals shall be submitted in writing and filed with the department. The appeal
20 shall specifically state the pertinent facts of the case and the basis for the appeal. Appeals
21 shall be filed with the City Clerk within 15 calendar days of the decision body's action.
22 Appeals shall be accompanied by the filing fee set by resolution of the City Council.

22 Consistent with the Subdivision Map Act (Government Code § 66452.5), the appeal shall be
23 held within 30 days after the date of a request filed by the subdivider or the appellant. If
24 there is no regular meeting of the appeal body within the next 30 days for which notice can
25 be given pursuant to Section 66451.3, the appeal may be heard at the next regular meeting
26 for which notice can be given, or within 60 days from the date of the receipt of the request,
27 whichever period is shorter. The appeal shall be noticed with the same noticing as required
28 by HPMC Section 10-3.108, Public hearings.

26 At the hearing, the appeal body shall conduct a de novo review, may consider any issue
27 involving the matter that is the subject of the appeal, and shall not be limited to a
28 consideration of the specific grounds listed in the appeal.

1 A. The appeal body may affirm, affirm in part, or reverse the action or determination of the
2 decision-making body that is the subject of appeal.

3 B. When reviewing an appeal, the appeal body may adopt additional conditions of approval
4 that may address other issues or concerns than the subject of the appeal.

5 C. If new or different evidence is presented on appeal, the appeal body may, but shall not
6 be required to, refer the matter back to the decision-making body for further consideration.

7 Any action taken by the appeal body shall be supported by appropriate findings.

8 **10-3.110 Expirations – Time extensions.**

9 A. Expirations. The approval of a tentative parcel or tentative tract map shall expire 36
10 months from the date of its approval. However, where the subdivider is required to expend
11 an amount as prescribed in Section 66452.6 of the Subdivision Map Act to construct,
12 improve or finance the construction or improvement of public improvements outside the
13 boundaries of the tentative map, excluding improvements of public rights-of-way which abut
14 the property being subdivided, or if the tentative parcel and tentative tract maps are on
15 property subject to a development agreement authorized by Section 65864 et seq. of the
16 Government Code, then the expiration of the tentative tract or parcel map shall be governed
17 by Section 66452.6 of the Subdivision Map Act.

18 B. Time Extensions.

19 1. Request by Subdivider. The subdivider may request an extension of the expiration date of
20 the approved tentative parcel or tentative tract map by filing a written request with the
21 department and paying applicable fees as established by City Council resolution. The
22 application shall be filed not less than 30 days before the map is scheduled to expire and
23 shall state the reason(s) for the request. The filing of such application automatically extends
24 the map for 60 days or until the extension is acted on, whichever occurs first. The decision-
25 making body shall determine whether the subdivider has made a good faith effort to
26 establish the subdivision. The burden of proof is on the subdivider to establish, with
27 substantial evidence, why the tentative tract or tentative parcel map should be extended. If
28 the decision-making body determines that the permittee has proceeded in good faith and
has exercised due diligence in seeking to establish the subdivision, the time extension shall
be granted. The decision-making body may, if appropriate findings are made, impose new
conditions and may require that the applicant pay any new or increased development fees
which have been imposed since the date of the original approval of the tentative parcel or
tentative tract map.

2. Hearing on Time Extension. If the matter originally required a noticed public hearing, the
decision-making body shall hold a public hearing on the proposed time extension and give
notice in compliance with HPMC Section 10-3.108, Public hearings.

3. Time Limit of Extensions. The time for which a tentative parcel or tentative tract map may
be extended by discretionary approval of the decision-making body shall comply with
California Government Code Sections 66452.6 and 66463.5.

1 4. Appeals. The subdivider, or any other interested party, may appeal any action of the
2 decision-making body with respect to the time extension, or any new condition or
3 development fee imposed, to the appeal body in compliance with HPMC Section 10-3.109,
Appeals.

4 **10-3.111 Falsification.**

5 Fraudulent misrepresentation of pertinent information shall be sufficient reason to invalidate
6 an approval obtained pursuant to this Title.

7 **10-3.112 Modifications.**

8 Whenever in the opinion of the City Council the land involved in any subdivision is of such
9 size or shape, or is subject to such title limitations of record, or is affected by such
10 topographical location or conditions, or is to be devoted to such use that it is impossible or
11 impracticable in the particular case for the subdivider to conform fully to the regulations
12 contained in this Title, the City Council may make such modifications thereof as, in its
opinion, are reasonably necessary or expedient and in conformity with the Subdivision Map
Act. In the case of parcel maps, this determination may be made by the Planning
Commission.

13 **Chapter 4 TENTATIVE PARCEL AND TENTATIVE TRACT MAPS**

14 **10-4.101 Purpose.**

15 The purpose of this chapter is to provide for the submittal and processing of tentative parcel
16 and tentative tract maps for the subdivision of land in compliance with the subdivision
17 regulations.

18 **10-4.102 General.**

19 The form and contents, submittal, and approval of tentative parcel and tentative tract maps
20 of a subdivision shall be in accordance with the Subdivision Map Act and the provisions of
this chapter.

21 **10-4.103 Pre-filing conference.**

22 After noting the requirements of this chapter, it is desirable that the subdivider confers with
23 the City planning and engineering staff before preparing and filing a tentative parcel or
24 tentative tract map.

25 **10-4.104 Form and contents.**

26 A. Tentative Tract Maps. The tentative tract maps shall be prepared in a manner acceptable
27 to the director and City Engineer and shall be prepared by a registered civil engineer or
licensed land surveyor.

28 The tentative tract map shall be clearly and legibly drawn on one sheet at a scale not less
than 100 feet to the inch and contain not less than the following:

- 1 1. A title with the subdivision number assigned by the county engineer, subdivision name,
2 and type of subdivision.
- 3 2. Name, address, and telephone number of legal owner, subdivider, and person preparing
4 the map (including registration number).
- 5 3. Sufficient legal description to define the boundary of the proposed subdivision.
- 6 4. Date, north arrow, scale, and contour interval.
- 7 5. Existing and proposed land use.
- 8 6. A vicinity map showing roads, adjoining subdivisions, cities, railroads, and other data
9 sufficient to locate the proposed subdivision and show its relation to the community.
- 10 7. Existing topography of the proposed site and at least 100 feet beyond its boundary,
11 including, but not limited to:
 - 12 a. Sufficient elevations of existing ground to indicate the existing drainage pattern of the site.
 - 13 b. Type, circumference, and drip line of existing trees. Any trees proposed to be removed
14 shall be so indicated.
 - 15 c. The approximate location and outline of existing structures identified by type. Buildings to
16 be removed shall be so marked.
 - 17 d. The approximate location of all areas subject to inundation or storm water overflow and
18 the location, width, and direction of flow of each watercourse.
 - 19 e. The location, pavement and right-of-way, grade and name of existing streets or highways.
 - 20 f. The widths, location, and identity of all existing easements.
 - 21 g. The location and size of existing sanitary sewers, water mains, and storm drains. The
22 approximate slope of existing sewers and storm drains shall be indicated.
- 23 8. Proposed improvements to be shown shall include, but not be limited to:
 - 24 a. The location, grade, center line radius and arc length of curves, pavement and right-of-
25 way width, and names of all streets. Typical sections of all streets shall be shown.
 - 26 b. The location and radius of all curb returns and cul-de-sacs.
 - 27 c. The location, width, and purpose of all easements.
 - 28 d. The angle of intersecting streets if such angle deviates from a right angle by more than
four degrees.

1 e. The approximate lot layout and the approximate dimensions of each lot and of each
2 building site. Engineering data shall show the approximate finished grading of each lot, the
3 preliminary design of all grading, the elevation of proposed building pads, the top and toe of
4 cut-and-fill slopes to scale, and the number of each lot.

5 f. Proposed common areas and areas to be dedicated to public open space.

6 g. The location and size of sanitary sewers, water mains, and storm drains. Proposed slopes
7 and approximate elevations of sanitary sewers and storm drains shall be indicated.

8 9. The name or names of any geologist or soils engineer whose services were required in
9 the preparation of the design of the tentative parcel and tentative tract maps.

10 10. The source and date of existing contours.

11 11. All lettering size shall be one-eighth inch minimum.

12 12. Certificates for execution by the secretary of the Planning Commission indicating the
13 approval of the tentative parcel or tentative tract maps and the date thereof by the Planning
14 Commission, and a certificate by the City clerk indicating the approval by the City Council.

15 13. If the subdivider plans to develop the site as shown on the tentative parcel or tentative
16 tract maps in units, then he shall show the proposed units and their proposed sequence of
17 construction on the tentative parcel or tentative tract maps.

18 14. The City engineer may waive any of the foregoing tentative parcel or tentative tract
19 maps requirements whenever he finds that the type of subdivision is such as not to
20 necessitate compliance with these requirements or that other circumstances justify such
21 waiver. The City engineer may require other such drawings, data, or other information as
22 deemed necessary.

23 B. Tentative Parcel Map. The tentative parcel map shall be prepared by a registered civil
24 engineer or licensed land surveyor. The tentative parcel map shall be clearly and legibly
25 drawn on one sheet. The scale shall be as approved by the City engineer and all lettering
26 shall be one-eighth inch minimum in height. The final form shall be as approved by the City
27 engineer.

28 The tentative parcel map shall show the following information:

1. Name, address, and telephone number of legal owner, subdivider, and person preparing
the map (including registration number).

2. Assessor's parcel number.

3. Date prepared, north arrow, scale, and contour interval.

4. Existing and proposed land use.

5. Title.

1 6. A vicinity map, sufficient to show the relation to the local community.

2 7. Existing topography of the site and at least 100 feet from its boundary including, but not
3 limited to:

4 a. Sufficient elevations of existing ground to indicate the existing drainage pattern of the site.

5 b. Type, circumference, and dripline of existing trees. Any trees proposed to be removed
6 shall be so indicated.

7 c. The approximate location and outline of existing structures identified by type. Structures
8 to be removed shall be so marked.

9 d. The location, width, and direction of flow of each watercourse.

10 e. The location, pavement and right-of-way width, grade, and name of existing streets or
11 highways.

12 f. The location and type of street improvements.

13 g. The location, size, and slope of existing storm drains.

14 h. The location, width, and identity of existing easements.

15 i. Any improvements proposed by the owner shall be shown.

16 j. If the site is to be graded, proposed contours shall be shown or an approved grading plan
17 submitted.

18 **10-4.105 Accompanying data and reports.**

19 An application for a tentative parcel or tentative tract map shall be filed with the department
20 in compliance with HPMC Section 10-3.105, Application filing and fees. In addition, the
21 tentative parcel or tentative tract map shall be prepared in a manner acceptable to the
22 Community Development Department and shall be prepared by a registered civil engineer or
23 licensed land surveyor. The tentative parcel map or tentative tract map shall be clearly and
24 legibly drawn and shall contain the information identified in HPMC Section 10-4.104, Form
25 and contents, unless waived by the City engineer. The department may also require
26 additional materials, exhibits, data, or information as deemed necessary to accomplish the
27 purposes of the Subdivision Map Act and the subdivision regulations. Tentative parcel or
28 tentative tract map applications shall be determined to be complete only when accompanied
by the following:

26 A. Application. All necessary application forms, materials and exhibits as established by the
27 department are accepted as adequate.

28 B. Title Report. A preliminary title report showing the legal owners and any encumbrances
and easements accepted as adequate by the City engineer.

1 C. Environmental Assessment. The time limits set forth in this Title for taking action on
2 tentative parcel and tentative tract maps shall not be deemed to commence until the
3 subdivision is found exempt or an initial study is completed and a negative declaration or
4 environmental impact report, as appropriate, is prepared and processed, and a final
5 environmental document, prepared in accordance with the provisions of the California
6 Environmental Quality Act, is available for concurrent consideration with the tentative parcel
and tentative tract maps. The subdivider shall provide such additional data and information
and deposit and pay such fees as may be required for the preparation and processing of
environmental review documents pursuant to the City's procedures for implementation of the
California Environmental Quality Act.

7 D. Utility Certification. Certification in writing from all utilities that the proposed subdivision
8 can be adequately served. The City engineer may defer the required certifications until after
9 the filing of the tentative parcel and tentative tract maps. Certification requirements
contained herein shall not apply to condominium conversions.

10 E. Other Reports. Any other data or reports reasonably deemed necessary by the director or
11 as required by HPMC Section 10-10.101, Condominium and Condominium Conversion, or
12 other ordinances of the City.

13 F. Fees/Deposits. All fees and/or deposits, as set by resolution of the City Council, have
14 been submitted and accepted.

15 **10-4.106 Filing of tentative parcel and tentative tract maps.**

16 The tentative parcel and tentative tract maps shall be considered for filing only when such
17 map conforms to HPMC Section 10-4.104, Form and contents, and when all accompanying
18 data or reports, as required by HPMC Section 10-4.105, Accompanying data and reports,
19 have been submitted and accepted by the director and all application fees pursuant to
20 HPMC Section 10-3.105(A), Application Contents, have been paid in full. Tentative parcel
and tentative tract maps shall be considered by the Planning Commission and City Council
in compliance with HPMC Section 10-3.104, Authority for subdivision decisions, with a
noticed public hearing.

21 An application for approval of a tentative parcel or tentative tract map in compliance with the
22 subdivision regulations shall be submitted prior to or concurrently with all applications for
other necessary discretionary City approvals for the development.

23 The subdivider shall file with the Community Development Department the number of
24 tentative parcel and tentative tract maps the director may deem necessary.

25 **10-4.107 Review by the City Engineer.**

26 The department shall forward the tentative parcel or tentative tract map to the City Engineer
27 who shall review and make recommendations and comments on the tentative parcel or
28 tentative tract map within 15 days after the application has been accepted as complete for
filing.

1 **10-4.108 Action by the Planning Commission.**

2 The Planning Commission shall approve, conditionally approve, or disapprove the tentative
3 parcel or tentative tract map of a subdivision within 50 days after such map has been filed
4 and in compliance with HPMC Section 10-4.105, Accompanying data and reports. The 50-
5 day period specified above shall commence after certification of the environmental impact
6 report, adoption of a negative declaration, or a determination by the local agency that the
7 project is exempt from the requirements of Division 13 (commencing with Section 21000) of
8 the Public Resources Code. The action of the Planning Commission shall be recorded in the
9 form of a resolution and shall contain the facts and reasons for the approval, conditional
10 approval, or denial of the tentative parcel and tentative tract maps. No tentative parcel or
11 tentative tract maps shall be approved unless the Planning Commission finds that the
12 proposed subdivision, along with its design and improvement, is consistent with the general
13 plan of the City or any applicable specific plans. An action of denial shall be based on the
14 findings of California Government Code Section 66474. The City clerk shall report the
15 Planning Commission's action on the tentative parcel and tentative tract maps to the
16 subdivider and to the City Council within 15 days following such action. Time limits specified
17 herein shall be modified only to the extent provided within the Subdivision Map Act.

12 **10-4.109 Findings and decision.**

13 The Planning Commission shall record its decision in writing with the findings upon which
14 the decision is based. The Planning Commission may approve an application for a tentative
15 parcel or tentative tract map, with or without conditions, supported by the findings required
16 by the Subdivision Map Act and by the findings required by the California Environmental
17 Quality Act.

17 **10-4.110 Conditions of approval.**

18 In approving a tentative parcel or tentative tract map, the decision-making body may impose
19 conditions deemed necessary to ensure that the approval will be in compliance with the
20 findings required by HPMC Section 10-4.109, Findings and decision.

20 The decision-making body may require, as a condition of its approval, that the payment by
21 the subdivider of all development fees required to be paid be made at the rate for such fees
22 in effect at the time of permit issuance.

22 **10-4.111 Post-approval procedures.**

23 A. Appeals. The decision of the Planning Commission may be appealed to the City Council
24 in accordance with HPMC Section 10-3.109, Appeals.

25 B. Time Extensions. Time extensions may be granted in compliance with HPMC Section 10-
26 3.110, Expirations – Time extensions. If a tentative parcel or tentative tract map is not
27 recorded within the established time frame, and a time extension is not granted, the
28 tentative parcel or tentative tract map shall be deemed to have expired.

1 **Chapter 5 FINAL MAPS**

2 **10-5.101 General.**

3 The form, contents, accompanying data, and filing of the final map shall conform to the
4 provisions of this chapter.

5 The final map shall be prepared by or under the direction of a registered civil engineer or
6 licensed land surveyor and shall be based upon a survey and shall conform to the
provisions of this chapter.

7 **10-5.102 Form.**

8 The form of the final map shall conform to the Subdivision Map Act and as provided herein.

9 The final map shall be legibly drawn, printed, or reproduced by a process guaranteeing a
10 permanent record in black on tracing cloth or polyester-base film. Certificates, affidavits, and
11 acknowledgements may be legibly stamped or printed upon the map with opaque ink. If ink
12 is used on polyester-base film, the ink surface shall be coated with a suitable substance to
assure permanent legibility.

13 The size of each sheet shall be 18 inches by 26 inches. A marginal line shall be drawn
14 completely around each sheet, leaving an entirely blank margin of one inch. The scale of the
15 map shall not be less than one inch equal to 100 feet or as may be necessary to show all
16 details clearly, and enough sheets shall be used to accomplish this end. The particular
17 number of the sheet and the total number of sheets comprising the map shall be stated on
each of the sheets, and its relation to each adjoining sheet shall be clearly shown. When
four or more sheets including the certificate sheet are used, a key sheet will be included.

18 All printing or lettering on the map shall be of one-eighth inch minimum height and of such
19 shape and weight as to be readily legible on prints and other reproductions made from the
original drawings.

20 The final form on the final map shall be as approved by the City engineer.

21 **10-5.103 Contents.**

22 The contents of the final map shall conform to the Subdivision Map Act and as provided
23 herein.

24 A. Boundary. The boundary of the subdivision shall be designated by an opaque blue line
25 applied in such a manner as not to obliterate figures or other data.

26 B. Title. Each sheet shall have a title showing the subdivision number and name and the
27 location of the property being subdivided with reference to maps which have been
28 previously recorded or by reference to the plat of a United States Survey. The following
words shall appear in the title: "In the City of Huntington Park."

1 C. Certificates/Statements. The following certificates shall appear only once on the cover
2 sheet:

3 1. Owners' Statement. A statement, signed and acknowledged by all parties having record
4 title interest in the land subdivided, except as specified in the Subdivision Map Act,
5 consenting to the preparation and recordation of the map and offering for dedication to the
6 public certain specified parcels of land.

7 2. Engineer's/Surveyor's Statement. A statement by the engineer or surveyor responsible for
8 the survey and final map shall appear on the map. The statement shall give the date of the
9 survey, state that the survey and final map were made by or under the direction of the
10 engineer or surveyor, and that the survey is true and complete as shown.

11 The statement shall also state that all the monuments are of the character and occupy the
12 positions indicated, or that they will be set in such positions on or before a specified date.
13 The statement shall also state that the monuments are, or will be, sufficient to enable the
14 survey to be retraced.

15 The statement shall state that the map complies with the Subdivision Map Act and the
16 provisions of this Title.

17 3. City Engineer's Statement. A statement by the City engineer stating that he has examined
18 the map; that it is substantially the same as it appeared on the tentative parcel and tentative
19 tract maps and any approved alterations thereof; that it complies with all provisions of the
20 Subdivision Map Act and this Title; and that it is technically correct.

21 4. City Surveyor's Statement. A statement by the City's surveyor stating that he has
22 examined the map for conformance with the mapping provisions of the Subdivision Map Act,
23 and that he is satisfied that the map is technically correct.

