

**MINUTES**  
Regular Meeting of the  
City of Huntington Park City Council  
Monday, February 2, 2015

The regular meeting of the City Council of the City of Huntington Park, California was called to order at 6:07 p.m. on Monday, February 2, 2015, in the Council Chamber at City Hall, 6550 Miles Avenue, Huntington Park, California; Mayor Rosa Perez presiding.

**ROLL CALL**

Present: Mayor Rosa E. Perez; Vice Mayor Karina Macias and Council Members Valentin Palos Amezcuita, Ofelia Hernandez and Mario Gomez. Other City Officials and employees: John Ornelas, Interim City Manager, Isabel Birrueta, City Attorney, Jorge Cisneros, Chief of Police, Josette Espinosa, Director of Parks and Recreation, Jan Mazyck, Interim Finance Director and Jessie Gomez, Jr. Deputy City Clerk.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Cynthia Orosco, Liberty Blvd. Elementary

**INVOCATION**

The invocation was led by Mayor Perez.

**PRESENTATIONS AND ANNOUNCEMENTS**

At 6:11 p.m. Mayor Perez moved this item before the close of the Public Financing Authority adjourned - Council presented a "Certificate of Appreciation" to Cynthia Orosco for leading the Pledge of Allegiance.

At 6: 13 p.m. Mayor Perez convened to the regular meeting of the City Council.

Not presented - Presentation on the "7<sup>th</sup> Annual Health Walk to Reduce Obesity"

Christina Dixon, City of Huntington Park, Staff Analysis, Public Works Department, presented an update and provided information on the 2015 Fruit Tree Distribution Program.

**PUBLIC COMMENT**

City Attorney Birrueta announced to the public the rules for public comment by citing government code section 54954.3 and Municipal Code section 2-1.207.

1-7. Gloria Rodriguez, Norma Santiago, Yolanda Garcia, Ariadna Martinez, Jorge Corona, Ana Sanchez (crossing guard), Alanis Rodriguez, residents, all spoke in support of Aspire Pacific Academy, voicing concerns about the high volume of traffic on Pacific Boulevard and the safety of the pedestrians crossing and presented to Council a petition for a traffic/crossing light at this location.

## **PUBLIC COMMENT (continued)**

8. Alex Reynoso, resident, spoke in regards to campaigning with respect to mailing.
9. Nick Ioannidis, resident, commented on elected officials and his life in the city.
10. Jorge Sepulveda, resident, commented on sidewalk sales, sales events, a business plan he has and asked Council to support the private organizations.

Mayor Perez directed Interim City Manager Ornelas to speak with Mr. Sepulveda with regards to his plan and to schedule a meeting with staff and Mr. Sepulveda.

11. Isaias Oswaldo Quijada, resident, spoke in regards to parking and crime on Rugby Avenue and asked Council for help.
12. Ana Lilia Arechiga, business owner, Restoran El Chamisal, spoke against permit parking and crime on Rugby Avenue.
13. David Sanchez, resident, spoke against the fee for permit parking and noted a ticket he received.
14. Richard Santillan, resident, also spoke against the permit parking fee, suggested charging during city events and commented on the current trash issue.
15. Sandra Orozco, Maywood resident, announced an event that had happened to her, invited Council to a ground breaking ceremony at South Region High School #8 in Maywood, recognized Council Member Gomez and Olivarez Madruga, Law Office for their sponsorship, noted a space to be reserved for disabled and a proclamation for the Muscular Dystrophy Society.
16. Henry Garcia, business owner, spoke in regards to elections, voting, campaigning and feels a candidate should live in Huntington Park for at least 7 years in order to run.
17. Ivonne Correal, resident, recognized the people who volunteered for the homeless count including herself. She commented on the landlords who lease to marijuana dispensers and the code of ethics for elected officials.
18. Rodolfo Cruz, resident, spoke in regards to elections and feels that those who run for council should live in the city for at least 7 years. He would like to see the city support youth and the elderly.

