



Tuesday, May 28, 2013  
Regular Meeting 6:00 p.m.  
Council Chamber  
6615 Passons Blvd.  
Next Resolution No. 6719  
Next Ordinance No. 1075  
Next Agreement No. 13-1393

**ROLL CALL:**

Gustavo V. Camacho, Mayor  
Brent A. Tercero, Mayor Pro Tempore  
Bob J. Archuleta, Councilmember  
David W. Armenta, Councilmember  
Gregory Salcido, Councilmember

**COMMISSIONERS SCHEDULED TO BE PRESENT:**

Theresa Corella, Sister City Commission  
Robert Martinez, Planning Commission

**INVOCATION:**

(In accordance with the Court's Decision in Rubin v. City of Burbank, only nonsectarian prayers/invocations are allowed during the invocation)

**PLEDGE OF ALLEGIANCE:**

**SPECIAL PRESENTATIONS:**

- Proclamation to the American Cancer Society – 10<sup>th</sup> Anniversary of the Pico Rivera Relay for Life

**PLEASE TURN OFF ALL PAGERS AND/OR PHONES WHILE MEETING IS IN SESSION AND PLEASE REFRAIN FROM TEXTING DURING THE MEETING**

\*\*\*\*\*  
In compliance with the Americans with Disabilities Act of 1990, the City of Pico Rivera is committed to providing reasonable accommodations for a person with a disability. Please call the City Clerk's office at (562) 801-4389, if special accommodations are necessary and/or if information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodations can be arranged.

**1<sup>st</sup> PERIOD OF PUBLIC COMMENTS - IF YOU WOULD LIKE TO SPEAK ON ANY LISTED AGENDA ITEMS, PLEASE FILL OUT A GREEN PUBLIC COMMENT REQUEST FORM AND PROVIDE IT TO THE STAFF MEMBER AT THE BACK TABLE BEFORE THE MEETING STARTS.**

When you are called to speak, please come forward and state your name and city of residency for the record. You have three (3) minutes to make your remarks. In accordance with Government Code Section 54954.2, members of the City Council may only: 1) respond briefly to statements made or questions posed by the public; 2) ask a question for clarification; 3) provide a reference to staff or other resources for factual information; 4) request staff to report to the City Council at a subsequent meeting concerning any matter raised by the public; and 5) direct staff to place a matter of business on a future agenda. City Council members cannot comment on items that are not listed on a posted agenda.

**CONSENT CALENDAR ITEMS:**

All items listed on the Consent Calendar may be acted on by a single motion without separate discussion. Any motion relating to a Resolution or Ordinance shall also waive the reading of the titles in full and include its adoption as appropriate. If discussion or separate vote on any item is desired by a Councilmember or staff, that item may be pulled from the Consent Calendar for separate consideration.

**1. Minutes:**

- City Council meeting of May 14, 2013

**Recommendation:** Approve

- Parks and Recreation meeting of April 11, 2013

**Recommendation:** Receive and file

**2. 19<sup>th</sup> Warrant Register of the 2012-2013 Fiscal Year. (700)**

Check Numbers: 256874-257058

Special Checks Numbers: 256980-256981

**Recommendation:** Approve

**3. Second Reading – Adoption of Ordinance No. 1074 Approving Zone Reclassification No. 313 to change the Zone Designation from General Commercial (C-G) to Commercial Planned Development (CPD) for the Properties Located at 9036 Beverly Boulevard and 4422 Rosemead Boulevard, Pico Rivera (1300)**

**Recommendation:**

1. Adopt Ordinance No. 1074 changing the zone designation from General Commercial (C-G) to Commercial Planned Development (CPD).

Ordinance No. 1074 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING A ZONE RECLASSIFICATION DESIGNATION FROM GENERAL COMMERCIAL (C-G) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) FOR THE PROPERTIES LOCATED AT 9036 BEVERLY BOULEVARD AND 4422 ROSEMEAD BOULEVARD AND FURTHER DESIGNATED HEREIN AS ZONE RECLASSIFICATION NO. 313

4. **General Municipal Election - November 5, 2013.** (300)

**Recommendation:**

1. Adopt resolution calling for the holding of a General Municipal Election to be held on Tuesday, November 5, 2013, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities;
2. Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, November 5, 2013;
3. Adopt resolution requesting the Board of Supervisors of the County of Los Angeles to consolidate a General Municipal Election to be held on Tuesday, November 5, 2013, with the El Rancho Unified School District and the Pico Water District election to be held on the date pursuant to § 10403 of the Elections Code;
4. Adopt resolution rescinding Resolution No. 6621 and adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, November 5, 2031;
5. Adopt resolution providing for a procedure for determining by lot a tie among candidates at the November 5, 2013 consolidated General Municipal Election in accordance with Election Code Section 15651 and rescinding Resolution No. 6622.
6. Authorize the City Clerk to retain the services of Martin and Chapman election suppliers for the General Municipal Election to be held November 5, 2013.

Resolution No. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

Resolution No. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013

Resolution No. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013, WITH THE EL RANCHO UNIFIED SCHOOL DISTRICT AND THE PICO WATER DISTRICT ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE

Resolution No. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6621 AND ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013

Resolution No. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, PROVIDING FOR A PROCEDURE DETERMINING BY LOT A TIE AMONG CANDIDATES AT THE NOVEMBER 5, 2013 GENERAL MUNICIPAL ELECTION IN ACCORDANCE WITH GOVERNMENT CODE SECTION 15651 AND RESCINDING RESOLUTION NO. 6622

5. **Treasurer's Report – March 31, 2013.** (700)  
**Recommendation:**
1. Receive and file Quarterly Treasurer's Report for the quarter ending March 31, 2013.
6. **Adopt Amended Resolution for the City of Pico Rivera's withdrawal from the Los Angeles County Consolidated Sewer Maintenance District. (1200)**  
**Recommendation:**
1. Adopt amended resolution to set the effective date to July 1, 2014 for the City of Pico Rivera's withdrawal from the Los Angeles County Consolidated Sewer Maintenance District (CSMD); and

2. Receive and file the Sewer Service Charge, Preliminary Engineer's Report dated May 7, 2013.

Resolution No. \_\_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING RESOLUTION NO. 6708 REQUESTING WITHDRAWAL OF THE TERRITORY KNOWN AS THE CITY OF PICO RIVERA FROM THE CONSOLIDATED SEWER MAINTENANCE DISTRICT OF THE COUNTY OF LOS ANGELES

7. **Rio Vista Park Renovations Project, CIP No. 21224 – Funding Appropriation and Purchase of MUSCO Sports Field Lights.** (500)

**Recommendation:**

1. Authorize the City Manager to approve a change order with Acon Development, Inc. for the installation of four (4) additional sports field lights at Field No. 4 at the Rio Vista Park Renovation Project; and
2. Authorize a sole source purchase from MUSCO Sports Lighting, LLC in the amount of \$70,895 for four (4) additional sports field lights at Field No. 4 at the Rio Vista Park Renovation Project; and
3. Appropriate \$90,000 in Equipment Replacement Funds to the Rio Vista Park Renovation Project, CIP No. 21224 to fund replacement of sports field lights.

8. **Golf Course Management Amendment.** (500)

**Recommendation:**

1. Authorize the Mayor to execute amendment No. 2 to the Golf Course Management Agreement No. 11-1266.

Agreement No. 11-1266-2

**CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:**

**LEGISLATION:**

9. **An Interim Urgency Moratorium Ordinance Temporarily Prohibiting the Acceptance, Processing, or Issuance of Any Zoning Permit, Use Permit, Building Permit, Occupancy Permit, or Any Other Entitlement for the Establishment and Operation of Electronic Cigarette Retailers, Drug Paraphernalia Retailers, and Head Shops within City Limits.** (1300)

**Recommendation:**

1. Adopt the interim urgency moratorium temporarily prohibiting drug paraphernalia, head and smoke shops for 45 days within City limits.

Ordinance No. \_\_\_\_\_ AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, TEMPORARILY PROHIBITING THE APPROVAL FOR ANY ZONING PERMIT, USE PERMIT, BUILDING PERMIT, OCCUPANCY PERMIT, OR OTHER ENTITLEMENT FOR ELECTRONIC CIGARETTE RETAILERS, DRUG PARAPHERNALIA RETAILERS AND HEAD SHOPS WITHIN CITY LIMITS

**NEW BUSINESS:**

**OLD BUSINESS:**

**2<sup>ND</sup> PERIOD OF PUBLIC COMMENTS - THIS TIME IS RESERVED FOR COMMENTS THAT HAVE NOT BEEN ADDRESSED ALREADY OR THAT ARE NOT LISTED ON THE AGENDA. PLEASE FILL OUT A BLUE PUBLIC COMMENT REQUEST FORM AND PROVIDE IT TO THE STAFF MEMBER AT THE BACK TABLE BEFORE THE MEETING STARTS.**

When you are called to speak, please come forward and state your name and city of residency for the record. You have three (3) minutes to make your remarks.

**ADJOURNMENT:**

**AFFIDAVIT OF POSTING**

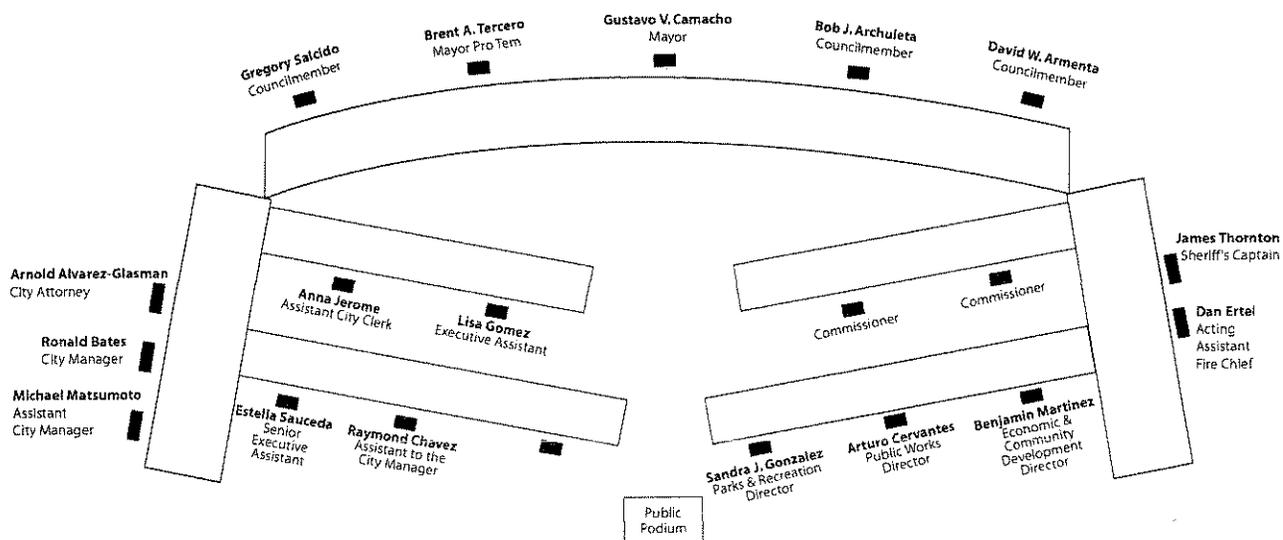
I, Anna M. Jerome, Assistant City Clerk, for the City of Pico Rivera, DO HEREBY CERTIFY, under penalty of perjury under the laws of the State of California, that the foregoing notice was posted at the Pico Rivera City Hall bulletin board, Pico Rivera Post Office and Parks: Smith, Pico and Rivera and full agenda packets distributed to the Pico Park and Serapis Libraries, which are available for the public to view. Additionally, agenda was distributed to members of the media on this the 23<sup>rd</sup> day of May 2013.

Dated this 23<sup>rd</sup>, day of May 2013



Anna M. Jerome, CMC  
Assistant City Clerk

## Council Meeting Seating Chart



### STATEMENT REGARDING DECORUM AT CITY COUNCIL MEETINGS

If you wish to speak at the time set aside for public comments, the City Council has established the following standards and Rules of Decorum as allowed by State law.

- Public comment is limited to those portions of the meeting referred to as Public Comments. These portions are intended for members of the public to address the City Council, Redevelopment Agency, Housing Assistance Agency or Water Authority on matters related to agendas or any other items under the subject matter jurisdiction of the City Council or Agencies.
- A yellow Public Hearing Comment Request card must be completed to speak during a Public Hearing.
- A green Public Comment Request – Agenda Items Only card is for those wishing to address the Council/Agency on agenda items only during the 1<sup>st</sup> Period of Public Comments.
- A blue Public Comment Request – All other City-Related Business card is for those wishing to address the Council/Agency on any other items under the subject matter jurisdiction of the Council/Agency during the 2<sup>nd</sup> Period of Public Comments.
- Citizens may address the Council, Redevelopment Agency or Housing Assistance Agency once for a **maximum of three minutes**. After each speaker returns to his/her seat, the Mayor shall determine the time and manner of response, but typically if answers are available, they will be given after all speakers have had an opportunity to address the City Council.
- Members of the audience are asked to refrain from clapping or otherwise speaking from their seats. Those not meeting the standards for decorum may be escorted from the meeting.

**RULES OF DECORUM CAN BE FOUND IN THE PICO RIVERA MUNICIPAL CODE SECTION 2.08.050 AS ESTABLISHED BY ORDINANCE 783 ADOPTED ON AUGUST 20, 1990 AND AMENDED BY ORDINANCES 822 (SEPTEMBER 21, 1992) AND 1020 (MARCH 21, 2006).**



Tuesday, May 14, 2013

A Regular Meeting of the City Council was held in the Council Chamber, Pico Rivera City Hall, 6615 Passons Boulevard, Pico Rivera, California.

Mayor Camacho called the meeting to order at 6:00 p.m. on behalf of the City Council.

**PRESENT:** Archuleta, Armenta, Salcido, Tercero, Camacho

**ABSENT:** None

**COMMISSIONERS PRESENT:**

Joseph Palombi, Parks & Recreation Commission

Esther Celiz, Planning Commission

**INVOCATION:** Esther Celiz, Planning Commissioner

**PLEDGE OF ALLEGIANCE:** Joseph Palombi, Parks & Recreation Commissioner

**SPECIAL PRESENTATIONS:**

- Employee Recognitions:
  - Cynthia Ayala, Parks & Recreation Department, 5 years
  - Francisco Perez, Public Works, 5 years
  - Raymond Chavez, Administration, 15 years
- National Public Works Week – Proclamation
- Certificate of Appreciation to California Manufacturing Technology Consulting (CMTC) for Offering Their Small Manufacturer's Advantage Program - Presented to Fabio Gomez, Regional Manager

**PUBLIC HEARING**

1. Public Hearing - Zone Reclassification No. 313 to Change the Zone Designation from General Commercial (C-G) to Commercial Planned Development (CPD) for the Properties located at 9036 Beverly Boulevard and 4422 Rosemead Boulevard, Pico Rivera. (1300)

Mayor Camacho opened the public hearing and noted that there was no written communications to provide public testimony.

City Manager Bates stated that representatives of Norm's Restaurant were present in the audience and referred the item to Community and Economic Development Director Martinez.

Community and Economic Development Director Martinez introduced Phil Singerman, President and Jerry O'Connell, Vice President of Norm's Restaurant who provided a brief PowerPoint presentation. Director Martinez stated that the item is a rezone of the property that will allow the city to address the entire development as a whole which includes vehicle/pedestrian circulation, landscaping setbacks, architecture, view corridors, signage, etc.

Oral Communications:

Javier Pacheco:

- Addressed the City Council regarding proper notification of the public hearing to the public to give residents an opportunity to speak.

In response to the speaker's comments, Senior Planner Aguilar stated that the notification of the public hearing was published in the *Whittier Daily News*, mailed out to all property owners within 300 feet of the property, it was posted at the Post Office, City Hall Bulletin Board, City facilities, libraries, and in addition a notice was placed on the property itself.

City Attorney Alvarez-Glasman stated that the city was in full compliance with the law in regard to publication/posting/notification and further stated that the full agenda is on-line 72 hours prior to the meeting.

Mayor Camacho closed the public hearing.