24 5. City Clerk's Certificate. A certificate for execution by the City clerk stating the date and
25 number of the resolution adopted by the City Council approving the final map and stating
26 that the City Council accepted, accepted subject to improvement, or rejected on behalf of
27 the public any real property offered for dedication for public use in conformity with the terms
28 of the offer of dedication.

6. City Community Development Director's Certificate. A certificate for execution by the
Community Development Director stating that the tentative map has been submitted to the
Planning Commission for approval.

7. City Treasurer's Certificate. A certificate for execution by the City Treasurer stating that all
special assessments levied under the jurisdiction of the City to which the land included
within the subdivision or any part thereof is subject, and which may be paid in full, have
been paid in full.

8. County Board of Supervisor's Certificates. 1) A certificate for execution by the executive
officer of the Board of Supervisors of the county of Los Angeles that all certificates have
been filed and deposits have been made that re required under the provisions of Sections
66492 and 66493 of the Subdivision Map Act and 2) a certificate for execution by the

1 Executive Officer that an amount of security has been filed with the executive officer of the
2 Board of Supervisors of the county of Los Angeles as security for payment of taxes and
special assessments collected as taxes on the land shown on the map as required by law.

3 D. Scale, North Point, and Basis of Bearings. There must appear on each map sheet the
4 scale, the north point, and the basis of bearings based on Zone III of the California
5 Coordinates and the equation of the bearing to true north. The basis of bearings shall be
approved by the City engineer.

6 E. Linear, Angular, and Radial Data. Sufficient linear, angular, and radial data shall be
7 shown to determine the bearings and lengths of monument lines, street center lines, the
8 boundary lines of the subdivision and the boundary lines of every lot and parcel which is a
part thereof. Length, radius, and total central angle or radial bearings of all curves shall be
9 shown. Ditto marks shall not be used in the dimensions and data shown on the map.

10 F. Monuments. The location and description of all existing and proposed monuments shall
11 be shown. Standard City monuments shall be set at (or from offsets as approved by the City
engineer) the following locations:

- 12 1. The intersection of street center lines.
- 13 2. Beginning and end of curves in center lines.
- 14 3. At other locations as may be required by the City engineer.

15 G. Lot Numbers. Lot numbers shall begin with the number "1" in each subdivision and shall
16 continue consecutively with no omissions or duplications except where contiguous lands,
17 under the same ownership, are being subdivided in successive units, in which event lot
18 numbers may begin with the next consecutive number following the last number in the
preceding unit. Each lot shall be shown entirely on one sheet of the final map, unless
19 otherwise approved by the City Engineer.

20 H. Adjoining Properties. The adjoining corners of all adjoining subdivisions shall be identified
21 by subdivision number, or by name when not identified by official number, and reference to
22 the book and page of the filed map showing such subdivision; and if no such subdivision is
adjacent, then by the name of the owner and reference to the recorded deed by book and
page number for the last recorded owner of such adjacent property.

23 I. City Boundaries. City boundaries which cross or join the subdivision shall be clearly
24 designated.

25 J. Street Names. The names of all streets, alleys, or highways within or adjoining the
subdivision shall be shown.

26 K. Easements. Easements for roads or streets, paths, alleys, public utility easements, rights-
27 of-way for local transit facilities such as bus turn-outs, benches, shelters, landing pads, and
28 similar items which directly benefit the residents of a subdivision, or storm drainage
easements, sanitary sewer easements, or other public uses as may be required, shall be
offered for dedication to the public for acceptance by the City or other public agency and the

1 use shall be specified on the map. If, at the time the final map is approved, any of the
2 above-mentioned easements are not accepted by the City Council, the offer of dedication
3 shall remain open and the City Council may, by resolution at any later date, and without
4 further action by the subdivider, rescind its action and accept and open the streets, paths,
5 alleys, rights-of-way for local transit facilities such as bus turn-outs, benches, shelters,
6 landing pads, and similar items, which directly benefit the residents of a subdivision, or
7 storm drainage easements for public use, which acceptance shall be recorded in the office
8 of the county recorder.

9 All easements of record shall be shown on the map, together with the name of the grantee
10 and sufficient recording data to identify the conveyance, e.g., recorder's serial number and
11 date or book and page of official records.

12 Easements not disclosed by the records in the office of the county recorder and found by the
13 surveyor or engineer to be existing shall be specifically designated on the map identifying
14 the apparent dominant tenements for which the easement was created.

15 The side lines of all easements of record shall be shown by dashed lines on the final map
16 with the widths, lengths, and bearings of record. The width and location of all easements
17 shall be approved by the City Engineer.

18 **10-5.104 Lot design.**

19 A. Each lot in a division of land shall have an area not less than either the required area or
20 what will be the required area at the time of the submission of the final map for approval for
21 the zone in which the lot or any portion thereof is located. Each lot shall have an average
22 width of not less than the required width, or what will be the required width at the time of the
23 submission of the final map for approval, or shall contain an area of not less than such
24 required area within a portion which does have an average width of not less than such
25 required width, except as provided in subsection (D) of this section. The required area and
26 the required width shall be the same as those terms which are defined in this title.

27 B. If a lot is in more than one zone, then the area and width thereof shall be not less than
28 the area and width requirements, respectively, in that zone in which any part of the lot is
located which has the largest area requirement and in that zone in which any part of the lot
is located which has the greatest width requirement.

C. The above requirements do not apply to any lot that the subdivider offers to deed or
dedicate to the public.

D. No lot shall be divided by a City boundary line. Each such boundary line shall be made a
lot line.

E. In all cases where practical, the side lines of lots shall be at an approximate right angle to
the street upon which such lots front.

F. Wherever practical, divisions of property abutting rights-of-way for freeways, highways,
railroads, transmission lines, and flood control channels shall be so designed as to create
lots which back up to said rights-of-way.

1 G. Flag lots shall have a minimum width at the street line of 20 feet and shall have a
2 minimum of 50 feet measured along the building line.

3 H. The subdivision shall abut upon or have an approved access to a public street. Each unit
4 or lot in the subdivision shall have an approved access to a public street or private street.
5 The street layout shall be designed for future access to, and not impose undue hardship
6 upon, property adjoining the subdivision. Reserve strips, or nonaccess, at the end of streets
7 or at the boundaries of the subdivision shall be dedicated unconditionally to the City when
8 required.

9 **10-5.105 Survey required.**

10 The final map shall show the center lines and side lines for all streets, highways, and alleys
11 with their lengths and bearings; length, radii, tangent lengths, and central angles, with radial
12 bearings for all curbs and segments; the total width of each street and easement, with the
13 width of any portion being dedicated and that of any existing portion in relation to the center
14 line; and the widths or rights-of-way for railroads, freeways, flood control channels, and all
15 other easements. Surveys made for the preparation of maps for land divisions shall be
16 made in accordance with the Land Surveyors' Act and the standard practices and principles
17 of land surveying, under the supervision of a civil engineer or land surveyor licensed in the
18 state of California. A traverse of the boundaries of the tract, or the lots or blocks therein, or
19 along the center lines or side lines of the streets and easements shown, shall close within
20 the tolerances and to the degree of accuracy as required by the City Engineer.

21 A. New Monuments. Sufficient permanent monuments shall be set so that the survey or any
22 part thereof may be readily retraced. Such monuments shall generally be placed at the
23 corners and angle points of the exterior boundary of the subdivision, at beginning and
24 ending of curves, at center line intersections of streets, alleys, and public service
25 easements, and at other points of control as required by the City Engineer. Stakes shall be
26 set at all lot corners, but shall not be considered permanent. The character, type, and
27 positions of all monuments to be set shall be noted on the map, and shall conform to the
28 requirements of the City Engineer. All monuments set shall be tagged with the engineer's or
surveyor's state license number and designation. Interior monuments and points need not
be set at the time the final map is recorded if the engineer or surveyor certifies on the title
sheet of the final map that the monuments will be set on or before a specified later date, and
if the subdivider furnishes to the City Council a suitable agreement, and posts a cash bond,
guaranteeing the setting of the monuments and payment for the cost thereof.

23 B. Existing Monuments and Survey Information. The final map shall clearly show all stakes,
24 monuments, ties, or other evidence found while making the survey to determine the tract
25 boundaries. The corners of adjoining lots, subdivisions, and parcels shall be shown and
26 identified, with ties thereto. Reference shall also be made to all subdivisions, records of
27 surveys, parcel maps, and other maps and data of record upon, adjoining, or near the
28 property being divided, combined, or reverted to acreage. Other survey data and
calculations, if required by the City Engineer, shall be shown on the final map in accordance
with his standards and policies.

28 C. Established Lines and Points. Whenever the City Engineer or county surveyor has
established the center lines of streets, alleys, or easements, or has located specific points or

1 monuments, such data shall be considered in making the survey and all monuments and
2 points found and used shall be indicated on the map with proper references made to field
3 books, surveys, tie books, or other maps or information of public record. If the points were
4 reset by ties, or if record points were not found, that fact shall be clearly noted and a note
made of any new point set in its place. The final map shall also show and tie in the locations

5 D. Survey Data for Lots. Dimensions of lots shall be the net dimensions. Each lot shall be
6 shown fully on a sheet. All lots containing three-quarters of an acre or more shall show net
7 acreage and, when required by the City Engineer, the gross acreage. Whenever acreages
8 are shown for lots, blocks, or for the total tract area, they shall be shown to the nearest
thousandth of an acre, and when required by the City Engineer, in square feet, to the
nearest hundredth of a square foot.

9 **10-5.106 Submittal for City approval.**

10 A. Preliminary Submittal. The subdivider shall submit two sets of prints of the final map to
11 the City Engineer for review. The preliminary prints shall be accompanied by two copies of
12 the following data, plans, reports, and documents in a form as approved by the City
Engineer:

13 1. Improvement Plans. Improvement plans as required by HPMC Section 10-13.101,
14 Improvements and Dedications.

15 2. Soils and Geology Report. A soils and geology report shall be prepared and submitted for
16 the subdivision.

17 3. Evidence of Title. The evidence of title required by the Subdivision Map Act shall be a
18 certificate of title or a policy of title insurance issued by a title company authorized by law of
19 the state of California to write the same, showing the names of all persons having any
20 record of title interest in the land to be subdivided, together with the nature of their
21 respective interests therein. In the event that any dedication is to be made for public use of
any property shown on any such final map or parcel map of land in the City, the said
certificate of title or policy of title insurance shall be issued for the benefit and protection of
the City. Such certificate or policy shall be dated and delivered upon request of the City
Engineer when such final map is ready for recordation.

22 4. Improvement Bond Estimate. The improvement bond estimate shall include all
23 improvements within public rights-of-way, easements, or common areas and utility trench
24 backfill as provided by the developer, except for those utility facilities installed by a utility
company under the jurisdiction of the California Public Utilities Commission.

25 5. Deeds for Easements or Rights-of-Way. Deeds for easements or rights-of-way required
26 for road or drainage purposes, which have not been dedicated on the final map. Written
27 evidence acceptable to the City in the form of rights of entry or permanent easements
28 across private property outside of the subdivision permitting or granting access to perform
necessary construction work and permitting the maintenance of the facility.

1 6. Joint Use of Right-of-Way Agreement. Agreements, acceptable to the City, executed by
2 all owners of all utility and other easements within the proposed right-of-way, consenting to
3 the dedication of the road or consenting to the joint use of the right-of-way, as may be
4 required by the City for public use and convenience of the road shall be required. These
owners shall join in the dedication and subordinate their rights to the rights of the public in
the road.

5 7. Traverse Closures. Traverse closures for the boundary blocks, lots, easements, street
6 center lines, and monument lines. The error of field closures in the traverse around the
subdivision and around the interior lots or blocks shall not exceed 1/20,000.

7 8. Hydrology and Hydraulic Calculations. Complete hydrology and hydraulic calculations of
8 all storm drains.

9 9. Organization Documents. The submittal of the final map or parcel map shall include the
10 proposed declaration of covenants, conditions and restrictions, and all other organization
11 documents for the subdivision in a form as prescribed by Section 1355 of the Civil Code of
the state of California. All documents shall be subject to review by the City Engineer and
City attorney.

12 10. Any additional data, reports, or information as required by the City Engineer.

13
14 B. Return to Subdivider's Engineer for Corrections. Upon completing the preliminary review
the City Engineer shall note the required corrections on the preliminary prints, reports, and
15 data and return one set to the subdivider's engineer for revision.

16 C. Resubmittal. The subdivider's engineer shall submit two sets of the revised map, reports,
and data to the City Engineer. After reviewing the revisions, one set shall be returned to the
17 subdivider's engineer marked "Approved as Submitted," "Approved when Corrected as
18 Noted," or "Revise and Resubmit."

19 D. Approval by the City Engineer. Upon receipt of an approved print, the subdivider shall
submit the original tracing of the revised map, prepared in accordance with the Subdivision
20 Map Act and this Title and corrected to its final form, and signed by all parties required by
the Subdivision Map Act and this Title to execute the certificates on the map to the City
21 Engineer.

22 The City Engineer shall sign the appropriate statements and transmit the original to the
23 department.

24 **10-5.107 Approval by City Council.**

25 The final map, upon execution by the City Engineer, together with the subdivision
26 improvement agreement, shall be placed on a City Council agenda for approval by the City
Clerk. The City Council shall consider the final map for approval within 30 days of the
27 department receiving the final map from the City Engineer. The City Council shall have
approved the subdivision improvement agreement before approving the final map.
28

1 If the subdivision improvement agreement and final map are approved by the City Council, it
2 shall instruct the mayor to execute the agreement on behalf of the City. If the subdivision
3 improvement agreement and/or final map is unacceptable, the City Council shall specify
4 their recommended corrections, instruct the City Engineer to draft a new agreement and/or
5 revise the final map and defer approval until an acceptable agreement and/or final map has
6 been resubmitted.

7 **10-5.108 Denial by the City Council.**

8 The City Council shall deny approval of the final map upon making any of the findings
9 contained in Section 66473 of the Subdivision Map Act. The City Council shall not deny
10 approval of the final map if it has previously approved tentative parcel and tentative tract
11 maps for the proposed subdivision and if it finds that the final map is in substantial
12 compliance with the previously approved tentative parcel and tentative tract maps.

13 **10-5.109 Filing with the county recorder.**

14 Upon approval of the final map by the City Council and receipt of the improvement security
15 by the City Engineer, the City clerk shall execute the appropriate certificate on the certificate
16 sheet and forward the map, or have an authorized agent forward the map, to the clerk of the
17 county board of supervisors for transmittal to the county recorder.

18 **Chapter 6 PARCEL MAPS**

19 **10-6.101 General.**

20 The form and contents, submittal, approval, and filing of parcel maps shall conform to the
21 provisions of this chapter and the Subdivision Map Act.

22 **10-6.102 Form.**

23 The form of the parcel map shall conform to final map form requirements as specified by
24 HPMC Section 10-5.102, Form.

25 **10-6.103 Contents.**

26 The contents of the parcel map shall conform to final map content requirements as specified
27 by HPMC Section 10-5.103, Contents, and as modified herein.

28 Certificates shall be in accordance with Section 66449 of the Government Code.

10-6.104 Lot design.

The size, dimensions, and configuration of lots or parcels created by any division of land
shall conform to the requirements as specified by HPMC Section 10-5.104, Lot design.

1 **10-6.105 Survey required.**

2 An accurate and complete survey of the land to be subdivided shall be made by a registered
3 civil engineer or licensed land surveyor. All monuments, property lines, center lines of
4 streets, alleys, and easements adjoining or within the subdivision shall be tied into the
5 survey. The allowable error of closure on any portion of the parcel map shall not exceed
6 1/10,000 for field closures and 1/20,000 for calculated closures.

7 **10-6.106 Submittal for City approval.**

8 A. Preliminary Submittal. The subdivider shall submit three sets of prints of the parcel map
9 to the City Engineer for review. The preliminary prints shall be accompanied by two copies
10 of the data, plans, reports, and documents as required for final maps by HPMC Section 10-
11 5.106(A), Preliminary Submittal, and as modified herein.

12 The City Engineer may waive any of the requirements of HPMC Section 10-5.106, Submittal
13 for City approval, upon finding that the location and nature of the proposed subdivision is
14 such as not to necessitate compliance with said requirements.

15 Any additional information or documents required shall be as specified within the conditions
16 of approval of the tentative parcel map.

17 B. Return to Subdivider's Engineer for Corrections. Upon completing a preliminary review,
18 the City Engineer shall note the required corrections on the preliminary prints, reports, and
19 data and return one set to the subdivider's engineer for revision.

20 C. Resubmittal. The subdivider's engineer shall submit two sets of the revised map, reports,
21 and data to the City Engineer. After reviewing the revisions, one set shall be returned to the
22 subdivider's engineer marked "Approved as Submitted," "Approved when Corrected as
23 Noted," or "Revise and Resubmit."

24 **10-6.107 Approval by City Engineer.**

25 Upon receipt of an approved print, the subdivider shall submit the original tracing of the
26 revised map, prepared in accordance with the Subdivision Map Act and this Title and
27 corrected to its final form, and signed by all parties required by the Subdivision Map Act and
28 this Title to execute the certificates on the map, to the City Engineer. The City Engineer,
upon signing the City Engineer's certificate, shall transmit the original to the City clerk or
authorized agent.

10-6.108 Denial by City Engineer.

The City Engineer shall deny approval of the parcel map upon making any of the findings
contained in Section 66474 of the Subdivision Map Act.

The City Engineer shall not deny approval of the parcel map if the Planning Commission has
previously approved a tentative parcel map for the proposed division and if he finds that the
parcel map is in substantial compliance with the previously approved tentative parcel map.

1 **10-6.109 Filing with the county recorder.**

2 The City clerk or authorized agent shall transmit the approved parcel map directly to the
3 county recorder.

4 **10-6.110 Waiver of parcel map requirements.**

5 The City Engineer may waive the requirement for a parcel map imposed by HPMC Section
6 10-3.101, Maps required; provided, that:

7 A. A tentative parcel map has been approved by the Planning Commission pursuant to the
8 provisions of this Title and the Subdivision Map Act; and

9 B. The City Engineer makes the finding that the proposed division of land complies with
10 requirements as to area, improvement and design, floodwater drainage control, appropriate
11 improved public roads, sanitary disposal facilities, water supply availability, environmental
12 protection, and other requirements of the approved tentative parcel map, this Title, and the
13 Subdivision Map Act.

14 Upon waiving the parcel map requirement the City Engineer shall cause to be filed with the
15 county recorder a grant of waiver and certificate of compliance accompanied by the
16 approved tentative parcel map for the land to be divided.

17 **Chapter 7 LOT LINE ADJUSTMENTS**

18 **10-7.101 Purpose.**

19 The purpose of this chapter is to provide for the submittal and processing of lot line
20 adjustments for the modification of existing property lines between four or fewer existing
21 adjoining properties; and provided, that no more parcels are created by the adjustment than
22 existed prior to it in compliance with the subdivision regulations.

23 **10-7.102 Procedures for filing.**

24 A subdivider requesting a lot line adjustment shall make an application to the director by
25 submitting a written statement of request accompanied by sufficient copies of the following
26 as determined by the director:

27 A. A plot map that clearly depicts the boundaries and lot area of all parcels subject to the
28 adjustment both before and after the adjustment is approved.

B. The location of all existing structures.

C. The proposed legal description of each parcel to be adjusted.

D. Completed application forms as provided by the Community Development Department.

E. Payment of fees as set by resolution of the City Council.

1 **10-7.103 City Engineer's findings.**

2 A lot line adjustment shall be approved by the City Engineer upon his written finding that:

3 A. The proposed adjustments to the existing properties result in compliance with applicable
4 zoning and building codes.