Mayor Perez asked City Attorney Birrueta to look into a resident requirement during elections. Ms. Birrueta stated that state law does have requirements for campaigns but that it's up to the City to pass any laws that would be in conflict with state laws. Mayor Perez asked City Attorney Birrueta to bring the information back at a later date. Council Member Gomez suggested, as a compromise, that the City pass an ordinance that requires potential candidates to state how long they have lived in the City.

## **PUBLIC COMMENT (continued)**

19. Betty Retama, resident, feels a law should be passed with regard to people who want to run for council and their residency status. She commented on the fees for the candidate statements being too high.
20. George Franco, resident, spoke in regards to Mr. Sanchez receiving a parking ticket.
21. Edgar Gordillo, resident, would like to see the city pass a 7 year residency law for people running for council. He asked if the city can help the homeless and acknowledged the clean-up event on Pacific Boulevard.
22. Elizabeth Diaz, resident, commented on the current trash receptacles being distributed, parking fees and issues that occurred during the grand opening of the soccer fields.
23. Ricardo Gastelum, resident, spoke in regards of the parking issue and would like to see a committee formed to keep the residents informed.
24. Rosa Meza, resident, stated that her grand kids had attended a council meeting for extra credit for school and had experienced the public disrespecting each other.
25. Francisco Rivera, resident, thanked those who volunteered to help clean-up Pacific Boulevard, requested the city bring in another street cleaning company, commented on too many banners and signs in front of the businesses and asked that the city revisit the requirements for signs.
26. Rafaela Hernandez, resident, commented on the parking permit fees and tickets that are being given.

## **STAFF RESPONSE**

Interim City Manager Ornelas responded to the many comments regarding the parking permit program, stating that the item is on the agenda this evening for discussion that staff will be requesting to put the pilot program on hold and that permits are no longer being issued, City will stop charging for parking, signs will be removed and the parking issue will be relooked at and brought back at a later time and that all funds that were collected for parking permits will be refunded.

Mayor Perez stated that studies will be performed in different areas in the City regarding parking to see how this can be addressed.

Chief Cisneros responded to the comments regarding the safety of crossing guards and the pedestrian cross walk on Pacific Boulevard, a ticket an individual received and crime in the City. Mr. Cisneros stated that the City has a contract for crossing guards and will be addressing the issue, additionally we have a Traffic Authority who can make the determination before changes can be made. He stated that cameras will be placed in the City parking lots. In regards to the ticket that was given to the individual, if the person was

in the vehicle it is a moving violation but there is a due process if the person feels they shouldn't have been given the ticket.

Parks and Recreation Director Espinosa responded to the comment of the grand opening event for the soccer fields. Ms. Espinosa explained that there were numerous people who attended the event including different soccer organizations who were allowed to play on the fields after the event.

Council Member Gomez would like Council to respect the audience and give them their time and attention.

At 7:47 p.m. Mayor Perez recessed to closed session.

### **CLOSED SESSION**

1. Pursuant to Government Code Section 54956.9(d)(2) and 54956.9(e)(1) - Conference with Legal Counsel – Anticipated Litigation/Significant Exposure to Litigation: [One (1) potential matter]
2. Pursuant to Government Code Section 54956.9(d)(4) - Conference with Legal Counsel – Anticipated Litigation/Initiation of Litigation (Deciding Whether to Initiate Litigation): [One (1) potential matter]
3. Pursuant to Government Code Sections 54956.9(d)(2) and 54956.9(e)(3) - Conference with Legal Counsel to Discuss Matter Involving Anticipated Litigation/Significant exposure to litigation – [One (1) potential case]

At 8:28 p.m. Mayor reconvened to open session. All Council Members present with the exception of Council Members Amezquita and Gomez who took a brief break.