Motion by Councilmember Archuleta, seconded by Councilmember Armenta to: 1) Adopt Resolution No. 6712 approving Zone Reclassification No. 313; and 2) held first reading and introduction of Ordinance No. 1074 amending Zoning Map of the City of Pico Rivera. Motion carries by the following roll call vote:

Resolution No. 6712 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING A ZONE RECLASSIFICATION TO CHANGE THE ZONE DESIGNATION FROM GENERAL COMMERCIAL (C-G) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) FOR THE PROPERTIES LOCATED AT 9036 BEVERLY BOULEVARD AND 4422 ROSEMEAD BOULEVARD AS SHOWN ON ATTACHMENT "A" AND FURTHER DESIGNATED HEREIN AS ZONE RECLASSIFICATION NO. 313

Ordinance No. 1074 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING A ZONE RECLASSIFICATION DESIGNATION FROM GENERAL COMMERCIAL (C-G) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) FOR THE PROPERTIES LOCATED AT 9036 BEVERLY BOULEVARD AND 4422 ROSEMEAD BOULEVARD AND FURTHER DESIGNATED HEREIN AS ZONE RECLASSIFICATION NO. 313 (FIRST READING AND INTRODUCTION)

AYES: Archuleta, Armenta, Salcido, Tercero, Camacho  
NOES: None

1<sup>st</sup> PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY: None.

CONSENT CALENDAR:

2. Minutes:
  - Approved City Council meeting of April 23, 2013
  
3. Approved 18<sup>th</sup> Warrant Register of the 2012-2013 Fiscal Year. (700)  
Check Numbers: 256539-256873  
Special Checks Numbers: None.
  
4. Landscaping and Lighting Assessment District No. 1 – Annual Renewal Consideration. (700)

1. Adopted Resolution No. 6713 initiating the Fiscal Year 2013-2014, Levy of Annual Assessment and ordering the preparing of the Engineer's Report for the Landscaping and Lighting Assessment District No. 1;
2. Adopted Resolution No. 6714 preliminarily approving the Engineer's Report for the Fiscal Year 2013-2014, levy and collection of assessments within the Landscaping and Lighting Assessment District No. 1 pursuant to the Landscaping and Lighting Act of 1972; and
3. Adopted Resolution No. 6715 declaring the City Council's intention to levy and collect the annual assessment within the Landscaping and Lighting Assessment District No. 1 for Fiscal Year 2013-2014, pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15, of the California Streets and Highways Code, and setting June 25, 2013 as the date for the public hearing on objections thereto.

Resolution No. 6713 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2013-2014 AND ORDERING THE PREPARATION OF AN ENGINEER'S REPORT PURSUANT TO PROVISIONS OF CALIFORNIA STREETS AND HIGHWAYS CODE DIVISION 15, PART 2

Resolution No. 6714 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT REGARDING PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1; AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-2014

Resolution No. 6715 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, CONFIRMING THE ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2013-2014, PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1

5. **Paramount/Mines Landscape Maintenance Assessment District – Annual Renewal Consideration.** (700)

1. Adopted Resolution No. 6716 initiating the Fiscal Year 2013-2014 Levy of Annual Assessment and ordering the preparation of the Engineer's Report for the Paramount/Mines Landscape Maintenance Assessment District; and
2. Adopted Resolution No. 6717 preliminarily approving the Engineer's Report for the Fiscal Year 2013-2014 levy and collection of assessments within the Paramount/Mines Landscape Maintenance Assessment District pursuant to the Landscaping and Lighting Act of 1972; and
4. Adopted Resolution No. 6718 declaring the City Council's intention to levy and collect the annual assessment within the Paramount/Mines Landscape Maintenance Assessment District for Fiscal Year 2013-2014 pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15, of the California Streets and Highways Code, and setting June 25, 2013 as the date for the public hearing on objections thereto.

Resolution No. 6716 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, INITIATING THE FISCAL YEAR 2013-2014 LEVY OF ANNUAL ASSESSMENT AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT FOR THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

Resolution No. 6717 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT REGARDING THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE DISTRICT; AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2013-2014

Resolution No. 6718 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT WITHIN THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2013-2014 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15, OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND SETTING THE TIME AND PLACE OF THE HEARING ON OBJECTIONS THERETO

**6. Summer Food Service Program Vendor Agreement. (500)**

1. Subject to grant approval, approved the Summer Food Service Program vendor agreement to Food Service Outreach, Inc. D.B.A., Pacific Catering Company for provision of food services.

Agreement No. 13-1389

**7. City Hall Emergency Back-up Generator Project, CIP 21243 – Award Construction Contract. (500)**

1. Awarded a construction contract in the amount of \$318,425 to TSR Construction & Inspection for the City Hall Emergency Back-up Generator Project, CIP No. 21243, and authorized the Mayor to execute the contract in a form approved by the City Attorney; and
2. Appropriated \$98,325 in Water Funds to the City Hall Emergency Back-up Generator Project, CIP No. 21243.

Agreement No. 13-1391

**8. Installation of Traffic Controls Devices - Traffic Safety. (1400)**

1. Received and filed.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to approve Consent Calendar Items 2 through 8. Motion carries by the following roll call vote:

**AYES:** Archuleta, Armenta, Salcido, Tercero, Camacho

**NOES:** None

**CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:** None.

**LEGISLATION:**

**9. Metropolitan Transportation Authority Congestion Mitigation Fee Program. (1400)**

Motion by Councilmember Armenta, seconded by Councilmember Archuleta to receive and file a report on the Los Angeles County Metropolitan Transportation Authority's

(Metro) proposed Congestion Mitigation Fee Program. Motion carries by the following roll call vote:

**AYES:** Archuleta, Armenta, Salcido, Tercero, Camacho

**NOES:** None

Recessed to Housing Assistance Agency at 6:40 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Housing Assistance Agency at 6:41 p.m.

ALL MEMBERS WERE PRESENT

**NEW BUSINESS:**

Councilmember Armenta requested that a written report on the outcome of an incident that took place on opening day for Rivera Baseball Association (RBA) be provided to City Council.

Councilmember Archuleta asked if any staff members would be attending the business conference in Las Vegas, with City Manager Bates responding that Council members Camacho and Armenta would be attending as well as City Attorney Alvarez-Glasman. He stated that the Community and Economic Development Department have provided to the mayor, council member and city attorney a list of potential businesses that staff would like to attract to the city along with scheduled meetings.

Mayor Camacho mentioned the luncheon fundraiser to be held by the Sheriff's Department on Wednesday, May 15, 2013 to raise funds for high school scholarships and the Tip-A-Cop fundraiser at Chili's to support Special Olympics.

**OLD BUSINESS:**

Councilmember Salcido presented a list of concerns regarding reduction in employee hours to less than 30 hours in order not to have to provide health insurance and asked if there is any penalty for doing this, suggested Council reconsider lighting issues at Rio Vista Park (T-ball fields) and Streamland Park, recommended re-addressing the windows for concession stands at Rivera Park and Smith Park, inquired about the

recent city water outage, and requested a closed session item regarding personnel, related issues for the meeting of May 28, 2013 under the title of City Manager.

Motion by Councilmember Tercero, seconded by Councilmember Archuleta to reconsider the lighting issues at both Rio Vista and Streamland Parks at the next Council meeting on May 28, 2013. Motion carries by the following roll call vote:

**AYES:** Archuleta, Armenta, Salcido, Tercero, Camacho

**NOES:** None

In regard to Councilmember Salcido's question regarding penalties for not providing health insurance, City Manager Bates stated that there is no penalty and that staff will provide available information to those employees who are affected by the reduction in hours and who may apply for health care under Obama Care as individuals.

Pertaining to the water outage, Public Works Director Cervantes stated that the water service interruption was caused by a power failure in the motor control center that operates the well. The power, he stated, came back on about fifteen minutes later; however, it took some time for the pressure to normalize so the water was not restored immediately. He stated that due to the lack of modernized technology, staff was not able to easily identify the problem. The other issue, he stated, is that the city is lacking a working emergency back-up generator. He further stated that staff was unable to identify the cause of the specific problem that triggered the power outage and stated that it was not due to human error since the wells are not manually operated.

With regard to closed session, City Attorney Alvarez-Glasman reminded City Council of his concern with having a conversation about the specific discipline for an employee that is not within the jurisdiction of the City Council. He stated that employees have privacy rights and that includes their right to confidentiality of their discipline.

Council members engaged in further discussion regarding policy and procedure and the proper title for closed session. City Attorney Alvarez-Glasman stated that he would research the Brown Act to see whether this item could be discussed in closed session based on providing City Council with information only and not discussion on the personnel matter. Councilmember Archuleta suggested that the Human Resources Department provide information on policy and procedure. Mayor Camacho asked City Attorney Alvarez-Glasman to proceed with his research on this subject and to report back to City Council with his findings.

Councilmember Armenta asked if the issues of the dam with the Army Corp of Engineer's will affect the installation of lighting. City Manager Bates stated that staff will investigate the issue and report the findings to City Council.

**2<sup>ND</sup> PERIOD OF PUBLIC COMMENTS – ALL OTHER CITY-RELATED BUSINESS:**

Andrew Gomez and Paloma Martinez, representatives of the Teen Court:

- Addressed the City Council to provide a progress report and to thank City Council for allowing them to occupy the cities facilities and for their support. The students presented a Certificate of Appreciation to the City of Pico Rivera.

Councilmember Salcido mentioned that El Rancho High School student, Cristian Roldan, was named the Gatorade California State Player of the year in soccer and is up for the national award.

Recessed to Closed Session at 7:32 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 7:45 p.m.

ALL MEMBERS WERE PRESENT

**CLOSED SESSION(S):**

**a. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency Designated Representatives:

City Manager Ron Bates

Assistant City Manager Mike Matsumoto

Employee organization(s):

Service Employees International Union, Local 721 - Full-Time Bargaining Unit

Pico Rivera Mid-Managers and Professional and Confidential Association

Bargaining Unit

Service Employees International Union, Local 721 – Director's Bargaining Unit

City Attorney Alvarez-Glasman stated that there was no final action taken and nothing further to report. He further stated that the item will be brought back before City Council once the MOUs have been signed.

**ADJOURNMENT:**

Mayor Camacho adjourned the City Council meeting in memory of Pastor Richard Ochoa at 7:46 p.m. There being no objection it was so ordered.

**AYES:** Archuleta, Armenta, Salcido, Tercero, Camacho

**NOES:** None

---

Gustavo V. Camacho, Mayor

**ATTEST:**

---

Anna M. Jerome, Deputy City Clerk

I hereby certify that the foregoing is a true and correct report of the proceedings of the City Council regular meeting dated May 14, 2013 and approved by the City Council on May 28, 2013.

---

Anna M. Jerome, Deputy City Clerk



**PARKS & RECREATION COMMISSION**

**MINUTES**

Thursday, April 11, 2013

A Regular Meeting was held in the Parks & Recreation Community Room, located at 6767 Passons Blvd., Pico Rivera, California. Chair Carlos Cruz called the meeting to order at 6:00 p.m.

**PRESENT:** Carlos Cruz, John Garcia, Paul Gomez, Joseph Palombi, Rod Torres

**ABSENT:** None

**APPROVAL OF MINUTES:** A motion was made by Commissioner Garcia and seconded by Commissioner Torres and carried on roll call vote to approve the Minutes of March 14, 2013.

**PUBLIC COMMENTS:** No public comments.

**AGENDA ITEMS:**

**1. NEW BUSINESS:**

a) New Director Information – Director González introduced herself and provided the commission with a brief history on her background. She comes from the City of Long Beach. She is a landscape architect and a license landscape contractor. She has been in the public sector for 22 years. Director González expressed her excitement in working for the City of Pico Rivera; continued to say that she is here to support staff and the Commission.

**2. OLD BUSINESS:** No old business.

**3. ORGANIZATION RECOGNITION REVIEW** – Deputy Director Rico brought forth to the commission three organizations, Smith Park Pony, Oficina Intergrupual Al-Anon, and Victory Outreach Pico Rivera, for their review.

Commissioner Garcia requested that the department also provide the following: 1) location of the meetings, 2) hours of operation, 3) age range.

Commission Torres asked if the City provides support to the groups. Deputy Director Rico responded that the City does not support the organizations. He continued to state that if the organizations requested to distribute flyers to the different city facilities, the department would review and distribute on behalf of the organization.

Commissioner Garcia asked if the department has a monitoring system to verify that 60 percent of the organization members are Pico Rivera Residents. Supervisor Chacon explained that he requires the community youth sports organizations to submit their league participant rosters along with a copy of the participants registration. He continued by saying that for the local non-profit organizations that cannot provide a roster, the president of that organization must submit a signed letter confirming that the 60 percent residency is met.

Chair Cruz asked Al-Anon who the organization was funded by and if there was an age group. President of Al-Anon, Julia Trueba, responded that the organization is funded by donations. Age range is from 8 years of age to adults.

Director González offered Ms. Trueba the department's support in distributing flyers at the Senior Center and the park facilities.

#### 4. DIRECTOR'S REPORT

a) Upcoming Events –Supervisor Chacon introduced the following upcoming events:

- |  |                |
|--|----------------|
| 1. Community Pride Day                 | April 13, 2013 |
| 2. Senior Center Volunteer Recognition | April 18, 2013 |
| 3. ERHS Health & Wellness Fair         | April 20, 2013 |
| 4. CYSO Quarterly President's meeting  | April 25, 2013 |
| 5. National Day of Prayer              | May 2, 2013    |
| 6. REACH Registration Day              | May 4, 2013    |
| 7. Post Office Canned Food Drive       | May 11, 2013   |

b) Project Updates

1. Rivera Park – Deputy Director Rico reported that a walk through took place last week with the president of RBA, Mike Lay. A couple of fences were vandalized but maintenance staff was quick to repair the fences. The Public Works Department has started a fertilization program to the fields. Temporary dugout covers and the backstop were installed on the tiny field. Pitching mounds have been modified to President Lay's satisfaction, until the league season is over and staff can complete the mounds to the appropriate level. Portable fence was relocated further back.

Commissioner Garcia asked for the task list that included items from the walk through done at Rivera Park. He continued to state that the following items should be on the task list: 1) Bullpens, 2) Horseshoe pits, 3) Concession stand window, 4) bat racks on the third base side on the tiny field, 5) valve covers needed to be bolted down. Commissioner Garcia added two (2) more items 1) a net is needed between the first base side of the minor field and the third base side of the tiny field, 2) a net is needed between the concession stand and the junior and peewee diamonds. Commissioner Garcia asked for Director González to provide time frames on tasks brought forth by the commission. Director González stated that she will provide a task matrix with estimated time frames to the commission.

Commissioner Palombi asked if the ball returns have been installed. Deputy Director Rico answered that the ball returns were installed several weeks ago.

2. Smith Park – Construction is moving along at a steady pace. Restrooms have been completed. Fields have been shaped. Currently, conduit is being installed for the dugouts and the irrigation. Smith Park Pony baseball president, Randy Torres, and staff did a walkthrough of the park to view the field's progress.

Deputy Director Rico advised the commission if they are interested in touring the park, to notify him. Tours can be arranged on Tuesday's after the construction meeting.

3. Rio Vista Park – The playground is gradually being installed. The concession stand roof will be completed in the upcoming weeks. Irrigation and the interior of the concession stand are currently being worked on.
4. Pico Rivera Library – Deputy Director Rico asked the commission if they were interested in touring the library grounds to notify staff. Tours are offered on Thursday's.

c) Department Information – Recreation management explained the following:

1. Easter Eggstravaganza Post Event report – Director González reported on the event that took place on March 23 at Pico Park. More than 3,500 event goers were present. This was the first year the event held an adaptive egg hunt and was very successful among the event attendees. 67 volunteers participated and over 2,400 lbs of candy was donated. On a survey taken from the event goers on how they heard about the event, the number one answer was through department flyers and the number two response was by friends and family. Chair Cruz commented that he attended the event and was impressed with the event and newly added egg hunt.
2. Adult Basketball League – The City does not currently have an adult basketball league. A request for proposal was sent out to four potential bidders. Eli Basketball league was the sole respondent. Eli Basketball is ran by Louie Elizalde, a 40 year Pico Rivera resident. A contract has been signed and Director González is requesting a participation of a minimum of 60 percent Pico Rivera residency. Supervisor Chacon reported that the last time the city had a basketball league was in 2007 operated by Fast Action Sports. He stated that the proposal includes the following: 1) the operator will run four seasons for 12 weeks each. 2) In one calendar year, they will run four leagues, for 12 weeks which includes playoffs. The proposal is for Tuesday nights at Rivera Park from 6 p.m. to 11 p.m. There will be a 30 percent revenue royalty per season on the gross receipts of the team registrations. Commissioner Palombi asked how the league was structured. Mr. Elizalde responded that a participant would bring in their own team. There is an entry fee of \$350 and scorekeeper's fee of \$35. Vice Chair Gomez asked what the age limit was. Mr. Elizalde responded it was 18 years of age and older. Commissioner Torres asked how the league will impact the parking and restrooms at the park, with RBA and the Pico Rivera Dons league also practicing during the same time slots. Supervisor Chacon responded that he does not anticipate there being a major impact to parking with the addition of the basketball league.