5 B. The lot line adjustment will modify the existing property lines between four or fewer
6 existing adjoining properties and the number of parcels resulting from the adjustment
remains the same or is decreased.

7 C. The proposed adjustments are in compliance with the City's subdivision regulations and
8 the Subdivision Subdivision Map Act.

9 **10-7.104 City Engineer's review and approval.**

10 The Community Development Department shall forward the lot line adjustment application to
11 the City Engineer who shall review and approve or disapprove the lot line adjustment within
12 30 days after the application has been accepted as complete for filing. The City Engineer
13 shall approve the lot line adjustment pursuant to the ability to make the required findings
14 delineated in HPMC Section 10-7.103. The City Engineer may impose conditions or
15 exactions as necessary to ensure compliance with the general plan and applicable
16 provisions of the city's zoning and building codes, pertaining to lots, or to facilitate the
relocation of existing utilities, infrastructure or easements. The City Engineer's decision
shall be in written form documenting the findings for approval or reasons for disapproval. If
approved, the City Engineer shall certify the adjustment plot map.

17 **10-7.105 Appeal of City Engineer's decision.**

18 The applicant or any affected party may appeal the decision of the City Engineer on a lot
19 line adjustment to the City Council. All appeals shall be submitted and acted upon in the
20 manner prescribed in HPMC Section 10-3.109 of this title. The City Council may sustain,
21 modify, or overrule any such ruling, finding, or disapproval of the City Engineer. The City
Council shall approve the lot line adjustment pursuant to its affirmative determination of
findings delineated in HPMC Section 10-7.103. The decision of the City Council shall be
final

22 **10-7.106 Filing with county recorder.**

23 Upon approval of the lot line adjustment, the City Engineer shall transmit a certificate of
24 compliance form, together with the approved plot map, to the county recorder for
25 recordation.

26 The lot line adjustment shall be effective upon its being filed for record by the county
27 recorder.
28

1 **Chapter 8 REVERSION TO ACREAGE**

2 **10-8.101 General.**

3 Subdivided property may be reverted to acreage pursuant to the provisions of this Title and
4 the Subdivision Map Act. This Title shall apply to final maps and parcel maps.

5 **10-8.102 Initiation of proceedings.**

6 A. By Owners. Proceedings to revert subdivided property to acreage may be initiated by
7 petition of all of the owners of record of the property. The petition shall be in a form
8 prescribed by the City Engineer. The petition shall contain the information required by
HPMC Section 10-8.103 and such other information as required by the City Engineer.

9 B. By City Council. The City Council, at the request of any person or on its own motion, may
10 initiate proceedings to revert property to acreage. The City Council shall direct the City
Engineer to obtain the necessary information to initiate and conduct the proceedings.

11 **10-8.103 Contents of petition.**

12 The petition shall contain, but not be limited to, the following:

13 A. Adequate evidence of title to the real property.

14 B. Sufficient data to enable the City Council to make all of the determinations and findings
15 required by the Subdivision Map Act and this chapter.

16 C. Tentative parcel and tentative tract maps in the form prescribed by HPMC Section 10-
17 4.104, Form and contents.

18 D. A final map or parcel map in the form prescribed by HPMC Sections 10-5.102 or 10-
19 6.102 which delineates dedications which will not be vacated and dedications required as a
20 condition to reversion. Final maps or parcel maps shall be conspicuously designated with
the title: "The Purpose of this Map is a Reversion to Acreage."

21 E. A deposit as required by the City Engineer towards processing and plan-checking costs
22 in accordance with the City's resolution establishing fees and charges.

23 **10-8.104 Submittal of petition to the City Engineer.**

24 The final map or parcel map for the reversion, together with all other data as required by this
25 chapter, shall be submitted to the City Engineer for his review. Upon finding that the petition
26 meets all the requirements of this Title and the Subdivision Map Act, the City Engineer shall
27 submit the final map or parcel map, together with his report and recommendations of
approval or conditional approval of the reversion to acreage, to the City Council for its
consideration.

1 **10-8.105 City Council approval.**

2 A public hearing shall be held by the City Council on all petitions for initiation of reversions to
3 acreage. Notice of the public hearing shall be given as provided in Sections 66451.3 and
4 66451.4 of the Subdivision Map Act. The City Engineer may give such other notice as he
deems necessary or advisable.

5 A. The City Council may approve a reversion to acreage only if it finds and records by
6 resolution that:

7 1. Dedications or offers of dedication to be vacated or abandoned by the reversion to
8 acreage are unnecessary for present or prospective public purposes;

9 2. At least one of the following:

10 a. All owners of an interest in the real property within the subdivision have consented to
11 reversion; or

12 b. None of the improvements required to be made have been made within two years from
13 the date the final map or parcel map was filed for record, or within the time allowed by
14 agreement for completion of the improvements, whichever is later; or

15 c. No lots shown on the final map or parcel map have been sold within five years from the
16 date such map was filed for record.

17 B. The City Council shall record its decision in writing with the findings upon which the
18 decision is based. The City Council may approve the reversion to acreage, with or without
19 conditions, supported by the findings required by Section 66499.16 of the Subdivision Map
20 Act. The City Council shall require as conditions of the reversion:

21 1. Dedications or offers of dedication for streets, public rights-of-way or easements
22 necessary to accomplish the purposes of the subdivision regulations;

23 2. The retention of all or a portion of previously paid subdivision fees, deposits or
24 improvement securities if the same are necessary to accomplish any of the purposes or
25 provisions of the Subdivision Map Act or the subdivision regulations; and

26 3. Such other conditions as are necessary to accomplish the purposes or provisions of the
27 Subdivision Map Act or the subdivision regulations or necessary to protect the public health,
28 safety or welfare.

Chapter 9 PARCEL MERGERS

10-9.101 Purpose.

The purpose of this chapter is to provide for the submittal and processing of parcels to be merged in accordance with the Subdivision Map Act and the subdivision regulations.

1 **10-9.102 Applicability.**

2 Except as provided in Sections 66451.11(b)(A) through (E) of the Subdivision Map Act, two
3 or more contiguous parcels or units of land held by the same owner may be merged, if any
4 one of the parcels or units of land does not conform to the minimum parcel or lot size
required by this title, and if all of the following requirements are satisfied:

5 A. At least one of the affected parcels or units of land is undeveloped with any structure for
6 which a building permit was issued or for which a building permit was not required at the
7 time of construction, or is developed only with an accessory structure or accessory
structures, or is developed with a single structure other than an accessory structure which is
also partially sited on a contiguous parcel or unit of land.

8 B. With respect to any affected parcel or unit of land, one or more of the following conditions
9 exists:

- 10 1. The parcel comprises less than 5,000 square feet in area at the time of the determination
11 of merger;
- 12 2. The parcel was not created in compliance with applicable laws and ordinances in effect at
13 the time of its creation;
- 14 3. The parcel does not meet current standards for sewage disposal and domestic water
15 supply;
- 16 4. The parcel does not meet slope stability standards;
- 17 5. The parcel has no legal access which is adequate for vehicular and safety equipment
18 access and maneuverability;
- 19 6. The parcel's development would create health or safety hazards; or
- 20 7. The parcel is inconsistent with the general plan, zoning ordinance and any applicable
21 specific plan, other than minimum lot size or density standards.

22 This merger of parcels shall not apply if any of the conditions stated in Section
23 66451.11(b)(A), (B), (C), or (D) of the Subdivision Map Act exist.

24 The City Engineer shall review the proposed parcel merger to verify compliance with the
25 Subdivision Map Act and with this Title.

26 C. The owner of the affected parcels has been notified of the merger proposal pursuant to
27 Section 66451.13 of the Subdivision Map Act, and is afforded the opportunity for a hearing
28 pursuant to Section 66451.14 of the Subdivision Map Act. For purposes of determining
whether contiguous parcels are held by the same owner, ownership shall be determined as
of the date that the notice of intention to determine status is recorded in compliance with
HPMC Section 10-9.103, Notice of intention to determine status.

1 **10-9.103 Notice of intention to determine status.**

2 Prior to recording a notice of merger, a notice of intention to determine status shall be
3 prepared by the director and delivered to the current owner of record by certified mail. The
4 notice shall state that the affected parcels or units of land may be merged pursuant to the
5 subdivision regulations and that, within 30 days from the date the notice of intention was
6 recorded, the owner may request a hearing before the Planning Commission to present
7 evidence that the property does not meet the criteria for merger. The notice of intention to
8 determine status shall be filed with the county recorder by the director on the same day that
9 the notice is mailed to the property owner.

7 **10-9.104 Hearing on determination of status.**

8 The owner of the affected property may file a written request for consideration by the
9 Planning Commission within 30 days after recording of the notice of intention to determine
10 status. Upon receipt of the request, the Community Development Department shall set a
11 time, date and place for consideration by the Planning Commission and notify the owner of
12 such hearing by certified mail. The Planning Commission shall consider the matter within 60
13 days following the receipt of the owner's request, or the hearing may be postponed or
14 continued by mutual consent of the director and the property owner.

13 The Planning Commission shall provide the property owner with an opportunity to present
14 evidence that the affected property does not meet the requirements for merger specified in
15 the subdivision regulations.

15 After consideration of the evidence presented, the Planning Commission shall determine
16 whether the affected parcels are to be merged or are not to be merged and shall notify the
17 owner of the determination. The determination of the Planning Commission shall be mailed
18 to the property owner within five (5) days of the date of the Planning Commission's action.

18 **10-9.105 Determination of merger.**

19 If the Planning Commission makes a determination that the parcels are to be merged, a
20 notice of merger shall be filed with the county recorder by the director within 30 days of the
21 conclusion of the Planning Commission's action, unless the decision has been appealed in
22 compliance with HPMC Section 10-9.106, Appeal. The notice of merger shall specify the
23 name of the record owner and a description of the property. The notice of merger under the
24 subdivision regulations shall be in a form approved by the director prior to being filed for
25 record with the county recorder.

24 If the Planning Commission makes a determination that the parcels shall not be merged, a
25 release of the notice of intention to determine status shall be filed with the county recorder
26 by the director within 30 days after the Planning Commission's determination, and a
27 clearance letter shall be delivered to the owner by certified mail.

1 **10-9.106 Appeal.**

2 The decision of the Planning Commission shall be considered final unless an appeal is filed
3 in compliance with HPMC Section 10-3.109, Appeals. The decision of the Planning
4 Commission, or any condition of approval, is appealable to the City Council.

5 **10-9.107 Determination when no hearing is requested.**

6 If the owner does not file a request for a hearing within 30 days after the recording of the
7 notice of intention to determine status, the director may, at any time thereafter, make a
8 determination that the parcels are or are not to be merged. If they are to be merged, a notice
9 of merger shall be filed with the county recorder by the director within 90 days after the
10 mailing of the notice of intention to determine status in compliance with HPMC Section 10-
11 9.103, Notice of intention to determine status.

12 **10-9.108 Request to merge by property owner.**

13 If the merger of contiguous parcels or units of land is initiated by the record owner, the
14 owner may waive in writing the right for consideration by the Planning Commission and to all
15 notices required by the subdivision regulations. Upon receipt of such waiver, the director
16 shall file with the county recorder a notice of intention to determine status, the waiver of right
17 of hearing and notice, and a notice of merger, as approved by the City Engineer.

18 In approving such merger, the City may impose reasonable conditions. The reasonableness
19 of such conditions may be appealed, within 15 days of written notice of the conditions, to the
20 City Council in accordance with HPMC Section 10-3.109.

21 A fee to be charged at actual cost shall be charged to the applicant for processing such
22 merger. A deposit may be required to be applied toward this fee.

23 **Chapter 10 CONDOMINIUMS AND CONDOMINIUM CONVERSIONS**

24 **10-10.101 Condominiums and condominium conversions.**

25 The development of condominium projects and/or the conversion of real property to a
26 condominium project, a community apartment project, or a stock cooperative project shall be
27 governed by the provisions and requirements of HPMC Title 9, Chapter 3, Article 15.

28 **Chapter 11 VESTING TENTATIVE MAPS**

10-11.101 Purpose.

The purpose of this chapter is to provide for the submittal and processing of vesting
tentative parcel and vesting tentative tract maps for the subdivision of land in compliance
with the subdivision regulations.

1 **10-11.102 Applicability.**

2 Whenever a provision of the Subdivision Map Act or the subdivision regulations requires or
3 authorizes the filing of a tentative parcel map or tentative tract map, a vesting tentative
4 parcel map or vesting tentative tract map may be filed instead. The filing of a vesting
5 tentative parcel map or vesting tentative tract map, as opposed to a tentative tract map or
tentative parcel map, shall not be a prerequisite to any approval for any proposed
subdivision, permit for construction, or work preparatory to construction.

6 An application for a vesting tentative parcel or vesting tentative tract map shall be filed with
7 the Community Development Department in compliance with HPMC Section 10-3.105,
Application filing and fees. The vesting tentative parcel or vesting tentative tract map shall
8 be prepared in a manner acceptable to the department and shall be prepared by a
9 registered civil engineer or licensed land surveyor. The vesting tentative parcel map or
10 vesting tentative tract map shall be clearly and legibly drawn and shall contain the
11 information identified in the City's subdivision manual, unless waived by the director. The
12 department may also require additional materials, exhibits, data or information as deemed
necessary to accomplish the purposes of the Subdivision Map Act and the subdivision
regulations. Vesting tentative parcel and vesting tentative tract map applications shall be
determined to be complete by the department only when:

13 A. All necessary application forms, materials and exhibits as established by the Community
14 Development Department are accepted as adequate;

15 B. A preliminary soils, geology, and seismicity report prepared in accordance with the
16 California Building Code and the City's grading manual is accepted as adequate;

17 C. A preliminary title report showing the legal owners and any encumbrances and
18 easements is accepted as adequate by the City Engineer; said title report shall be updated
19 every six months from the date of the original submittal until final action on the application is
20 taken;

21 D. All necessary determinations and documents to comply with the California Environmental
22 Quality Act have been certified or adopted; and

23 E. All fees and/or deposits, as set by a resolution of the City Council, have been submitted
24 and accepted.

25 Vesting tentative parcel and vesting tentative tract maps shall be considered by the Planning
26 Commission and City Council, in compliance with HPMC Section 10-3.104, Authority for
27 subdivision decisions, with a noticed public hearing.

28 An application for approval of a vesting tentative parcel or vesting tentative tract map in
compliance with the subdivision regulations shall be submitted concurrently with all
applications for other necessary discretionary City approvals for the development.

1 **10-11.103 Application processing.**

2 Each application shall be analyzed by the Community Development Department to ensure
3 that the proposed subdivision is consistent with the requirements of the Subdivision Map
4 Act, subdivision regulations, Huntington Park general plan, zoning ordinance, any applicable
5 specific plan, this Title and other applicable provisions of the Huntington Park Municipal
6 Code and state law.

7 An application for a vesting tentative parcel and vesting tentative tract map will be
8 processed in compliance with HPMC Title 10, Chapter 4, Tentative Parcel and Tentative
9 Tract Maps.

10 **10-11.104 Findings and decision.**

11 The decision-making body shall record its decision in writing with the findings upon which
12 the decision is based. The City Council may approve an application for a vesting tentative
13 parcel or vesting tentative tract map, with or without conditions, supported by the findings
14 required by the Subdivision Map Act and by the findings required by the California
15 Environmental Quality Act.

16 **10-11.105 Conditions of approval.**

17 In approving a vesting tentative parcel or vesting tentative tract map, the City Council may
18 impose conditions deemed necessary to ensure that the approval will be in compliance with
19 the findings required by HPMC Section 10-11.104, Findings and decision.

20 The City Council may require, as a condition of its approval that the payment by the
21 subdivider of all development fees required to be paid be made at the rate for such fees in
22 effect at the time of permit issuance.

23 **10-11.106 Post-approval procedures.**

24 A. Appeals. The decision of the City Council is final.

25 B. Time Extensions. Time extensions may be granted in compliance with HPMC Section 10-
26 3.110, Expirations – Time extensions. If a vesting tentative parcel or vesting tentative tract
27 map is not recorded within the established time frame, and a time extension is not granted,
28 the vesting tentative parcel or vesting tentative tract map shall be deemed to have expired.

10-11.107 Rights of a vesting tentative map.

A. The approval of a vesting tentative parcel map or vesting tentative tract map shall confer
a vested right to proceed with development in substantial compliance with the ordinances,
policies, and standards as described in Section 66474.2 of the Subdivision Map Act.
However, if Section 66474.2 is repealed, the approval of a vesting tentative parcel map or
vesting tentative tract map shall confer a vested right to proceed with development in
substantial compliance with the ordinances, policies, and standards in effect at the time the
vesting tentative parcel map or vesting tentative tract map is approved or conditionally
approved.

1 B. A permit, approval, extension, or entitlement sought after approval of a vesting tentative
2 tract map or vesting tentative parcel map may be conditioned or denied if any of the
3 following are determined:

4 1. A failure to do so would place the residents of the subdivision or the immediate
5 community, or both, in a condition dangerous to their health or safety, or both; or

6 2. The condition or denial is required to comply with state or federal law.

7 C. The rights referred to herein shall expire if a final map is not approved prior to the
8 expiration of the vesting tentative parcel or tentative tract map. If the final map is approved,
9 these rights shall last for the following periods of time:

10 1. An initial time period of one year beyond the recording of the final parcel map or final tract
11 map. When several final maps are recorded on various phases of a project covered by a
12 single vesting tentative parcel or vesting tentative tract map, this one-year initial time period
13 shall begin for each phase when the final map for that phase is recorded. All of the said final
14 parcel maps or final tract maps must be recorded within the time period set forth in HPMC
15 Section 10-3.110, Expirations – Time extensions, or the vesting tentative parcel or vesting
16 tentative tract map approval shall expire for those parcels for which final parcel maps or final
17 tract maps are not timely recorded.

18 2. The one-year initial time period shall be automatically extended by any time used for
19 processing a complete application for a grading permit, if the time used by the City to
20 process the application exceeds 30 days from the date that a complete application is filed.

21 3. If the subdivider submits a complete application for a building permit prior to the expiration
22 of the vesting tentative tract map or vesting tentative parcel map, the rights referred to
23 herein shall continue until the expiration of that permit, or any extension of that permit.

24 D. An approved vesting tentative parcel or vesting tentative map shall not limit the City from
25 imposing reasonable conditions on subsequent required approvals or permits necessary for
26 the development in accordance with subsection (B) of this section.

27 **Chapter 12 CORRECTION AND AMENDMENT TO MAPS**

28 **10-12.101 Tentative parcel or tentative tract maps.**

Prior to final tract or final parcel map approval, minor amendments to the approved tentative
parcel or tentative tract map, including vesting tentative maps, or conditions of approval may
be approved by the director upon filing of an application and paying applicable fees, as
established by City Council resolution, by the subdivider or on the department's own
initiative; provided, that:

A. No lots, units, or building sites or structures are added;

B. The changes are consistent with the intent and spirit of the original tentative map
approval; and

1 C. There are no resulting violations of the Huntington Park general plan, the zoning
2 ordinance, any applicable specific plan, the subdivision regulations, this Title or the
3 Subdivision Map Act.

4 The amendment shall be indicated on the approved tentative parcel or tentative tract map
5 and certified by the director. Amendments to the tentative parcel or tentative tract map, or
6 conditions of approval which, in the opinion of the director, are not minor, shall be presented
7 to the original decision-making body for consideration. Processing of amendments shall be
8 the same as originally processed for the applicable subdivision type. Any approved
9 amendment shall not alter the expiration date of the tentative parcel or tract map.

