

**MINUTES**  
Regular Meeting of the  
City of Huntington Park City Council  
Monday, August 17, 2015

The regular meeting of the City Council of the City of Huntington Park, California was called to order at 6:05 p.m. on Monday, August 17, 2015, in the Council Chamber at City Hall, 6550 Miles Avenue, Huntington Park, California; Mayor Karina Macias presiding.

**ROLL CALL**

PRESENT: Mayor Karina Macias; Vice Mayor Graciela Ortiz and Council Members, Valentin Palos Amezcua, Jhonny Pineda and Marilyn Sanabria. Other City Officials and employees: John Ornelas, Interim City Manager, Edgar Cisneros, Assistant City Manager, Noel Tapia, Assistant City Attorney, Cosme Lozano, Chief of Police, Josette Espinosa, Director of Parks and Recreation, Jan Mazyck, Interim Finance Director, Michael Ackerman, City Engineer, Manuel Acosta, Economic Development Manager and Donna Schwartz, City Clerk.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Alejandro Martinez and Diana & Karen Diaz, residents of Huntington.

**INVOCATION**

The invocation was led by Mayor Macias.

**PRESENTATIONS AND ANNOUNCEMENTS**

Council presented a "Certificate of Appreciation" to Alejandro Martinez and Diana & Karen Diaz for their participation in leading the Pledge of Allegiance.

Council presented a proclamation to Telemundo 52 for their Annual Sports Expo Event "Experiencia Deportiva" received by Marisol Acosta, Sales Manager/Event Director and Krystle Corral, Sales/Marketing Specialist. .

Jesus Diaz Representative from Senator Lara's Office presented information on their Young Senators Program and introduced Marco Perez, Ulises Reyes and Kimberly Ruiz who are participants in the program.

Council presented "Certificates of Recognition" to the Various Organizations: PMI, Dr. Brian Van Dusen, Lions Club, Alta Med, UEI College, and St. Martha Parish, who participated in the Huntington Park Medical Camp coordinated by Sri Sathya Sai Baba Organization of America- Pacific South- Region 8

**PUBLIC COMMENT**

1. Alejandra Cortez, Don Garza, Joseph Conde, Cassandra Lopez, Jiaber Ramos Rivera, Sandra Mendoza, Jacqueline Garcia, Jenny Rosales, Ana Rivas, Rebecca Medina, Sergio Infanzon, Brian Jensen, Christina Collazo, Amanda Pantoja, Ivan Ceja, Olivia Rivera, Bethzy Garcia and Donieda Marroquin all spoke in support of Council Member Pineda's two appointments.
2. Dr. Richard Espiritu, spoke in regards to code of conduct, the Brown Act, the public's right to speak, Constitution of the United States, and acts of commission and omission.
3. Juliano Jarquin, asked the people to focus on outcome, a solution, encouraged people to focus on Community, Education & Wellness and commented on grant population issues.
4. Valentin Amezcua, spoke in opposition of Council Member Pineda's appointments, commented on commissions, Rules of Decorum and Immigration Reform.

5. Arthur Schaper, Shirley Husar, Vaughn Becht, Robin Hridston, Sandra Orozco, Michael Greer, Raul Rodriguez Jr., Dr. Newman, Channel Temple, Francisco Rivera, Betty Robinson, Raymond, representative of We the People and Betty Retama all spoke in opposition of the appointments.
6. Lorenzo Martinez, commented on agenda, oath, Constitution and the Brown Act. He ended with opposing the appointments.

At this time City Attorney Alvarez-Glasman reiterated the process of public comment.

7. Leticia Martinez, CEO, HP Chamber of Commerce, announced upcoming events; National Night Out, Senior Citizens Day and the State of Address, noting the sponsors.
8. Jorge Sepulveda, recommended people volunteer to help the community.
9. Marcos Osorio, acknowledged the youth and the Youth Senator program. He commented on the appointments and the decisions by Council.
10. Wes Parker, commented on Mexican Government and corruption.

At 7:30 p.m. Mayor Macias called for a 5 minute recess.

At 7:44 p.m. Mayor Macias reconvened the meeting. All Council Members present.

11. Denise Diaz, noted her parents owned a business and were immigrants thanked Parks and Recreation for having this program and thanked Council for putting this on the map.
12. Linda Caraballo, commented on laws, residency of Council, contracts, previous city clerk and opposed to the appointments.
13. Alex Reynoso, commented on decisions made by the newly appointed Council, process of acquiring a new Chief of Police, salary savings, Interim City Manager position, Assistant City Manager position, issues that aroused during the previous campaign and recall.
14. Jesus Hernandez, spoke in regards to the use of soccer fields.
15. Nick Ioannidis, commented on his life in the City and his citizenship.

