

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, April 19, 2004.

The meeting was called to order at 6:30 p.m. by Mayor Noguez. Present: Council Member Edward Escareño, Vice Mayor Ofelia Hernandez, Council Member Mario Gomez, and Mayor Juan R. Noguez. Absent: Council Member Richard V. Loya.

Motion by Gomez, seconded by Hernandez, to approve the Consent Calendar with the noted change to the Engineering item regarding Project No. 03-009 to reject all bids and authorize staff to re-solicit bids, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Member Gomez, and Mayor Noguez; Noes: None; Absent: Council Member Loya.

#### CONSENT CALENDAR

#### OFFICE OF THE CITY CLERK

Minutes of the special meeting of the City Council held Tuesday, March 23, 2004.

Minutes of the special meeting of the City Council held Monday, April 5, 2004.

Minutes of the regular meeting of the City Council held Monday, April 5, 2004.

#### FINANCE DEPARTMENT

Approve the Payroll Demands dated April 19, 2004.

**Approve a lease agreement with Lanier to purchase a LD 075 AG digital copier/printer** for the Finance Department and authorize the City Manager to execute all necessary documents.

Authorize staff to take non-binding actions to further investigate the benefits of issuing pension obligation bonds; and **approve the agreement with Bartel Associates, LLC to perform an analysis of CALPERS accounts** and potential implications of a pension obligation bond issue.

#### ENGINEERING DEPARTMENT

**Reject all bids for the City Hall Renovation Project**, (Project No. 03-009) and authorize staff to re-solicit bids.

#### INFORMATIONAL – Received and filed

Fiscal Year 2003 Management Letter and review of Gann Limit Calculations by

Vavrinek, Trine, Day & Co., LLP.

Correspondence from the Board of Supervisors County of Los Angeles encouraging communities to adopt a statement of support for employees now serving in the National Guard and Reserve forces.

City Manager status report on Proposition A Funds for the City of Huntington Park Fixed Routes Public Transit Services.

END OF CONSENT CALENDAR

City Clerk Romo presented for discussion and/or action a request from Hermandad Mexicana Latinoamericana for a parade permit and a waiver of fees for a march on Saturday, May 15, 2004 from 10:00 a.m. to 3:00 p.m. Nativo Lopez, National Director of Hermandad Mexicana Latinoamericana, informed City Council that this march is to support undocumented members of the community to be given the opportunity of obtaining a California driver's license. **There being no objection, City Council approved a request from Hermandad Mexicana Latinoamericana for a parade permit and waiver of fees associated with a march on Saturday, May 15, 2004 from 10:00 a.m. to 3:00 p.m.**

City Clerk Romo presented a request from Mayor Noguez to authorize staff to solicit a Request for Proposals (RFP) from Historic Preservation Consultant Firms to assist the City in implementing a Historic Preservation Program. Motion by Gomez, seconded by Escareño, to **authorize staff to solicit a Request for Proposals (RFP) from Historic Preservation Consultant Firms to assist the City in implementing a Historic Preservation Program**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Member Gomez, and Mayor Noguez; Noes: None; Absent: Council Member Loya.

City Clerk Romo on behalf of Council Member Loya presented for discussion and/or action a request from Denny Zane, representing the American Lung Association of California, for the City to adopt a resolution and send a letter urging the California Air Resources Board to adopt regulations pursuant to AB1493 to reduce greenhouse gas emissions from motor vehicles. Motion by Gomez, seconded by Escareño, to **approve a request from Denny Zane for the City to adopt a resolution and send a letter urging the California Air Resources Board to adopt regulations pursuant to AB 1493 to reduce greenhouse gas emissions from motor vehicles**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Member Gomez, and Mayor Noguez; Noes: None; Absent: Council Member Loya.

City Clerk Romo on behalf of Council Member Loya presented for discussion and/or action a request from the County of Los Angeles Department of Health Services Children's Planning Council, East Service Planning Area (SPA 7) West Subregion for the City to co-sponsor a health conference on Saturday, June 26, 2004 in the gymnasium at Salt Lake Park and waiver of rental and permit fees. Mary Clark, SPA 7 Co-Convener, informed City Council that approximately 500 women are scheduled to attend this health conference and requested use of the Salt Lake Park gymnasium and if necessary other rooms as well. Motion by Gomez, seconded by Escareño, **for the City to co-sponsor a health conference on Saturday, June 26, 2004 in the gymnasium at Salt Lake Park and waiver of rental and permit fees**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Member Gomez, and Mayor Noguez; Noes: None; Absent: Council Member Loya.