10 **10-12.102 Final maps.**

11 A. After a final tract or parcel map is filed in the office of the county recorder, it may be
12 amended by a certificate of correction or an amending map for the purposes specified in
13 Section 66469 of the Subdivision Map Act.

14 B. In addition to the provisions of HPMC Section 10-12.101, Tentative parcel or tentative
15 tract maps, a final tract or parcel map may be amended by a certificate of correction if there
16 are changes which make any of the conditions of the map no longer appropriate or
17 necessary and the modifications do not impose any additional burden on the present fee
18 owner of the property, and if the modifications do not alter any right, title or interest in the
19 real property reflected on the recorded map, and the map as modified conforms to the
20 provisions of Section 66474 of the Subdivision Map Act.

21 The amending map or certificate of correction shall be prepared by a registered civil
22 engineer or licensed land surveyor. The form and contents of the amending map shall
23 conform to the requirements of HPMC Section 10-4.104, 10-5.102, 10-6.103. The certificate
24 of correction shall set forth in detail the corrections made and show the names of the
25 present fee owners of the property affected by the correction.

26 C. Modifications made pursuant to this section shall be set for public hearing before the City
27 Council consistent with the noticing provisions of HPMC Section 10-3.108, Public hearings.
28 The hearing by the City Council shall be confined to consideration of, and action on, the
proposed modification.

D. The amending map or certificate of correction certified by the City Engineer shall be filed
in the office of the county recorder. Upon such filing, the county recorder shall index the
names of the fee owners and the appropriate subdivision designation shown on the
amending map or certificate of correction in the general index and map index, respectively.
Thereafter, the original map shall be deemed to have been conclusively so corrected, and
thereafter shall impart constructive notice of all such corrections in the same manner as
though set forth upon the original map.

1 **Chapter 13 IMPROVEMENTS AND DEDICATIONS**

2 **10-13.101 Purpose.**

3 The purpose of this Chapter is to define, specify, regulate, and control the design and
4 improvement of public works facilities, dedications, and offers of dedications, and other
5 requirements imposed as conditions of the acceptance and approval of final maps, parcel
6 maps, reversions to acreage, and all other procedures and processes wherein public
improvements, improvement plans, and dedications are required as a condition precedent to
official City approval either by the City Engineer, Planning Commission, or City Council.

7 **10-13.102 General.**

8 All improvements as may be required as conditions of approval of the tentative map or
9 tentative parcel map or City ordinance, together with, but not limited to, the following public
10 improvement requirements, shall be required of all divisions of land. All required
11 improvements shall be constructed by the subdivider according to approved standards. No
12 final map shall be presented to the City Council or parcel map to the City Engineer for
approval until the subdivider either completes the required improvements or enters into an
agreement with the City agreeing to do such work.

13 **10-13.103 Improvement standards required.**

14 The minimum public improvements which shall be required to be made or guaranteed under
15 the provisions of this Title shall be as follows:

- 16 A. The improvement of public and private streets to provide suitable access and circulation.
- 17 B. A sewerage system to provide adequate collection of wastes from each lot, parcel,
18 building, or structure within the area being developed.
- 19 C. A water supply system capable of providing adequate water supply and fire protection for
20 each lot, parcel, building, or structure within the area of development.
- 21 D. Storm drainage systems to provide the area with suitable protection against inundation,
erosion, sedimentation, or damage to on- or off-site property.
- 22 E. A street lighting system.
- 23 F. Traffic control and warning signs, pavement striping and markings, all in conformance
24 with the requirements of state law and the City Engineer.
- 25 G. Installation of landscaping and irrigation facilities adjacent to or appurtenant to other
26 public improvements.
- 27 H. Installation of underground utilities, including gas, telephone, cable TV, electrical, water,
28 and sewer services.

1 I. Implementation of the urban storm water management mitigation measures as required by
 2 the Regional Water Quality Control Board, Los Angeles Region (RWQCB), adopted Order
 3 No. 01-182. This Order is the NPDES Permit (NPDES No.CAS004001) for municipal storm
 water and urban runoff discharges within the County of Los Angeles.

4 J. Any other such requirements as needed to ensure conformity to or implementation of the
 5 City general plan.

6 **10-13.104 City standards and designs.**

7 All public improvements and construction required and described in this title shall conform to
 8 the standard plans and standard specifications of the City. The latest revised editions of the
 9 Los Angeles County public works department standard plans, together with the applicable
 10 provisions of the standard plans of the Los Angeles flood control district and the Los
 11 Angeles County engineer sanitation division, shall serve as the standard plans for the City
 except where the standards of this Title may conflict with the provisions of such other
 12 standard plans, in which case the most restrictive standards shall take precedence. The
 13 applicable portions of the latest edition of the American Public Works Association "Standard
 14 Specifications for Public Works Construction" shall serve as the standard specifications.

15 The design and layout of all required public improvements shall conform to generally
 16 acceptable engineering standards, the above-specified standard plans and standard
 17 specifications, and to such standards as approved by the City Engineer.

18 **10-13.105 Streets and highways right-of-way and roadway widths.**

19 Streets and highways shall substantially conform to the circulation element of the general
 20 plan or an adopted specific plan. Requirements may exceed General Plan requirements at
 21 the request of the developer with concurrence of the City Engineer. In the absence of a
 22 General Plan or Specific Plan, or any standards contained therein, the street system shall
 23 relate in location and width to the existing streets in the area adjoining the development or
 24 project and shall conform to the following:

RIGHT-OF-WAY AND ROADWAY WIDTH		
Type of Street/Highway	Roadway Width (Feet)	Road Width (Feet Between Curbs)
Local Residential (Without Sidewalks)	50 Min.	36 Min.
Local	54 – 60	36 – 40
Local Collector	60 – 84	40 Min.
Secondary and Primary Arterials (Without Parking)	80 – 100	64 – 84
Primary and Major Arterials (Without Parking)	100 Min.	84 Min.
Special Sections	See Below	See Below

1 Streets or highways not falling clearly into listed types or private streets with public service
2 easements may have widths different than those listed as approved by the City Engineer.

3 **10-13.106 Street names and signs.**

4 All new streets shall be named and all private streets within planned unit and planned
5 residential developments shall be named. The names shall be chosen by the City, or by the
6 subdivider or developer, subject to the review and approval of the City Engineer. Street
7 name signs and bearing block numbers shall be installed at intersections of all streets and
8 highways and private named streets, and at such other locations designated by the City
9 Engineer. All street name signs shall conform to the standards as established by the City as
10 to size, color, height, lettering, and other details. Fees to pay for the furnishing and
11 installation of street name signs by City forces shall be collected from the developer or
12 subdivider, unless otherwise approved by the City Engineer.

13 **10-13.107 Parkway trees.**

14 Parkway trees shall be installed along all streets and highways. The trees shall be installed
15 in the manner and shall conform to the size and species specified by the City Engineer. In
16 full-width sidewalks, tree wells shall be provided as required for the trees.

17 On streets adjacent to industrial, manufacturing, or planned residential zones, parkway trees
18 may not be required, provided they are replaced by trees or other suitable landscaping
19 planted on adjacent properties in conjunction with on-site landscaping.

20 **10-13.108 Alleys and public service easements.**

21 Alleys may be required on all sites zoned or to be used for commercial or multiple-family
22 purposes when the lot layout, safety or access, provision of legal access or public service
23 needs make such public access necessary. Where the lot is large, under single ownership,
24 and the conditions applicable for public alleys are not present, a public service easement,
25 improved to City standards, may be required in lieu of an alley. The purpose of said public
26 service easement is to provide an easement for all public and private utilities, including
27 cable TV, and to provide an access easement for all public service vehicles including, but
28 not limited to, emergency vehicles, police patrol, fire inspection, and refuse collection trucks.
The property owner may otherwise control access and shall be responsible for maintenance
of the roadway improvements within said public service easement. Alleys or public service
easements may be required at the rear of all property fronting directly upon major highways
and secondary streets and may be required at other locations where necessary to prevent
undue interference with traffic. Where alleys or public service easements intersect, the
corners shall be provided with cut-offs to provide sight distance and to facilitate turning.
Alley and public service easement dedications shall include the cut-off areas.

All alleys and public service easements shall be subject to determination by the City
Engineer as to design, alignment, width, and method of improvement, with the minimum
width of any alley or public service easement being 20 feet. As a condition of tentative or
final map approvals, existing alleys in need of reconstruction or upgrading, where
determined by the City Engineer, may be required to be reconstructed or upgraded, or in

1 lieu thereof a reasonable cash deposit in the amount of the estimated cost of improvement
2 shall be deposited with the City Engineer.

3 **10-13.109 Improvement plans.**

4 A. General. Improvement plans shall be prepared under the direction of and signed by a
5 registered civil engineer licensed by the state of California. Improvement plans shall include,
6 but not be limited to, grading, storm drains, landscaping, streets, and related facilities.

7 B. Form. Plans, profiles, and details shall be legibly drawn, printed or reproduced on 24-inch
8 by 36-inch sheets. A border shall be made on each sheet providing one-half inch at the top,
9 bottom, and right side and one and one-half inches on the left side. The plan shall include
10 the following information:

11 1. A suitable title block shall be placed in the lower right corner or along the right edge and
12 provide adequate space for approval by the City Engineer and for approval of plan revisions.

13 2. Plans and profiles shall be drawn to the scale of one inch equals 40 feet or larger unless
14 approved by the City Engineer. Details shall be drawn to such scale as clearly shows the
15 facility being constructed. The scales for various portions of the plans shall be shown on
16 each sheet.

17 3. A vicinity map shall be shown on the first sheet of all sets of plans.

18 4. A north arrow shall be shown on each sheet when applicable.

19 5. Plans shall be laid out to orient north to the top or right edge of the sheet unless approved
20 otherwise by the City Engineer.

21 6. All lettering shall be one-eighth inch minimum.

22 7. If the plans include three or more sheets, a cover sheet showing the streets, lots,
23 easements, storm drains, index and vicinity map shall be included.

24 The form of all plans shall conform to such additional requirements as may be established
25 by the City Engineer. The final form of all plans shall be as approved by the City Engineer.

26 C. Contents. The improvement plans shall show complete plans, profiles, and details for all
27 required improvements to be constructed, both public and private (including common areas).

28 Reference may be made to the City of Huntington Park, county of Los Angeles, and state
standard plans in lieu of duplicating the drawings thereon.

D. Supplementary Plans and Calculations. Hydrology, hydraulic plans and calculations,
bond estimates, and any structural calculations as may be required shall be submitted with
the improvement plans to the City Engineer. All calculations shall be legible, systematic, and
signed and dated by a registered civil engineer licensed by the state of California and in a
form as approved by the City Engineer.

1 E. Review by the City Engineer. The subdivider shall submit two sets of improvement plans
2 and two copies of all computations to the City Engineer for review. Upon completion of his
3 review, one set of the preliminary plans, with the required revisions indicated thereon, will be
4 returned to the subdivider's engineer.

4 Upon finding that all required revisions have been made and that the plans conform to all
5 applicable City ordinances, design review requirements and conditions of approval of the
6 tentative map or tentative parcel map, the City Engineer shall sign and date the plans. The
7 originals will be returned to the subdivider's engineer.

7 Approval by the City Engineer shall in no way relieve the subdivider or his engineer from
8 responsibility for the design of the improvements and for any deficiencies resulting from the
9 design thereof or from any required conditions of approval for the tentative map or tentative
10 parcel map.

10 **10-13.110 Dedications.**

11 As a condition of approval of a final map or parcel map, the subdivider shall dedicate or
12 make an irrevocable offer of dedication of all parcels of land within the subdivision that are
13 needed for streets and alleys, including access rights and abutters' rights, drainage, public
14 green ways, scenic easements, public utility easements, and other public easements. In
15 addition, the subdivider shall improve or agree to improve all streets and alleys, including
16 access rights and abutters' rights, drainage, public utility easements, and other public
17 easements.

15 **10-13.111 Waiver of direct access rights.**

16 The City may require as a condition of approval of a tentative map that dedications or offers
17 of dedication of streets include a waiver of direct access rights to any such street from any
18 property within or abutting the subdivision.

19 Upon acceptance of the dedication, such waiver shall become effective in accordance with
20 its provisions.

20 **10-13.112 Acceptance or rejection of dedication.**

21
22 A. By Tract Map. At the time of final map acceptance and approval by the City Council, the
23 City Council may accept, accept subject to improvement, or reject any or all dedications or
24 offers of dedication. The City clerk shall certify on the map the action by the City Council. If
25 at the time the map is approved any dedications for streets, paths, alleys, or other purpose
26 are rejected, the offer of dedication made by the owners shall remain open, and the City
27 Council may, by resolution at any later date and without further action by or notice to the
28 subdivider, rescind its action and accept and open the streets, paths, alleys, or other
dedications and easements for public use, which resolution of acceptance shall be recorded
with the county recorder.

B. By Parcel Map or Separate Instrument. If dedications are offered on the title sheet of a
parcel map, then they may be accepted or rejected by the City Engineer in the same
manner as outlined in subsection (A) of this section. If dedications are made by separate

1 instrument to the City, they shall be accepted as required by Section 27281 of the
2 Government Code and shall thereupon be delivered to the county recorder for recordation.

3 **10-13.113 Improvement agreement.**

4 The construction of all public improvements required as a condition of the approval of a tract
5 map or a parcel map, or required as the condition of approval of a reversion to acreage or a
6 certificate of compliance, shall be guaranteed by the execution of a suitable agreement, in a
7 form prescribed herein and approved by the City attorney. All such agreements shall contain
8 the terms and conditions to be met by the subdivider, developer, or permittee, and shall
9 specify a reasonable time in which to construct the improvements or perform the
10 requirements and obligations of the agreement. The time allowed for the completion of the
11 work shall be as specified by the City Engineer and shall depend upon the amount and
12 complexity of the work involved, the type of development, and any other facts he may deem
13 important. All agreements shall be executed by the owner, developer, or the subdivider of
14 the property or land being divided or developed. The signatures shall be acknowledged
15 before a notary public and the agreements shall be accompanied by evidence substantiating
16 the signer's position, title, and authority to bind the person, company, partnership,
17 corporation, joint venture, or other entity to the actions and obligations contained in the
18 agreement. Prior to the expiration of the time allowed by the agreement in which to perform
19 or complete the obligations contained therein, the subdivider, owner, or developer who
20 executed the agreement may require in writing that the City Engineer extend the term of the
21 agreement. The written request shall contain the reasons for the requested additional time,
22 the length of the additional time requested and any other data deemed necessary or
23 informative. The request shall be accompanied with written concurrence from the surety or
24 bonding company whose bonds or securities were posted as a guarantee of the
25 performance of the agreement, and a statement from the surety that they agree with, and
26 have no objection to, the extension of time as requested by the agreement principal. Upon
27 consideration of the written request and the evidence presented, the request shall be acted
28 upon and shall be either approved, rejected, or modified. The request for extension may be
handled at the staff level with written approval of the action by the City manager, or if the
City Engineer feels the matter is of special interest or of unusual importance, he may place
the request before the City Council for their consideration.

21 **10-13.114 Improvement security.**

22 A. General. Any improvement agreement, contract, or act required or authorized by the
23 Subdivision Map Act, for which security is required, shall be secured in accordance with
24 Section 66499 of the Government Code and as provided herein.

24 No final map or parcel map shall be signed by the City Engineer or recorded until all
25 improvement securities required by this section have been received and approved.

26 B. Form of Security. The form of security shall be one or a combination of the following at
27 the option of and subject to the approval of the City:

28 1. Bond or bonds by one or more duly authorized corporate sureties.

1 2. A deposit, either with the local agency or a responsible escrow agent or trust company, at
2 the option of the City, of money or negotiable bonds of the kind approved for securing
deposits of public monies.

3 3. An instrument of credit from one or more financial institutions subject to regulation by the
4 state or federal government and pledging that the funds necessary to carry out the act or
5 agreement are on deposit and guaranteed for payment, or a letter of credit issued by such a
financial institution.

6 The provisions of the bond or bonds shall be in accordance with Sections 66499.1 and
7 66499.2 of the Subdivision Map Act.

8 C. Amount of Security. A performance bond or security in the amount of 100 percent of the
9 estimated construction cost to guarantee the construction or installation of all improvements
10 shall be required of all subdivisions. An additional amount of 50 percent of the estimated
11 construction costs shall be required to guarantee the payment to the subdivider's contractor,
subcontractors, and to persons furnishing labor, materials, or equipment for the construction
or installation of improvements.

12 Improvement securities shall be in the amount of the total estimated cost of all the required
13 improvements and conditions, which amount shall include an amount equal to 10 percent of
14 the total estimated cost for the purpose of securing payment to the City for its costs for
overhead, administration, and other costs and expenses pertaining to the subdivision,
division, or project.

15 D. Warranty Security. Upon acceptance of the subdivision improvements by the City
16 Council, the subdivider shall provide security in the amount as required by the City Engineer
17 to guarantee the improvements against any defective work or labor done or materials
18 furnished. The warranty period shall extend for one year following the completion and
19 acceptance of improvements. The amount of the warranty security shall not be less than 50
percent of the cost of the construction of the improvements, including the cash bond, which
shall be retained for the one-year warranty period.

20 E. Reduction in Performance Security. The City Engineer may authorize, in writing, the
21 release of a portion of the security in conjunction with the acceptance of the satisfactory
22 completion of a part of the improvements as the work progresses upon application by the
23 subdivider, but in no case shall the security be reduced to less than 50 percent of the total
24 improvement security given for faithful performance. The amount of reduction of the security
25 shall be as determined by the City Engineer; however, in no event shall the City Engineer
26 authorize a release of the improvement security which would reduce such security to an
amount below that required to guarantee the completion of the improvements and any other
obligation imposed by this Title, the Subdivision Map Act, or the improvement agreement.

26 F. Release of Improvement Securities.

27 1. Performance Security. The performance security shall be released only upon acceptance
28 of the improvement by the City and when an approved warranty security has been filed with
the City Engineer.

1 2. Material and Labor Security. Security given to secure payment to the contractor, his or
2 her subcontractors, and to persons furnishing labor, materials, or equipment may, after
3 passage of the time and acceptance of the improvements by the City Council, be reduced to
4 an amount equal to the amount of all claims theretofore filed, and of which has been given
5 to the City Council, together with the estimated cost of administering and releasing said
6 funds, including estimated reasonable attorney fees. The balance of the security shall be
7 released upon the settlement of all such claims and obligations for which the security was
8 given.

9 **10-13.115 Construction.**

10 Construction shall not commence until required improvement plans have been approved by
11 the City Engineer.

12 A. General. All improvements are subject to inspection and testing by the City Engineer or
13 authorized personnel in accordance with the standards and specifications specified and
14 required by this Title.

15 B. Pre-Construction Conference. Prior to commencing any construction, the developer shall
16 arrange for a pre-construction conference with the City Engineer or his authorized
17 personnel.

18 C. The City Engineer and his authorized representatives shall have the right to stop any
19 work, refuse to inspect any work, or reject any or all work and construction if it is found that
20 the work is unauthorized, is unsafe in any way to the workmen or the public, is inferior in
21 materials or workmanship, was performed without inspection, or does not meet or comply
22 with the City standards, specifications, or City-approved construction plans.

23 D. All work and improvements must be found to conform to the specified standards and
24 specifications as a condition of the City's acceptance of them and the release of any
25 improvement securities held therefore.

