

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, March 15, 2004.

The meeting was called to order at 6:30 p.m. by Mayor Escareño. Present: Vice Mayor Juan R. Noguez, Council Member Ofelia Hernandez, Council Member Mario Gomez, Council Member Richard V. Loya, and Mayor Edward Escareño. Absent: None.

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

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Minutes of the regular meeting of the City Council held Monday, March 1, 2004.

FINANCE DEPARTMENT

Approve the Payroll Demands dated March 15, 2004.

Approve the proposal of MBIA MuniServices Company and Donald H. Maynor, Esquire for utility tax audit and consulting services; and authorize the City Manager to execute the agreement, subject to such legal modifications as the City Attorney deems necessary and appropriate.

COMMUNITY DEVELOPMENT DEPARTMENT

Approve the Second Amendment to Agreement between the City of Huntington Park and the Oldtimers Housing Development Corporation (OHDC) IV for the Disbursal of Set-aside Funds.

PARKS AND RECREATION DEPARTMENT

Approve Agreement Between the City of Huntington Park and MLM Amusements, to use the Circle Area at Salt Lake Park, located at 3401 E. Florence Avenue, for the purpose of conducting a **Carnival, from May 25 through June 3, 2004,** as recommended by the Parks and Recreation Commission.

FIELD SERVICES DEPARTMENT

Approve the purchase of one (1) Service Utility Truck from George Chevrolet,

17000 S. Lakewood Boulevard, Bellflower, 90706, for a total amount of \$25,845.95. This will be funded from the Fleet Replacement Fund Account 48-920-4305.

INFORMATIONAL ITEM – Received and Filed

Parks and Recreation Department report regarding City Facility Naming Rights.

END OF CONSENT CALENDAR

City Clerk Romo presented for discussion and/or action a request from Mayor Escareño regarding appointment of an Ad Hoc Committee to evaluate actions for regulations suitable for standard conditions in rental properties. Motion by Gomez, seconded by Noguez, **to appoint an Ad Hoc Committee of Mayor Escareño and Council Member Hernandez to evaluate actions for regulations suitable for standard conditions in rental properties**, carried as follows: Ayes: Vice Mayor Noguez, Council Members Hernandez, Gomez, Loya, and Mayor Escareño; Noes: None; Absent: None.

City Clerk Romo presented a request from Council Member Loya (and possibly others) for permission to **transfer his travel allocation** so that it may be used by the Human Services Academy program at Huntington Park High School. Motion by Loya for permission to transfer his travel allocation so that it may be used by the Human Services Academy program at Huntington Park High School, DIED due to lack of a second.

City Clerk Romo presented a request from The Huntington Park Kiwanis Club for the City to waive fees and other in-kind services for the presentation of a benefit carnival on June 11, 12, and 13, 2004 at the Home Depot parking lot, located at 3022 Slauson Avenue. Motion by Noguez, seconded by Gomez, **to waive fees and other in-kind services for the presentation of a benefit carnival on June 11, 12, and 13, 2004 at the Home Depot parking lot, located at 3022 Slauson Avenue**, carried as follows: Ayes: Vice Mayor Noguez, Council Members Hernandez, Gomez, Loya, and Mayor Escareño; Noes: None; Absent: None.

Mayor Escareño acknowledged City Engineer Wes Lind for waiving building permit fees associated with the presentation of the carnival.

City Clerk Romo presented for discussion and/or action the **attendance of the City Clerk at the International Institute of Municipal Clerks (IIMC) Annual Conference** in British Columbia, Canada. City Clerk Romo stated that Council's direction is not being followed, ignored, and may even be distorted by staff. City Clerk Romo stated that staff prepared transcripts have certain parts marked inaudible or completely omitted, and stated that had staff followed Council's clear direction and used additional required funds from Council Member Gomez's account plus her account, the only amount needed for the conference would have been \$20. City Clerk Romo stated the following for the record: 1) \$789 was spent from her account when she was asked to substitute for a Council Member; 2) \$255 from her account was spent unnecessarily because her requests to make reservations for a Monterey Conference one month before were ignored and reservations were made a week before, therefore costing the taxpayers \$255; and 3) she tried to get a scholarship for the conferences but she did not qualify since you have to be in office for more than a year. City Clerk Romo stated she was pulling this item.