City Attorney Leal requested the City Council resolve into a **closed session** pursuant to California Government Code Section 54957.6, CONFERENCE WITH LABOR NEGOTIATORS, Agency designated representative: City Manager, Employee organizations: General Employees' Association, Police Officers' Association, Police Management Association, and Non-Represented Employees' Association; and pursuant to California Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION, Name of case: Shell Chemical Company, et al. vs. County of Los Angeles, et al. Case Nos.: CV-00-1917MRP(MANx); CV-00-1938MRP(MANx); and CV-00-6420-MRP(MANx). Mayor Noguez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 6:47 p.m. City Clerk Romo was excused from the closed session.

Council Member Loya arrived in closed session at 6:50 p.m.

Following the closed session, the meeting was called to order in the Council Chambers at 7:00 p.m. by Mayor Juan R. Noguez. Present: Council Member Edward Escareño, Vice Mayor Ofelia Hernandez, Council Member Mario Gomez, Council Member Richard V. Loya, and Mayor Juan R. Noguez. Absent: None.

Community Services Representative Rosemary Vivero introduced newly appointed Assistant Fire Chief Robert A. LaFever, County of Los Angeles. Assistant Fire Chief LaFever introduced himself to City Council and distributed flyers inviting everyone to attend the County of Los Angeles Fire Department's 3<sup>rd</sup> Annual Fire Service Day at Fire Station 171 on Saturday, May 8, 2004 from 10:00 a.m. to 4:00 p.m.

Mayor Noguez presented a proclamation for April 22, 2004 as Earth Day to City of Huntington Park Recycling Coordinator Mark Patti.

City Council and Recycling Coordinator Mark Patti presented Earth Day Poster and Essay Contest Awards to the following: 1) Group 1-Poster Contest winners from Miles Avenue School: 3<sup>rd</sup> place, Yoselyn Ortiz; 2<sup>nd</sup> place, Jocelyn Abarca; and 1<sup>st</sup> place, Gael Garcia; 2) Group 2-Poster Contest winners: 3<sup>rd</sup> place, Frank Garcia from St. Matthias School; 2<sup>nd</sup> place, Thinuvielle Sanguino (not present) from State Street Elementary School; and 1<sup>st</sup> place, Diane Moreno from Miles Avenue School; 3) Essay winners from Henry T. Gage Junior High School: 3<sup>rd</sup> place, Stephanie Garcia; 2<sup>nd</sup> place, Billy Campos; and 1<sup>st</sup> place, Alicia Fernandez.

Mayor Noguez presented a proclamation designating April as Alcohol Awareness Month to Sonia Parrales representing Project Juvenile Assistance Diversion Effort (JADE). Ms. Parrales thanked City Council for the proclamation and informed everyone of the many problems alcohol contributes to.

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.

Jake Stephens, representing the Joe Otero Baseball League, thanked City Council and City staff for reconsidering fee increases for use of the Otero Fields and stated that both parties are moving forward towards a resolution on the fees.

Sergio Palos addressed his concerns to City Council regarding an issue he was made aware of, that the City is considering a casino in the City of Huntington Park. Mr. Palos stated that the citizens of this community would not benefit from a casino and that it would attract unwanted crowds to the City.

Nick Ioannidis, founder of the National Immigrants Day, displayed an American flag which would be displayed at his business to celebrate his 29 year anniversary as a citizen.

Victor Caballero, Contractor of the Dial-A-Ride Services, informed City Council that the new Dial-A-Ride vehicles have been running since this morning and that everything is going well. Mr. Caballero donated a laminator to the City's Finance Department to facilitate a longer life for the Dial-A-Ride cards.

Veronica Hernandez thanked City Council, the City Attorney, Victor Caballero, and everyone else for donating gifts and participating in the Children's Day celebration on Saturday, April 10, 2004. Ms. Hernandez congratulated the City on the improved transportation program.

Chris Aguilar, a student, addressed his concerns and displeasure to City Council regarding the possibility of a casino and a gentlemen's club coming to the City. Mr. Aguilar stated that businesses like these would affect the youth of this community.

Patricia Palos addressed Vice Mayor Hernandez regarding a casino and a strip club coming to the City and asked her to not turn her back on the community. Ms. Palos stated that a strip club is not a good idea and the City should focus on education.

A resident informed City Council that his family is being evicted from the property and stated that it is unfair for residents because the City does not have rent control.

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

ORDINANCE NO. 726-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK

AMENDING ARTICLE 20 OF CHAPTER 1 OF TITLE 3 OF THE HUNTINGTON PARK MUNICIPAL CODE **REGARDING PROCEDURES REGULATING TAXICABS, LIMOUSINES, AND OTHER PUBLIC TRANSPORTATION VEHICLES** was read by title. Motion by Gomez, seconded by Hernandez, that reading in full of Ordinance No. 726-NS for second reading be waived, that Ordinance No. 726-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

Chief Deputy City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider the adoption of a Negative Declaration (Environmental Assessment) associated with the vacation of a portion of Bear Avenue, a public street, South of 60<sup>th</sup> Street. 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. Luis Osorio addressed his concerns to City Council regarding various activities taking place at Corona Park and asked for clarification of the purpose of the vacation. Mayor Noguez referred Mr. Osorio to Assistant Chief of Police Peeler and Director of Parks and Recreation Fries regarding the various activities. Mayor Noguez called for any other oral communications and hearing none, declared the hearing closed.