26 **10-13.116 Acceptance of improvements.**

27 When all improvement deficiencies have been corrected and as-built improvement plans
28 filed, the subdivision improvements shall be considered for acceptance by the City. Divisions
of land by tract map shall be responsible for the acceptance of divisions of land by parcel
map, reversions to acreage, or certificates of compliance.

Acceptance of the improvements shall imply only that the improvements have been
completed satisfactorily and that public improvements have been accepted for public use.

When requested by the subdivider in writing, the City may consider acceptance of a portion
of the improvements as recommended by the City Engineer. The City will accept the
improvements only if it finds that it is in the public interest and such improvements are for
the use of the general public.

Acceptance of a portion of the improvements shall not relieve the developer from any other
requirements imposed by this Title.

1 **Chapter 14 ENFORCEMENT**

2 **10-14.101 Prohibition.**

3 No person shall sell, lease, or finance any parcel or parcels of real property or commence
4 construction of any building for sale, lease or financing thereon, except for model homes, or
5 allow occupancy thereof, for which a final or parcel map is required by the Subdivision Map
6 Act or the subdivision regulations, until such a map, in full compliance with the provisions of
7 the Subdivision Map Act and this Title, has been filed with the county recorder.

8 Conveyances of any part of a division of real property for which a final or parcel map is
9 required by the Subdivision Map Act or the subdivision regulations shall not be made by
10 parcel or block number, letter or other designation, unless and until such map has been filed
11 with the county recorder.

12 This section does not apply to any parcels or parcels of a subdivision offered for sale or
13 lease, contracted for sale or lease, or sold or leased in compliance with or exempt from any
14 law, including the subdivision regulations, regulating the design and improvement of
15 subdivisions in effect at the time the subdivision was established.

16 **10-14.102 Remedies.**

17 Any deed of conveyance, sale, or contract to sell real property which has been divided, or
18 which has resulted from a division, in violation of the provisions of the Subdivision Map Act
19 or the subdivision regulations is voidable at the sole option of the grantee, buyer or person
20 contracting to purchase, any heir, personal representative, or trustee in insolvency or
21 bankruptcy thereof for a period of one year after the date of discovery of such violation. The
22 deed of conveyance, sale or contract to sell is binding upon any successor in interest of the
23 grantee, buyer or person contracting to purchase, other than those above enumerated, and
24 upon the grantor, vendor or person contracting to sell, or his or her assignee, heir or
25 devisee.

26 Any grantee, or successor in interest thereof, of real property which has been divided, or
27 which has resulted from a division, in violation of the provisions of the subdivision
28 regulations or the Subdivision Map Act may, within one year of the date of discovery of such
violation, bring an action in the superior court to recover any damages suffered by reason of
such division of property. The action may be brought against the person who divided the
property in violation of the provisions of the Subdivision Map Act or the subdivision
regulations and against any successors in interest who have actual or constructive
knowledge of such division of property.

The provisions of this section shall not apply to the conveyance of any parcel of real
property identified in a certificate of compliance filed pursuant to Section 66499.35 of the
Subdivision Map Act or identified in a recorded final map or parcel map, from and after the
date of recording.

The provisions of this section shall not limit or affect in any way the rights of a grantee or
successor in interest under any other provision of law.

1 This section does not bar any legal, equitable or summary remedy to which the City or other
2 public agency, or any person, firm or corporation, may otherwise be entitled, and the City or
3 other public agency, or such person, firm or corporation, may file a suit in the superior court
4 to restrain or enjoin any attempted or proposed subdivision or sale, lease, or financing in
5 violation of the Subdivision Map Act or the subdivision regulations.

6 The City shall not issue a permit or grant any approval necessary to develop any real
7 property which has been divided, or which has resulted from a division, in violation of the
8 provisions of the Subdivision Map Act or the subdivision regulations if it finds that
9 development of such real property is contrary to the public health or the public safety. The
10 authority to deny such a permit or approval shall apply whether the applicant therefore was
11 the owner of record at the time of such violation or whether the applicant therefore is either
12 the current owner of record or a vendee thereof with, or without, actual or constructive
13 knowledge of the violation at the time of the acquisition of an interest in such real property.

14 If the City issues a permit or grants approval for the development of any real property and
15 subsequently determines that the real property was not legally subdivided, the City may
16 reconsider the permit or approval for the development and may impose those additional
17 conditions which would have been applicable to the division of the property at the time the
18 current owner of record acquired the property. If the property has the same owner of record
19 as at the time of the initial violation, the City may impose conditions applicable to a current
20 division of the property. If a conditional certificate of compliance has been filed for record,
21 only those conditions stipulated in that certificate shall be applicable.

22 **10-14.103 Certificate of compliance.**

23 Any person owning real property, or a vendee of such person pursuant to a contract of sale
24 of such real property, may request the director to determine whether the real property
25 complies with the provisions of the Subdivision Map Act and subdivision regulations.

26 If it is determined that the real property complies with the provisions of the Subdivision Map
27 Act and the subdivision regulations, the director shall file a certificate of compliance with the
28 county recorder. The certificate of compliance shall identify the real property and shall state
that the division thereof complies with the provisions of the Subdivision Map Act and the
subdivision regulations.

If it is determined that the real property does not comply with the provisions of the
Subdivision Map Act or the subdivision regulations, the director may, as a condition to
granting a certificate of compliance, impose conditions in accordance with HPMC Section
10-4.110, Conditions of approval. Upon the director making such determination and
establishing such conditions, the director shall file a conditional certificate of compliance with
the county recorder. Such certificate shall serve as notice to the property owner or vendee
who has applied for the certificate, a grantee of the property owner, or any subsequent
transferee or assignee of the property, the fulfillment and implementation of such conditions
shall be required prior to subsequent issuance of a permit or other grant of approval for
development of the property.

A recorded final map or parcel map shall constitute a certificate of compliance with respect
to the parcels of real property described therein.

1 Subject to the provisions of Section 66499.35(e) of the Subdivision Map Act, an official map
2 prepared pursuant to Section 66499.52(b) of the Subdivision Map Act shall constitute a
certificate of compliance with respect to the parcels of real property described therein.

3 **10-14.104 Notice of violation.**

4 If the City has knowledge that real property has been divided in violation of the provisions of
5 the Subdivision Map Act or the subdivision regulations, a notice of intention to record a
6 notice of violation shall be prepared by the director and delivered to the current owner of
7 record by certified mail. The notice shall describe the property in detail, name the owners,
8 describe the violation and state that the owner will be given the opportunity to present
9 evidence. The notice shall also contain an explanation as to why the subject parcel is not
lawful under Section 66412.6(a) or (b) of the Subdivision Map Act. The notice shall specify
the date, time and place for a meeting at which time the owner may present evidence to the
Planning Commission why a notice of violation should not be recorded.

10 The meeting shall be held no sooner than 30 days and no later than 60 days from the date
11 of mailing of the notice of intention to record a notice of violation. If, within 15 days of receipt
12 of the notice, the owner fails to file with the Community Development Department a written
13 objection to recording the notice of violation, a notice of violation shall be filed with the
14 county recorder by the director. If after the owner has presented evidence the Planning
15 Commission determines that there has been no violation, after a 15 day appeal period has
16 elapsed, a clearance letter shall be delivered to the then-current owner of record by certified
17 mail, unless appeal is filed in compliance with HPMC Section 10-14.105, Appeal to City
Council. If after the owner has presented evidence and the Planning Commission
determines that the property has in fact been illegally divided, and after a 15 day appeal
period has elapsed, a notice of violation shall be filed with the county recorder by the
director, unless an appeal is filed in compliance with HPMC Section 10-14.105, Appeal to
City Council.

18 The notice of violation, when recorded, shall be deemed to be constructive notice of the
19 violation to all successors in interest in such property.

20 **10-14.105 Appeal to City Council.**

21 The owner or other interested party may appeal the determination of the Planning
22 Commission to the City Council by filing a written notice and paying applicable fees, as
23 established by resolution, to the Community Development Department within 15 days of the
24 Planning Commission determination. The City Council shall hear the appeal within 60 days
25 from the date of appeal. If the City Council makes a determination that the property has in
fact been illegally divided, a notice of violation shall be filed with the county recorder by the
director within 30 days of the conclusion of the hearing.

26 If the City Council determines that the property has not been illegally divided, a clearance
27 letter shall be delivered to the owner by certified mail within 30 days of the conclusion of the
hearing.

1 **10-14.106 Violation as a misdemeanor.**

2 In addition to the remedies and procedures provided in the Subdivision Map Act, the
3 subdivision regulations, or any other state or local statute or regulation, any person violating
4 any of the provisions or failing to comply with any of the regulatory requirements of the
5 Subdivision Map Act and the subdivision regulations shall be guilty of a misdemeanor.

6 **10-14.107 Indemnification – Action against map approvals.**

7 In accordance with the provisions of Government Code Section 66474.9(b), the subdivider
8 shall defend, indemnify and hold harmless the City, its officers, employees and agents from
9 any claim, action, or proceeding to attack or set aside the map approval.

10 **SECTION 4:** Adoption and implementation of this Ordinance is exempt from the
11 provisions of the California Environmental Quality Act (hereinafter "CEQA") pursuant to
12 Section 15183 of the State CEQA Guidelines (California Public Resources Code Sections
13 21000 et seq.).

14 **SECTION 5:** Any provisions of the Huntington Park Municipal Code or appendices
15 thereto inconsistent with the provisions of this Ordinance are hereby repealed or modified to
16 the extent necessary to affect the provisions of the Ordinance.

17 **SECTION 6:** If any section, subsection, sentence, clause, phrase, or portion of this
18 Ordinance is for any reason held to be invalid or unconstitutional by the decision of any
19 court of competent jurisdiction, such decision shall not affect the validity of the remaining
20 portions of this Ordinance. The City Council of the City of Huntington Park hereby declares
21 that it would have adopted this Ordinance and each section, subsection, sentence, clause,
22 phrase or portion thereof, irrespective of the fact that any one or more sections, subsections,
23 sentences, clauses, phrases or portions may be declared invalid or unconstitutional.

24 **SECTION 7:** The City Council hereby incorporates by reference herein and adopts all
25 of the findings and conclusions contained within the Planning Commission Resolution No.
26 1958.

27 **SECTION 8:** This Ordinance shall take effect thirty (30) days after its final passage by
28 the City Council.

SECTION 9: The City Clerk shall certify to the passage of this Ordinance and shall
cause the same to be published in the manner prescribed by law.

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PASSED, APPROVED AND ADOPTED this ____ day of _____, 2013.

Andy Molina, Mayor

Rosanna Ramirez, City Clerk

AGF: R:\PLANNING DIVISION\ZOA\1958-ZOA SUBDIVISION ORDINANCE\HP SUBDIVISION ORDINANCE - CITY ATTORNEY VERSION.DOC



CITY OF HUNTINGTON PARK

Community Development Department

City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

INFORMATIONAL REPORT REGARDING OFF-SALE ALCOHOL ESTABLISHMENTS IN THE CITY.

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Discuss the City's regulations pertaining to establishments selling alcoholic beverages for off-site consumption; and
2. Receive and file this informational report.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On October 1, 2012, the City Council expressed concerns regarding the proliferation of establishments selling alcoholic beverages for off-site consumption. As a result, staff was directed to conduct research and provide an informational report regarding the matter.

Due to the negative impacts which result from the proliferation and over-concentration of businesses which sell alcoholic beverages both for on-site and off-site consumption, the City of Huntington Park has implemented specific standards and regulations for such uses. The potential negative impacts include, but are not limited to, promotion of deleterious health effects from excessive consumption, litter, loitering, drunk driving, encouragement of crime and the defacement of buildings, among other potentially blighting influences. Huntington Park Municipal Code (HPMC) Section 9-4.203(2)A provides regulations which ensure that the occurrence of establishments selling or serving alcoholic beverage does not adversely impact the public health, safety, comfort, convenience and general welfare of the City. Additionally, any establishment wishing to sell alcoholic beverages must obtain a Conditional Use Permit (CUP) from the City's Planning Commission or, if appealed, approval from the City Council. The CUP ensures that provisions are in place to mitigate any potential negative impacts resulting from a proposed alcohol establishment.

Proliferation of Off-Sale Alcohol Establishments

February 4, 2013

Page 2 of 4

The California Department of Alcoholic Beverage Control (ABC) is responsible for regulating and providing alcohol licenses for alcohol establishments across the State. There are a variety of license types that may be obtained depending on the nature of the business and the type of alcoholic beverage being sold (see attached list of Common ABC License Types). The types of licenses are subcategorized into two main types: "off-sale" and "on-sale." Per ABC, off-sale means a commercial establishment selling alcoholic beverages for consumption off the premises, while, on-sale means a commercial establishment serving alcoholic beverages for consumption on the premises. The HPMC lists various types of uses which may provide the off-sale or on-sale of alcoholic beverages. Prior to commencing alcohol sales, an establishment would require both City approvals and an ABC issued license.

Staff's research primarily focused on the City Council's concern regarding off-sale alcohol establishments. Off-sale alcohol establishments usually consist of grocery stores, convenience stores, liquor stores and mini-marts. ABC categorizes licenses for these establishments as Type 20 (Beer and Wine) or 21 (Beer, Wine and Distilled Spirits). Per the HPMC, all off-sale alcohol establishments, except for grocery stores, have minimum distance requirements to sensitive receptors, such as schools, parks, religious organizations, residential uses, and other establishments selling alcoholic beverages for off-site consumption. The sale of alcoholic beverage establishments is allowed in all commercial zones, but they are prohibited in all residential zones. The following table illustrates the zones where alcohol sales uses are permitted and the minimum distance requirements to sensitive receptors.

An "x" is placed where the use is permitted.

	DTSP*		Commercial			Residential			Ind.	Minimum Distance Requirements
	Dist. A	Dist. B	C-P	C-N	C-G	R-L	R-M	R-H	MPD	
OFF-SALE										
Grocery Store	x	x	x	x	x				x	
Convenience Store	x	x	x		x				x	200' from school, park, religious organization, Discotheque/Nightclub, Convenience Store; 100' from R-L, R-M, R-H, C-N
Gas Station with Mini-Mart			x		x				x	300' from school, park, religious organization, Gas Station with Mini Mart; 100' from R-L, R-M, R-H, C-N
Liquor Store	x	x	x		x				x	300' from school, park, religious organization, Liquor Store; 100' from R-L, R-M, R-H, C-N

* DTSP = Downtown Huntington Park Specific Plan

Proliferation of Off-Sale Alcohol Establishments

February 4, 2013

Page 3 of 4

According to ABC records, there are 56 active Type 20/21 licenses Citywide (see attached list and map of Current Off-Sale Alcohol Establishments). ABC has established a moratorium for new Type 20/21 licenses in the City of Huntington Park due to an overconcentration of off-sale alcohol licenses per census tract. Based on census tract populations, the total number of Type 20/21 licenses allowed is 31 Citywide. This data demonstrates that the City of Huntington Park has an overconcentration of 25 Type 20/21 licenses.

When a city has an overconcentration of Type 20/21 licenses, ABC will not issue or transfer a license unless a city provides a Letter of Public Convenience or Necessity (LPCN) to ABC. The last LPCN issued by the City was in 2011 after the Planning Commission approved an existing Type 20 license holder to upgrade to a Type 21 license. Prior to that time, no new licenses had been issued in the City since 2007. The reason for this is that many applicants find it challenging to meet the minimum distance requirements to sensitive receptors when applying for a new off-sale alcohol license within the City.

Of the 56 active off-sale alcohol licenses in the City, the majority were established prior to the City's regulations for alcohol sales or the requirement for CUP. Therefore they are considered to be legal nonconforming uses. Per today's standards, most of these establishments would not be permitted. Pursuant to HPMC Section 9-3.601, these establishments may continue to operate so long as the use is not expanded. The only manner by which these legal nonconforming uses can cease operation is if they abandon or discontinue the use for a period of six months. For legal nonconforming alcohol sales uses, ABC is responsible for enforcing the strict conditions and regulations set for license holders. If ABC determines that a business is in violation of its license, the license may be suspended for a period of time or revoked altogether. During these instances, the City has worked closely with ABC to ensure that the use is not reestablished when it has exceeded six months of discontinuance.

Staff's investigation of off-sale alcohol establishments has underscored the fact there is an overconcentration of off-sale alcohol establishments within the City. It has also confirmed that the City's strict development standards make it difficult for new alcohol uses to locate within the City. Staff provides a candid interpretation of the City's code to entities inquiring about the establishment of alcohol sales uses; however, every applicant is entitled to due process. With strict conditions of approval, staff believes that the proliferation of off-sale alcohol uses will diminish given the City's requirements and the current moratorium imposed by ABC.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Pursuant to HPMC Section 9-4.203(2)(A), off-sale alcohol uses may establish within the City provided that the use is allowed within the zone, the minimum distance requirements to sensitive receptors can be met, and a CUP is granted by the Planning Commission. However, prior to commencing any alcohol sales, a Type 20 or 21 license must be issued by ABC.

CONCLUSION

Staff recommends that the City Council discuss the City's regulations pertaining to establishments selling alcoholic beverages for off-site consumption and, if necessary, direct staff to explore the possibility of modifying City policies and regulations.

Respectfully submitted,



RENÉ BOBADILLA
City Manager, P.E.