Commissioner Torres raised a concern for the protection and safety of the youth that are utilizing the park at the same time the adult league will be present. Supervisor Chacon reported that the participants are mandated to sign a code of conduct.

Commissioner Palombi also asked if any one person can join if they don't have a team. Mr. Elizalde stated that yes; they can join a team who is in need of an additional player.

Commissioner Garcia commented that this basketball league does not only provide the game of basketball but also mentorship and guidance.

Supervisor Chacon mentioned that Mr. Elizalde also has a non-profit organization; which the department will look into partnering with Mr. Elizalde for youth activities, canned food drives, tournaments, toy drives, etc.

Chair Cruz commented to the commission to share this information to their respective City Council Members.

3. Joint Use Agreement Between the City and the School District – Director González reported that she is currently awaiting for a meeting between the Mayor and the School Superintendent to take place as an initial introduction before she can proceed with the agreement process.
4. Rivera Park Incident – Director González stated that the City does not have the authority to go after the individuals. She continued to state that she met with the board of directors for each organization that was present the day of the incident and the findings were that each organization involved will be taking appropriate disciplinary actions.
5. Preliminary Budget Updates – Deputy Director Rico stated that the department has submitted their preliminary budget. The department has been asked to reduce their MNO budget by \$70,000.

## 8. COMMISSIONER'S REPORTS

**Gomez** - Asked if the Department has a back-up system for contract instructors. He continued to state that it was brought to his attention that the contract instructors were getting their checks late. Director González responded that she will look into that and will get back to the commission with a response. Director González also announced that she is looking into creating a "drop-in" fee policy for the contract classes, which she will bring forth to the commission when it is complete. Deputy Director added that the contract instructors are solely responsible for providing their own back-up instructors, which is indicated on their instructor contract.

**Garcia:** - Asked for Director González to report on the Walking Crew/REACH programs. Director González stated that the Walking Crew program is a cost to the department net of \$85,000. She has completed a proposal which will be going to City Council on April 23, to eliminate the

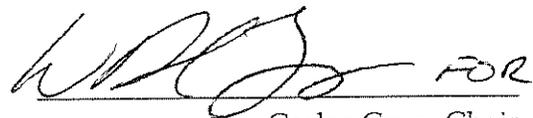
Walking Crew Program for the next school year 2013-14. Those participants that are currently participating in the Walking Crew program have been given the opportunity to register for the REACH program on a priority basis for next school year.

- Palombi:**
- Nothing to report on Rio Hondo and Rio Vista Parks.
  - Will be adopting Streamland Park as a facility to report on. Park attendees brought it up to his attention that there is limited parking stalls at Streamland Park. Deputy Director Rico indicated that Pico Boys Baseball league is responsible to get volunteers to place an "A frame" sign that indicates resident parking only on the streets. He continued to state that there were preliminary talks about adding Streamland Park parking lot to the master plan, which it is currently at the bottom of the master plan list. He also indicated that the Army Corp of Engineers was in the process of revamping their master plan. Deputy Director Rico stated that he will provide the commission with an update of that master plan project.
  - Asked if there was a change to the maintenance crew at Pico Park. He received a concern, that the fields at Pico Park are dry and are in need of water.
- Torres:**
- Smith Park Pony Baseball's head team mom past away this past Sunday; team will be hosting a carwash fundraiser in her honor at DD's Discounts store this upcoming Saturday. Majority of the league games have been cancelled in her honor.
- Cruz:**
- Will be participating in the Community Pride Day event on the 13<sup>th</sup>.

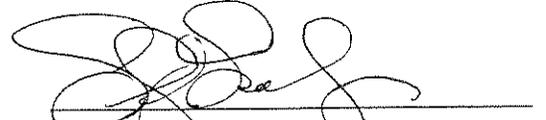
**ANNOUNCEMENTS** – No announcements.

**ADJOURNMENT:**

The Parks & Recreation Commission meeting was adjourned at 7:26 p.m. There being no objection it was so ordered.



Carlos Cruz, Chair  
Parks & Recreation Commission



Sandra J. Gonzalez, Secretary  
Director of Parks & Recreation



**To:** Mayor and City Council  
**From:** City Manager  
**Meeting Date:** May 28, 2013  
**Subject:** SECOND READING – ADOPTION OF ORDINANCE NO. 1074 APPROVING ZONE RECLASSIFICATION NO. 313 TO CHANGE THE ZONE DESIGNATION FROM GENERAL COMMERCIAL (C-G) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) FOR THE PROPERTIES LOCATED AT 9036 BEVERLY BOULEVARD AND 4422 ROSEMEAD BOULEVARD, PICO RIVERA

**Recommendations**

Adopt Ordinance No. 1074 changing the zone designation from General Commercial (C-G) to Commercial Planned Development (CPD).

**Fiscal Impact:** No impact.

**Discussion:**

At the meeting of May 14, 2013, the City Council introduced Ordinance No. 1074 approving a Zone Reclassification for the properties at 9036 Beverly Boulevard and 4422 Rosemead Boulevard, Pico Rivera to change their zoning from General Commercial (C-G) to Commercial Planned Development (CPD). This zone change will treat the properties as one development and allow for a greater flexibility with development standards. This flexibility will increase the site's attractiveness to desirable tenants who will complement the future Norm's Restaurant.

Ordinance No. 1074 to will become effective 30 days from its adoption.

  
Ronald Bates

RB:BM:GA:ll

Attachment: Ordinance No. 1074

**ORDINANCE NO. 1074**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING A ZONE RECLASSIFICATION TO CHANGE THE ZONE DESIGNATION FROM GENERAL COMMERCIAL (C-G) TO COMMERCIAL PLANNED DEVELOPMENT (CPD) FOR THE PROPERTIES LOCATED AT 9036 BEVERLY BOULEVARD AND 4422 ROSEMEAD BOULEVARD AND FURTHER DESIGNATED HEREIN AS ZONE RECLASSIFICATION NO. 313**

**WHEREAS**, Section 18.62.230 of the Pico Rivera Municipal Code authorizes the City Council of the City of Pico Rivera, upon receipt of Resolution from the Planning Commission of the City of Pico Rivera, upon holding a public hearing, upon hearing all testimony, upon examination and review of the investigative and staff reports and upon conclusion of public hearing to make such determinations and findings of fact as deemed necessary in the best interests of all parties involved and Planning Commission recommendation to approve Zone Reclassification to change a zoning designation;

**WHEREAS**, the Planning Commission of the City of Pico Rivera conducted a duly noticed public hearing on April 15, 2013 and adopted Planning Commission Resolution No. 1205 recommending City Council approval of the zone reclassification to change the zone designation from General Commercial (C-G) to Commercial Planned Development (CPD) for the properties located at 9036 Beverly Boulevard and 4422 Rosemead Boulevard; and,

**WHEREAS**, the City Council of the City of Pico Rivera conducted a public hearing to consider a Zone Reclassification to change the zoning designation from General Commercial (C-G) to Commercial Planned Development (CPD) for the properties at 9036 Beverly Boulevard and 4422 Rosemead Boulevard; and

**WHEREAS**, the City Council of the City of Pico Rivera has carefully considered all pertinent testimony and the staff report offered in the case as presented at the public hearing; and

**THE CITY COUNCIL OF THE CITY OF PICO RIVERA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** In accordance with Section 18.66.040 of the Pico Rivera Municipal Code, the Zone Classification of the herein described properties at 9036 Beverly Boulevard and 4422 Rosemead Boulevard as more particularly described in Attachment "A" are hereby placed in the Commercial Planned Development (CPD) zoned district, and further designated herein as Zone Reclassification No. 313.

**SECTION 2.** The Zone Reclassification shall be in accordance with the provisions of the Zoning Ordinance adopted by the City Council of the City of Pico Rivera by Ordinance No. 534, adopted April 1, 1975.

**SECTION 3.** Pursuant to the State of California Public Resources Code and State Guidelines for the California Environmental Quality Act (CEQA), the City Council finds that there is no possibility that the project will have a significant effect on the environment and as a result, no further CEQA review is necessary. This determination is in accordance with Section 15061 (b)(3) of the CEQA Guidelines that states, a project is exempt from CEQA where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**SECTION 4.** The City Council further finds that the proposed zone reclassification is consistent with the spirit and integrity of the Municipal Code as to the intent of Chapters 18.30 which describes the intent, purpose and applicability of the Commercial Planned Development (CPD) zone.

**SECTION 5.** The City Council finds that Zone Reclassification No. 313 is consistent with the General Plan in that the zone change will facilitate a more viable and uniform development of the site in order to increase its potential attractiveness to quality tenants.

**SECTION 6.** The City Council hereby declares that it would have passed this ordinance sentence by sentence, paragraph by paragraph, and section by section and does hereby declare that the provisions of this Ordinance are severable, and if, for any reasons, any sentence, paragraph, or section of this Ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

**SECTION 7.** The City Clerk shall certify to the adoption of this Ordinance. The City Council hereby finds that there are no newspapers of general circulation published and circulated within the City. The City Clerk shall therefore cause this Ordinance to be posted in five public places within the City as specified in the Pico Rivera Municipal Code within fifteen days of its final passage and this Ordinance shall take effect thirty days following its final passage.

[Signatures on following page]

**APPROVED AND ADOPTED** this 28th day of May, 2013 by members of the City Council of the City of Pico Rivera, voting as follows:

\_\_\_\_\_  
Gustavo V. Camacho, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Anna M. Jerome, Deputy City Clerk

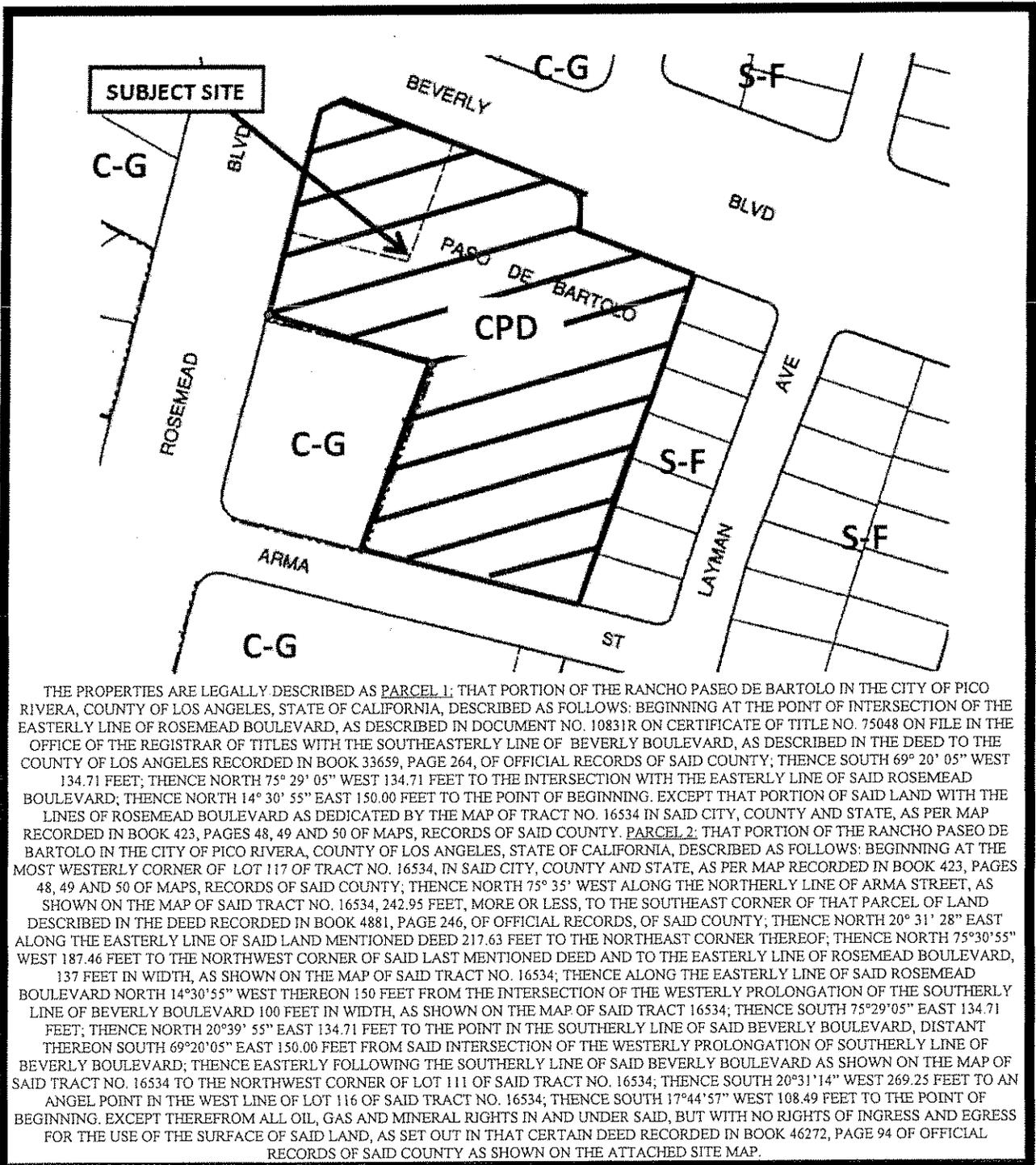
\_\_\_\_\_  
Arnold M. Alvarez-Glassman, City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**



ATTACHMENT "A"

No Scale N ↑

[SIGNATURES ON PAGE 5]

**ORDINANCE NO. 1074**

**Page 5 of 5**

**ZONE RECLASSIFICATION NO. 313**

**9036 Beverly Boulevard and 4422 Rosemead Boulevard**

Zone Reclassification from General Commercial (C-G) to Commercial Planned Development (CPD)

**PLANNING COMMISSION ACTION:**

**RESOLUTION NO. 1205**

Signed   
Benjamin A. Martinez,  
Planning Commission  
Community and Economic  
Development Director

**ADOPTED April 15, 2013**  
(Date)

**CITY COUNCIL ACTION:**

**RESOLUTION NO. 6712**

**ORDINANCE NO. 1074**

Signed \_\_\_\_\_  
Anna M. Jerome, CMC  
Deputy City Clerk

**ADOPTED May 28, 2013**  
(Date)



**TO:** Mayor and City Council

**FROM:** City Manager

**MEETING DATE:** May 28, 2013

**SUBJECT:** GENERAL MUNICIPAL ELECTION - NOVEMBER 5, 2013

**Recommendation:**

1. Adopt Resolution calling for the holding of a General Municipal Election to be held on Tuesday, November 5, 2013, for the election of certain officers as required by the provisions of the laws of the State of California relating to General Law Cities;
2. Adopt Resolution requesting the Board of Supervisors of the County of Los Angeles to render specified services to the City relating to the conduct of a General Municipal Election to be held on Tuesday, November 5, 2013;
3. Adopt Resolution requesting the Board of Supervisors of the County of Los Angeles to consolidate a General Municipal Election to be held on Tuesday, November 5, 2013, with the El Rancho Unified School District and the Pico Water District election to be held on the date pursuant to § 10403 of the Elections Code;
4. Adopt Resolution rescinding Resolution No. 6621 and adopting regulations for candidates for elective office pertaining to candidate statements submitted to the voters at an election to be held on Tuesday, November 5, 2013;
5. Adopt Resolution providing for a procedure for determining by lot a tie among candidates at the November 5, 2013 consolidated General Municipal Election in accordance with Elections Code Section 15651 and rescinding Resolution No. 6622.
6. Authorize the City Clerk to retain the services of Martin and Chapman election suppliers for the General Municipal Election to be held November 5, 2013.

**Fiscal Impact:**

The estimated cost of this General Municipal Election is expected to be \$108,000 (Exhibit "A") according to the Los Angeles County Registrar-Recorder/County Clerk's Office.

**Discussion:**

On Tuesday, November 5, 2013, a General Municipal Election is scheduled to be held for two (2) seats on the Pico Rivera City Council. The seats are currently held by Mayor Gustavo Camacho and Councilmember David Armenta. Those persons elected will serve a four (4) year term expiring in November, 2017.

State law sets Monday, June 17, 2013, as the last day on which to adopt Resolutions related to the November 5, 2013, election. Presented for your consideration are a series of recommendations, which will have the effect of calling the election; requesting election related services from both the Los Angeles County Registrar-Recorder County Clerk Elections Division and the election supply firm of Martin and Chapman; setting forth regulations for Candidates' Statements; providing for a procedure for determining by lot a tie among candidates at the November 5, General Municipal Election pursuant to § 15651 of the Elections Code; and approving the City of Pico Rivera's request for consolidation with the El Rancho Unified School District and the Pico Water District election to be held on the same date pursuant to § 10403 of the Elections Code.