At 8:15 p.m. Mayor Macias called for a 5 minute recess.

At 8:25 p.m. Mayor Macias reconvened the meeting. All Council Members present.

16. Lulu Fonseca, voiced concern with the decision of the appointments and how it is affecting the City.
17. Unknown, representative of Building United Communities, encourages everyone to live together, in peace, think twice and build this country together.
18. Maria Palacio, congratulated Council Member Pineda on his decision and noted those immigrants that work and pay taxes.
19. Rodolfo Cruz, voiced concern that the community has been divided, commented on property tax, programs for youth and opposed to the appointments.
20. Greg Aprahamian, commented on corruption, laws and feels there's picking & choosing decisions.
21. Stella Stevens, thanked Council Member Amezcua for voting no, commented on undocumented immigrants, qualifications, violating laws, and the City Attorney.

## **STAFF RESPONSE**

Mayor Macias asked staff to respond to the comment regarding use of parks. Interim City Manager Ornelas stated this will be addressed.

At 8:55 p.m. City Attorney Alvarez-Glasman recessed to closed session and announced a subsequent need to add an item re: Martha Mejia vs. City of Huntington Park Government Code Section 54954.2(b) to be address in closed session. Council unanimously approved.

## **CLOSED SESSION**

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9(d)(2)  
Significant exposure to litigation – one matter
2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION  
Government Code Section 54956.9(d)(1)  
Reyes v. City of HP, et al. LASC Case No. BC576659

At 9:13 p.m. Mayor Macias reconvened to open session. All Council Members present.

## **CLOSED SESSION ANNOUNCEMENT**

City Attorney Alvarez-Glasman announced Council discussed items 1 thru 3 stating for item 1 no action taken, item 2 direction given no action taken, item 3 direction was given to proceed with a possible resolution.

## **CONSENT CALENDAR**

Mayor Macias tabled item 1 to next City Council Meeting, pulled items 2, 4, 5, 6 and 7 from Consent to be discussed separately and reiterated her request of no Resolutions under Consent.

Council Member Amezcuita noted he would be voting NO on item 4.

## **OFFICE OF THE CITY CLERK**

1. Tabled to next City Council Meeting. **Approve Minutes of the following City Council Meetings:**

1-1 Regular City Council Meeting held Monday, August 3, 2015

## **CITY COUNCIL**

2. **Second reading, waive further reading and Adopt Ordinance No. 940-NS, amending Ordinance No. 829-NS, Amending Title 2 Chapter 1 Article 2 Section 1.201 of the Huntington Park Municipal Code Relating to City Council Meetings**

Pulled by Mayor Macias for discussion.

**Motion:** Council Member Sanabria motioned to adopt Ordinance No. 940-NS, amending Ordinance No. 829-NS, Amending Title 2 Chapter 1 Article 2 Section 1.201 of the Huntington Park Municipal Code Relating to City Council Meetings, seconded by Council Member Pineda. Motion passed by the following vote:

## **ROLL CALL:**

AYES: Council Member(s): Amezcuita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

## FINANCE

### 3. Approved Accounts Payable and Payroll Warrants dated August 17, 2015

**Motion:** Council Member Sanabria motioned to approve consent item 3, seconded by Vice Mayor Ortiz. Motioned passed by the following vote:

#### ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

### 4. **Approve Resolution Fixing the Annual Pension Tax Rate to Pay the City's Pension Obligation Bond Annual Debt Service and a Portion of the Cost of Public Employees' Retirement System for Fiscal Year 2015-2016**

#### RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Adopt Resolution No 2015-30, Fixing the Rate of Taxes to Pay the Cost of the Public Employees Retirement System for the Fiscal Year 2015-2016 and Levying Taxes for Said Retirement System to the Fiscal Year Beginning July 1, 2015.

Pulled by Mayor Macias for discussion.

City Attorney Alvarez-Glasman presented the item.

Council Member Amezquita questioned how many cities have additional property tax and feels the City's .21% is high and is concerned with the amount of PERS being paid.

Interim City Manager stated this is common for the City of Huntington Park and other cities stating the City of Huntington Park is on the higher end and that these taxes are historical and have been paid to pay the bonds.

City Attorney Alvarez-Glasman explained that the tax was approved in 1976 by the voters and in 2005 Council approved the payment of these bonds if they are not paid they would be in default and the city would be open to suit.