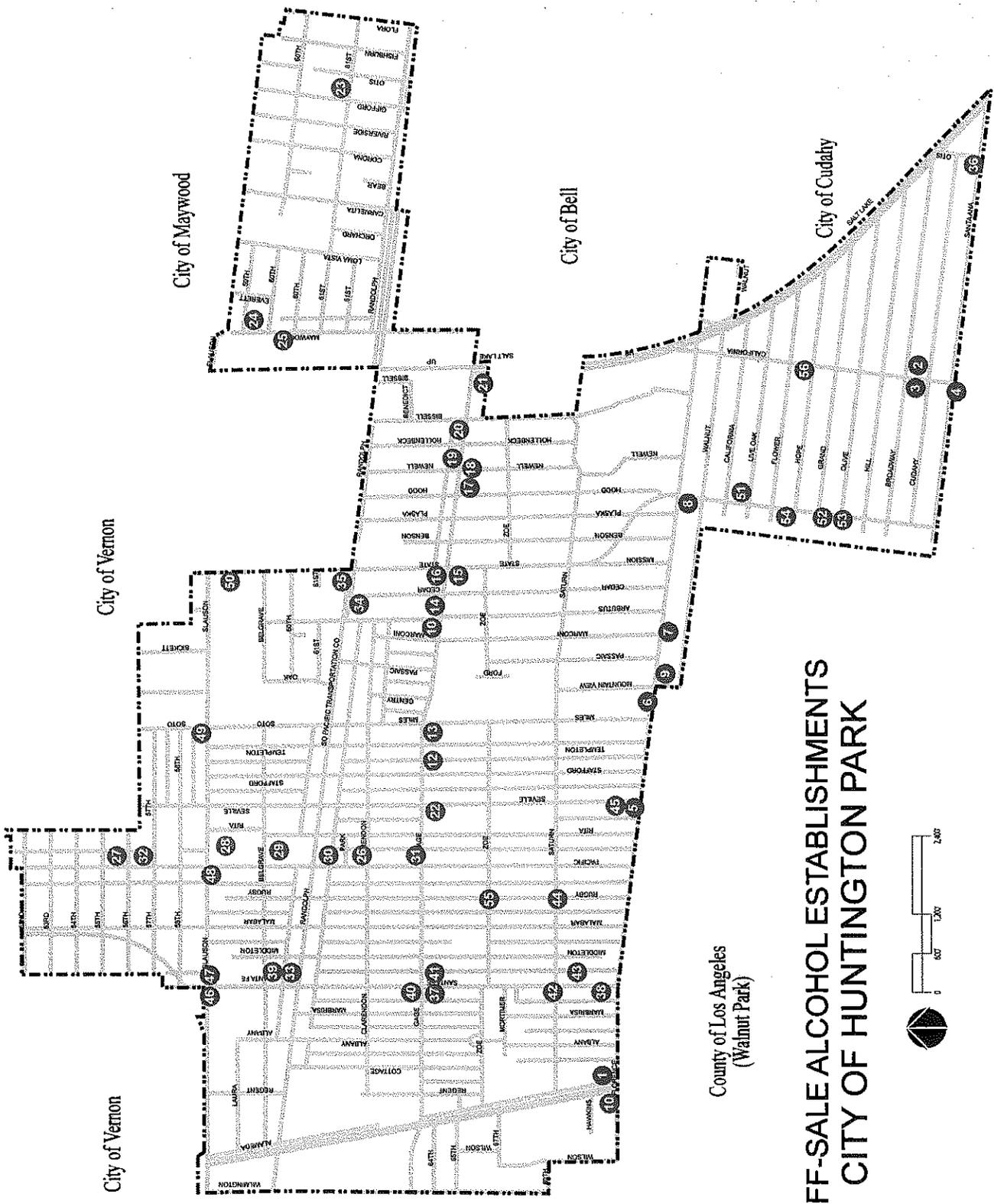
JACK L. WONG
Interim Community Development Director

ATTACHMENTS

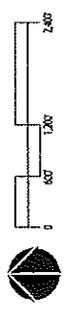
- A: Map of Current Off-Sale Alcohol Establishments
- B: List of Current Off-Sale Alcohol Establishments
- C: HPMC Standards for Alcohol Sales Establishments
- D: Common ABC License Types

**MAP OF CURRENT
OFF-SALE ALCOHOL ESTABLISHMENTS**

ATTACHMENT: A



**OFF-SALE ALCOHOL ESTABLISHMENTS
CITY OF HUNTINGTON PARK**



City of Los Angeles

County of Los Angeles

County of Los Angeles
(Walnut Park)

City of South Gate

City of Vernon

City of Maywood

City of Bell

City of Cudahy

**LIST OF CURRENT
OFF-SALE ALCOHOL ESTABLISHMENTS**

ATTACHMENT: B

**California Department of Alcoholic Beverage Control
Off-Sale Licenses for City of Huntington Park (90255)
Report as of 1/27/2013**

No.	Address No	Address Street	Business Name	Census Tract
1	7010	ALAMEDA ST	EL SUPER	5330.2
2	7902	CALIFORNIA AVE		5345.02
3	7909	CALIFORNIA AVE	EL UNICO MEAT MARKET	5345.01
4	8021	CALIFORNIA AVE	HUNTINGTON DAIRY MARKET	5345.01
5	2683	FLORENCE AVE	A & B MARKET	5331.04
6	2857	FLORENCE AVE	LATINO MARKET	5331.07
7	3000	FLORENCE AVE	MODERN MINI MART & LIQUOR	5331.07
8	3208	FLORENCE AVE	EL TAPATIO SUPER MERCADO	5331.07
9	2902 #200	FLORENCE AVE	MOUNTAIN VIEW MEAT MARKET	5331.07
10	1915	GAGE AVE	SAN BUENA MARKET	5327
11	2501	GAGE AVE	MEADOW MAID DAIRY	5326.05
12	2762	GAGE AVE	YOUNGS LIQUOR	5326.06
13	2816-18	GAGE AVE	RANCHO FIESTA MARKET	5326.06
14	3043	GAGE AVE	PRINCESSA LIQUOR	5331.05
15	3084	GAGE AVE	NABILS MOBIL	5332.02
16	3085	GAGE AVE	PALOMINO MARKET	5332.01
17	3224	GAGE AVE	GEORGES LIQUOR	5332.02
18	3238	GAGE AVE	DOS TOROS MEAT MARKET	5332.02
19	3257	GAGE AVE	SUN LIQUOR	5332.01
20	3307	GAGE AVE	LA VICTORIA A MARKET	5332.01
21	3372	GAGE AVE	JOES LIQUOR	5332.02
22	2670 #9	GAGE AVE	LA MICHOCANA MARKET	5326.05
23	6078	GIFFORD AVE	LEES MARKET A COMPANY INC	5335.03
24	5954	MAYWOOD AVE	ROYS LIQUOR	5335.01
25	6025 #1&2	MAYWOOD AVE		5335.01
26	6224	PACIFIC BLVD	7 ELEVEN STORE #2175-34372	5326.05
27	5512	PACIFIC BLVD	LA TIENDITA MARKET	5325
28	5960	PACIFIC BLVD	CVS PHARMACY 9596	5326.05
29	6010	PACIFIC BLVD	SUPERIOR SUPER WAREHOUSE	5326.05
30	6122-6130	PACIFIC BLVD	99 CENTS ONLY STORE 33	5326.05
31	6360	PACIFIC BLVD	RITE AID STORE 5475	5326.05
32	5610 #101&102	PACIFIC BLVD	SAMS LIQUOR MART	5325
33	2417	RANDOLPH ST	LA REYNA MARKET	5326.04
34	3058	RANDOLPH ST	LA TAPATIA MEAT MARKET	5331.05
35	3073	RANDOLPH ST		5325
36	4135	SANTA ANA ST	B & B MARKET	5345.02
37	6403-05	SANTA FE AVE	GUADALAJARA GROCERY STORE	5326.03
38	7029-31-33	SANTA FE AVE	DOS TOROS INC	5331.03
39	6020	SANTA FE AVE	SANTA FE LIQUOR	5326.04
40	6363	SANTA FE AVE	STOP RITE LIQUOR	5326.03
41	6400	SANTA FE AVE	JOHNS SERVICE STATION C STORE	5326.04
42	6903	SANTA FE AVE	L A SUPERIOR RANCH MARKET	5331.03
43	6920	SANTA FE AVE	FOOD 4 LESS 321	5331.03
44	2550	SATURN AVE	EL PEDREGAL MARKET	5331.04
45	7119 #E2	SEVILLE AVE	DANIEL MARKET	5331.04
46	2400	SLAUSON AVE	SLAUSON SHELL	5326.04
47	2405	SLAUSON AVE	MINI SUPER MARKET	5325
48	2582	SLAUSON AVE	7 ELEVEN 2175 26628	5326.05
49	2809	SLAUSON AVE	2M LIQUOR	5325
50	5941	STATE ST	CIRCLE K STORES	5325
51	7414	STATE ST	YOUNGS LIQUOR	5345.01
52	7701	STATE ST	STATE LIQUOR	5345.01
53	7801	STATE ST	BABS DAIRY MARKET	5345.01
54	7621 UNIT A-C	STATE ST	CENTRAL MEAT MARKET	5345.01
55	2550	ZOE AVE	K FOOD MARKET	5331.04
56	7625	CALIFORNIA AVE	HORNITOS MERCADO	5345.01

**HPMC STANDARDS FOR
ALCOHOL SALES ESTABLISHMENTS**

ATTACHMENT: C

HUNTINGTON PARK MUNICIPAL CODE SECTION 9-4.203(A)2
ALCOHOL SALES ESTABLISHMENTS

2. Land Use District Specific Standards. In addition to the general development requirements contained in Chapter 3, Article 1 (Property Development Standards), the following standards shall apply to specific commercial land use activities:

A. Establishments serving alcoholic beverages. Due to the special impacts which result from the proliferation and over-concentration of businesses which sell alcoholic beverages, including but not limited to, promotion of deleterious health affects from excessive consumption, litter, loitering, drunk driving, interference with children on the way to and from schools and parks, discouragement of more desirable and beneficial businesses, encouragement of crime and the defacement of buildings, among other potentially blighting influences, the following provisions are to ensure that the occurrence of alcoholic beverage outlets does not adversely impact the public health, safety, comfort, convenience and general welfare of the City.

The following provisions shall apply to any commercial establishment where alcoholic beverages are to be sold or served, as applicable, and are in addition to the provisions set forth in Chapter 2, Article 11 (Conditional Use Permits).

(1) Definitions. For the purposes of this section, unless otherwise apparent from the context, certain words and phrases used in this section are defined as follows:

“Alcoholic beverage” means alcohol, distilled spirits, liquor, wine, beer and every other liquid or solid containing alcohol, distilled spirits, wine or beer, and which contains 0.5 percent or more of alcohol by volume and which is fit for beverage purposes, either alone or when diluted, mixed or combined with other substances.

“Banquet/conference hall” means an establishment that is rented primarily for special temporary legal activities/occasions (e.g., business meetings, banquets or entertainment), and where there are areas usable or temporarily convertible for dancing, dining, entertainment, meetings and public audio/visual presentation, and where the on-sale or serving of general alcoholic beverages, including beer or wine, if served at a function, is incidental and accessory to the primary hall functions.

“Bar/cocktail lounge/tavern” means an establishment used primarily for the on-sale of general alcoholic beverages, including beer or wine, where food and/or entertainment are incidental to the sale of alcohol.

“Bona fide grocery store” means a place primarily engaged in the retail sale of all sorts of products including, but not limited to, dry goods, canned goods, fresh fruits and vegetables, dairy products, fresh and prepared meats, fish and poultry and where the sale of alcohol, including beer or wine, by the establishment must be accessory to and incidental in proportion to the primary use of grocery sales.

"Bona fide public eating place" means a place which is regularly and in a bona fide manner used and kept open for the serving of meals on the premises for compensation and which has suitable kitchen facilities connected therewith containing conveniences for cooking an assortment of foods which may be required for ordinary meals, the kitchen of which shall be kept in a sanitary condition with the proper amount of refrigeration for keeping food on the premises and complying with all health laws and regulations.

"Convenience store" means a place primarily engaged in the retail sale of all sorts of products including, but not limited to, dry goods, canned goods, dairy and other food products, and may include the off-sale of beer or wine.

"Gas station with mini-mart" means an establishment that sells gasoline for motor vehicles in conjunction with a "Convenience store."

"Incidental sale or use" means sale or use that is a minority portion or nonrequired ancillary aspect of a business either based on annual gross sales revenue or other factors (e.g., percentage of floor area devoted, nature, purpose and intention of the primary permitted use).

"Liquor store" means a place primarily engaged in the off-sale of general alcohol, including beer, wine and distilled spirits, and where other items (e.g., dry goods and food products) may also be sold.

"Meal" means the usual assortment of foods commonly ordered at various hours of the day; the service of food and victuals, (e.g., sandwiches and/or salads only), shall not be deemed in compliance with this requirement.

"Nightclub/discotheque" means an establishment used primarily for dancing and entertainment purposes, where there is a 200 square foot minimum dance area and where the on-sale of general alcoholic beverages, including beer or wine, is conducted.

"Off-sale" means a commercial establishment selling alcoholic beverages, including beer or wine, for consumption off the premises.

"On-sale" means a commercial establishment serving alcoholic beverages, including beer or wine, for consumption on the premises.

"Premises" means property, land, buildings, or separate leasable space, or any combination thereof, as determined by the Director.

(2) Prohibited Establishments.

a. All alcohol sale establishments shall be expressly prohibited in the R-1 Single-Family Residential Zone, R-2 Two-Family Residential Zone, the R-3 Medium-

Density Residential Zone, the R-4 High-Density Multi-Family Residential Zone and the C-N Commercial-Neighborhood Zone.

b. Gas Stations with Mini-Marts shall be expressly prohibited from the sale of alcoholic beverages other than beer or wine.

(3) Off-Sale Conditional Use Permits. In addition to those findings set forth in Chapter 2 Article 11 (Conditional Use Permits), the Commission may approve an application for an off-sale Conditional Use Permit only if it finds that applicant has met its burden of proof by clear and convincing evidence that the application complies with all of the following provisions:

a. Bona Fide Grocery Store. Bona fide grocery stores may be located in compliance with Table IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained according to the procedures and requirements of Chapter 2, Article 11 (Conditional Use Permits).

b. Convenience Store.

1) Convenience Stores may be located in compliance with Table IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained in compliance with Chapter 2, Article 11 (Conditional Use Permits).

2) The premises, including parking lots or parking areas, shall be at least 200 feet from any school, park, religious organization, nightclub/discotheque, other convenience store with off-sale and at least 100 feet from the nearest point of any property located in the RL, RM, RH, or CN zoning districts.

c. Gas Station With Mini-Mart.

1) Gas stations with mini-marts may be located in compliance with Table IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained in compliance with Chapter 2, Article 11 (Conditional Use Permits).

2) The premises, including parking lots or parking areas, shall be at least 300 feet from any school, park, religious organization, other gas stations with mini-marts selling alcoholic beverages, and at least 100 feet from the nearest point of any property located in the RL, RM, RH, or CN zoning districts.

3) The total number of gas stations with mini-marts that provide the sale of alcoholic beverages that shall be allowed within the City at any one time shall be five (5).

d. Liquor Store.

1) Liquor stores may be located in compliance with Figure IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained in compliance with Chapter 2, Article 11 (Conditional Use Permits).

2) The premises, including parking lots or parking areas, shall be at least 300 feet from the property line of any school, park, religious organization, or other liquor store, and at least 100 feet from the nearest point of any property located in the RL, RM, RH, or CN zoning districts.

3) The total number of liquor stores allowed within the City at any one time shall be nineteen (19).

(4) On-Sale Conditional Use Permits:

a. Banquet/Conference Hall.

1) Banquet halls may be located in compliance with Table IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained in compliance with Chapter 2, Article 11 (Conditional Use Permits).

2) The premises, including parking lots or parking areas, shall be at least 200 feet from any school, park, religious organization, other banquet halls and the nearest point of any property located in the RL, RM, RH or CN zoning districts.

b. Bar/Cocktail Lounge/Tavern.

1) Bars/cocktail-lounges/taverns may be located in compliance with Table IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained in compliance with Chapter 2, Article 11 (Conditional Use Permits).

2) The premises, including parking lots or parking areas, shall be at least 300 feet from any school, park, religious organization, other bar/cocktail lounge/tavern and the nearest point of any property located in the RL, RM, RH, or CN zoning districts.

c. Bona Fide Public Eating Place. Bona fide public eating places may be located in compliance with Table IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained in compliance with Chapter 2, Article 11 (Conditional Use Permits).

d. Nightclub/Discotheque.

1) Nightclubs/discotheques may be located in compliance with Figure IV-5 (Allowed Land Uses), provided a Conditional Use Permit has been obtained according to the procedures and requirements of Chapter 2, Article 11 (Conditional Use Permits).

2) The premises, including parking lots or parking areas, shall be at least 300 feet from any school, park, religious organization, liquor store and at least 200 feet from the nearest point of any property located in the RL, RM, RH or CN zoning districts.

(5) Huntington Park Downtown Specific Plan (DTSP) Zone Exceptions. Within District A (Gateway) and District B (Festival) of the DTSP zoning districts, there shall be no minimum distance requirements, between uses or other zones for the following uses: bona fide eating establishments, nightclubs/discotheques or banquet/conference halls; except as deemed necessary by the Commission in the granting of a Conditional Use Permit or by the Council in the event of an appeal.

(6) Standard Control Measures. In addition to those conditions that the Commission or Council may otherwise impose as part of a Conditional Use Permit, all establishments that sell or serve alcoholic beverages shall be subject to the following conditions:

a. Establishments shall have notices posted on the premises to warn of deleterious affects of alcohol use or abuse. The notice standards shall be as follows:

1) All signs shall state, in both English and Spanish, the following: "NOTICE: ALCOHOL CONSUMPTION MAY BE HARMFUL TO HEALTH.";

2) All signs shall be in clear view to any patrons or customers, as follows: signs shall be located within forty (40) feet of any seating area with a minimum of two (2) square feet of sign area, or located within twenty (20) feet of any seating area with a minimum of one square foot of sign area, and located within ten (10) feet of any point of purchase/pickup/service with a minimum of one square foot of sign area;

3) Letters shall be a minimum of two (2) inches in height for signs two (2) square feet or larger and a minimum of one inch in height for signs less than two (2) square feet. Colors used shall promote easy visibility. All lettering shall be neatly, clearly and professionally printed and formatted;

b. A masonry wall shall be constructed around the parking area of any establishment at a height of not less than five (5) feet nor more than six (6) feet on the lot line abutting any residential zone or residential dwelling. The masonry wall shall be constructed and maintained in a manner to separate, buffer and protect the adjoining property from the establishment.

c. The exterior walls of any establishment shall be soundproofed sufficiently so that noise from the establishment shall not annoy or disturb surrounding residents or businesses adjacent to the premises. The Commission is hereby authorized to establish more specific noise standards in the event it determines that precise standards are necessary in the public interest and to avoid the creation of public or private nuisance.

d. Interior lighting of any establishment shall be provided so as to produce a minimum uniform intensity of three (3) footcandle power at a height of thirty-six (36) inches above the floor.

e. Public telephones that permit incoming calls shall not be located on the premises of any establishment.

f. Electronic games, including video games, shall not be located on the premises of any off-sale establishment, except bona fide grocery stores with a minimum gross floor area of 10,000 square feet.

g. Exterior lighting of the parking area shall be installed to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas.

h. Litter and trash receptacles shall be located at convenient locations both inside and outside any establishment, and trash and debris shall be removed on a daily basis.

i. All graffiti shall be removed from the premises of any establishment within twenty-four (24) hours of its discovery.

j. For Conditional Use Permit applications which are approved for any establishment based in part upon the fact that alcohol sales in the premises are incidental to the sale of other products, the owner or operator of the establishment shall, upon request of the Director, provide satisfactory evidence that the sale of alcohol has remained incidental to the sale of other products. The Director may request evidence at any time, but not more than once in a one-year period.

k. Within thirty (30) days of approval of the Conditional Use Permit or upon a transfer of ownership of an existing establishment with an existing valid Conditional Use Permit, the applicant shall certify their acceptance of the conditions placed on the approval by signing a statement that they accept and shall be bound by all of the conditions.

l. Violation of, or noncompliance with, any of the conditions imposed in the granting of a Conditional Use Permit shall constitute grounds for revocation of the Conditional Use Permit for any establishment.

m. Expansion or enlargement of any establishment involving the sale or serving of alcoholic beverages shall be subject to the Conditional Use Permit approval process as a new application according to the procedures and requirements of Chapter 2, Article 11. (Conditional Use Permits).

n. Should any structure associated with alcohol sales or serving establishments be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost immediately prior to destruction, the establishment shall not be

reconstructed except in compliance with the provisions of Chapter 3, Article 6 (Nonconforming Structures and Uses).

o. Alcoholic beverage stock or sales display areas shall be located within the establishment at the furthest point of travel from the store entrance, unless the display is located behind a staff controlled counter/cash register area.

p. Minimum off-sale container and package sale requirements for all establishments shall be as follows:

1) The sale of beer, malt liquor, stout, ale or similar alcoholic beverages shall not be permitted in single containers smaller than five (5) gallons except in packages containing six (6) or more individual cans or bottles of at least ten (10) ounces each;

2) The sale of wine, wine coolers, mixed spirits or other similar alcoholic beverages shall not be permitted in containers of less than 750 milliliters except in packages specifically designed and manufactured for multiple container sales and which packages shall in no case contain less than 4 individual bottles or cans of at least ten (10) ounces each;

3) The sale of wine or beer which exceeds fourteen (14) percent alcohol content by volume shall be expressly prohibited; and

4) The sale of alcoholic beverages containing more than thirty-five (35) percent of alcohol by volume including, but not limited to, gin, vodka, whiskey, and other similar distilled spirits, shall not be permitted in containers of less than sixteen (16) ounces.

q. Video recordings shall be made of all alcohol sales transactions occurring at off-sale establishments, except bona fide grocery stores, and retained for not less than thirty (30) days.

r. Any temporary window signs or other advertisements that relate to alcoholic beverage sales that are within four (4) feet of the interior of a window or entrance and/or are visible from the exterior shall be in compliance with the following criteria:

1) There shall not be more than three (3) poster-type signs and three (3) neon-gas/lighted signs;

2) Window coverage/display area shall not exceed twenty-five (25) percent;

3) Signs shall not exceed twenty-five (25) percent of the total permitted sign area on the premise;

4) Each individual sign/display shall not exceed six (6) square feet in size.

s. The Commission may impose additional conditions upon any establishment as may be reasonable to avoid the creation of a public or private nuisance or the annoying or disturbing of surrounding residents or business in compliance with procedures and requirements of Chapter 2, Article 11 (Conditional Use Permits).