Pursuant to the Federal Voting Rights Act, Los Angeles County is required to make voting material available in English, Spanish, Japanese, Chinese, Korean, Tagalog and Vietnamese. Materials in each of these required languages will be made available upon request. In addition, the sample ballot will contain information on how voting information in the required languages can be obtained via telephone at no cost to the voter. The demographics of Pico Rivera also require that the Voter's Pamphlet be translated and printed in Spanish as well as English.

If a candidate chooses to have a Candidate's Statement in the sample ballot, the candidate will be required to pay for printing of the statement in both English and Spanish. There will be a separate charge for the translation and printing.

CITY COUNCIL MEETING OF MAY 28, 2013  
GENERAL MUNICIPAL ELECTION – NOVEMBER 5, 2013  
Page 3 of 3

With approval and adoption of the items presented tonight, Election Code requirements will be satisfied. Pursuant to the schedule of election events prepared by the County Elections Department, the Candidate filing period will open Monday, July 15, 2013, and will close Friday, August 9, 2013, at 5:00 p.m. If an incumbent fails to file by Friday, August 9, 2013, the filing period will be extended to Wednesday, August 14, 2013 at 5:00 p.m. The Secretary of State's office will conduct the randomized alphabet drawing on Thursday, August 15<sup>th</sup>, to determine the order of names on the City's ballot.



Ronald Bates

RRB:AJ

Enc: Resolutions (5)  
Exhibit "A" Estimated Cost of Election

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES**

**WHEREAS**, under the provisions of the laws relating to general law cities in the state of California a General Municipal Election shall be held on Tuesday, November 5, 2013, for the election of Municipal Officers.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Pico Rivera, California, on Tuesday, November 5, 2013, a General Municipal Election for the purpose of electing two (2) Members of the City Council for the full term of four (4) years.

**SECTION 2.** That the ballots to be used at the election shall be in form and content as required by law.

**SECTION 3.** That the City Clerk is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

**SECTION 4.** That the polls for the election shall open at seven (7) o'clock a.m. of the day of the election and shall remain open continuously from that time until eight (8) o'clock p.m. of the same day when the polls shall be closed pursuant to Election Code §10242, except as provided in § 14401 of the Elections Code of the State of California.

**SECTION 5.** That in all particulars not recited in this resolution, the election shall be held and conducted as provided by law for holding municipal elections.

**SECTION 6.** That notice of the time and place of holding the election is given and the City Clerk is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

**SECTION 7.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**RESOLUTION NO. \_\_\_\_\_**

**Page 2 of 2**

**SECTION 8.** The City Council authorizes the City Clerk to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.**

\_\_\_\_\_  
**Gustavo V. Camacho, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Anna M. Jerome, Deputy City Clerk**

\_\_\_\_\_  
**Arnold M. Alvarez-Glasman, City Attorney**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO RENDER SPECIFIED SERVICES TO THE CITY RELATING TO THE CONDUCT OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013**

**WHEREAS**, a General Municipal Election is to be held in the City of Pico Rivera, California, (the "City") on Tuesday, November 5, 2013;

**WHEREAS**, in the course of conduct of the election it is necessary for the City to request services of the County; and

**WHEREAS**, all necessary expenses in performing these services shall be paid by the City of Pico Rivera.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the provisions of § 10002 of the Elections Code of the State of California, this City Council requests the Board of Supervisors of the County of Los Angeles to permit the County Elections Department to prepare and furnish the following for use in conducting the election:

1. A listing of county precincts with number of registered voters in each, so the City may consolidate election precincts into city voting precincts, and maps of the voting precincts;
2. A listing of polling places and poll workers the County uses for their elections;
3. The computer record of the names and address of all eligible registered voters in the City in order that the City's consultant may:
  - a. Produce labels for vote-by-mail voters;
  - b. Produce labels for sample ballot pamphlets;
  - c. Print Rosters of Voters and Street Indexes;
4. Voter signature verification services as needed;
5. Make available to the City election equipment and assistance as needed according to state law.

**SECTION 2.** That the City shall reimburse the County for services performed when the work is completed and upon presentation to the City of a properly approved bill.

**SECTION 3.** That the City Clerk is directed to forward without delay to the Board of Supervisors and to the County Elections Department, each a certified copy of this resolution.

**RESOLUTION NO. \_\_\_\_\_**

**Page 2 of 2**

**SECTION 4.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013**

\_\_\_\_\_  
**Gustavo V. Camacho, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Anna M. Jerome, Deputy City Clerk**

\_\_\_\_\_  
**Arnold M. Alvarez-Glasman, City Attorney**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013, WITH THE EL RANCHO UNIFIED SCHOOL DISTRICT AND THE PICO WATER DISTRICT ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE**

**WHEREAS**, the City Council of the City of Pico Rivera, California, called a General Municipal Election to be held on Tuesday, November 5, 2013, for the purpose of the election of two (2) Members of the City Council, and

**WHEREAS**, it is desirable that the General Municipal Election be consolidated with the El Rancho Unified School District and the Pico Water District election to be held on the same date and that within the City the precincts, polling places and election officers of the three (3) elections be the same, and that County Elections Department of the County of Los Angeles canvass the returns of the General Municipal Election and that the Election be held in all respects as if there were only one Election.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to the requirements of §10403 of the Elections Code, the Board of Supervisors of the County of Los Angeles is hereby requested to consent and agree to the consolidation of a General Municipal Election with the El Rancho Unified School District and the Pico Water District election on Tuesday, November 5, 2013, for the purpose of the election of two (2) Members of the City Council.

**SECTION 2.** That the County Elections Department is authorized to canvass the returns of the General Municipal Election. The election shall be held in all respects as if there were only one election, and only one form of ballot shall be used.

**SECTION 3.** That the Board of Supervisors is requested to issue instructions to the County Elections Department to take any and all steps necessary for the holding of the consolidated election.

**SECTION 4.** That the City of Pico Rivera, recognizes that additional costs will be incurred by the County by reason of this consolidation and agrees to reimburse the County for any costs.

**RESOLUTION NO. \_\_\_\_\_**

**Page 2 of 2**

**SECTION 5.** That the City Clerk is hereby directed to file a certified copy of this resolution with the Board of Supervisors and the County Elections Department of the County of Los Angeles.

**SECTION 6.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.**

\_\_\_\_\_  
**Gustavo V. Camacho, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Anna M. Jerome, Deputy City Clerk**

\_\_\_\_\_  
**Arnold M. Alvarez-Glasman, City Attorney**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6621 AND ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 5, 2013**

**WHEREAS**, § 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidates statement:

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1. GENERAL PROVISIONS:** That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Pico Rivera November 5, 2013, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:30 p.m. of the next working day after the close of the nomination period.

**SECTION 2. FOREIGN LANGUAGE POLICY**

- A. Pursuant to the Federal Voting Rights Act, candidates statements will be translated into all languages required by the County of Los Angeles. The County is required to translate candidate's statements into the following languages: Spanish.
- B. The County will print and mail sample ballots and candidates statements to all voters in Spanish. The County will make the sample ballots and candidates statements in the required languages available at all polling places, on the County's website, and in the Election Official's office.

**SECTION 3. PAYMENT**

A. Translations:

1. The candidate shall be required to pay for the cost of translating the candidates statements into any required foreign language as specified in (A) and (B) of Section 2 above pursuant to Federal and/or State law.

B. Printing:

1. The candidate shall be required to pay for the cost of printing the candidates statement in English in the main voter pamphlet.

2. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required in (A) of Section 2 above, in the main voter pamphlet.

3. The candidate shall be required to pay for the cost of printing the candidates statement in a foreign language required by (A) of Section 2 above, in the facsimile pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the Candidate's Statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 as amended, and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly more or less than the estimate, depending on the actual number of candidates filling statements. Accordingly, the City Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual costs. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid within thirty (30) days of the election.

**SECTION 4.** ADDITIONAL MATERIALS. No candidate will be permitted to include additional material in the sample ballot package.

**SECTION 5.** That the City Clerk shall provide each candidate or the candidate's representative with a copy of this Resolution at the time nominating petitions are issued.

**SECTION 6.** That all previous resolutions establishing Council policy on payment for candidates statements are repealed.

RESOLUTION NO. \_\_\_\_\_

Page 3 of 3

**SECTION 7.** That this resolution shall apply only to the election to be held on November 8, 2011 and shall then be repealed.

**SECTION 8.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Gustavo V. Camacho, Mayor

ATTEST:

APROVED AS TO FORM:

\_\_\_\_\_  
Anna M. Jerome, Deputy City Clerk

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

AYES:

NOES:

ABSENT:

ABSTAIN:

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, PROVIDING FOR A PROCEDURE FOR DETERMINING BY LOT A TIE AMONG CANDIDATES AT THE NOVEMBER 5, 2013 GENERAL MUNICIPAL ELECTION IN ACCORDANCE WITH GOVERNMENT CODE SECTION 15651 AND RESCINDING RESOLUTION NO. 6622.**

**WHEREAS**, § 15651 of the Elections Code of the State of California authorizes the City Council to determine the means and manner in which a tie vote is to be resolved in the event that two or more persons receive an equal and the highest number of votes (“tie votes”) for an office to be voted upon in a city;

**WHEREAS**, § 15651 of the Elections Code of the State of California provides that the tie vote shall be resolved in one of the following ways:

- a) **By Lot:** The City Clerk, serving as the Elections Official pursuant to Elections Code § 320, or his or her designee, shall summon the candidates who have received the tie votes, whether upon the canvass of the returns or upon recount by a court, to appear before the City Council at a time to be designated by the City Council. The City Clerk shall at that time and place resolve the tie votes by lot (defined below).
- b) **By Special Election:** The legislative body may resolve a tie vote by the conduct of a special runoff election involving those candidates who receive an equal number of votes. A special runoff election shall be held only if the legislative body adopts provisions of § 15651 (b) of the Elections Code prior to the conduct of the election resulting in the tie vote. All future elections conducted by that body shall be resolved likewise, unless the legislative body later repeals the order for the conduct of a special runoff election.

**WHEREAS**, the City Council desires that any tie vote resulting from the November 5, 2013 General Municipal Election be resolved by lot.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:**

**SECTION 1.** That pursuant to § 15651 of the Elections Code of the State of California, if any two or more persons receive an equal and the highest number of votes for an office to be voted for within the City, the tie votes shall be resolved by lot. “By lot” means, by deciding the matter through implementing a method of chance, in order to afford each candidate receiving tie votes a fair opportunity at election.

**SECTION 2.** That the City Council has the authority to resolve tie votes by lot, by implementing various methods of chance, including, but not limited to, a coin toss, generation of

**RESOLUTION NO. \_\_\_\_\_**

**Page 2 of 2**

random number, or drawing of names. In the interest of maintaining decorum, fairness and transparency, the method implemented for resolving tie votes in the November 5, 2013 General Municipal Election shall be the drawing of names, in accordance with the following procedure:

The City Clerk shall type the name of each candidate who has tied for office on a separate, but identical piece of paper, which shall be folded and deposited into a container and mixed so that the pieces of paper become indistinguishable. The City Clerk, or his or her designee, shall then draw from the container as many pieces of paper as there are seats on the City Council to be filled by the candidates who have tied. The candidate(s) whose name(s) appear(s) upon the drawn piece(s) of paper shall be deemed elected.

**SECTION 3.** That this resolution shall apply only to the election to be held on Tuesday, November 5, 2013, and shall be repealed upon the City Council's declaration of election results.

**SECTION 4.** That Resolution No. 6622 calling for a special runoff election is repealed.

**SECTION 5.** That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

**PASSED, APPROVED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.**

\_\_\_\_\_  
**Gustavo V. Camacho, Mayor**

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Anna M. Jerome, Deputy City Clerk**

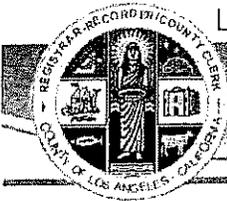
\_\_\_\_\_  
**Arnold M. Alvarez-Glasman, City Attorney**

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**



Los Angeles County REGISTRAR-RECORDER/COUNTY CLERK

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

March 12, 2013

Ms. Anna Jerome, City Clerk  
City of Pico Rivera  
P.O. Box 1016  
Pico Rivera, CA 90660-1016

**ESTIMATED COST FOR NOVEMBER 5, 2013 CONSOLIDATED ELECTIONS**

Dear Ms. Jerome:

The estimated cost for the City of Pico Rivera to participate in the November 5, 2013 Consolidated Elections with two offices is \$108,000.

The estimated cost is based on the following statistics available at this time: 34,065 registered voters, 7,883 permanent vote-by-mail voters, 16 precincts, 1 page per office, and up to 3 jurisdictions sharing the prorated costs with your City. **Changes in any of these factors and overall election statistics, as well as unanticipated increases in labor rates and/or material/supply costs, will have a significant impact on the final costs.**

If you have any questions or need additional information, please contact Bernice Liang of my staff at (562) 462-2690.

Sincerely,

DEAN C. LOGAN  
Registrar-Recorder/County Clerk

ANN SMITH, Manager  
Fiscal Operations



**To:** Mayor and City Council  
**From:** City Manager  
**Meeting Date:** May 28, 2013  
**Subject:** TREASURER'S REPORT – MARCH 31, 2013

**Recommendations:**

Receive & file Quarterly Treasurer's Report for the quarter ending March 31, 2013.

**Fiscal Impact:**

There is no fiscal impact from this item.

**Discussion:**

Attached is the Investment Report for the quarter ending March 31. Cash and Investments this quarter totaled \$28,058,504 consisting of \$3,871,856 in non-interest bearing accounts; \$24,186,648 in the State Local Agency Fund (LAIF); and \$12,420,420 of bond investments.

All investments are maintained in accordance with California Government Code Section 53601 and the City's investment policy. All idle funds are invested in LAIF which provide the highest liquidity should the City need to withdraw its funds. The Director of Finance certifies that the funds are invested to provide sufficient cash flow for a period of six months.

Ronald Bates

RB:MM

Attachment 1 – Treasurer's Report for Quarter Ending March 31, 2013.

March 31, 2013

**March 2013 Treasurer's Report**

I certify that the attached Treasurer's Report reflects all government agency pooled investments and is in compliance with the Investment Policy of the City of Pico Rivera. A copy of this policy is available at the office of the City Clerk.

Based upon prior experience, it is felt that the investment program herein shown provides sufficient pooled cash flow liquidity to meet estimated expenditures for the next six months.