Interim Finance director Mazyck stated the .21% should raise over 5 million however, 2.8 million because of the dissolution of the redevelopment agencies the tax increments have been reallocated to other taxing agencies. The city is only getting 2.6 million, not paying would put the City in a bigger deficit.

Vice Mayor Ortiz asked that next time this be in a presentation.

Mayor Macias reiterated so that this allows the people to be informed and the importance of it.

**Motion:** Council Member Sanabria motioned to adopt Resolution No 2015-30, Fixing the Rate of Taxes to Pay the Cost of the Public Employees Retirement System for the Fiscal Year 2015-2016 and Levying Taxes for Said Retirement System to the Fiscal Year Beginning July 1, 2015, seconded by Vice Mayor Ortiz. Motion passed 4 to 1 by the following vote:

#### ROLL CALL:

AYES: Council Member(s): Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): Amezquita

**5. Approve Resolution for the Collection of Utility Users Tax for Prepaid Wireless Cards by State Board of Equalization and Resolution for the Examination of Prepaid Telephone Services Surcharges and Local Records by Designated City Staff (Interim Finance Director) and its Consultants**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Adopt Resolution No. 2015-31, Authorizing the City Manager and the City Attorney to Execute Certain Documents Required by the State Board of Equalization to Collect the City's Utility User's Tax on Prepaid Wireless Service; and
2. Adopt Resolution No. 2015-32, Authorizing the Examination of Prepaid Mobile Telephone Services Surcharge and Local Charge Records by the designated City staff (Interim Finance Director) and its consultants.

Pulled by Mayor Macias for discussion.

Interim City Manager Ornelas presented the item.

City Attorney Alvarez-Glasman stated if this matter is approved the City would be utilizing Muniservices as their consultant.

Mayor Macias noted the consultant named in the Resolution and questioned if an RFP would be processed.

Interim Finance Director Mazyck stated that Muniservices contract has been effect since 2003 with no termination date the BOE is under the expectation that they would continue to work with Muniservices. Intent was to solicit a specific term of engagement and dollar amount and was looking to continue services.

Vice Mayor Ortiz concerned with adding consultant to resolution.

Mayor Macias asked that staff do their due diligence with the processing of RFPs and asked that this item be tabled to the next City Council Meeting.

Council Member Sanabria would like to see a list of other consultants and a report that provides that the BOE prefers to work with the named consultant.

Council Member Amezcuita concerned with the tax being paid by low income people and the potential of losing sales tax revenue to the City.

Interim Finance Director Mazyck willing to look into the facts surrounding the tax.

**Motion:** Council Member Sanabria motioned to continue the item, seconded by Vice Mayor Ortiz. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcuita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

**PUBLIC WORKS**

**6. Approval of Purchase Order for Purchase of Gasoline and Diesel Fuel for City Vehicles**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Approve the purchase order with six vendors for the purchase of gasoline and diesel fuel for a not-to-exceed amount of \$250,000 for Fiscal Year (FY) 2015-2016; and

2. Authorize the Interim City Manager to execute a blanket purchase order in a not-to-exceed amount of \$250,000 for FY 2015-2016.

Pulled by Mayor Macias for discussion.

Interim City Manager Ornelas presented the item.

Council Member Sanabria questioned the difference of purchasing the fuel retail vs. wholesale.

City Engineer Ackerman explained there's a difference in price purchasing fuel in bulk (wholesale) vs. retail. The cost for bulk is .15 cents per gallon for gas, purchasing it retail there is a cost of .18 cents per gallon of gas and .24 cents per gallon of diesel fuel plus paying a sales tax on top of the federal tax then you would have to apply to be reimbursed.

Council Member Sanabria questioned how the vendors were selected and were they the only vendors within the 30 to 40 mile proximity.

City Engineer Ackerman stated these vendors were chosen within a 30 to 40 mile radius from the City for the reasons of the delivery charge and close proximity for the delivery and to his understanding were the only vendors within the range.

Council Member Sanabria would like staff to further research for other vendors and motioned to continue the item.

Council Member Pineda questioned the amount the City would be saving if they purchased the fuel from one of the vendors.

City Engineer Ackerman stated that if the City purchases from one of the vendors at 15 times a year they would be saving \$18,000 as opposed to what the City previously did which was purchase from one vendor for the whole year while gas prices would fluctuate throughout the year. He noted that the City would save if bidding competitively each purchase.

Mayor Macias concerned with coming back to Council each time and reiterated Council Member Sanabria's request for staff to research for other vendors.

Interim City Manager clarified Mayor Macias comment with regard to having staff come back six times for the purchase of fuel instead of approving six different vendors at one time.