RESOLUTION NO. 2004-21. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, **ADOPTING A NEGATIVE DECLARATION FOR THE VACATION OF A PORTION OF BEAR AVENUE, A PUBLIC STREET, SOUTH OF 60TH STREET, IN THE CITY OF HUNTINGTON PARK** was presented. Motion by Escareño, seconded by Loya, to adopt Resolution No. 2004-21, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

Chief Deputy City Clerk Ramirez announced that in accordance with published notice, this is the time and place set to consider public comment regarding an ordinance amending Title 9 of the Huntington Park Municipal Code allowing financial office type uses on the ground level of the Pacific Paseo (P-P) Zone. 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.

ORDINANCE NO. 725-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK AMENDING TITLE 9 OF THE HUNTINGTON PARK MUNICIPAL CODE **ALLOWING FINANCIAL OFFICE TYPE USES ON THE GROUND LEVEL OF THE PACIFIC PASEO (P-P) ZONE** was read by title. Motion by Gomez, seconded by Escareño, that reading in full of Ordinance No. 725-NS for second reading be waived, that Ordinance No. 725-NS be approved for second reading and adopted, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

Director of Parks and Recreation Fries presented for discussion and/or action the Permit and Agreement with Otero Adult Baseball League representatives for use of baseball fields at Salt Lake Park. **There being no objection, Mayor Noguez directed the City Attorney and City Manager to work together with the Otero Adult Baseball League and come to City Council with an agreement.**

RESOLUTION NO. 2004-22. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **DECLARING THE WEEDS NOW GROWING UPON AND IN FRONT OF CERTAIN LOTS AND PARCELS OF LAND IN THE CITY OF HUNTINGTON PARK TO BE A PUBLIC NUISANCE**, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 39560 ET SEQ. AND FIXING A TIME FOR HEARING PROTESTS AND ORDERING THE ABATEMENT OF SUCH NUISANCES was presented. Motion by Gomez, seconded by Escareño, to adopt Resolution No. 2004-22, 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) Pursuant to California Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Name of case: John Tua v. Chief Randy Narramore, City of Huntington Park and Does 1-100, United States District Court for the Central District of California, Case No.: CV03-1987-FMC and Name of case: Carlos Parra, David Lopez, Alfonso Amador, Humberto Lozano, LaRanna Taylor, Chris Lisner, Carlos Rodriguez, Steve Castro, and Robert Valencia v. Chief Randy Narramore, Kenneth Rulon, Bob Lien, Lee Alirez, Ronnie Beason, Mark Basset, Stephen Peeler, the City of Huntington Park and Does 1-100, United States District Court for the Central District of California, Case No. CV03-3772GHK; 2) 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; and 3) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION, Significant exposure to litigation pursuant to California Government Code Subdivision (b) of Section 54956.9: (1). Mayor Noguez declared the meeting resolved into closed session to be held immediately in the adjoining conference room at 8:12 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 9:32 p.m. Present: Council Member Edward Escareño, Vice Mayor Ofelia Hernandez, Council Member Mario Gomez, Council Member Richard V. Loya, and Mayor Juan R. Noguez. Absent: None.

City Attorney Leal reported out the following on the closed session items: 1) on the matter regarding Conference With Legal Counsel-Existing Litigation, Case Nos.: CV03-1987-FMC and CV03-3772GHK, City Council took no action and instructed our attorneys to continue forward with the litigation; 2) on the matter regarding Conference With Labor Negotiators, the City Manager provided a status report; 3) on the matter regarding Conference-Real Property Negotiators, City Council instructed staff, including legal counsel, to pursue development opportunities including a card club at that location, the vote carried as follows: Ayes: Vice Mayor Hernandez, Council Member Gomez, and Mayor Noguez. Noes: Council Members Escareño and Loya; 4) on the matter regarding Conference with Legal Counsel-Anticipated Litigation, City Council instructed the City Attorney to pursue settlement discussions on this matter; and 5) on the matter regarding Conference With Legal Counsel-Existing Litigation, Case Nos.: CV-00-1917MRP(MANx); CV-00-1938MRP(MANx); and CV-00-6420-MRP(MANx), City Council accepted a settlement which was executed by Mayor Noguez.

Mayor Noguez declared the meeting adjourned at 9:34 p.m., in memory of Manuel Gascon, Huntington Park Police Department Volunteer and Cheryl Wilson, instrumental in the Historic Preservation Movement and helped promote the City's Red Line Concept.

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Juan R. Noguez, Mayor

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Elba Romo, City Clerk