**Mike Matsumoto**  
**Assistant City Manager/Finance Director**

Date: 5/15/2013

# CASH BALANCE BY FUND

CITY OF PICO RIVERA  
 TREASURER'S REPORT  
 March 31, 2013

FUND	TITLE	BALANCE			BALANCE 03/31/2013
		01/01/2013	INCREASES	DECREASES	
010	GENERAL FUND	(5,152,721)	13,357,820	(8,608,121)	(1,403,022)
011	GENERAL FUND DEBT SERVICE	153,172	106	-	153,277
012	PEBO (GASB45) FUND	3,000,000	-	-	3,000,000
013	GEN FUND RESERVE - LEAVE LIABILITY	737,506	-	-	737,506
014	GEN FUND RESERVE - CRA CONTINGENCY RESERVE	1,900,000	-	-	1,900,000
015	GENERAL FUND RESERVE	4,500,000	-	-	4,500,000
016	ECONOMIC STABILIZATION	1,482,982	-	(35)	1,482,948
017	IMAGE ENHANCEMENT FUND	2,820,823	5,154	-	2,825,978
020	SEWER	-	-	-	-
040	GAS TAX	333	446,506	(446,839)	-
041	STATE RELINQUISHMENT FUND	-	-	-	-
050	TRANSPORTATION DEV. TAX	(32,321)	-	-	(32,321)
070	PARK DEVELOPMENT	47,538	2,823	-	50,160
090	PROPOSITION A - TRANSP.	306,905	261,347	(165,965)	402,287
095	PROPOSITION C - TRANSP.	1,394,745	134,927	(51,507)	1,478,165
096	MEASURE R FUND	1,440,493	169,258	(195,779)	1,413,972
120	CABLE/PEG SUPPORT FUND	(2,015)	-	(4,400)	(6,415)
160	SYEP	5,626	4	-	5,629
200	AIR QUALITY IMPROVEMENT FUND	90,385	17,666	-	108,051
210	CAPITAL IMPROVEMENT	8,018	5,137,790	(5,139,290)	6,518
211	GENERAL PLAN CIP FUND	360,321	-	(24,308)	336,013
212	FINANCIAL SYSTEM REPLACEMENT FUND	511,603	-	(2,343)	509,260
300	2009 LRB PROJECT FUND	(2,387,458)	5,170,670	(3,416,456)	(633,244)
450	EQUIPMENT REPLACEMENT	1,432,117	990	(29,745)	1,403,362
510	LOW AND MODERATE HOUSING	-	-	-	-
511	HOUSING AGENCY - L&M	3,074	1,309	-	4,383
520	REDEVELOPMENT	-	-	-	-
531	SECTION 8	1,178,227	1,393,257	(1,373,522)	1,197,962
540	ASSMT DIST 95-1 IMPROVMT FUND	42,547	29	-	42,576
545	LIGHTING ASSESSMENT DISTRICT	(158,347)	232,463	(372,401)	(298,284)
546	PARAMOUNT/MINES ASSESSMENT DIST	30,325	1,164	(579)	30,910
547	FLOSSMOR RD. SEWER ASSESSMENT	3,366	2	-	3,369
550	WATER AUTHORITY	(3,264,805)	1,818,271	(1,568,796)	(3,015,331)
550	WRD	1,209,824	272,877	-	1,482,701
551	WATER ENTERPRISE FUND (OLD)	1,001,875	692	-	1,002,567
570	GOLF COURSE	(154,244)	92,672	(268,552)	(330,123)
570	GOLFLINKS	44,300	167,809	(92,690)	119,418
590	SPORTS ARENA	207,228	100,144	(66,577)	240,795
600	BICENTENNIAL CAMPGROUND	-	-	-	-
630	COMMUNITY DEVELOPMENT	(176,459)	319,123	(250,578)	(107,915)
631	CDBR-R GRANT	-	-	-	-
633	E.D.A. GRANT FUND	-	-	-	-
634	E.D.A.- DEVELOPER FEES	2,608,347	2,168	(416)	2,608,100
635	EPA SEWER GRANT	-	-	-	-
636	MONTEBELLO BUS GRANT	-	-	-	-
638	FEDERAL AID STPL5351 FUND	(40,000)	43,482	(3,482)	-
639	FEDERAL ARRA GRANT	(78,041)	78,041	-	-
640	HOME PROG.GRANT FUND	459,942	94,668	-	554,609
645	FEDERAL EARMARK	-	-	-	-
650	CALHOME GRANT	153,936	675	(2,352)	152,259
670	USED OIL RECYCLE GRANT	28,824	20	-	28,845
675	CA BEVERAGE CONTAINER GRANT	53,519	37	-	53,556
677	CA INTEGRATED WASTE MGT BOARD GRANT	-	-	-	-
681	PEDESTRIAN SAFETY PROGRAM GRANT	-	-	-	-
690	REACH GRANTS	687,533	230,652	(207,521)	710,663
697	MISCELLANEOUS LOCAL GRANTS	5,700	-	(3,185)	2,515
698	MISCELLANEOUS FEDERAL GRANTS	(80,000)	80,829	-	829
699	MISCELLANEOUS GRANTS	(94,357)	82,734	(94,028)	(105,651)
700	URBAN OPEN SPACE & RECREATION	-	-	-	-
715	STATE PARK FUNDS	-	-	-	-
716	PROP 12 - PARKS FUNDS	-	-	-	-
717	PROP 40 - CALIFORNIA PARK FUNDS	-	-	-	-
718	STATE GRANT TCRF PASSON	(2,706,266)	2,735,671	(1,418,773)	(1,389,368)
719	PROP 18 STREET GRANT	-	-	-	-
720	SAFE ROUTES TO SCHOOL(SR2S)	(327)	-	(891)	(1,217)
740	FEDERAL AID URBAN FUND	-	-	-	-
743	DEPT OF INTERIOR-URBAN PARK & REC RECOVERY PROGRAM	-	-	-	-
745	FEMA	-	-	-	-
790	COUNTY PARK BOND (PROP A)	-	-	-	-
850	DEBT SERVICE FUND	-	-	-	-
851	SUCCESSOR - DS	150,093	17,608	(57,588)	110,113
852	REDEVELOPMENT OBLIGATION RETIREMENT FUND	1,454	1,192,079	-	1,193,533
853	BOND DEFEASANCE FUND	880,265	371,973	-	1,252,228
854	SUCCESSOR SALES TAX	1,065,000	736	-	1,065,736
855	SUCCESSOR BOND FUND	1,727,088	-	-	1,727,088
860	DEBT SERVICE FUND FOR 2009 LEASE REVENUE BOND	-	873,119	(873,119)	-
990	DEPOSIT LIABILITY ACCOUNT	1,075,259	225,058	(39,530)	1,260,787
995	SEWC JOINT POWERS AUTHORITY	228,061	34	(5,368)	222,727
	<b>TOTALS</b>	<b>18,708,980</b>	<b>35,134,257</b>	<b>(24,784,734)</b>	<b>28,058,504</b>

CITY OF PICO RIVERA  
 TREASURER'S REPORT  
 March 31, 2013

TYPE OF INVESTMENT	ISSUER/ BROKER	INTEREST RATE	FISCAL YTD INTEREST INCOME	BOOK VALUE	PAR VALUE	CURRENT MARKET VALUE (C.M.V.)	SOURCE OF C.M.V.
<b>DEMAND DEPOSIT ACCOUNTS:</b>							
WELLS FARGO GEN ACCOUNT		0.00%	-	1,693,029	1,693,029	1,693,029	
WELLS FARGO WRD ACCOUNT		0.00%	-	1,482,701	1,482,701	1,482,701	
WELLS FARGO GOLFLINKS		0.00%	-	119,418	119,418	119,418	
WELLS FARGO SEC 8 ACCOUNT		0.00%	-	561,679	561,679	561,679	
WELLS FARGO SEC 8 ESCROW ACCT		0.00%	-	15,028	15,028	15,028	
			-	3,871,856	3,871,856	3,871,856	
<b>LOCAL AGENCY INVESTMENT FUND ACCOUNTS:</b>							
CITY LAIF ACCT#98-19-653		0.36%	41,573	23,585,279	23,585,279	23,585,279	
HOUSING ASSISTANCE AGENCY #25-19-002		0.36%	1,442	601,369	601,369	601,369	
			43,015	24,186,648	24,186,648	24,186,648	
<b>TOTAL CASH &amp; INVESTMENTS</b>			43,015	28,058,504	28,058,504	28,058,504	
<b>FISCAL AGENT (TRUSTEE) INVESTMENTS:</b>							
<u>PICO RIVERA WATER AUTHORITY, REVENUE BONDS 1999</u>							
(WATER SYSTEM PROJECT) PICO 99 A&B - BOND FUND	US BANK	0.00%	-	1,008,776	1,008,776	1,008,776	US BANK
FEDERAL TREASURY OBLIGATIONS FUND	US BANK	0.00%	-	600,000	600,000	600,000	US BANK
FEDERAL TREASURY OBLIGATIONS FUND			-	1,608,776	1,608,776	1,608,776	
<u>PICO RIVERA WATER AUTHORITY, REVENUE BONDS 2001</u>							
FEDERAL TREASURY OBLIGATIONS FUND	US BANK	0.00%	-	3,331,163	3,331,163	3,331,163	US BANK
<u>PICO RIVERA REDEVELOPMENT TAX ALLOCATION REFUNDING BONDS 2001 PROJ 1</u>							
	US BANK	0.00%	-	294,096	294,096	294,096	US BANK
<u>PFA 2009 BONDS</u>							
BNY MELLON TRUST COMPANY	BNY	0.00%	1,096	7,186,385	7,186,385	7,186,385	BNY
<b>TOTAL FISCAL AGENT (TRUSTEE) INVESTMENTS</b>			1,096	12,420,420	12,420,420	12,420,420	

Note: \* The Pico Rivera Water Authority owns all of the outstanding Pico Rivera Redevelopment Agency Project No. 1 2001 Tax Allocation Refunding Bonds



**To:** Mayor and City Council

**From:** City Manager

**Meeting Date:** May 28, 2013

**Subject:** ADOPT AMENDED RESOLUTION FOR THE CITY OF PICO RIVERA'S WITHDRAWAL FROM THE LOS ANGELES COUNTY CONSOLIDATED SEWER MAINTENANCE DISTRICT

**Recommendation:**

- 1) Adopt amended resolution to set the effective date to July 1, 2014 for the City of Pico Rivera's withdrawal from the Los Angeles County Consolidated Sewer Maintenance District (CSMD); and
- 2) Receive and file the Sewer Service Charge, Preliminary Engineer's Report dated May 7, 2013.

**Fiscal Impact:** None at this time. By withdrawing from the CSMD, the annual assessments currently collected by the CSMD will be remitted to the City of Pico Rivera. The fiscal year (FY) 2012/13 assessment for 13,814 parcels is approximately \$871,000. A single family residential property is assessed \$44.50 annually. This amount will increase \$3 per year over the next two (2) years since the CSMD approved a \$10 fee increase over a 3-year period, which began in FY 2012/13. In FY 2014/15, the assessment will be \$50.50 and the total is estimated to be \$988,000. After withdrawing from the CSMD, the City's annual sewer service charge will be the same (\$50.50).

**Discussion:**

The sanitary sewer system was acquired at the time of the City's incorporation in 1958. Since then, the sanitary sewer system has been operated and maintained by the CSMD; a special district governed by the Los Angeles County Board of Supervisors and staffed by the Los Angeles County Department of Public Works.

On January 22, 2013, the City Council approved initiating the process to withdraw from the CSMD. Among the reasons were; (1) to reduce the cost of sewer maintenance and increase services, (2) to effectively plan for sewer maintenance and construction projects on a local level, (3) to maintain compliance with State Waste Discharge Requirements, (4) to increase cleaning frequency, and (5) to initiate a 5-year Capital Improvement Program.

**Effective Date for Withdrawal** – On January 22, 2013, City Council adopted Resolution No. 6708 as the first step towards exiting the CSMD. Subsequently, staff met with the County to discuss the next steps in the withdrawal process as well as the schedule for taking over operation and maintenance (O&M) of the sewer system. Staff was informed at this meeting that the County could not complete the process quickly enough to separate the City from the CSMD by July 1, 2013. The County requested that the proposed withdrawal date be changed from July 1, 2013 to July 1, 2014.

By adopting an amended Resolution, the effective date for the City's withdrawal from the CSMD will be changed from July 1, 2013 to July 1, 2014.

**Schedule for Withdrawing** - The following is the proposed schedule for withdrawing from the CSMD;

- |   |                    |
|---|--------------------|
| 1. Submit Amended Resolution and Preliminary Engineering Report | June 2013          |
| 2. County Board of Supervisors Approval                         | September/Oct 2013 |
| 3. Approval by the State Board of Equalization                  | December 2013      |
| 4. Finalize the Sewer Service Charge, Engineer's Report         | January 2014       |
| 5. Public Hearing to Adopt Sewer Service Charge for FY 2014/15  | March 2014         |
| 6. City Assumes Control of the Pico Rivera Sewer System         | July 1, 2014       |
| 7. Notify County Assessor to Collect Sewer Service Charges      | August 2014        |

As a note, the amended Resolution and the Preliminary Engineering Report must be submitted to the Los Angeles County Department of Public Works by June 2013 to exit the CSMD by July 1, 2014.

**Sewer Service Charge, Preliminary Engineer's Report** – To withdraw, the County requires that the City illustrate its ability to fund, operate and maintain the sewer system. The Sewer Service Charge, Preliminary Engineer's Report (Preliminary Engineer's Report) satisfies this requirement.

The Preliminary Engineer's Report includes a calculation of the sewer service fees, total annual revenue, and the maintenance and operations plan, as shown below:

Summary of Estimated Annual Revenue and Operating Costs

A. Revenue (2014/2015):	\$988,000
B. Expenditures:	*\$590,000
C. Reserves/Capital Improvements:	\$398,000

\*Costs include Administration (\$168,000), Cleaning and Inspection (\$217,000), Lift Station Maintenance (\$105,000) and Engineering Support (\$100,000).

This financial analysis demonstrates that it is financially feasible to exit the CSMD. Further, that the City will have the ability to fund, operate and maintain the sewer system after it withdraws from the CSMD.



Ronald Bates

RRB:AC:AA:lg

Enc.

- 1) Amended Resolution
- 2) Preliminary Engineer's Report

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING RESOLUTION NO. 6708 REQUESTING WITHDRAWAL OF THE TERRITORY KNOWN AS THE CITY OF PICO RIVERA FROM THE CONSOLIDATED SEWER MAINTENANCE DISTRICT OF THE COUNTY OF LOS ANGELES**

**WHEREAS**, the Consolidated Sewer Maintenance District of the County of Los Angeles (“District”) was formed by and under the jurisdiction of the Board of Supervisors of the County of Los Angeles pursuant to the provisions of Chapter 4, Part 3, Division 5 of the California Health and Safety Code; and

**WHEREAS**, the City of Pico Rivera by its Resolution No. 87 has previously authorized inclusion of certain territories then and thereafter to the Consolidated Sewer Maintenance District of Los Angeles to be responsible for the maintaining of local and lateral sewers pursuant to Chapter 4, Part 3, Division 5 of the Health and Safety Code, as amended, of the State of California; and

**WHEREAS**, Section 4926 in Part 3, Division 5 of the California Health and Safety Code provides that if a portion of a District is included within a City by reason of incorporation, annexation, or otherwise, such portion shall continue to remain part of the District until a copy of a resolution adopted by the City requesting exclusion of such territory from the District is received by the Board of Supervisors; and

**WHEREAS**, Section 4926 in Part 3, Division 5 of the California Health and Safety Code provides upon receipt of such a resolution requesting exclusion of the territory contained within the city, such territory shall be excluded from the District and the remaining territory shall continue as a District. But the exclusion of such territory from the District shall not be effective until all outstanding contracts of the District have expired or the contracts, with the consent of the parties, have been modified or canceled so as to relieve the District of further obligation to pay for future maintenance in the affected territory.

**THE CITY COUNCIL OF THE CITY OF PICO RIVERA DOES HEREBY RESOLVE AS FOLLOWS:**

**SECTION 1.** Section 4926 in Part 3, Division 5 of the California Health and Safety Code, the City Council requests that the Board of Supervisors of the County of Los Angeles exclude the area within the boundaries of the City of Pico Rivera from the Consolidated Sewer Maintenance District of the County of Los Angeles.

**SECTION 2.** The City Council hereby requests the Board of Supervisors of the County of Los Angeles to authorize the division of all property, unencumbered funds and assets of the Consolidated Sewer Maintenance District of the County of Los Angeles between the City of Pico Rivera and the remaining portion of said District in proportion to the assessed value of the real property of the territory withdrawn from said District to the portion of said District remaining.

**SECTION 3.** The City Council hereby requests the Board of Supervisors of the County of Los Angeles to order the Consolidated Sewer Maintenance District of the County of Los Angeles to pay all sewer maintenance costs incurred within the City of Pico Rivera until June 30, 2014 or until the effective date of the jurisdictional change, whichever is later.

**SECTION 4.** This resolution shall take effect immediately.

**SECTION 5.** That the City Clerk of the City of Pico Rivera shall certify to the adoption of this resolution.

**APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Gustavo V. Camacho, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Anna M. Jerome, Assistant City Clerk

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

**AYES:**  
**NOES:**  
**ABSENT:**  
**ABSTAIN:**



# City of Pico Rivera

## Sewer Service Charges

Commencing  
FISCAL YEAR 2014/2015

PRELIMINARY ENGINEER'S REPORT

Submitted: May 7, 2013

27368 Via Industria  
Suite 110  
Temecula, CA 92590  
T 951.587.3500 | 800.755.6864  
F 951.587.3510

[www.willdan.com/financial](http://www.willdan.com/financial)



# TABLE OF CONTENTS

---

INTRODUCTION.....	1
PART A — PLANS AND SPECIFICATIONS .....	4
CITY SEWER IMPROVEMENTS.....	4
OPERATIONS, MAINTENANCE AND SERVICES.....	4
Preventive Maintenance: .....	5
Capital Outlay, Rehabilitation And Replacement .....	6
Sewer System Management.....	6
PART B — FEE CALCULATION .....	7
CALCULATION OF THE SEWER CHARGE.....	7
NUMBER OF SEWAGE UNITS BY LAND USES .....	8
PART C — ESTIMATED COST OF THE IMPROVEMENTS..	13
PART D — BOUNDARY DIAGRAM .....	14
PART E — PROPOSED FEES.....	15



## INTRODUCTION

---

Since incorporation in 1958, sewer services for the city-owned sewer collection system within the City of Pico Rivera (the "City") has been provided by the County of Los Angeles (the "County"). The County currently provides sewer services within the City as part of a larger Los Angeles County Consolidated Sewer Maintenance District (the "CSMD") and collects annual sewer services charges on the County tax rolls for such services and activities. The CSMD is a special district governed by the Los Angeles County Board of Supervisors and staffed by the Los Angeles County Department of Public Works. The CSMD was established by County Ordinance as codified in the Los Angeles County Code, Volume 5, Title 20 — Utilities, Division 3 — Sewer Maintenance Districts, Chapter 20.40 — Consolidated Sewer Maintenance District, as amended (the "LA County Code") and in accordance with the provisions of the California Health and Safety Code Division 5 — Sanitation, Part 3 — Community Facilities. While maintenance of the City's sewer system has been provided by the County and funded by annual charges on properties within the CSMD, including properties in the City, the City has retained its ownership rights to these facilities and to any facilities that would be constructed and accepted in the future as outlined in Resolution No. 87 of the Pico Rivera City Council.

