

Minutes of the regular meeting of the City Council of the City of Huntington Park held Monday, June 21, 2004.

The meeting was called to order in the Council Conference Room at 6:30 p.m. by Mayor 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.

Motion by Loya, seconded by Escareño, to establish as “**subsequent need**” item, the request from Administrative Services Cooperative, Inc. to approve a two (2) mile radius limit outside City boundaries for transportation services, as the item arose after the posting of the agenda, necessitating City Council's immediate consideration and/or action, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None. Motion by Noguez, seconded by Escareño, to **approve the request from Administrative Services Cooperative, Inc. for the City to expand the Dial-A-Ride transportation services to include a two (2) mile radius outside City boundaries and the designated satellite points; approve an amendment to the Dial-A-Ride Services Agreement, subject to City Attorney approval; and authorize staff to execute the necessary documents**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

Motion by Escareño, seconded by Loya, to establish as “**subsequent need**” item, the request from Vice Mayor Hernandez for the City to sponsor a bus to transport individuals to and from the Los Angeles Superior Court regarding the La Montaña hearing scheduled for Tuesday, July 13, 2004, as the item arose after the posting of the agenda, necessitating City Council's immediate consideration and/or action, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None. Motion by Noguez, seconded by Gomez, to **authorize staff and Vice Mayor Hernandez to coordinate with Communities for a Better Environment (CBE) to provide bus transportation for individuals to and from the Los Angeles Superior Court regarding the La Montaña hearing scheduled for Tuesday, July 13, 2004; and if CBE is unable to provide transportation, Administrative Services Cooperative, Inc. will provide transportation**, 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 requested a contract be awarded to Graffiti Protective Coatings, Inc., 419 N. Larchmont Boulevard, #264, Los Angeles, 90004, in the amount of \$222,000 for Graffiti Removal Services, subject to City Attorney approval. Motion by Escareño, seconded by Loya, to **award a contract to MAG Sweeping Inc., 2519 E. Slauson Avenue, in the amount of \$222,000 for Graffiti Removal Services, subject to City Attorney approval**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

Motion by Gomez, seconded by Escareño, to approve the Consent Calendar, with the exception that Council Member Loya voted NO on the item regarding an Exclusive Negotiation Agreement with Tigran Z. Marcarian concerning the establishment and operation of a card club within the City, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

CONSENT CALENDAR

OFFICE OF THE CITY CLERK

Minutes of the regular meeting of the City Council held Monday, June 7, 2004.

**Ratify approval given by City Council of Exclusive Negotiation Agreement by and between the City of Huntington Park and Tigran Z. Marcarian concerning the establishment and operation of a card club within the jurisdiction of the City.**

FINANCE DEPARTMENT

Approve the Payroll Demands dated June 21, 2004.

**Approve the Dance and Entertainment Permit to Mike Chvedine dba Maxis** located at 6531 Rita Avenue, pending Fire Department approval. The Police and Building Departments have submitted approvals.

POLICE DEPARTMENT

**Approve the purchase of two (2) 2004 Ford F150 pick-up trucks** equipped with warning lights, radios, and M.D.C.s **for Code Enforcement and two (2) used Detective Vehicles** with emergency equipment installed **from Sopp Chevrolet for a total amount not to exceed \$95,000 including the trade-in of the following seven (7) vehicles:** Units 43, 15, 25, 36, 61, 90, and 44. This will be funded from Asset Forfeiture Account 29-780-4304 and 2002 Local Law Enforcement Block Grant Account 28-791-4304.

INFORMATIONAL ITEM- Received and filed

Minutes of Traffic Authority meeting held June 3, 2004.