### **CLOSED SESSION ANNOUNCEMENT**

City Attorney Birrueta announced that Council discussed Closed Session items 1 through 3, direction was given on all items, no action taken

### **CONSENT CALENDAR**

**Motion:** Council Member Hernandez motioned to approve consent calendar items, seconded by Vice Mayor Macias. Motion passed unanimously by one motion (Council Members Amezquita and Gomez were not yet in the Chambers at this time).

### **OFFICE OF THE CITY CLERK**

#### **1. Approved Minutes of the following City Council Meeting:**

- 1-1 Regular City Council Meeting held Monday, January 5, 2015
- 1-2 City Council Special Meeting held Tuesday, January 20, 2015

## **COMMUNITY DEVELOPMENT**

2. Waived further reading and Adopted Ordinance 936-NS, Amending Article 18 of Chapter 2, and Article 23 of Chapter 3, all of Title 9, and adding Article 19 to Chapter 7 of Title 4 of the Huntington Park Municipal Code (HPMC) Regarding Marijuana Regulation and Enforcement.
3. Waived further reading and Adopted Ordinance 938-NS, Amending the Zoning Map Designation from Public Facilities (PF) to Commercial General (CG) for Property Located at 3111 Florence Avenue.

## **FINANCE**

4. Approved Accounts Payable and Payroll Warrants dated February 2, 2015

## **PUBLIC WORKS**

5. Waived further reading and Adopted Ordinance 937-NS, Amending Section 6-2.105 of Article 1 of Chapter 2 of Title 6 of the Huntington Park Municipal Code regarding containment of garbage and trash on premises.

## **CITY MANAGER**

6. Approved amendment to the agreement with Michael Chee for public information officer services (PIO) and authorized the Interim City Manager to execute the amendment.
7. Approved Employment Agreement for Public Works Superintendent.
8. Authorized the Interim City Manager to enter into a Professional Services Agreement with Bob Murray & Associates for executive search services for the position of City Manager.

## **END OF CONSENT CALENDAR**

At 8:28 p.m. Council Member Amezcua returned. At 8:29 p.m. Council Member Gomez returned.

## REGULAR AGENDA

### PARKS AND RECREATION

#### 9. **Approve Facility Use Permit and Request for Fee Waiver for the American Cancer Society's "Relay for Life" Event**

##### RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Approve the Facility Use Permit for the American Cancer Society's "Relay for Life" Event; and
2. Consider waiving facility fees for the event.

Parks and Recreation Direct Espinosa presented the report and spoke in support of staff's recommendation.

**Motion:** Council Member Gomez motioned to approve the Facility Use Permit for the American Cancer Society's "Relay for Life" Event and approved to waive facility fees for the event, seconded by Vice Mayor Macias. Motion passed unanimously by one motion.

### CITY MANAGER

#### 10. **Approve Termination of Parking Management Agreement with Parking Company of America**

##### RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Authorize the Interim City Manager to issue a written notice to terminate the Parking Management Agreement with Parking Company of America.

Interim City Manager Ornelas presented the report stating staff is recommending that this item be tabled in order to revisit areas in the City. Staff will need to notify the public of the termination of the pilot program and refund the parking permit fees.

Council Member Gomez asked if there was any potential litigation.

City Attorney Birrueta stated there is an ability to terminate the agreement based on a 30-day notice and the agreement is between the City and Parking Company of America which was approved by Council and reviewed by separate Council not by Olivarez Madruga. She noted she cannot give legal advice because Olivarez Madruga had previously represented Parking Company of America and therefore it would be a conflict of interest and will let the Interim City Manager discuss the provision in the agreement that will allow the City to terminate the contract.

Mayor Perez clarified that this termination is only for the pilot parking program.

## **REGULAR AGENDA ITEM 10 (continued)**

Council Member Gomez feels that if the City terminates the contractual obligation it may or may not have, needs to be discussed with a third party Attorney.

Interim City Manager Ornelas stated it's a simple agreement the City has 30 days to provide termination without cause. The purpose for the briefing in closed session was for potential litigation anytime you terminate an agreement. To clarify it is the management agreement only.