In 1978, the Los Angeles County Board of Supervisors established by an ordinance amendment, the collection of the necessary funding for the CSMD as a sewer service charge to be collected on the property tax rolls.

In 2012, the Los Angeles County Board of Supervisors held a public hearing and subsequently adopted amendments to the LA County Code, authorizing scheduled increases to the sewage unit charges, which include:

- 1) Three-consecutive-year increases in the annual sewer service charge for the CSMD of \$3 per sewage unit, from \$32.50 to \$35.50 in Fiscal Year 2012/2013, from \$35.50 to \$38.50 in Fiscal Year 2013/2014, and from \$38.50 to \$41.50 in Fiscal Year 2014/2015; and
- 2) An increase in the additional annual sewer service charge for the Accumulative Capital Outlay Fund of the CSMD by \$1 per sewage unit, from \$8.00 to \$9.00, commencing in Fiscal Year 2012/2013.

Therefore, by Fiscal Year 2014/2015, the combined authorized sewer service charge rates for the CSMD will be \$50.50 per sewage unit.

The CSMD charges collected by the County, fund the overall preventive maintenance programs established by the County which generally consists of regular inspection of the sewer system including manholes, pipes, siphons, pump stations, treatment plants, regular cleaning, repair, and related activities throughout the CSMD.

While over the years, the CSMD has been responsive to the overall sewer maintenance needs of the City, providing as needed sewer services, the City has determined that it is in the best interest of the City and the property owners therein that both the immediate and long term maintenance and operation of the sewer system be locally controlled and provided by the City rather than the CSMD. Therefore the City has initiated proceedings for the withdrawal of the City territory from the CSMD, in order to transition the responsibilities for the maintenance and operation of the sewer system from the CSMD to the City as well as the collection and use of the revenue funds for such services and activities (existing authorized CSMD charges on properties will remain the same). This transition of sewer services from the CSMD to the City would allow the City to effectively plan for sewer maintenance and construction projects on a local level. Staff would also be better positioned to address the new sewer discharge requirements from the State Water Resources Control Board. By bringing the control to the local level rather than the CSMD the City anticipates that the response time for sewer maintenance services would be improved; overall inspection, monitoring and cleaning of the entire city-sewer system could be accomplished on a three to five year cycle (3-5 years) rather than just high priority (hot spots); and expenditures for capital outlays, repairs, rehabilitation or replacement of equipment or facilities could be better prioritized and expedited.

This Preliminary Engineer's Report ("Report") has been prepared in connection with the proposed transition of responsibility and collection of charges for sewer services from the County of Los Angeles County Consolidated Sewer Maintenance District to the City of Pico Rivera commencing in Fiscal Year 2014/2015 and consists of five (5) parts:

## **PART A – PLANS AND SPECIFICATIONS**

Contains a summary of the improvements within the City to be maintained and the proposed services and activities to be funded by the sewer service charges.

## **PART B — FEE CALCULATION**

Outlines the basis on which the annual charges will be calculated for each parcel within the City. The annual sewer service charge rate and fee calculation for each parcel of land as described herein is consistent with the rate and method previously established and authorized for the CSMD, and as such, does not constitute a new or increased fee under the provisions of the California Constitution Article XIID.

### **PART C – ESTIMATE OF COST**

Identifies the estimated cost of the services and/or maintenance to be provided by the City, including annual service and maintenance expenses; accumulation of funds for capital outlays, repairs, rehabilitation or replacement of equipment or facilities; as well as operational and incidental costs and expenses in connection therewith.

### **PART D – BOUNDARY DIAGRAM**

Contains a Diagram showing the exterior boundaries of the territory within the City of Pico Rivera subject to the annual sewer services charges, which is coterminous with the boundaries of the City Pico Rivera. Parcel identification, the lines and dimensions of each lot, parcel and subdivision of land within proposed sewer services boundary described herein are identified and correspond to the Los Angeles County Assessor's Parcel Maps for said parcels as they existed at the time this Report was prepared and shall include all subsequent subdivisions, lot-line adjustments or parcel changes therein. Reference is hereby made to the Los Angeles County Assessor's maps for a detailed description of the lines and dimensions of each lot and parcel of land within the City of Pico Rivera and subject to the proposed annual sewer services charges to be levied on behalf of the City.

### **PART E – PROPOSED FEES**

Provides a summary by land use classification of the proposed fees to be levied and collected on the lots or parcels of land within the City of Pico Rivera for Fiscal Year 2014/2015, in accordance with the proposed authorized sewer service rate and method of apportionment described in this report.

## **PART A — PLANS AND SPECIFICATIONS**

---

### **CITY SEWER IMPROVEMENTS**

The sewer improvements within the City of Pico Rivera for which the City proposes to transition the responsibilities for the maintenance and operation of the sewer system from the CSMD as well as levy and collect charges to maintain such improvements, includes, but is not limited to, and may be generally described as follows:

- Approximately one hundred ten miles (110 miles) of main sewer lines consisting of the following:
  - 111 linear feet (LF) of 6" sewer lines;
  - 526,134 linear feet (LF) of 8" sewer lines;
  - 26,000 linear feet (LF) of 10" sewer lines;
  - 21,743 linear feet (LF) of 12" sewer lines;
  - 3,455 linear feet (LF) of 15" sewer lines; and
  - 2,722 linear feet (LF) of 18" sewer lines.
- 2,516 Sewer Manholes.
- Three Lift/Pump stations generally located in the vicinity of:
  - Gallatin Road and Rosemead Boulevard;
  - Lundahl Drive and Pico Vista Road; and
  - Clarinda Avenue and Florpark Street.

The specific plans and Specifications for the city-owned sewer improvements are incorporated and contained in the sewer construction plans and specifications for the various sewer segments of the sewer system within the City of Pico Rivera. These plans and specifications are voluminous and are not bound in this report but by this reference are incorporated and made a part of this report. The specific plans and specifications for the city-owned sewer improvements are on file in Public Works at the City.

### **OPERATIONS, MAINTENANCE AND SERVICES**

The City of Pico Rivera proposes to collect funds to cover the expenses for the overall operation, maintenance and servicing of the city-owned sewer system as well as funds that may be necessary to pay for capital outlay expenditures including repairs, rehabilitation or replacement of equipment or facilities. The following is a summary of the services and activities associated with the maintenance, operation, servicing and capital outlay expenditures for the City's sewer system. The frequency, extent and/or

level of the services and activities identified below may be modified based on available funding and priorities as determined by the City:

**PREVENTIVE MAINTENANCE:**

One of the City's primary objectives for assuming responsibility and management of the operation and maintenance of the City's sewer system is to provide a cost-effective and efficient program that will ensure the integrity and long term stability of the sewer system. This is best accomplished by implementing preventive maintenance program that addresses the entire sewer system. This preventive maintenance should include, but is not limited to, regular inspection of the sewer manholes, pipes, siphons, pump stations and related facilities as well as regular cleaning, repair, and related activities as warranted. These activities are intended to detect and correct potential problems before they develop into major problems. The following is a general summary of those preventive maintenance activities.

- Sewer Line and Manhole Inspection — The interior and exterior of manholes to be inspected (at least once a year) for any structural defects, sewage flow condition, presence of vermin or rodents, deleterious industrial waste, odors, and any signs of unusual settlement around or evidence of debris within the manholes and along sewer alignments.
- Sewer Line Cleaning — Sewer lines will be videoed and cleaned by hydro jet or rodding as needed based on a scheduled that ensures each sewer line is addressed at least every three-five years. The actual frequency of cleaning may vary based on inspection records. Sewer lines known to cumulate grease, garbage grinds, or sand may be addressed more frequency with possible monthly, quarterly, or semi-annual cleaning schedule. Those areas prone to root growth may be periodically rodded or chemically treated.
- Sewage Pump Stations — All pump stations are equipped with telemetry/alarm systems and will be inspected at least once a week. Pumps and motors will be inspected and lubricated, control mechanisms and valves will be checked and adjusted as necessary. Pump station equipment will be repaired or modified as required.
- Gas Trap Manholes and Siphons — Inspected and cleared of any stoppages or flow restrictions on a monthly basis.
- Drop Manholes — Inspected and cleared of stoppages and flow restrictions on variable frequencies based on prior inspection records.
- Vermin and Rodent Control — On an as-needed basis, sewers infested by insects will be chemically treated, and those infested by rodents will be baited.

#### CAPITAL OUTLAY, REHABILITATION AND REPLACEMENT

In 1987, the County established within the CSMD an Accumulative Capital Outlay (ACO) Fund to finance sewer rehabilitation projects. With the transition of responsibility and funding from the County, the City plans to continue the practice of accumulating funds to address major repairs and rehabilitation of the sewer system on a priority basis. However, in addition the City plans to develop and implement a long-term replacement and refurbishment program that will ensure not only the short term integrity of the sewer system, but also the long-term integrity and continue service to the community. As the City's sewer collection system ages, the risk of failure will ultimately increase due to deterioration, collapse, blockage, excessive inflow and infiltration, overflow, and other potential service interruptions. Therefore, while the scheduling of major repairs, rehabilitation projects and replacement projects will ultimately be implemented based on available funding, highest priority will be given to structural deficiency. However, unlike the CSMD approach, by developing a long-term replacement and refurbishment program with the goal of eventually addressing the entire system, the City may also address hydraulic deficiency in addition to the structural deficiency

#### SEWER SYSTEM MANAGEMENT

- Mapping — As-built plans of the sewer facilities will be maintained by the City. Data on the plans, such as system locations and alignment, pipe material, size, etc., will be maintained and stored electronically by the City. These maps will be available and utilized by the field crews for work scheduling and responding to emergencies, and will be updated to reflect any changes in the system.
- Work Scheduling — Field crew activities will be recorded and tracked by the City utilizing various forms including, but not limited to service requests, cleaning reports, sewer maintenance daily reports, overflow reports forms, project work orders, etc.

## **PART B — FEE CALCULATION**

---

### **CALCULATION OF THE SEWER CHARGE**

The CSMD was formed pursuant to the State of California Health and Safety Code, specifically, Division 5 (Sanitation), Part 3 (Community Facilities), Chapter 4 (Sewer Maintenance Districts), inclusive of Sections 4600 through 6127; with the County of Los Angeles Board of Supervisors acting as their governing body. Consistent with the law, several ordinances have been established by the Board of Supervisors to govern all aspects of the CSMD operations and the levy and collection of fees. The annual sewer service charge levied upon each parcel of real property within the CSMD is computed by multiplying the basic annual sewage unit charge (rates) by the number of sewage units represented by the current land use for each parcel. As previously noted, by Fiscal Year 2014/2015 when the City proposes take responsibility for the maintenance and operation of the sewer system and to levy the annual charges, the combined authorized sewer service charge rate for the CSMD will be \$50.50 per sewage unit.

The City of Pico Rivera will annually levy and collect on the property tax bills commencing in Fiscal Year 2014/2015, the annual sewer charge upon each parcel of real property within the City and the County will no longer collect such charges for the CSMD. The amount of the charge for each parcel of real property shall be computed by multiplying the sewage unit rate of \$50.50 by the number of sewage units for the current land use of the parcel as shown in the following tables. This proportional calculation of the annual charge parcel by land use is consistent with the proportional fee calculation adopted for the CSMD charges, except that in order to comply with the provisions of the California Constitution, the calculation of the annual charge shall include and also be applied to government owned and/or non-taxable properties that are or could be developed, which the County did not previously charge. Because these parcels are generally non-taxable and not previously charged, the calculated annual charge for such parcels will be paid by the City utilizing funds from other sources.

The number of sewage units assigned to each land use is outlined in the following tables:

## NUMBER OF SEWAGE UNITS BY LAND USES

Land Use	Number of Sewage Units
<b>Residential</b>	
Vacant Residential Property	0.5
Single Residential Unit	1.0
Double, duplex, or two units	2.0
Three Units (any combination)	3.0
Four Units (any combination)	4.0
Five or more apartments, per residential unit	1.0
Mobile or modular homes, per residential unit	1.0
Rooming houses	3.0
Mobile home parks, per residential unit	1.0
<b>Commercial</b>	
Vacant commercial property	0.5
Stores	1.0
Store and office or office and residential combination	2.0
Department stores	5.0
Supermarkets	
Supermarket 12,000 square feet or more	5.0
Supermarket 6,000 through 11,999 square feet	2.0
Small food store	1.0
Shopping Center, Neighborhood, community	10.0
Shopping Center, Regional	30.0
Office buildings	5.0
Loft type buildings	3.0

Land Use	Number of Sewage Units
<b>Commercial (Continued)</b>	
Hotels/Motels – under 50 rooms	25.0
Hotels/Motels – 50 rooms and over	40.0
Motel/hotel and apartments under 50 units	40.0
Motel/hotel and apartments 50 units and over	60.0
Professional buildings	5.0
Medical/dental buildings	5.0
Veterinary hospitals, clinics	3.0
Restaurant, cocktail lounges, taverns	5.0
Fast food Restaurant	2.0
Wholesale and manufacturing outlets	2.0
Banks, savings and loans	1.0
Service Shops	2.0
Service Stations	1.0
Service Station with car wash	5.0
Auto Service Center (no gasoline)	1.0
Auto service shops	1.0
Used Car Sales	1.0
New Car Sales and Service	3.0
Car Wash	5.0
Recreation Equipment Sales and Service	1.0
Farm and construction equipment sales and service	2.0
Parking Lots	0.5
Animal Kennels	2.0
Nurseries or greenhouses	1.0
Miscellaneous Commercial Property	2.0

Land Use	Number of Sewage Units
<b>Industrial</b>	
Vacant industrial property	0.5
Light manufacturing	5.0
Heavy manufacturing	100.0
Warehousing, distribution, storage	2.0
Meat and poultry (slaughtering house)	5.0
Other processing plants	200.0
Microwave relay towers	1.0
Studios	5.0
Transmission Facilities	1.0
Lumber Yards	1.0
Cement, rock and gravel plants	1.0
Petroleum refineries, chemical plants	200.0
Other mineral processing	1.0
Parking lots	0.5
Trucking companies, terminals	5.0
Contractor storage yards	1.0
Other open storage	1.0
Miscellaneous Industrial Property	2.0
<b>Agricultural</b>	
General uses	0.5
Dairies	30.0

Land Use	Number of Sewage Units
<b>Recreational</b>	
Movie Theatres	2.0
Bowling alleys	5.0
Clubs, lodge halls, fraternal organizations	2.0
Auditorium, stadiums, amphitheaters	10.0
Amusement facilities	10.0
Commercial swimming pools, schools	5.0
Gymnasiums, health spas	2.0
Dance Halls	2.0
Tennis courts, clubs, pro shops	2.0
Nonprofit Golf Course	3.0
Three-par Golf Course	3.0
Miniature Golf Course	1.0
Other golf courses	3.0
Race tracks	25.0
Horse stables	1.0
Camps	10.0
Ice Skating or Roller skating rink	2.0
Miscellaneous Recreational property	2.0
Vacant Recreational property	0.5

Land Use	Number of Sewage Units
<b>Institutional</b>	
Churches	2.0
Church parking lot	0.5
Schools	5.0
Colleges, universities	50.0
Hospitals	100.0
Convalescent hospitals, nursing homes	50.0
Homes for aged and others	10.0
Cemeteries, mortuaries, funeral homes	1.0
Miscellaneous institutional property	5.0
Vacant institutional property	0.5
<b>Miscellaneous</b>	
Undesignated	2.0
Vacant Undesignated	0.5
Plants and state-assessed property	5.0
Mining	1.0
Petroleum and gas	1.0
Pipelines, canals	0.5
Rights-of-way	1.0
Dump sites	2.0

## **PART C — ESTIMATED COST OF THE IMPROVEMENTS**

The net amount to be charged on the lots or parcels within the City is based on an initial estimate of the annual cost and expenses for the maintenance, operation, servicing of the City's existing sewer system improvements as well as the funding deemed appropriate and necessary for future capital improvements and reserves (Replacement funding).