END OF CONSENT CALENDAR

City Attorney Leal requested the City Council resolve into a **closed session** for the following: 1) pursuant to California Government Code Subdivision (a) of Section 54956.9, CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION, Name of case: Huntington Park vs. 6208 Alameda Corporation, et al. Los Angeles Superior Court, Case #BC24217; 2) pursuant to California Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION, Name of case: System Disposal, Inc. v. City of Huntington Park, et al. Los Angeles Superior Court Case No. BC 252 460; 3) pursuant to California Government Code Section 54956.9, CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION, Name of case: Cities of Cerritos; Alameda; Fresno; Pasadena; Sunnyvale; Santa Cruz; Alhambra; Arcadia; Bakersfield; Burbank; Chula Vista; Culver City; Cypress; Glendale; Hayward; Irvine; Irwindale; Monterey; Palm Desert; Palm Springs; Pomona; Porterville; Rancho Mirage; Roseville; San Marcos; Sand City; Seal Beach; Signal Hill; Temple City; Torrance; Tulare; Camarillo; Chino Hills; Corona; El Monte; Huntington Park; Norwalk; and Saratoga v. State Board of Equalization; and 4) 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 6:49 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 7:00 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.

Director of Parks and Recreation Fries and City Council expressed thanks and acknowledged the following for their service as Youth Commissioners: 1) Silvano Saldivar Jr.; 2) Victor Hernandez; 3) Silvia Gonzalez; 4) Rosa Meza; and 5) Maricela Delgadillo.

Huntington Park High School College Counselor Linda Loya announced that Maricela Delgadillo got accepted to attend Massachusetts Institute of Technology (MIT). Huntington Park High School Principal Hinojosa performed a graduation ceremony for Maricela Delgadillo and presented her with her High School diploma. City Council congratulated Ms. Delgadillo on her academic achievement.

City Council presented a plaque to Dance Instructor Georgina Cheevers for her

dedication and service to the community as a dance instructor for the past 8 years. Ms. Cheevers thanked City Council and Director of Parks and Recreation Fries and stated what a pleasure it was to teach in the City.

Larry Flores, Property owner of El Tapatio Plaza, Matt Helm and Hannibal Petrossi, informed City Council that El Tapatio Plaza was remodeled and displayed pictures of the appearance of the property before and after remodeling. Mr. Flores thanked everyone in the City for the tremendous amount of support especially City Engineer Wes Lind, Assistant Planner Eric K. Garcia, Planning Manager Mariano Aguirre, and Director of Community Development Henry Gray. Mayor Noguez and City Council presented a plaque to Larry Flores in recognition of the revitalization of El Tapatio Plaza.

Chief of Police Narramore presented the biography of Captain Michael Gwaltney and announced the Captain's retirement effective June 30, 2004 after which he will continue to serve the City as a reserve officer. Police Officer Sanford on behalf of the Police Officers Association presented a shadow box to Captain Gwaltney. City Council presented a retirement card to Captain Gwaltney for 32 years of service, expressed thanks and wished him luck in future endeavors. Captain Gwaltney thanked the City of Huntington Park and City Council.

Rex Gephart, Director of Regional Transit Planning of the Los Angeles County Metropolitan Transportation Authority (MTA), addressed City Council regarding the Metro Rapid Bus Program scheduled to begin operation along Miles Avenue/Soto Street, Slauson Avenue, and Pacific Boulevard within the City boundary. Mr. Gephart stated that MTA proposed to have a Metro Rapid station at the intersection of Pacific Boulevard and Slauson Avenue and the installation of Rapid Bus shelters at Florence Avenue/State Street and Florence Avenue/Pacific Boulevard stations. Motion by Escareño, seconded by Hernandez, to **authorize staff to work with MTA for the new Metro Rapid Bus corridor and installation of Rapid Bus shelter stations**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

City Clerk Romo presented a request from Mayor Noguez for discussion and/or action regarding META 2000 requesting approval for the 8th Annual "El Grito 2004" celebration on September 15, 2004. Jose Zepeda, President of META 2000, displayed a PowerPoint presentation of the 7<sup>th</sup> Annual El Grito 2003 event. Motion by Gomez, seconded by Hernandez, to **authorized META 2000 to present their 8th Annual "El Grito 2004" celebration on September 15, 2004 at the City's Salt Lake Park and funding for "El Grito 2004" in the amount of \$50,000**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

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.

Lieutenant Weselis thanked City Council for allowing him to attend the Federal Bureau of Investigation (FBI) National Academy in Virginia.