**Motion:** Council Member Gomez motioned to authorize the Interim City Manager to issue a written notice to terminate the Parking Management Agreement with Parking Company of America, seconded by Council Member Amezcua. Motion passed unanimously by one motion.

### **11. Update on United Pacific Waste (UPW) Contract Monitoring**

Interim City Manager Ornelas informed Council that Staff has reviewed the monitoring contract with HF&H and has scheduled a meeting to discuss their obligation. Mr. Ornelas also noted that Waste Management, United Pacific Waste and the City's Public Works Department are all working together to resolve the current issues due to the recent new trash hauler transition. He announced that a representative from UPW was in attendance to answer any questions.

Council Member Gomez noted previously that Council requested UPW give them bi-monthly reports.

City Attorney Birrueta explained that HF&H will be monitoring the UPW contract, prepare a compliance matrix to be reviewed at meetings with UPW and City, provide a summary of UPW contract requirements, create a check list of requirements to monitor, provide a data base to monitor solid waste values tonnage reported by UPW, evaluate all reports submitted by UPW, track UPW's progress in compliance with the laws, track new applicable regulations and conduct meetings with City staff and UPW.

Mayor Perez requested that Council receive copies of the HF&H contract.

Interim City Manager Ornelas stated that staff requested from HF&H the form they will be using to monitor UPW.

Vice Mayor Macias mentioned that she seen on the warrant register an amount paid to HF&H.

Interim City Manager Ornelas stated that the contract shows they may be paid up to a maximum of \$101,000 and they were paid \$50,000 up front.

Council Member Gomez stated it was UPW that paid them.

## **REGULAR AGENDA ITEM 11 (continued)**

Assistant to the City Manager Bueno explained that \$50,000 was paid for the negotiation and preparation of the agreement and the Request for Proposal preparation and the City has not paid anything.

Michael Kandilian, Representative from UPW, stated they are paying HF&H as part of their contract and informed Council that UPW will be sending an email to Waste Management tomorrow requesting them to remove their containers.

Council Member Gomez feels Waste Management should pick up their containers.

Interim City Manager Ornelas stated that Waste Management was still owed \$270,000 by the City but before the City makes these payments Waste Management was contacted and told they needed to immediately pick up their containers before future payments were made.

Council Member Hernandez feels the residents should be notified as to when these containers will be picked up.

Interim City Manager Ornelas stated the containers will be picked up once the routes are set.

Mr. Kandilian reassured Council the containers will be picked up and that complaints have been minimal. He also stated the UPW and Waste Management have been communicating.

Vice Mayor Macias asked Mr. Kandilian if the bulky items are being picked up. Mr. Kandilian stated that the bulky items will be picked up on the scheduled day but that bulky items are still being picked up.

Mayor Perez stated that keeping track of bulky items will be difficult and asked if UPW will continue to work with the residents. Mr. Kandilian stated that the amount to dump the bulky items has been high but the pickups will continue but at some point we can't just keep spending the monies.

City Attorney suggested she meet with a representative from UPW to discuss illegal dumping but that it is in the contract for the City to call UPW to pick up illegal dumping.

Council Member Gomez mentioned he asked previously to agendize illegal dumping. Mayor Perez stated it was mentioned but wasn't requested to be agendized but noted to staff to add to next agenda.

Council Member Amezcuita agrees to agendize illegal dumping. He asked Mr. Kandilian about the commercial trucks that will be used and asked if it was going to be 8 trucks. Mr. Kandilian stated yes.

## **REGULAR AGENDA ITEM 11 (continued)**

Council Member Gomez commented about an article in the Los Angeles times stating that a Council Member had given UPW over 100 complaints and asked Mr. Kandilian if this was true. Mr. Kandilian responded no but that he was given about 30 complaints.

Mayor Perez noted that Vice Mayor Macias had given him some complaints at the previous meeting. Vice Mayor Macias stated it was about 20 or 30 but not over 100 but that she had received about 100 phone calls of people complaining.