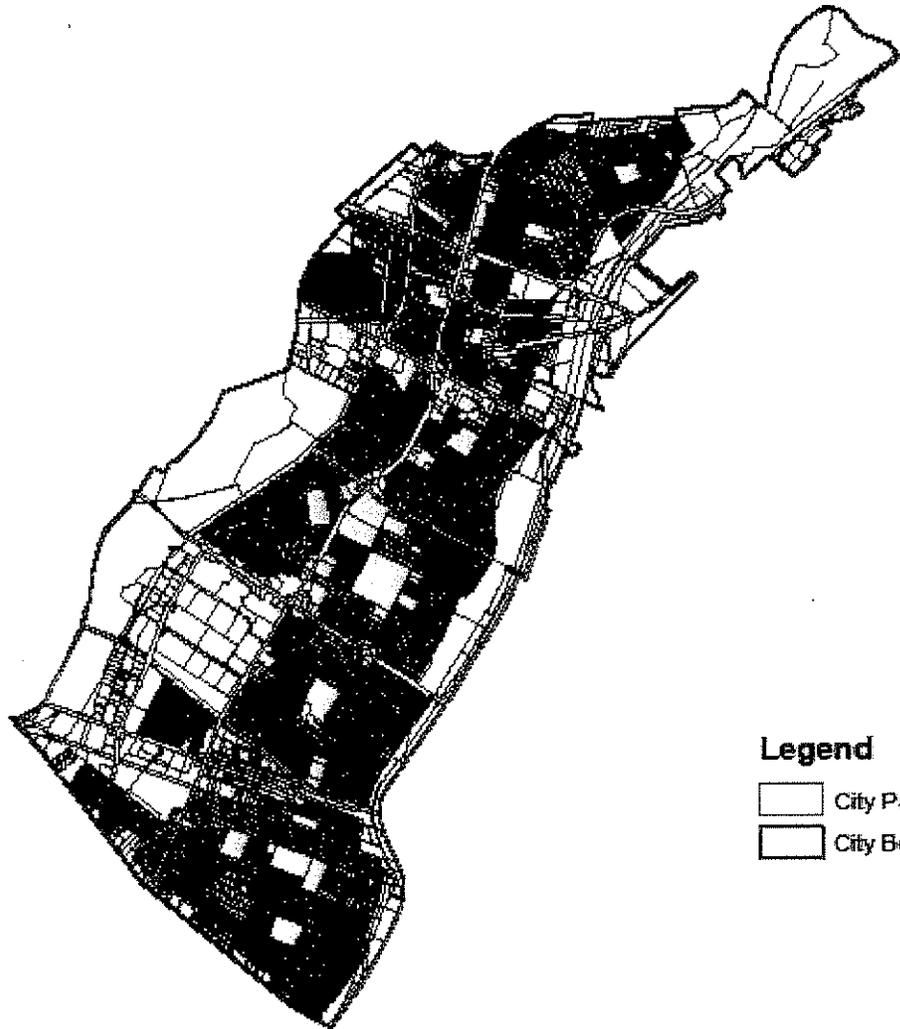
<b>Activities</b>	<b>Budgeted Amount</b>
Inspections, Cleaning, CCTV	\$ 216,800
Lift Station O&M (3 Stations)	105,000
Engineering Support	100,000
Administration	168,400
<b><i>Sub-Total Annual Operations &amp; Maintenance</i></b>	<b>\$ 590,200</b>
Estimated Net Revenue to Reserves/Capital Improvements:	\$ 398,000
<b>TOTAL</b>	<b>\$ 988,200</b>

## **PART D — BOUNDARY DIAGRAM**

---

The parcels within the Sewer Service Charge Area consist of all lots, parcels and subdivisions of land within the City of Pico Rivera. The Boundary Diagram is based on the Los Angeles County Geographic Information System (GIS) data and shape files and the Los Angeles County Assessor's secured roll information that existed at the time this Report was prepared. A copy of the Boundary Diagram is provided below.

### **PICO RIVERA SEWER DISTRICT**



#### **Legend**

-  City Parcels
-  City Boundary



## PART E — PROPOSED FEES

Due to the number of parcels in the City of Pico Rivera that will be subject to the Sewer Service Fee, the Parcel Fees (a listing of the Assessor's Parcel Numbers to be levied the proposed fee amounts) is not contained in this Report, but will be filed with the City Clerk in an electronic format prior to the public hearing regarding the levy and collection of the fees for Fiscal Year 2014/2015. The proposed Parcel Fee Roll, after being filed with the City Clerk, shall be available for public inspection in the City Clerk's Office during normal business office hours. However, the following tables provide a summary of the estimated sewer service charge revenue by land use anticipated for Fiscal Year 2014/2015, based on the proposed sewer charge rate of \$50.50 for Fiscal Year 2014/2015 and the County's assigned land use classification of each parcel within the City that was available at the time this Report was prepared.

### Summary of Sewage Units and Estimated Revenue by Land Uses

Land Use	Number of Parcels	Total Sewage Units	FY 2014/15 Estimated Revenue
<b>Residential</b>			
Vacant Residential Property	21	10.5	\$ 530.25
Single Residential Unit	12,770	12,770.0	\$ 644,885.00
Double, duplex, or two units	242	484.0	\$ 24,442.00
Three Units (any combination)	44	132.0	\$ 6,666.00
Four Units (any combination)	63	252.0	\$ 12,726.00
Five or more apartments, per residential unit	67	2,053.0	\$ 103,676.50
Mobile or modular homes, per residential unit	7	507.0	\$ 25,603.50
Rooming houses	-	-	\$ -
Mobile home parks, per residential unit	2	2.0	\$ 101.00
<b>Commercial</b>			
Vacant commercial property	9	4.5	\$ 227.25
Stores	86	86.0	\$ 4,343.00
Store and office or office and residential combination	14	28.0	\$ 1,414.00
Department stores	1	5.0	\$ 252.50
Supermarkets			
Supermarket 12,000 square feet or more	5	25.0	\$ 1,262.50
Supermarket 6,000 through 11,999 square feet	-	-	\$ -
Small food store	-	-	\$ -
Shopping Center, Neighborhood, community	26	260.0	\$ 13,130.00
Shopping Center, Regional	-	-	\$ -

Land Use	Number of Parcels	Total Sewage Units	FY 2014/15 Estimated Revenue
<b>Commercial (Continued)</b>			
Office buildings	33	165.0	\$ 8,332.50
Loft type buildings	-	-	\$ -
Hotels/Motels – under 50 rooms	10	250.0	\$ 12,625.00
Hotels/Motels – 50 rooms and over	3	120.0	\$ 6,060.00
Motel/hotel and apartments under 50 units	-	-	\$ -
Motel/hotel and apartments 50 units and over	-	-	\$ -
Professional buildings	13	65.0	\$ 3,282.50
Medical/dental buildings	4	20.0	\$ 1,010.00
Veterinary hospitals, clinics	-	-	\$ -
Restaurant, cocktail lounges, taverns	34	170.0	\$ 8,585.00
Fast food Restaurant	6	12.0	\$ 606.00
Wholesale and manufacturing outlets	-	-	\$ -
Banks, savings and loans	7	7.0	\$ 353.50
Service Shops	5	10.0	\$ 505.00
Service Stations	9	9.0	\$ 454.50
Service Station with car wash	1	5.0	\$ 252.50
Auto Service Center (no gasoline)	1	1.0	\$ 50.50
Auto service shops	19	19.0	\$ 959.50
Used Car Sales	-	-	\$ -
New Car Sales and Service	-	-	\$ -
Car Wash	2	10.0	\$ 505.00
Recreation Equipment Sales and Service	-	-	\$ -
Farm and construction equipment sales and service	-	-	\$ -
Parking Lots	25	12.5	\$ 631.25
Animal Kennels	-	-	\$ -
Nurseries or greenhouses	-	-	\$ -
Miscellaneous Commercial Property	2	4.0	\$ 202.00

Land Use	Number of Parcels	Total Sewage Units	FY 2014/15 Estimated Revenue
<b>Industrial</b>			
Vacant industrial property	12	6.0	\$ 303.00
Light manufacturing	78	390.0	\$ 19,695.00
Heavy manufacturing	8	800.0	\$ 40,400.00
Warehousing, distribution, storage	100	200.0	\$ 10,100.00
Meat and poultry (slaughtering house)	3	15.0	\$ 757.50
Other processing plants	1	200.0	\$ 10,100.00
Microwave relay towers	-	-	\$ -
Studios	1	5.0	\$ 252.50
Transmission Facilities	-	-	\$ -
Lumber Yards	-	-	\$ -
Cement, rock and gravel plants	-	-	\$ -
Petroleum refineries, chemical plants	-	-	\$ -
Other mineral processing	-	-	\$ -
Parking lots	25	12.5	\$ 631.25
Trucking companies, terminals	-	-	\$ -
Contractor storage yards	1	1.0	\$ 50.50
Other open storage	-	-	\$ -
Miscellaneous Industrial Property	1	2.0	\$ 101.00
<b>Agricultural</b>			
General uses	-	-	\$ -
Dairies	-	-	\$ -
<b>Recreational</b>			
Movie Theatres	-	-	\$ -
Bowling alleys	-	-	\$ -
Clubs, lodge halls, fraternal organizations	8	16.0	\$ 808.00
Auditorium, stadiums, amphitheaters	-	-	\$ -
Amusement facilities	-	-	\$ -
Commercial swimming pools, schools	-	-	\$ -
Gymnasiums, health spas	-	-	\$ -
Dance Halls	1	2.0	\$ 101.00
Tennis courts, clubs, pro shops	-	-	\$ -

Land Use	Number of Parcels	Total Sewage Units	FY 2014/15 Estimated Revenue
<b>Recreational (Continued)</b>			
Nonprofit Golf Course	-	-	\$ -
Three-par Golf Course	-	-	\$ -
Miniature Golf Course	-	-	\$ -
Other golf courses	-	-	\$ -
Race tracks	-	-	\$ -
Horse stables	-	-	\$ -
Camps	-	-	\$ -
Ice Skating or Roller skating rink	-	-	\$ -
Miscellaneous Recreational property	-	-	\$ -
Vacant Recreational property	-	-	\$ -
<b>Institutional</b>			
Churches	30	60.0	\$ 3,030.00
Church parking lot	-	-	\$ -
Schools	6	30.0	\$ 1,515.00
Colleges, universities	-	-	\$ -
Hospitals	2	200.0	\$ 10,100.00
Convalescent hospitals, nursing homes	2	100.0	\$ 5,050.00
Homes for aged and others	3	30.0	\$ 1,515.00
Cemeteries, mortuaries, funeral homes	1	1.0	\$ 50.50
Miscellaneous institutional property	-	-	\$ -
Vacant institutional property	-	-	\$ -
<b>Miscellaneous</b>			
Undesignated	-	-	\$ -
Vacant Undesignated	-	-	\$ -
Plants and state-assessed property	-	-	\$ -
Mining	-	-	\$ -
Petroleum and gas	-	-	\$ -
Pipelines, canals	-	-	\$ -
Rights-of-way	-	-	\$ -
Dump sites	-	-	\$ -
<b>TOTAL</b>	<b>13,814</b>	<b>19,569.0</b>	<b>\$ 988,234.50</b>



**To:** Mayor and City Council

**From:** City Manager

**Meeting Date:** May 28, 2013

**Subject:** RIO VISTA PARK RENOVATION PROJECT, CIP NO. 21224 —  
FUNDING APPROPRIATION AND PURCHASE OF MUSCO  
SPORTS FIELD LIGHTS

**Recommendation:**

- 1) Authorize the City Manager to approve a change order with Acon Development, Inc. for the installation of four (4) additional sports field lights at Field No. 4 at the Rio Vista Park Renovation Project; and
- 2) Authorize a sole source purchase from Musco Sports Lighting, LLC in the amount of \$70,895 for four (4) additional sports field lights at Field No. 4 at the Rio Vista Park Renovation Project; and
- 3) Appropriate \$90,000 in Equipment Replacement Funds to the Rio Vista Park Renovation Project, CIP No. 21224 to fund replacement of sports field lights.

**Fiscal Impact:** \$90,000 (Equipment Replacement Funds)

**Discussion:**

At its meeting of July 10, 2012, the City Council awarded a construction contract to Acon Development, Inc. (Acon) for the construction of the Smith Park and Rio Vista Park Renovation Projects (Park Projects) in the amount of \$12,510,570. At the same meeting, the City Council approved Change Order No. 1, reducing the contract amount and scope of work by \$822,245, to stay within budget, for a contract amount of \$11,688,325.

At their meeting of May 14, 2013, the City Council directed staff to evaluate the possibility of adding sports field lights to Field No. 4 as a part of the Rio Vista Park Renovation Project. After discussions with the contractor, staff has determined lighting the sports field lights is feasible.

**Change Order** - Incorporating the lights into the project will require a change order with Acon. The work necessary will include remobilization, constructing foundations, electrical modifications and installing the sports field lights.

Negotiations for the change order are underway. To expedite construction, the City Council is requested to authorize the City Manager to approve the change once negotiations are concluded.

COUNCIL AGENDA REPORT – MTG. OF 05-28-13  
RIO VISTA PARK RENOVATION PROJECT, CIP NO. 21224 – FUNDING  
APPROPRIATION AND PURCHASE OF MUSCO SPORTS FIELD LIGHTS  
Page 2 of 2

As a cost savings measure, staff is recommending that the City purchase the MUSCO lights directly from the manufacturer, as a sole source purchase. The City's standard for sports field lights in the Parks Master Plan Projects is MUSCO lighting.

This direct purchase will include a comprehensive 25-year product assurance and warranty program that will eliminate 100% of the City's maintenance costs for 25 years. The warranty also includes guaranteed light levels, lamp replacements at the end of the rated lamp life, reduced energy consumption, lighting control systems, and lighting system structural integrity.

**Funding Appropriation** - As a part of the Park Projects, 31 existing sports field lights were replaced, and funded with Vital City Services Bond Funds (Bond Funds). Staff recommends that \$90,000 in these Bond Funds be supplanted with \$90,000 in Equipment Replacement Funds.

By taking this action, there will be a \$90,000 savings in Bond Funds. The recovered Bond Funds are proposed to be used to purchase and install four (4) additional sports field lights for the Rio Vista Park Renovation Project at Field No. 4 (See Attachment A).

If approved, it is estimated that the lights can be installed within eight (8) to ten (10) weeks.

As a note, the Park Projects are scheduled to be completed in July (Rio Vista) and August (Smith Park). Significant progress has been made in all categories of work including sports fields and lighting, concession stands, fencing, utilities, playgrounds, scoreboards, sunken dugouts, bleachers, and the artificial turf field.