Council Member Sanabria feels she can't make a decision until staff further researches more vendors or shows these are the only vendors.

Vice Mayor Ortiz stated she would like to oversee the purchases.

Council Member Amezcua questioned if the City currently has fuel.

City Engineer Ackerman stated the City has had to process emergency purchases and will need too until vendors are chosen.

**Motion:** Council Member Sanabria motioned to continue the item, seconded by Vice Mayor Ortiz. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcua, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

**7. Approve Appropriation and Allocation of Competitive Beverage Container Grant Funds**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Appropriate and allocate funds pursuant to the implementation of the competitive beverage container grant which has been fully funded and awarded by CalRecycle.

Pulled by Mayor Macias for discussion.

Interim City Manager Ornelas presented the item.

Mayor Macias asked that Council be kept up-to-date with the grant.

**Motion:** Vice Mayor Ortiz motioned to approve appropriation and allocation of funds pursuant to the implementation of the competitive beverage container grant which has been fully funded and awarded by CalRecycle, seconded by Council Member Sanabria. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezcua, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.

NOES: Council Member(s): None

**END OF CONSENT CALENDAR**

**PUBLIC HEARING**

**PUBLIC WORKS**

**8. Approve Resolution Approving Conformance with the Congestion Management Program (CMP) and Adopting the 2015 CMP Local Development Report**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Conduct a public hearing;
2. Take public testimony; and
3. Adopt Resolution No. 2015-33, Finding the City of Huntington Park to be in Conformance with the Congestion Management Program (CMP) and Adopting the 2015 CMP Local Development Report (LDR), in Accordance with California Government Code section 65089.

Interim City Manager Ornelas presented the item.

Mayor Macias opened the item for public comment.

Public Comment – None

Mayor Macias closed public comment.

**Motion:** Council Member Sanabria motioned to adopt Resolution No. 2015-33, Finding the City of Huntington Park to be in Conformance with the Congestion Management Program (CMP) and Adopting the 2015 CMP Local Development Report (LDR), in Accordance with California Government Code section 65089, seconded by Council Member Amezcua. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

**REGULAR AGENDA**

**COMMUNITY DEVELOPMENT**

**9. Approve Ordinance Related to Residential Rooftop Solar Systems**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Approve first reading, waive further reading and introduce Ordinance No. 941-NS, amending Title 8 by adding a new Chapter 18 relating to Small Residential Rooftop Solar Systems; and
2. Schedule the second reading and adoption of the Ordinance for September 8th, 2015.

Interim City Manager Ornelas presented the item.

**Motion:** Council Member Sanabria motioned to approve first reading, waive further reading and introduce Ordinance No. 941-NS, amending Title 8 by adding a new Chapter 18 relating to Small Residential Rooftop Solar Systems and conduct second reading, waiver of reading and adoption of said ordinance on September 8, 2015, seconded by Vice Mayor Ortiz. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

**FINANCE**

**10. Approve Advance from General Fund to Successor Agency for Debt Service Deposit**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Ratify the advance of General Fund cash made to the Successor Agency in the amount of \$497,352 in order for the Successor Agency to make its debt service deposit on August 15, 2015.

Interim City Manager Ornelas introduced Interim Finance Director Jan Mazyck who explained to Council this request is a timing issue and the City is required to pay debt service in advance it's collected into an account and will come back to the City.

**Motion:** Council Member Sanabria motioned to ratify the advance of General Fund cash made to the Successor Agency in the amount of \$497,352 in order for the Successor Agency to make its debt service deposit on August 15, 2015, seconded by Vice Mayor Ortiz. Motion passed by the following vote:

ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

**FINANCE (continued)**

## 11. Approval of Encumbrances for Expired Public Works Contracts and Agreements

### RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Approve encumbrances for expired contracts and maintenance agreements listed in Attachment A totaling \$1,446,248;
2. Direct the preparation and processing of RFPs for each of the contracts listed in Attachment A and return to City Council for approval of new contracts by December 31, 2015; and
3. Authorize the Interim Finance Director to make the required payments related to the contracts listed in Exhibit "A" based upon the authorization established by City Council's affirmative action on the detail provided in Exhibit A, as attached, provided that the amounts do not exceed budgeted amounts.

Interim City Manager Ornelas presented item.

Council Member Amezquita questioned if some of the contracts can be done in-house such as graffiti removal and with regards to central basin maintenance amount please explain.

Interim City Manager stated yes this can be looked into but to also recognize the City is short staff due to golden handshakes. Mr. Ornelas explained the amount for central basin maintenance is the actual fees the city pays out for central basin being a participant and then introduced City Engineer Michael Ackerman.