Chief Deputy City Clerk Ramirez stated for the record that she was appalled that somebody would challenge the integrity of the Office of the City Clerk. Chief Deputy City Clerk Ramirez stated that the office is known for its integrity, that the verbatims were checked by staff, that she had conferred with the Director of Finance and the City Manager as to the accuracy of the transfer of funds. Chief Deputy City Clerk Ramirez also stated that she had supplied the City Clerk with printouts from Finance showing everything that was taken out of the account. Chief Deputy City Clerk Ramirez requested that it be noted that staff did not refuse to comply. The monies were not there so staff could not make the reservation.

Director of Parks and Recreation Fries requested approval to conduct the Fourth of

July Firework Show and Carnival at Salt Lake Park. Motion by Gomez, seconded by Hernandez, to **approve the request to conduct the Fourth of July Firework Show and Carnival at Salt Lake Park**, carried as follows: Ayes: Vice Mayor Noguez, Council Members Hernandez, Gomez, Loya, and Mayor Escareño; Noes: None; Absent: None.

City Attorney Leal requested the City Council resolve into a **closed session** for the following: 1) pursuant to California Government Code Section 54956.8, CONFERENCE WITH REAL PROPERTY NEGOTIATORS, Property: Alameda Corridor, Agency Negotiator: Gregory Korduner, Negotiating Parties: Tigran Marcarian and the City of Huntington Park; 2) pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: City Manager, Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, and Non-Represented Employees; and 3) pursuant to California Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Name of case: George Hernandez v. City of Huntington Park, WCAB Case No. LBO 0334357. Mayor Escareño declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6: 51 p.m. City Clerk Romo was excused from the closed session.

Following the closed session, the meeting was called to order in the Council Chambers at 7:05 p.m. Present: Vice Mayor Juan R. Noguez, Council Member Ofelia Hernandez, Council Member Mario Gomez, Council Member Richard V. Loya, and Mayor Edward Escareño. Absent: None.

Mayor Escareño presented a proclamation designating April 30, 2004 as Dia de los Niños to Council Member Hernandez. Council Member Hernandez invited everyone to attend the Dia De Los Niños event at Westside Park on Saturday, April 10, 2004 from 10:00 a.m. to 2:00 p.m.

PowerPoint presentation by Joe Garcia and Don Laughlin from The Solis Group representing the Southeast Community Housing Development Corporation (SCHDC) on the property located at 6500 Cottage Street.

Chief Deputy City Clerk Ramirez announced that this was the time for anyone in the audience to address the City Council on the item regarding reorganization.

Mayor Escareño thanked his colleagues and the community for their support, announced that he would be nominating Council Member Hernandez for Mayor, and vacated his position as Mayor. Motion by Escareño, seconded by Gomez, to nominate Council Member Hernandez as Mayor. Council Member Hernandez thanked her colleagues and respectfully declined the nomination for Mayor. Motion by Loya, seconded by Hernandez, to nominate **Vice Mayor Noguez as Mayor**, carried as follows: Ayes: Council Members Escareño, Hernandez, Gomez, Loya, and Vice Mayor Noguez; Noes: None; Absent: None. Motion by Loya, seconded by Noguez, to nominate **Council Member Hernandez as Vice Mayor**, carried as follows: Ayes: Council Members Escareño, Hernandez, Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

Mayor Noguez invited comments by the City Council.

Council Member Escareño stated that the current Council has accomplished more than any other previous Council, that he has full confidence in the new Mayor and Vice Mayor, and that they have his support, and that he will work with them.

Vice Mayor Hernandez stated that she is happy to see City Council working together and moving forward.

Council Member Gomez congratulated Mayor Noguez. Council Member Gomez stated that Mayor Noguez has the best interests of the community and that he will be there for Mayor Noguez and Vice Mayor Hernandez in whatever they need.

Council Member Loya stated that Council is a group of people elected by the people to represent the community working together.

Mayor Noguez stated that it will not be an easy year due to the State, County, and local budget situations. Mayor Noguez stated that it is important that Council continue to work together. Mayor Noguez also stated that he will try to do his best and make this a better City.

Mayor Noguez opened oral communications, indicating that this was the time for anyone in the audience to address the City Council on any matter of City business.

Enrique Murillo, resident, congratulated Mayor Noguez and Vice Mayor Hernandez on their new posts. Mr. Murillo also congratulated Council Member Escareño on his term as Mayor.