Jessica R. Maes, former Mayor of Huntington Park, encouraged women in the community to attend the Health Secrets Every Woman Should Know Summit sponsored by SPA 7 and Los Angels Children Planning Council at Salt Lake Park on Saturday, June 26, 2004 and thanked Mayor Noguez and Vice Mayor Hernandez for participating. Mrs. Maes thanked Council Member Loya for helping her establish the LoyaMaes Scholarship Foundation and congratulated the City and all City Council Members in their participation in the American Cancer Society Relay for Life event on June 5-6, 2004.

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 to consider adopting Ordinance No. 729-NS, adopting by reference the 2001 Edition of the California Electrical Code. 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. 729-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK ADOPTING BY REFERENCE: THE 2001 EDITION OF THE CALIFORNIA ELECTRICAL CODE WITH APPENDICIES, INDICIES, TABLES AND STATE OF CALIFORNIA AMENDMENTS APPLICABLE TO LOCAL JURISDICTIONS, PUBLISHED AND ADOPTED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; THE UNIFORM ADMINISTRATIVE CODE PROVISIONS FOR THE 1996 EDITION OF THE NATIONAL ELECTRICAL CODE, PUBLISHED BY THE**

INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS was read by title. Motion by Loya, seconded by Escareño, that reading in full of Ordinance No. 729-NS for second reading be waived, that Ordinance No. 729-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; 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 Municipal Code establishing standards and regulations for cyber cafes within the Pacific Paseo (PP) and Commercial General (C-G) Zones of the City. 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. 731-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, AMENDING TITLE 9 OF THE HUNTINGTON PARK MUNICIPAL CODE **ESTABLISHING STANDARDS FOR CYBER CAFES WITHIN THE CITY** was read by title. Motion by Gomez, seconded by Escareño, that reading in full of Ordinance No. 731-NS for second reading be waived, that Ordinance No. 731-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 Resolution No. 2004-28 and published notice, this is the time and place set to hear protests or objections to the levying and collection of assessments for Landscaping and Lighting District No. 4 for the 2004-2005 Fiscal Year. 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.

RESOLUTION NO. 2004-38. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **AUTHORIZING THE LEVY AND COLLECTION OF ASSESSMENTS FOR "LANDSCAPING AND LIGHTING DISTRICT NO. 4" FOR FISCAL YEAR 2004-2005 IN ACCORDANCE WITH CALIFORNIA STREETS AND HIGHWAYS CODE SECTION 22500 ET SEQ** was presented. Motion by Escareño, seconded by Hernandez, to adopt Resolution No. 2004-38, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

City Clerk Romo presented for discussion and/or action a request from Vice Mayor Hernandez to attend the International Council of Shopping Centers (ICSC) 2004 Idea Exchange in San Diego on July 29-30, 2004. Motion by Gomez, seconded by Escareño, to **authorize Vice Mayor Hernandez to attend the ICSC 2004 Idea Exchange in San Diego on July 29-30, 2004**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

City Clerk Romo presented a request from Vice Mayor Hernandez for discussion and/or action regarding activities of the United States Citizenship and Immigration Services (formerly known as the INS) in the City of Huntington Park. Motion by Loya, seconded by Gomez, to **oppose INS raids in the City of Huntington Park and direct Chief of Police Narramore to investigate INS presence in the City and report back to City Council**, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2004-39. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING AND ADOPTING THE CITY'S GANN LIMIT 2004-2005** was presented. Motion by Escareño, seconded by Hernandez, to adopt Resolution No. 2004-39, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2004-40. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **SELECTING WASHINGTON MUTUAL BANK AS THE DEPOSITORY FOR THE CITY OF HUNTINGTON PARK** was presented. Motion by Escareño, seconded by Gomez, to adopt Resolution No. 2004-40, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2004-41. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK **APPROVING AND ADOPTING NEW CLASS SPECIFICATIONS FOR THE POSITION OF FINANCIAL ANALYST** was presented.