(7) Optional control measures. In addition to standard control measure requirements or those that the Commission may otherwise impose, all Off-sale and On-Sale establishments may be subject to any of the conditions included within the standard conditions of the Alcoholic Beverage Control Board.

(8) Conditional Use Permit administration and nonconforming abatement.

a. Revocation. In addition to the conditions justifying revocation under Chapter Chapter 2, Article 11 (Conditional Use Permits), any off-sale or on-sale Conditional Use Permit may be revoked upon violation of any law, upon violation of any conditions of approval, upon the revocation of the alcoholic license by the Department of Alcoholic Beverage Control, or upon two (2) suspensions of the alcoholic license by the Department of Alcoholic Beverage Control in any twelve (12) month period.

b. Nonconforming Abatement. In addition to the provisions of Chapter 3 Article 6 (Nonconforming Structures and Uses), all nonconforming off-sale and on-sale establishments shall be required to conform with this section in compliance with the following:

1) Mailed notice shall be given to the owners of all nonconforming establishments within two (2) years of the date of approval of this Section;

2) Compliance with all applicable codes shall be completed within two (2) years of the date of the mailed notice.

3) There shall be no revocation or denial of a Conditional Use Permit of any existing legal nonconforming establishment based upon the inability of any legal nonconforming establishment to meet the minimum distance requirements nor due to its location in a zoning district where these uses are not currently allowed.

Table IV-7

ALCOHOL SALES ESTABLISHMENT STANDARDS

	District A (Gateway)	District B (Festival)	C-P	C-N	C-G	R-L	R-M	R-H	MPD	Minimum Distance Requirements
OFF-SALE										
Grocery Store	x	x	x	x	x				x	
Convenience Store	x	x	x		x				x	200' from school, park, religious organization, Discotheque/Nightclub, Convenience Store; 100' from R-L, R-M, R-H, C-N
Gas Station with Mini Mart			x		x				x	300' from school, park, religious organization, Gas Station with Mini Mart; 100' from R-L, R-M, R-H, C-N
Liquor Store	x	x	x		x				x	300' from school, park, religious organization, Liquor Store; 100' from R-L, R-M, R-H, C-N
ON-SALE										
Banquet/Conference Hall	x	x	x		x				x	200' from school, park, religious organization, Banquet/Conference Hall; 200' from R-L, R-M, R-H, C-N.
Bar/ Cocktail Lounge/ Tavern	x	x	x		x				x	300' from school, park, religious organization, Bar/Cocktail Lounge/Tavern; 300' from R-L, R-M, R-H, C-N
Restaurant	x	x	x	x	x				x	
Nightclub/ Discotheque	x	x	x		x				x	300' from school, park, religious organization, Liquor Store; 200' from R-L, R-M, R-H, C-N

- x = Zone where use is allowed.
- Note:
 - All alcohol sales establishments require a Conditional Use Permit in all allowable zones.
 - Maximum number of Liquor Stores is 19 establishments citywide.
 - Nightclub/Discotheque & Banquet/Conference Hall facilities shall be exempt from distance requirements in District A (Gateway) and District B (Festival) of the DTSP.
- Additional operational control standards may apply:
 - Construction of a masonry wall adjacent to any residential property.
 - Provision of adequate lighting for the parking area.
 - Public telephones shall be located only within the establishment if phone allows incoming calls.
 - Litter and trash receptacles shall be provided at convenient locations inside and outside of establishment.

LIST OF COMMON ABC LICENSE TYPES

ATTACHMENT: D

**COMMON ABC LICENSE TYPES
AND THEIR BASIC PRIVILEGES**

LICENSE TYPE	DESCRIPTION
01	BEER MANUFACTURER - (Large Brewery) Authorizes the sale of beer to any person holding a license authorizing the sale of beer, and to consumers for consumption on or off the manufacturer's licensed premises. Without any additional licenses, may sell beer and wine, regardless of source, to consumers for consumption at a bona fide public eating place on the manufacturer's licensed premises or at a bona fide eating place contiguous to the manufacturer's licensed premises. May conduct beer tastings under specified conditions (Section 23357.3). Minors are allowed on the premises.
02	WINEGROWER - (Winery) Authorizes the sale of wine and brandy to any person holding a license authorizing the sale of wine and brandy, and to consumers for consumption off the premises where sold. Authorizes the sale of all wines and brandies, regardless of source, to consumers for consumption on the premises in a bona fide eating place that is located on the licensed premises or on premises owned by the licensee that are contiguous to the licensed premises and operated by and for the licensee. May possess wine and brandy for use in the preparation of food and beverage to be consumed at the bona fide eating place. May conduct winetastings under prescribed conditions (Section 23356.1; Rule 53). Minors are allowed on the premises.
20	OFF SALE BEER & WINE - (Package Store) Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are allowed on the premises.
21	OFF SALE GENERAL - (Package Store) Authorizes the sale of beer, wine and distilled spirits for consumption off the premises where sold. Minors are allowed on the premises.
23	SMALL BEER MANUFACTURER - (Brew Pub or Micro-brewery) Authorizes the same privileges and restrictions as a Type 01. A brewpub is typically a very small brewery with a restaurant. A micro-brewery is a small-scale brewery operation that typically is dedicated solely to the production of specialty beers, although some do have a restaurant or pub on their manufacturing plant.
40	ON SALE BEER - (Bar, Tavern) Authorizes the sale of beer for consumption on or off the premises where sold. No wine or distilled spirits may be on the premises. Full meals are not required; however, sandwiches or snacks must be available. Minors are allowed on the premises.
41	ON SALE BEER & WINE – EATING PLACE - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
42	ON SALE BEER & WINE – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer and wine for consumption on or off the premises where sold. No distilled spirits may be on the premises. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
47	ON SALE GENERAL – EATING PLACE - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on the licenses premises. Authorizes the sale of beer and wine for consumption off the licenses premises. Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.
48	ON SALE GENERAL – PUBLIC PREMISES - (Bar, Night Club) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. Authorizes the sale of beer and wine for consumption off the premises where sold. Minors are not allowed to enter and remain (see Section 25663.5 for exception, musicians). Food service is not required.
49	ON SALE GENERAL – SEASONAL - Authorizes the same privileges and restrictions as provided for a Type 47 license except it is issued for a specific season. Inclusive dates of operation are listed on the license certificate.



51	CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. No off-sale privileges. Food service is not required. Minors are allowed on the premises.
52	VETERAN'S CLUB - Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guest only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
57	SPECIAL ON SALE GENERAL - Generally issued to certain organizations who cannot qualify for club licenses. Authorizes the sale of beer, wine and distilled spirits, to members and guests only, for consumption on the premises where sold. Authorizes the sale of beer and wine, to members and guests only, for consumption off the licensed premises. Food service is not required. Minors are allowed on the premises.
59	ON SALE BEER AND WINE – SEASONAL - Authorizes the same privileges as a Type 41. Issued for a specific season. Inclusive dates of operation are listed on the license certificate.
60	ON SALE BEER – SEASONAL - Authorizes the sale of beer only for consumption on or off the premises where sold. Issued for a specific season. Inclusive dates of operation are listed on the license certificate. Wine or distilled spirits may not be on the premises. Minors are allowed on the premises.
61	ON SALE BEER – PUBLIC PREMISES - (Bar, Tavern) Authorizes the sale of beer only for consumption on or off the licensed premises. Wine or distilled spirits may not be on the premises. Minors are not allowed to enter and remain (warning signs required). Food service is not required.
67	BED AND BREAKFAST INN - Authorizes the sale of wine purchased from a licensed winegrower or wine wholesaler only to registered guests of the establishment for consumption on the premises. No beer or distilled spirits may be on the premises. Wine shall not be given away to guests, but the price of the wine shall be included in the price of the overnight transient occupancy accommodation. Removal of wine from the grounds is not permitted. Minors are allowed on the premises.
70	ON SALE GENERAL – RESTRICTIVE SERVICE - Authorizes the sale or furnishing of beer, wine and distilled spirits for consumption on the premises to the establishment's overnight transient occupancy guests or their invitees. This license is normally issued to "suite-type" hotels and motels, which exercise the license privileges for guests' "complimentary" happy hour. Minors are allowed on the premises.
75	ON SALE GENERAL – BREWPUB - (Restaurant) Authorizes the sale of beer, wine and distilled spirits for consumption on a bona fide eating place plus a limited amount of brewing of beer. Also authorizes the sale of beer and wine only for consumption off the premises where sold. Minors are allowed on the premises.
80	BED AND BREAKFAST INN – GENERAL - Authorizes the sale of beer, wine and distilled spirits purchased from a licensed wholesaler or winegrower only to registered guests of the establishment for consumption on the premises. Alcoholic beverages shall not be given away to guests, but the price of the alcoholic beverage shall be included in the price of the overnight transient occupancy accommodation. Removal of alcoholic beverages from the grounds is not permitted. Minors are allowed on the premises.



SPECIAL EVENTS

The Department also issues licenses and authorizations for the retail sale of beer, wine and distilled spirits on a temporary basis for special events. The most common are listed below. Other less common ones are found in Business and Professions Code Section 24045.2, et seq.

SPECIAL DAILY BEER AND/OR WINE LICENSE - (Form ABC-281) Authorizes the sale of beer and/or wine for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to non-profit organizations. (Rule 59, California Code of Regulations)

DAILY ON SALE GENERAL LICENSE - (Form ABC-281) Authorizes the sale of beer, wine and distilled spirits for consumption on the premises where sold. No off-sale privileges. Minors are allowed on the premises. May be revoked summarily by the Department if, in the opinion of the Department and/or the local law enforcement agency, it is necessary to protect the safety, welfare, health, peace and morals of the people of the State. In some instances, the local ABC office may require the applicant to obtain prior written approval of the local law enforcement agency. Issued to political parties or affiliates supporting a candidate for public office or a ballot measure or charitable, civic, fraternal or religious organizations. (Section 24045.1 and Rule 59.5 California Code of Regulations)

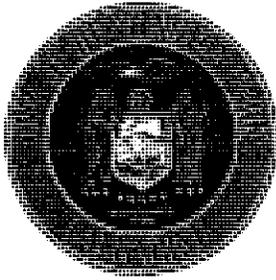
CATERING AUTHORIZATION - (Form ABC-218) Authorizes Type 47, 48, 51, 52, 57, 75 and 78 licensees (and catering businesses that qualify under Section 24045.12) to sell beer, wine and distilled spirits for consumption at conventions, sporting events, trade exhibits, picnics, social gatherings, or similar events. Type 47, 48 and 57 licensees may cater alcoholic beverages at any ABC-approved location in the State. Type 51 and 52 licensees may only cater alcoholic beverages at their licensed premises. All licensees wishing to cater alcoholic beverages must obtain prior written authorization from the Department for each event. At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises and violation of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399 and Rule 60.5 California Code of Regulations)

EVENT AUTHORIZATION - (Form ABC-218) Authorizes Type 41, 42, 47, 48, 49, 57, 75 and 78 licensees to sell beer, wine and distilled spirits for consumption on property adjacent to the licensed premises and owned or under the control of the licensee. This property shall be secured and controlled by the licensee and not visible to the general public. *The licensee shall obtain prior approval of the local law enforcement agency.* At all approved events, the licensee may exercise only those privileges authorized by the licensee's license and shall comply with all provisions of the ABC Act pertaining to the conduct of on-sale premises (including any license conditions) and violations of those provisions may be grounds for suspension or revocation of the licensee's license or permit, or both, as though the violation occurred on the licensed premises. (Section 23399)

WINE SALES EVENT PERMIT - (Form ABC-239) Authorizes Type 02 licensees to sell bottled wine produced by the winegrower for consumption off the premises where sold and only at fairs, festivals or cultural events sponsored by designated tax exempt organizations. The licensee must notify the city and/or county where the event is being held and obtain approval from ABC for each event (Form ABC-222). The licensee must also comply with all restrictions listed in Business and Professions Code Section 23399.6.

Note:

1. "Minor" means any person under 21 years of age.
2. Consult Section 25663(b) regarding age of employees in off-sale premises; consult Sections 25663(a) and 25663.5 regarding age of employees in on-sale premises.
3. In certain situations, ABC may place reasonable conditions upon a license, such as restrictions as to hours of sale, employment of designated persons, display of signs, restrictions on entertainment or dancing, etc. If a license has been conditioned, it will be endorsed as such on the face of the license. (Conditional licenses, Sections 23800-23805.)
4. Licensees whose license allows minors on the premises may have a "house policy" restricting minors from entering certain areas of the premises or prohibiting minors in the premises during certain hours.
5. This handout contains only abbreviated information. Contact your local ABC office for full information before doing anything which may jeopardize your license. Also available from the ABC: Quick Summary of Selected ABC Laws (form ABC-608); Alcoholic Beverage Control Act (complete laws); Rules & Regulations; and P-90 (describes privileges of non-retail licenses).



CITY OF HUNTINGTON PARK

FINANCE DEPARTMENT
City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

SECOND READING OF ORDINANCE TO CHANGE BILLING METHOD FROM MONTHLY TO BI-MONTHLY BILLING FOR WATER DEPARTMENT CUSTOMERS

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Adopt an Ordinance amending the Municipal Code to revert the billing method frequency from monthly back to bi-monthly for Water Department customers.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

On August 20, 2012 one of the recommendations made to the City Council in concert with the water rate increase was to convert from a bi-monthly (or 2-month) billing cycle to a monthly billing cycle. The conventional thinking, at the time, was that the financial impact of the rate increase would be lessened by converting to a monthly bill; and, that many customers were already accustomed to paying their bills on a monthly basis, and therefore, the change would not have a significant impact on customer payments.

Based on the high number of delinquencies, customer feedback, and the additional workload required of staff, we recommend that the Water Department return to a bi-monthly billing cycle.

FISCAL IMPACT/FINANCING

When the initial proposal to convert to monthly billing was recommended, staff expected that the Financial Management System (the "System") could handle the conversion to monthly billing. There were issues regarding the billing cycle that required work-out solutions: the System was designed to start a new billing cycle after the prior billing cycle is closed. Therefore, in order to open the next billing cycle on time, we are required to accelerate the collection timeline, resulting in a significant increase in the number of delinquencies.

Change Monthly Water Billing

February 4, 2013

Page 2 of 2

Although we have found a way to start a new cycle and still have outstanding water bills due, this is only a partial solution that does not address the significant cost increases incurred by moving to monthly billing. There were a number of additional operating costs that may have not been considered when the initial recommendation to convert to monthly billing was made

The conversion to monthly billing doubled the labor costs for with meter reading and bill preparation, as well as postage costs. The costs of sending out bills twice as often, including postage, increased operating costs by approximately \$18,000 annually. In addition, the labor costs associated with reading the water meters twice as often is approximately \$54,000 per year,

One cost that which could not have been anticipated was the dramatic increase in the number of account delinquencies. As a result of the condensed shut-off timeline inherent to the current monthly billing cycle, the number of pink door hangers has increased from 100 per month (200 every other month) to 1,200 per month, which equals nearly 20% of our customer base. The labor required to post these door hangers is an additional \$75,600 per year.

These additional operating costs total approximately \$147,600 per year, which reduces the impact of the recent rate increase, and also diminishes the City's existing (staff/labor) resources to complete other critical time-sensitive tasks.

The City could alternatively extend the late notice/delinquency cycle to 45 days and retain the monthly billing platform. This would require additional changes to our financial management system. Although this solution may reduce the number of delinquencies, it would not reduce the increase in postage and meter reading costs. Moreover, it appears that customers have become quite accustomed to the previous bi-monthly billing cycle.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The City will simply replace the current language in the Municipal Code regarding billing and replace it with the prior language that stipulated alternate month or bi-monthly billing. In addition, we would like to add a provision that allows the Finance Director to adjust the fixed meter charge for residential customers which may have typical residential consumption patterns but have a 1 -1/2 or 2 inch meter, resulting in much higher fixed meter charge.

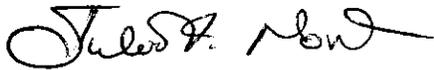
CONCLUSION

In anticipation of conversion back to a bi-monthly billing cycle, Water Department will not shut-off customers until their bill is 45 days past due. We plan to commence conversion back to a bi-monthly cycle in March (for service in January & February). The Water Department will place an insert in the February bills regarding the conversion back to a bi-monthly billing cycle. This information will also be conveyed via website, Chamber of Commerce, Town Hall meeting, and other channels of communication.

Respectfully submitted,



RENÉ BOBADILLA
City Manager, P.E.



JULIO F. MORALES
Finance Director

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ORDINANCE NO. 906-NS

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF HUNTINGTON PARK, CALIFORNIA, AMENDING
TITLE 6, CHAPTER 5, ARTICLE 2, SECTIONS 6-5.205(a)
AND (d) OF THE HUNTINGTON PARK MUNICIPAL
CODE CHANGING BILLING FOR WATER DEPARTMENT
CUSTOMERS FROM MONTHLY TO BIMONTHLY**

**THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK ORDAINS AS
FOLLOWS:**

SECTION 1. Section 6-5.205(a) of Article 2 of Chapter 5 of Title 6 of the Huntington Park Municipal Code, entitled "Rule Five: Statements for service thereof: Penalties: Delinquencies" is hereby amended to read in its entirety as follows:

- (a) Billing. Meters for water service accounts shall be read by the City bimonthly, and water service charges shall be incurred bimonthly. After a meter has been read, the Director of Finance shall cause to be mailed to the customer whose service is measured by the meter a statement of water service charges incurred for the preceding period of two months. All charges shall be due and payable at the office of Revenue Collections after the statement of charges has been mailed. Charges shall become delinquent at midnight on the nineteenth (19th) day after the statement of charges has been mailed. Payment for water service charges made by United States Mail, where the envelope containing such payments is properly addressed, bears sufficient postage, and is postmarked at any time prior to midnight of the day on which such charges would otherwise become delinquent, shall be accepted as payment before delinquency. If the day on which the payment of charges would otherwise become delinquent falls on a Saturday, Sunday, or holiday, then the next full business day thereafter shall be considered the day on which the delinquency occurs.