Ron Garcia, Southern California Edison Manager Public Affairs, informed City Council that he would be contacting the City and requesting that an item be placed on the next agenda regarding Assembly Bill 2006.

Yvonne Correa, Parks and Recreation Commissioner, congratulated City Council on the outcome of their reorganization and invited them to attend a new school construction community meeting on March 16, 2004.

Karina Lara congratulated Mayor Noguez and Vice Mayor Hernandez on their new posts.

Norma Montero, Librarian at the Huntington Park Library, congratulated City Council on the reorganization and invited them to attend an Art Exposition on Honduras and a reception at the Huntington Park Library on Saturday, March 27, 2004 at 3:00 p.m.

Francisco Ibarra, Reference Librarian at the Huntington Park Library, invited City Council to attend a program on Saturday, March 20, 2004 at 3:00 p.m. and congratulated City Council on the reorganization.

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

Chief Deputy City Clerk Ramirez announced that in accordance with published notice, this is the time and place set for a **joint public hearing** of the City Council of the City of Huntington Park and the Community Development Commission of the City of Huntington Park to consider the sale or conveyance of property within the City of Huntington Park pursuant to a **Disposition and Development Agreement** between the Community Development Commission of the City of Huntington Park, and **Bertz Development Company** (“Developer”) and pursuant to Section 33431 and the report required by Section 33433 of the State Health and Safety Code.

Chief Deputy City Clerk Ramirez called the roll of Community Development Commission Board Members. Present: Commission Board Members Ofelia Hernandez, Richard V. Loya, Edward Escareño, Vice Chairman Mario Gomez, and Chairman Juan R. Noguez. Absent: None.

Mayor and Community Development Commission Chairman Noguez declared the public hearing open for the City Council and the Community Development Commission and called for oral communications and hearing none, Mayor and Community Development Commission Chairman Noguez declared the public hearing closed. Mayor Noguez announced the public hearing will be **continued to the next City Council meeting**.

Chief Deputy City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider the City’s proposed **2004-2005 Consolidated Plan-Annual Action Plan** and consideration of the proposed and/or revised projects for inclusion in the City’s 2004-2005 Consolidated Plan-Annual Action Plan. The Chief Deputy City Clerk

reported that no written communications had been received in the Office of the City Clerk. Mayor Noguez declared the **public hearing** open and called for oral communications and hearing none, Mayor Noguez declared the public hearing closed. There being no objection, Mayor Noguez so ordered this item be **received and filed** including any public comment.

RESOLUTION NO. 2004-13. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING THE APPLICATION FOR GRANT FUNDS FOR THE MURRAY-HAYDEN PROGRAM UNDER THE CALIFORNIA CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION ACT OF 2002 TO BENEFIT THE WESTSIDE PARK GYMNASIUM PROJECT** was presented. Motion by Loya, seconded by Gomez, to adopt Resolution No. 2004-13, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2004-14. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **ESTABLISHING THE PERMIT FEE FOR THE SALE OF FIREWORKS WITHIN THE CITY OF HUNTINGTON PARK** was presented. Motion by Escareño, seconded by Hernandez, to adopt Resolution No. 2004-14, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

ORDINANCE NO. 724-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK AMENDING SECTION 6-1.209 (“RUNNING AT LARGE”) OR ARTICLE 2 (“DOGS”) TITLE 6 (“SANITATION AND HEALTH”) **ESTABLISHING LEASH OPTIONAL AREAS OF CITY PARKS FOR DOGS** was read by title. Motion by Escareño, seconded by Gomez, that reading in full of Ordinance No. 724-NS for first reading be waived, and that Ordinance No. 724-NS be introduced and approved for first reading, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

City Attorney Leal reported out the following on the closed session items: 1) the matter regarding Conference With Real Property Negotiators, no action was taken and status reports were provided by the City Manager and the City Attorney; 2) the matter regarding Conference with Labor Negotiators, no action was taken and status reports were provided by the City Manager and the Chief of Police; and 3) the matter regarding Conference with Legal Counsel-Existing Litigation, the Council instructed our Workers Compensation Counsel to continue with this litigation.

Council Member Loya announced that the American Cancer Society Relay for Life will be held at Huntington Park High School on June 5-6, 2004.

Mayor Noguez declared the meeting adjourned at 8:20 p.m., in memory of Robert Pack, Huntington Park Community Service Officer/Police Reserve Officer.

Juan R. Noguez, Mayor

Elba Romo, City Clerk