Motion by Gomez, seconded by Escareño, to adopt Resolution No. 2004-41, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

RESOLUTION NO. 2004-42. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUNTINGTON PARK FINDING AND DETERMINING THAT **ANTONIO LUNA IS DISABLED AND INCAPACITATED TO PERFORM THE DUTIES OF SENIOR OFFICER** FOR THE PURPOSE OF PUBLIC EMPLOYEE DISABILITY RETIREMENT was presented. Motion by Gomez, seconded by Escareño, to adopt Resolution No. 2004-42, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None.

ORDINANCE NO. 733-NS. AN URGENCY ORDINANCE OF THE CITY OF HUNTINGTON PARK CORRECTING THE ADMINISTRATIVE PROCEDURAL ERROR RELATING TO THE ISSUANCE OF TEMPORARY **FIREWORKS STAND PERMITS FOR THE YEAR 2004** was read by title. Motion by Gomez, seconded by Escareño, that reading in full of Urgency Ordinance No. 733-NS for first and final reading be waived; and that Urgency Ordinance No. 733-NS be introduced and approved for first and final reading and adopted, carried as follows: Ayes: Council Member Escareño, Vice Mayor Hernandez, Council Members Gomez, Loya, and Mayor Noguez; Noes: None; Absent: None. **There being no objection, Mayor Noguez appointed an Ad Hoc Committee of Vice Mayor Hernandez and Council Member Gomez to review the procedures for the sale of fireworks.**

ORDINANCE NO. 732-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, CALIFORNIA REPEALING ORDINANCE 719-NS REGARDING **TIME LIMITS FOR THE INCURRENCE OF DEBT FOR THE REDEVELOPMENT PLAN** FOR ALL EXISTING REDEVELOPMENT PROJECT AREAS was read by title. Motion by Hernandez, seconded by Loya, that reading in full of Ordinance No. 732-NS for second reading be waived, and that Ordinance No. 732-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.

ORDINANCE NO. 734-NS. AN ORDINANCE OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA AMENDING TITLE 9 OF THE HUNTINGTON PARK MUNICIPAL CODE **ESTABLISHING INDUSTRIAL PLANNED UNIT DEVELOPMENT (PUD) STANDARDS AND REGULATIONS IN THE MANUFACTURING PLANNED DEVELOPMENT (MPD) ZONE** was read by title. Motion by Hernandez, seconded by Loya, that reading in full of Ordinance No. 734-NS for first reading be waived, and that Ordinance No. 734-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 Manager Korduner reported out that in closed session on the matter regarding Anticipated Litigation following an investigation the conclusion is as follows: 1) that the statements made by the City Clerk, although made in her official capacity as the City Clerk in a public forum, were not intended to be specific allegations of misconduct in the City Clerk's Office by staff members; and 2) there was no evidence of misconduct by the Chief Deputy City Clerk or any other member of staff in the City Clerk's Office.

City Attorney Leal reported out the following on the closed session items: 1) the matter regarding Conference With Legal Council-Existing Litigation, Name of case: City of Huntington Park vs. 6208 Alameda Corporation, et al. Los Angeles Superior Court, Case #BC24217, status report by retained Counsel; 2) the matter regarding Conference With Legal Council-Existing Litigation, Name of case: System Disposal, Inc v. City of Huntington Park, et al. Los Angeles Superior Court Case No. BC 252 460, City Council agreed to execute an engagement letter by Irell & Manella for indemnity and defense; 3) Conference With Legal Council-Existing Litigation, Name of case: Cities of Cerritos; Alameda; Fresno; Pasadena; Sunnyvale; Santa Cruz; Alhambra; Arcadia; Bakersfield; Burbank; Chula Vista; Culver City; Cypress; Glendale; Hayward; Irvine; Irwindale; Monterey; Palm Desert; Palm Springs; Pomona; Porterville; Rancho Mirage; Roseville; San Marcos; Sand City; Seal Beach; Signal Hill; Temple City; Torrance; Tulare; Camarillo; Chino Hills; Corona; El Monte; Huntington Park; Norwalk; and Saratoga v. State Board of Equalization, City Council agreed to execute an engagement letter by Colantuono for representation on this matter.

Mayor Noguez declared the meeting adjourned at 8:57 p.m.

Juan R. Noguez, Mayor

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Elba Romo, City Clerk