City Engineer Ackerman explained the central basin fee is the purchase of water the city pumps with our own purveyance system and that currently the City has 3800 of acre fees of water rights per year and haven't been maxing out and previously purchased at a higher price from Met but getting Well 15 up and operating we'll be able to pump with our water rights since we've banked some.

Council Member Amezquita noted that the City of South Gate has a surplus we can buy from to save money.

City Engineer Ackerman stated correct and that the City hasn't been using all the acre rights and have banked them and now the City should use them to bring the amount down and within the next year or two we'll be negotiating with our neighboring cities to lease those water rights.

Mayor Macias requested that Council get copies for each of the RFPs.

**Motion:** Council Member Sanabria motioned to approve encumbrances for expired contracts and maintenance agreements listed in Attachment A totaling \$1,446,248, direct the preparation and processing of RFPs for each of the contracts listed in Attachment A and return to City Council for approval of new contracts by December 31, 2015 and Authorize the Interim Finance Director to make the required payments related to the contracts based upon the authorization established by City Council's affirmative action on the detail provided that the amounts do not exceed budgeted amounts, seconded by Council Member Pineda. Motion passed by the following vote:

### ROLL CALL:

AYES: Council Member(s): Amezquita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

## PARKS AND RECREATION

**12. Consideration of Greater Federation of Women’s Clubs of Huntington Park Request Use and Facility Fee Waiver for Huntington Park Community Center and Senior Park to Host Proposed Domestic Violence & Sexual Assault Awareness Symposium**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Review GFWC Women’s Club of Huntington Park’s Special Event and Facility Fee Waiver Application for the use of the Huntington Park Community Center and Senior Park to host their Domestic Violence and Sexual Assault Awareness Symposium;
2. Consider request for use of the Huntington Park Community Center for proposed symposium; and
3. Approve proposed fee waiver request in the amount \$1,755 for use of the Huntington Park Community Center.

Interim City Manager Ornelas presented item.

Vice Mayor Ortiz spoke in support of staff’s recommendations.

**Motion:** Council Member Pineda motioned to approve proposed fee waiver request in the amount \$1,755 for use of the Huntington Park Community Center, seconded by Council Member Amezcuita. Motion passed by the following vote:

ROLL CALL:

- AYES: Council Member(s): Amezcuita, Pineda, Sanabria, Vice Mayor Ortiz and Mayor Macias.  
NOES: Council Member(s): None

**DEPARTMENTAL REPORTS** (Information only)

**WRITTEN COMMUNICATIONS** - None

**COUNCIL COMMUNICATIONS**

Council Member Valentin Palos Amezcuita – doesn’t agree with appointment noting how it has effected the City, commented on Immigration Reform, protecting the City and residents. He would like to see an Economic Development Commission, Transportation Commission and an Emission Commission. He would like to revitalize the shopping district, a light rail wants the City to be a destination and asked for patience to let the people speak.

Council Member Jhonny Pineda – thanked his colleagues for attending the Citizen Workshop. He commented on public comment with regard to his appointments, thanked those who spoke and wishes to continue moving the City forward.

Council Member Marilyn Sanabria – thanked those who attended, thanked Karna Delacruz and other staff who participated and supported the National Night Out event, likes community events, thanked Parks & Recreation Director Josette Espinosa and staff for their support on two events that took place at Salt Lake Park and gave direction to the Interim City Manager to track fuel purchases.

Vice Mayor Graciela Ortiz – commented on empowering the youth and the residents, thanked staff for empowering the residents and thanked those who stayed late.

Mayor Karina Macias – thanked staff for staying late, thanked Chief Lozano, City Attorney Alvarez-Glasman and Interim City Manager Ornelas for coordinating the public comment portion in allowing everyone to speak, noted her support for Council Member Pineda’s decision on his appointments, acknowledges the importance of the issue,

thanked staff for the preparation of the State of Address for the City on August 22nd and announced the one the Chamber is having on August 25<sup>th</sup>.

### **ADJOURNMENT**

At 10:25 p.m. Mayor Macias adjourned the City of Huntington Park City Council to an adjourned Regular City Council Meeting on **Tuesday**, September 8, 2015, due to Monday being a Holiday, at 6:00 P.M.

**NOTE:** *the Regular City of Huntington Park City Council Meetings held the first and third Monday of each month at 6:00 p.m., is scheduled to change, starting **October 6, 2015** to the first and third **TUESDAY** of each month, location to remain the same: 6550 Miles Avenue, Huntington Park, California, Council Chambers.*

Respectfully submitted,

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Donna G. Schwartz, CMC, City Clerk