Council Member Hernandez questioned when will the residents receive a bill? Mr. Kandilian presented a PowerPoint slide showing the schedule of when the payments would be mailed.

Interim City Manager Ornelas commented on the schedule noting the confusion it will cause to the residents. He suggested we explain it thoroughly to the Council so if questioned by the public you will be able to provide the information.

Council Member Gomez stated with Council and Staff's support we'll be able as a City as a whole be able to provide the info to the residents.

Mayor Perez feels the billing needs to be clear.

Council Member Amezcuita noted that the billing may appear to the resident they are being billed twice but in fact it is two months billing.

Assistant to the City Manager Bueno added there is going to be two more billings one from the trash hauler and the other will be from the City for 11 days of service.

Council Member Amezcuita asked UPW about the collection of fees. Mr. Kandilian explained that UPW will be following the same schedule as the City's billing cycle for water.

Council Member Gomez noted that the residents will be billed from the new trash hauler as opposed to being billed by the City.

Council Member Hernandez suggested announcing it on the City's marquee.

Mr. Kandilian mentioned that commercial bills have already went out. Calls have been received, some complaints and others asking who we are.

Mayor Perez announced that Channel 22 took a tour of the City and nothing to report. She acknowledged staff and their support in cleaning-up Pacific Boulevard in the early morning but by the afternoon it looks as though it wasn't cleaned. She noted in the alley's there's a lot of illegal dumping and thanked UPW for all their hard work.

## **DEPARTMENTAL REPORTS** (Information only)

**WRITTEN COMMUNICATIONS** - None

## **COUNCIL COMMUNICATIONS**

**Council Member Valentin Palos Amezquita** – stated to his recollection there must be Council approval to use the City Seal and suggested to watch the video on what the Council previously allowed. Mr. Amezquita questioned the residency of Vice Mayor Macias during the 2013 elections.

**Council Member Mario Gomez** – thanked Chief Cisneros for his informational talk, as a guest speaker at a conference in Santa Barbara, the subject being about the City's camera system. He commented on a flyer that was distributed for campaigning purposes that has the City's seal on it. He mentioned it is not allowed to be used without written consent by City Council, to be respected, not to be used by personal gain. The City does not endorse any of the candidates. He feels Vice Mayor Macias stepped over the line. Mr. Gomez continued on the fact that the City seal is not to be used except by Council approval. Mr. Gomez asked to agendaize the use of the City Seal at the next meeting. Mr. Gomez thanked Sandra Orozco for the certificate she presented to him.

**Council Member Ofelia Hernandez** – excused herself at 9:10 p.m.

**Vice Mayor Karina Macias** – spoke in response to Council Member Gomez's comments and feels she did nothing wrong. She responded to Council Member Amezquita's response stating she lives in Huntington Park and has been. She stressed the importance of how she feels about the City.

**Mayor Rosa E. Perez** - directed City Attorney to look into the issue and prepare a resolution. She announced that Mr. Mark Montgomery would be doing a presentation on Veteran Resources and how we can help the homeless veterans.

City Attorney Biuretta stated that it is not in the Municipal Code that specifically prohibits the use of the City Seal, a lot of cities pass resolutions and some cities an ordinance. It's clear that a Council Member can use their title for identification purposes only. FPPC is silent on the City Seal. Ms. Biuretta suggested the City attorney look into the matter bring back information and let Council decide what they want to do. She reiterated that if the City doesn't have a resolution to guide Council the Council can prepare a resolution if they so choose too.

## **ADJOURNMENT**

At 9:28 p.m. Mayor Perez adjourned the meeting in memory of Tony M. Nunez, U.S. Army Veteran of the Korean War and father of City Clerk Donna Schwartz to an Adjourned Regular Meeting of the City of Huntington Park City Council on Tuesday, February 17, 2015 at 6:00 p.m.

Respectfully submitted,

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Jessie Gomez  
Jr. Deputy City Clerk