SECTION 2. Section 6-5.205(d) of Article 2 of Chapter 5 of Title 6 of the Huntington Park Municipal Code, as adopted in Ordinance No. 903-NS, entitled "Rule Five: Statements for service thereof: Penalties: Delinquencies" is hereby amended to read in its entirety as follows:

- (d) Multiunit residential structures or mobilehome parks. Notwithstanding the foregoing provisions of this section, at least ten (10) days prior to termination of service to a multiunit residential structure or mobilehome park where the owner or manager is listed as the customer, the Director of Finance shall make every good faith effort to notify residents of their right to become customers. The notice shall also explain what the residents must do to prevent termination of service or to reestablish service, the estimated monthly or bimonthly cost of the service, how to contact a City employee regarding continuation of the service, and shall also provide the address and telephone number of a legal services project which has been recommended by the Los Angeles County Bar Association. Where water service to a multiunit residential structure or mobilehome park is furnished through a master meter, the notice shall be posted on the door of each residential unit at least fifteen (15) days prior to termination, unless it is impracticable to post on the door of each unit, in which

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case two (2) copies of the notice shall be posted in each accessible common area and at each point of access to the structure or structures.

SECTION 3. The City of Huntington Park hereby declares that should any section, paragraph, sentence, phrase, term, or word of this Ordinance be declared for any reason to be invalid, it is the intent of the City Council that it would have adopted all other provisions of this Ordinance independent of the elimination there from of any such portion as may be declared invalid.

SECTION 4. This Ordinance shall take effect thirty (30) days after its final passage by the City Council.

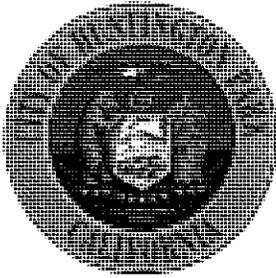
SECTION 5. The City Clerk shall certify to the passage of this Ordinance.

PASSED AND ADOPTED this 4th day of February, 2013.

Andy Molina, Mayor

ATTEST:

Rosanna Ramirez, City Clerk



CITY OF HUNTINGTON PARK

Public Works Department
City Council Agenda Report

February 4, 2013

Honorable Mayor and Members of the City Council
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

Dear Mayor and Members of the City Council:

PURCHASE OF SIX TRAFFIC SIGNAL CONTROLLER CABINETS

IT IS RECOMMENDED THAT THE CITY COUNCIL:

1. Approve the purchase of six replacement traffic signal controller cabinets from Los Angeles County Department of Public Works in the total amount of \$90,000, to be paid from Measure R funds.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The Los Angeles County Department of Public Works is the lead agency for the design and construction of regional traffic signal synchronization projects in the Gateway Cities region. Many of these regional projects are funded with local, state and federal transportation grant funds, including funds awarded through the Los Angeles County Metropolitan Transportation Authority (MTA) Call for Projects program. The construction of these projects is typically fully funded and requires no contribution from the local municipalities benefiting from improved traffic management. However, the grant(s) do not provide funding for maintenance and replacement of damaged traffic signal systems.

After completion of the construction by the County, local agencies are required to accept the newly constructed systems and commit funding for annual maintenance and replacement of damaged systems as damage occurs. The City made this commitment in the form of a cooperative agreement signed in January 2007 (Attachment A). The agreement requires that the repairs restore the as-built condition of the signal systems in order to preserve the synchronization improvements along the respective synchronized corridor(s). The City has replaced several controllers in the past several years with outdated controllers from salvaged inventory, an issue brought to the City's attention by the County during the recent MTA Call for Projects application process.

REPLACEMENT OF VARIOUS TRAFFIC SIGNAL CONTROLLER CABINETS

February 4, 2013

Page 2 of 3

The six traffic signal controller cabinets recommended for purchase are replacements for cabinets that have been destroyed by vehicular accidents and replaced with an improper cabinet. The intersections include: (1) Slauson Avenue at Alameda Street; (2) Gage Avenue at State Street; (3) Zoe Avenue at Alameda Street; (4) Slauson Avenue at Santa Fe Avenue; (5) Santa Fe Avenue at Florence Avenue; and (6) Gage Avenue at Wilmington Ave. Although the City is committed to seeking insurance claims against the drivers that cause the damage, none of these incidents currently has a pending insurance claim.

FISCAL IMPACT/FINANCING

The purchase and installation of the six traffic signal controller cabinets, at a total cost of \$90,000, will be funded entirely from Measure R special funds and will have no impact on the General Fund. Measure R special funds are provided through an MTA Local Return Program funded with a one-half cent sales tax approved by Los Angeles County voters in November 2008.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In accordance with Section V of the City of Huntington Park *Finance Department Policy and Procedure Manual*, purchase orders in excess of \$15,000 require City Council approval. The requested purchase is in excess of \$15,000.

Purchases in excess of \$15,000 also require formal bidding, unless an exception is granted by the City Council. An exception to formal bidding is recommended for this purchase because the Los Angeles County requires that the traffic signal controller cabinets be replaced with the exact equipment that was originally installed as part of the synchronization improvement project. Buying directly from the County provides savings to the City due to the economy of scale the County provides by the number of controllers they purchase annually. More importantly, the price includes all the required programming, testing and calibration of the controller to the County's specifications as well as installation. The County also assumes the liability and cost for repairs and adjustments resulting from deficiencies in workmanship.

CONTRACTING PROCESS

The required specifications for the recommended controller cabinets were verified with the Los Angeles County Department of Public Works to ensure compatibility with the existing signal synchronization systems. The County also provided pricing for the required controller cabinets. Staff contacted other vendors by telephone who stated that the same controller cabinets would cost more if procured outside of the County's purchase agreement. The City would also incur additional costs from the County for programming, testing and calibration. Therefore, direct purchase from the County is recommended.

REPLACEMENT OF VARIOUS TRAFFIC SIGNAL CONTROLLER CABINETS

February 4, 2013

Page 3 of 3

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended action will have no adverse impact on current services or projects. The replacement of the traffic signal controller cabinets will be completed by the County of Los Angeles. The recommended cabinets will restore the function of the affected signal synchronization corridors and generally improve the flow of traffic in the City. The replacement of the damaged controllers with the proper equipment will also restore the City's cooperative relationship with the County, a regional partner in implementation of traffic synchronization projects. This relationship is critical in the City's efforts to secure grant funding for transportation projects at the local, state and federal levels.

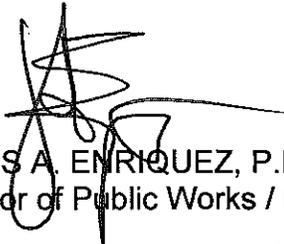
CONCLUSION

Upon City Council approval, staff will execute the purchase order with the County of Los Angeles for the purchase and installation of the traffic signal controller cabinets.

Respectfully submitted,



RENÉ BOBADILLA, P.E.
City Manager



JAMES A. ENRIQUEZ, P.E.
Director of Public Works / City Engineer

ATTACHMENT

A: Cooperative Agreement (Traffic Signal Synchronization Program) between City of Huntington Park and County of Los Angeles, January 2007

AGREEMENT

This AGREEMENT, made and entered into by and between the CITY OF HUNTINGTON PARK, a municipal corporation in the County of Los Angeles, hereinafter referred to as CITY, and the COUNTY OF LOS ANGELES, a political subdivision of the State of California, hereinafter referred to as COUNTY:

WITNESSETH

WHEREAS, Santa Fe Avenue from Slauson Avenue to Florence Avenue, and Gage Avenue from Wilmington Avenue to Maywood Avenue; and Florence Avenue from Wilson Avenue to California Avenue, hereinafter referred to as ARTERIALS; are roadways that are or will soon become a part of the County's Traffic Signal Synchronization Program (hereinafter referred to as TSSP); and

WHEREAS, CITY and COUNTY are each responsible for their jurisdictional portion of the operation and maintenance of the traffic signals and signal systems along each of the ARTERIALS;

WHEREAS, CITY and COUNTY have previously cooperated, in carrying out traffic signal synchronization projects on ARTERIALS; and

WHEREAS, COUNTY and CITY desire to memorialize their understanding regarding their relative rights, obligations, and duties with respect to the TSSP.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by CITY and COUNTY and of the promises herein contained, it is hereby agreed as follows:

(1) CITY AGREES:

- a. Nothing in this AGREEMENT shall be construed as changing the role of CITY in operating and maintaining the traffic signals within CITY's jurisdiction.
- b. To be responsible for maintaining the basic traffic signal timing for the intersections within the jurisdictional boundary of CITY.
- c. To maintain the traffic signal coordination timing along ARTERIALS to promote coordinated traffic operations, multi jurisdictional cooperation and improve arterial traffic conditions and to make the COUNTY aware of any changes implemented to the coordination timing that may impact the coordination of the traffic signals along the ARTERIALS.
- d. To accept full and complete ownership of, responsibility for, and to maintain in good condition and at CITY expense all improvements constructed through individual TSSP Projects within CITY'S JURISDICTION, including

the timing of traffic signals on ARTERIALS that supports coordination timing and optimum synchronization of traffic signals on ARTERIALS.

- e. To cooperate with COUNTY and provide requested information in a reasonable and timely fashion in connection with COUNTY'S preparation of an annual report for the MTA as referred to in Paragraph (2)c. below.

(2) COUNTY AGREES:

- a. Nothing in this AGREEMENT shall be construed as changing the role of COUNTY in operating and maintaining the traffic signals and signal systems within CITY'S jurisdiction.
- b. As a part of construction of individual TSSP Projects, to develop and implement the traffic signal coordination timing along the ARTERIALS that will improve arterial traffic conditions and traffic flow thereby saving motorists time and improving air quality.
- c. To file routine reports with the MTA on the efficiency of these Traffic Signal Synchronization Projects by compiling an operational status from individual cities along the ARTERIALS.

(3) IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. This AGREEMENT does not constitute any financial commitment between the CITY and COUNTY.
- b. The term of this AGREEMENT shall commence on the date it is approved by the Board of Supervisors and shall continue until any party terminates it upon thirty (30) days prior written notice.
- c. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

CITY: Patrick Fu
Assistant City Engineer
City of Huntington Park
6550 Miles Avenue
Huntington Park, CA 90255

COUNTY: Mr. William Winter
Assistant Deputy Director
Traffic and Lighting Division
County of Los Angeles, Department of Public Works
P.O. Box 1460
Alhambra, CA 91802-1460

d. Neither COUNTY nor any officer or employee of COUNTY shall be responsible for any damage or liability occurring by reason of any act or omission on the part of CITY under or in connection with any work, authority, or jurisdiction delegated to, assumed by, or determined to be the responsibility of CITY under this AGREEMENT. It is also understood and agreed that, pursuant to Government Code, Section 895.4, CITY shall fully indemnify, defend, and hold COUNTY harmless from any liability imposed for injury (as defined by Government Code, Section 810.8) occurring by reason of any act or omission on the part of CITY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of CITY under this AGREEMENT. Where liability for injury (as defined by Government Code, Section 810.8) is sought to be imposed under Section 830, et seq., of the Government Code for a dangerous condition of property owned by or under the control of CITY, CITY shall fully defend, indemnify, and hold COUNTY harmless from any and all liability arising from such dangerous condition.

e. Neither CITY nor any officer or employee of CITY shall be responsible for any damage or liability occurring by reason of any act or omission on the part of COUNTY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of COUNTY under this AGREEMENT. It is also understood and agreed that, pursuant to Government Code, Section 895.4, COUNTY shall fully indemnify, defend, and hold CITY harmless from any liability imposed for injury (as defined by Government Code, Section 810.8) occurring by reason of any act or omission on the part of COUNTY under or in connection with any work, authority, or jurisdiction delegated to or determined to be the responsibility of COUNTY under this AGREEMENT.

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IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed by their respective officers, duly authorized, by the CITY OF HUNTINGTON PARK on January 16, 2007, and by the COUNTY OF LOS ANGELES on _____, 2007.

ATTEST:

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By _____
Deputy

CITY OF HUNTINGTON PARK

By Juan R. Noguez
Juan R. Noguez, Mayor

ATTEST:

By Rosanna Ramirez
Rosanna Ramirez, City Clerk

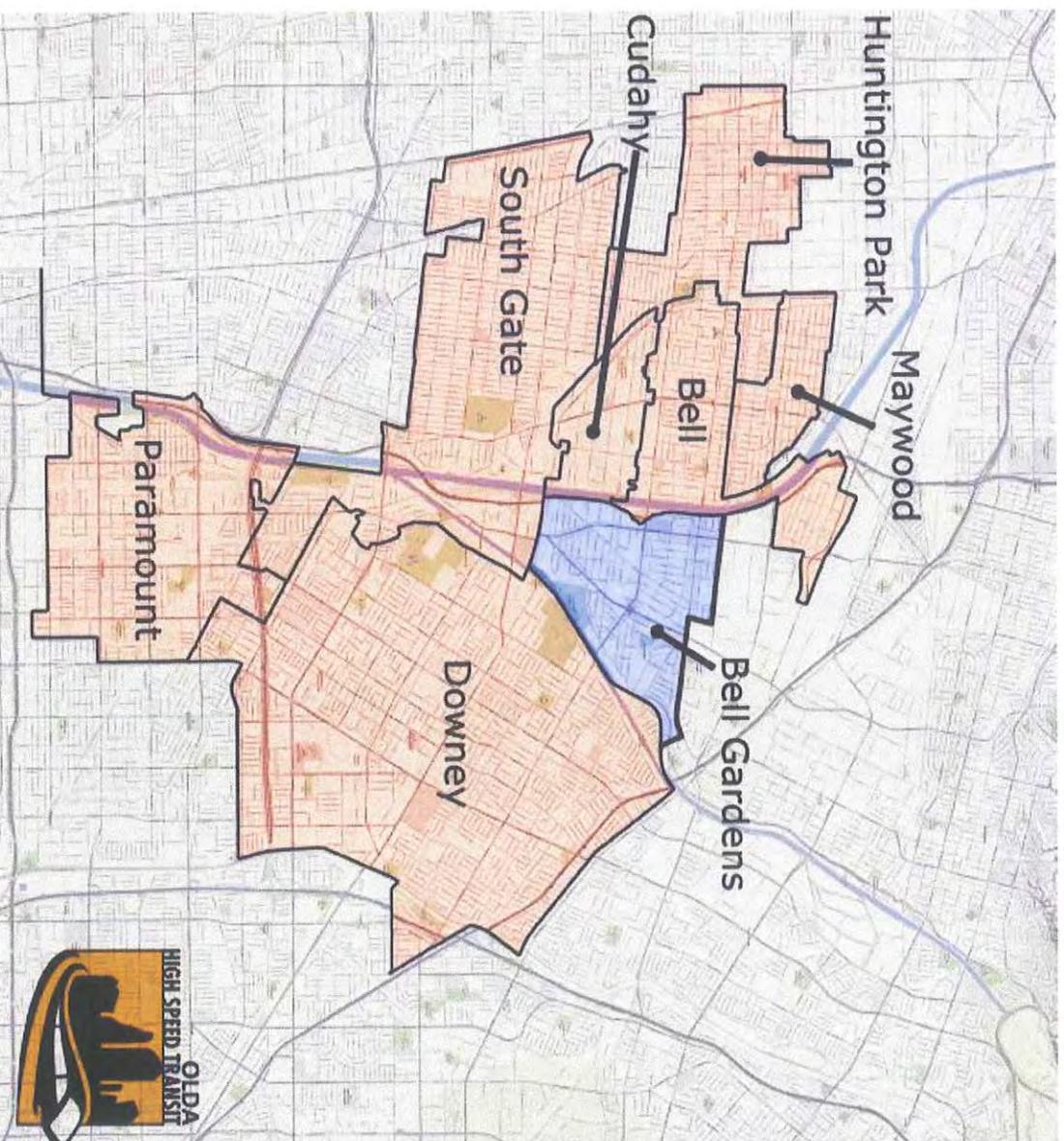


OLDA UPDATE: CALTRANS ENVIRONMENTAL JUSTICE PLANNING STUDY

January 2013



CALTRANS ENVIRONMENTAL JUSTICE CITIES





EXISTING CONDITIONS

- Unmet transit need and high transit usage
- Significant economic issues
- High unemployment rate
- Heavily congested freeways and street system
- Majority of households speak another language
- Environmental issues
- Density
- Age, Income



710 Freeway at Firestone Blvd exit



KEY ISSUES RAISED DURING OUTREACH

- Increasing transportation options
- Impacts on residents
- Project timeline
- Station issues
- Access to employment centers
- Construction impacts
- Parking
- User time, cost, convenience, and safety
- Compatibility with existing system
- Environmental impacts



Information table at
Huntington Park Festival



CITY OF HUNTINGTON PARK

“We are all neighbors working together.”

-Mayor Andy Molina

“How do we get to the stations without a car?”

-Councilmember Rosa Perez

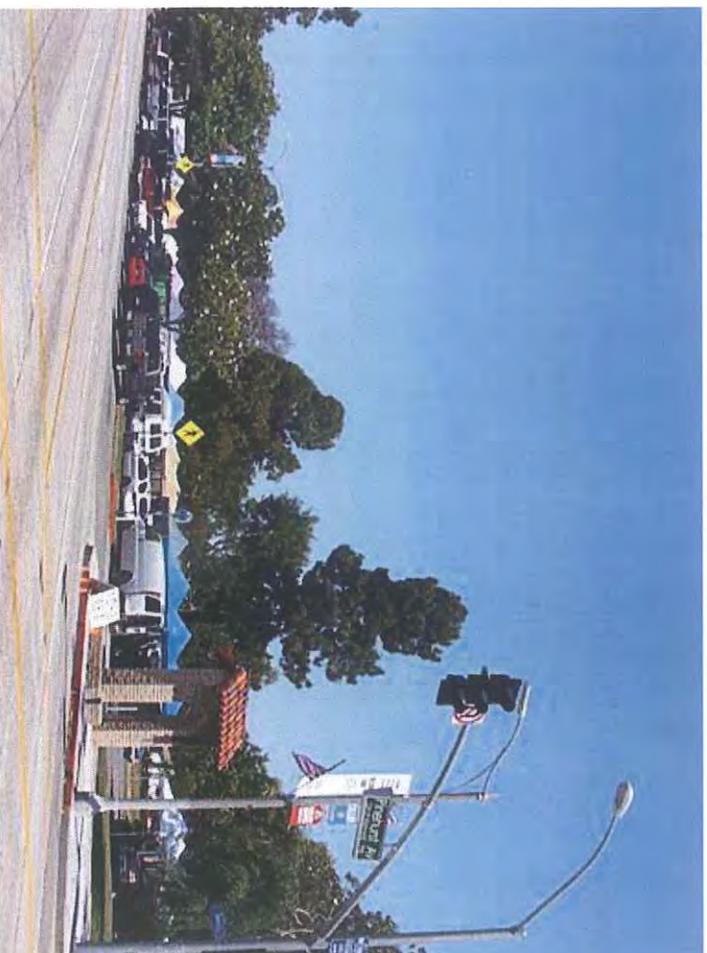




CITY OF SOUTH GATE

“Make sure our residents get an affordable transit option and be part of the decision making process.”

-Councilmember Maria Davila



Tweedy Boulevard, South Gate



CITY OF BELL

“Public transportation is a necessity, not an alternative.”
-Vice Mayor Violeta Alvarez



CITY OF CUDAHY

“This is a great opportunity for us. First mile/last mile is very critical for this population.”
-Vice Mayor Frank Gurule



CITY OF MAYWOOD

“If I wanted to use public transportation, I would have to catch a bus by my house at 5:45am to get to work at 8:00am.”

-Mayor Pro Tem Veronica Guardado





CONCLUSIONS

- Strong interest in the project
- Opportunity for achieving environmental justice objectives consistent with the goals of the OLDA
- Need for refinement of station development and land use plans
- Importance of participation in the decision-making process



Pacific Blvd in Huntington Park



NEXT STEPS

1. Approval of Alternatives Analysis
2. Refinement of Alternatives Analysis
3. Transit Oriented Development



THANK YOU