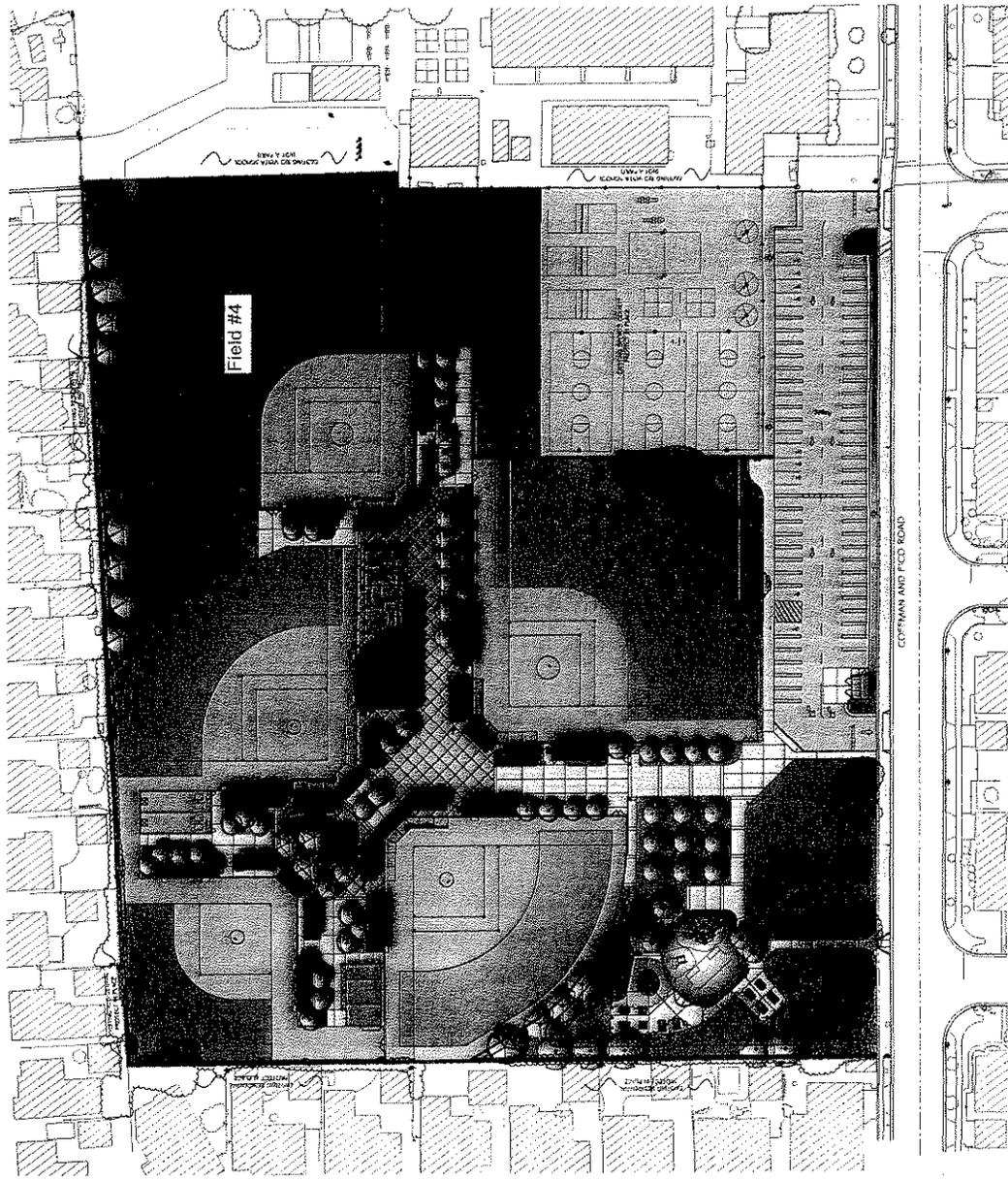


Ronald Bates

RRB:AC:RG:lg

- 1) Attachment "A" – Rio Vista Park Renovation Concept Plan
- 2) Attachment "B" – Quote for MUSCO Sports Field Lights

RIO VISTA PARK REVISED SCOPE  
CITY OF PICO RIVERA



PROPOSED  
LIGHT LOCATION



12-11-11

THE CITY OF PICO RIVERA  
PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
12-11-11





Rio Vista Park Phase 2  
Pico Rivera, California  
Date: May 22, 2013  
To: Rene Guerrero, City of Pico Rivera

Quotation Price - Materials Only

Musco's Light Structure Green™ lighting system as described below and delivered to the job site:

➤ Rio Vista Park Phase 2	
○ Field 4: footings, poles, fixtures (Controls sold under Phase 1)	\$64,300.00
○ Sales Tax - 9.75%	\$ 6,595.00
○ Total	\$70,895.00

**Contractor will be responsible for labor, and unloading of the equipment and are not included as part of this quote.**

Pricing furnished is effective for 60 days unless otherwise noted and is considered confidential.

Equipment Description:

Light Structure Green™ System delivered to your site in Five Easy Pieces™

- (4) Pre-cast concrete bases
- (4) 60' Galvanized steel poles (poles A7, A8, B5, and B6)
- Electrical component enclosures
- Pole length wire harness
- (18) Factory-aimed and assembled luminaires

Also Includes:

- Musco Constant 25™ product assurance and warranty program that eliminates 100% of your maintenance costs for 25 years, including labor and materials
- Energy savings of more than 50% over a standard lighting system
- 50% less spill and glare light than Musco's prior industry leading technology
- Guaranteed constant light level for 25 years
- Four (4) group re-lamps at the end of the lamps' rated life, 5000 hours; based on 820 annual usage hours
- Reduced energy consumption with an average of 28.15 kW per hour
- Control Link® Control & Monitoring System for flexible control and solid management of your lighting system - sold under Phase 1
- Lighting Contactors sized for 480 Volt 3 phase (to be confirmed prior to production)
- Auxiliary mounting brackets (per ES-007 sheet) to accommodate back lighting, speakers, and future cameras (back lighting, speakers, and cameras to be purchased by others)

Payment Terms & Delivery Terms

As agreed upon by Musco's Credit Department

Delivery to the job site from the time of order, submittal approval, and confirmation of order details including voltage and phase, pole locations is approximately **30-45 days**. Due to the built-in custom light control per luminaire, pole locations need to be confirmed prior to production. Changes to pole locations after the product is sent to production could result in additional charges.

**Notes**

---

Quote is based on:

- Shipment of entire project together to one location
- Structural code and wind speed = 2010 CBC, 85 MPH, Exposure C
- Confirmation of pole locations prior to production
- Musco Design 146051R13; Dated 3/08/2012 (Rio Vista Park)

Thank you for considering Musco for your sports-lighting needs. Please contact me with any questions.

Mike Winfrey  
Southern California Sales  
Musco Sports Lighting, LLC  
4 Jenner, Suite 100  
Irvine, CA 92618  
Phone: 949-754-0503 x6116  
Cell: 951-570-0517  
Fax: 949-754-0637  
E-mail: [mike.winfrey@musco.com](mailto:mike.winfrey@musco.com)



**To:** Mayor and City Council  
**From:** City Manager  
**Meeting Date:** May 28, 2013  
**Subject:** GOLF COURSE MANAGEMENT AMENDMENT

**Recommendation:**

Authorize the Mayor to execute Amendment No. 2 to the Golf Course Management Agreement No. 11-1266.

**Fiscal Impact:**

The increase in management fees to GolfLinks are estimated to be \$20,000 per year.

**Discussion:**

The Pico Rivera Municipal Golf Course has been managed by GolfLinks since January 2012. At the time of the agreement, the golf course was operating at a loss and the facility was in need of major repairs and renovation. The original contract called for a resident green fee increase after the first year of operation.

Over the past 16 months, GolfLinks has not only improved the building and the course to make it a viable City asset, but they have started to show a net profit. GolfLinks has invested in the community of Pico Rivera by offering free golf to resident youth and was selected by Southern California Golf Association (SCGA) as the pilot course for the 'Youth on Course' program.

The management fee proposed by GolfLinks at the time of bid and onset of the contract was based on the operation of the Golf Course at that time. Staff and GolfLinks have worked together well to provide a community benefit by:

- Expanding the youth golf program including free golf to Pico Rivera youth.

- Keeping rates below market levels.

In March, 2013, the City met with GolfLinks to re-evaluate the status of their contract. During the meeting, GolfLinks and City staff recognized the additional community benefits being provided. GolfLinks agreed that instead of increasing some of the fees at the golf course, GolfLinks would be willing to accept an increase to the annual minimum management fee and a slightly higher percentage of the net income from operations.

Currently, the agreement divides the Net Golf Course Operating Income 1/3 to each GolfLinks, the City, and the Capital Improvement Fund. The proposed amendment divides the Net Golf Course Operating Income 40 percent to GolfLinks, 30 percent to the City, and 30 percent to the Capital Improvement Fund. Also, the Annual Minimum Management Fee would be increased by an additional \$12,000 (to \$72,000). These changes recognize the additional community benefits and allows the increased costs to be borne primarily by the City without an increase in green fees.

The term of this agreement remains in force until December 2014 with two three year optional extensions.



Ronald Bates

RB:SG:ca

Attachments: Amendment No. 2

**AMENDMENT NO.2  
TO THE GOLF COURSE MANAGEMENT AGREEMENT  
WITH GOLFLINKS, INC., AGREEMENT NO. 11-1266**

**THIS AMENDMENT NO. 2 TO AGREEMENT NO. 11-1266 FOR GOLF COURSE MANAGEMENT AGREEMENT WITH GOLFLINKS, INC.** ("Amendment No. 2"), effective as of the date specified in paragraph 3 hereof, is made and entered into by and between the CITY OF PICO RIVERA ("CITY"), and GOLFLINKS, INC., ("GOLFLINKS").

**RECITALS**

- A. CITY and CONTRACTOR (collectively referred to as the "PARTIES") have previously executed that certain *Golf Course Management Agreement No.11-1266* ("Agreement") relating to Golf Course Management services in the City of Pico Rivera.
- B. The PARTIES desire to amend said Agreement as set forth herein, pursuant to Section 11.07 of the Agreement.

**NOW, THEREFORE, THE PARTIES AGREE AS FOLLOWS:**

**1. ARTICLE IV. MANAGEMENT FEES.**

- a. Section 4.01(A) Minimum Fixed Management Fee.  
Replace paragraph with the following:

"The Minimum Fixed Management Fee shall be an annual fee paid in equal monthly installments of \$6,000 each month. (Such Fixed Management Fee shall be prorated for any partial calendar month occurring during the Management Term.)"

- b. Section 4.01(B) Percentage Management Fee.  
Replace paragraph with the following:

"The Percentage Management Fee shall be calculated annually as follows: 40 percent of the Net Golf Course Operating Income, less the guaranteed Minimum Fixed Management Fee.

Example: If a year has Net Golf Course Operating Income of \$300,000 and a Minimum Fixed Management Fee of \$72,000, then the Percentage Management Fee shall be \$48,000.  $\{(300,000 \times 40) - (72,000)\}$ .

If applicable, the Percentage Management Fee shall be paid to GolfLinks no later than sixty (60) days after the City's receipt of year-end reports as specified in Section 5.06(B)."

**2. ARTICLE V. ACCOUNTS; WORKING FUNDS; DISBURSEMENT OF FUNDS; RECORDS AND REPORTS.**

a. Section 5.02.C Management Fees.

Replace paragraph with the following:

"GolfLinks shall bill the City for the Minimum Fixed Management Fees monthly. GolfLinks will not pay itself for management fees. The Minimum Fixed Management Fees for the year shall be \$6,000 per month. The annual management fee shall be 40 percent of the Net Golf Course Operating Income for the fiscal year ended June 30 of each year."

b. Section 5.09. Net Golf Course Operating Income.

Replace paragraph with the following:

"The Net Golf Course Operating Income shall be determined annually to include all revenues and expenses of the Golf Course excluding Management Fees and Capital Improvements. The expenses of the Golf Course include depreciation expense. For any debt existing on or before GolfLinks begins managing the Golf Course, the interest and other expenses will not be used in calculating the Net Golf Course Operating Income. The Net Golf Course Operating Income shall be divided annually 30 percent to the City, 30 percent to the Capital Improvement Fund, and 40 percent to GolfLinks as a Management Fee."

**3. EFFECTIVE DATE.**

This Amendment No. 2 shall become effective as of July 13, 2013.

[End of Amendment No. 2. Signatures to follow.]

**IN WITNESS WHEREOF**, the parties hereto have caused this Amendment No. 2 to be executed and attested by their respective officers hereunto duly authorized.

“CITY”  
CITY OF PICO RIVERA

“CONTRACTOR”  
GOLFLINKS

\_\_\_\_\_  
Gustavo Camacho, Mayor

  
\_\_\_\_\_  
Scott Williams, President

Dated: \_\_\_\_\_

Dated: 5/8/13

  
\_\_\_\_\_  
Larry Taylor, Vice President

Dated: 5/8/13

ATTEST:

APPROVED AS TO FORM

\_\_\_\_\_  
Anna M. Jerome, Assistant City Clerk

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney



**To:** Mayor and City Council

**From:** City Manager

**Meeting Date:** May 28, 2013

**Subject:** AN INTERIM URGENCY MORATORIUM ORDINANCE TEMPORARILY PROHIBITING THE ACCEPTANCE, PROCESSING, OR ISSUANCE OF ANY ZONING PERMIT, USE PERMIT, BUILDING PERMIT, OCCUPANCY PERMIT, OR ANY OTHER ENTITLEMENT FOR THE ESTABLISHMENT AND OPERATION OF ELECTRONIC CIGARETTE RETAILERS, DRUG PARAPHERNALIA RETAILERS, AND HEAD SHOPS WITHIN CITY LIMITS.

**Recommendation:**

Adopt the interim urgency moratorium temporarily prohibiting drug paraphernalia, head and smoke shops for 45 days within City limits.

**Fiscal Impact:** None.

**Discussion:**

Staff has received several inquiries in the last few weeks regarding the establishing of electronic cigarette (e-cigarette) businesses. E-cigarettes are plastic devices made to look similar to regular cigarettes that heat up liquid nicotine or other flavored product which turns into vapor when smokers inhale or exhale. The device is battery operated, can be recharged and is reusable. The device can also resemble everyday items such as pens and USB memory sticks. Prices on the devices range from \$60 to \$150 depending on the manufacturer. The product was introduced to the United States in 2007 as a device to help tobacco smokers wean off tobacco products. However, staff is researching the possibility of these devices being used to smoke marijuana and other illegal drugs.

COUNCIL AGENDA MEMO – MTG. OF MAY 28, 2013  
URGENCY ZONING MORATORIUM ORDINANCE  
PROHIBITING DRUG PARAPHERNALIA, HEAD & SMOKE SHOPS  
Page 2 of 2

The state Health and Safety Code prohibits drug paraphernalia to be sold in California. The code lists several types of devices that are considered drug paraphernalia such as glass pipes, miniature cocaine spoons and bongs. These objects are typically sold in head and smoke shops. To reinforce state law, the City's zoning ordinance will be amended for consistency with state law. In addition, staff will conduct further research to determine if other devices exist that should be prohibited in our local ordinances.

Staff is requesting that the City Council adopt the interim urgency moratorium ordinance to temporarily prohibit e-cigarettes, drug paraphernalia, head and smoke shops to allot staff time to conduct research and prepare a report to the City Council to determine the best course of action, and updating of the City's municipal code to strengthen local regulations and conform with state law.



Ronald Bates

RB:BM:JG:ll

Attachment: Ordinance

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, TEMPORARILY PROHIBITING THE APPROVAL OF ANY ZONING PERMIT, USE PERMIT, BUILDING PERMIT, OCCUPANCY PERMIT, OR OTHER ENTITLEMENT FOR ELECTRONIC CIGARETTE RETAILERS, DRUG PARAPHERNALIA RETAILERS AND HEAD SHOPS WITHIN CITY LIMITS**

**THE CITY COUNCIL OF THE CITY OF PICO RIVERA DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Pending the completion of a study and/or the adoption of new zoning regulations, the approval or issuance of any zoning permits, use permits, building permits or occupancy permits or other entitlements for electronic-cigarettes (e-cigarettes) retailers, drug paraphernalia retailers, and head shop and smoke shop shall be prohibited.

**SECTION 2.** The City Council directs staff to immediately commence studies and hearings pertaining to the proper criteria, conditions of approval and regulations for the orderly, planned and coordinated development and future use of e-cigarettes, and to report its initial findings so the City Council can issue an interim written report pursuant to Government Code section 65858(d).

**SECTION 3.** The City Council directs staff to immediately commence studies and hearings, if necessary, pertaining to the updating of the City's Municipal Code for consistency with the California Health and Safety Code Section 11014.5 regarding use and sale of drug paraphernalia and to more specifically prohibit head shops and smoke shops and to include other current mechanisms used as drug paraphernalia not currently defined in the state code.

**SECTION 4.** This Ordinance is an Interim Zoning Ordinance enacted pursuant to Sections 36934 and 65858 of the Government Code of the State of California, and in accordance therewith, shall be of no further force and effect forty-five (45) days after the adoption of this Ordinance unless after notice pursuant to Section 65090, and public hearing, the City Council shall extend this Ordinance in accordance with the terms and provisions of Section 65858 of the Government Code. The City Council hereby finds, determines and declares that the immediate preservation of the public peace, health, safety and welfare necessitates the enactment of this Ordinance as an urgency ordinance and that the approval of zoning permits, use permits, building permits, occupancy permits, or any other applicable entitlement for use which is required in order to comply with the City's Municipal Code would result in that threat to public health, safety, or welfare. The City Council further finds there is a current and immediate threat to the public health, safety and welfare necessitating the adoption of this Ordinance as an Interim Zoning Ordinance under Section 65858. Said findings are as follows:

1. The City of Pico Rivera currently does not have established laws, rules or

regulations to adequately control e-cigarettes, drug paraphernalia retailers, or head shops and smoke shops and the possible effects on the health of persons and the environment.

2. The City of Pico Rivera is experiencing a flurry of inquiries of e-cigarette businesses and e-cigarette sales which if approved would frustrate the purpose of further study.
3. The City of Pico Rivera Municipal Code is not consistent with the California Health and Safety Code Section 11014.5 which prohibits drug paraphernalia and by including drug paraphernalia to the moratorium will further strengthen state law in the City.
4. The City of Pico Rivera wishes to include head shops and other current mechanisms used for drugs; including paraphernalia that may not be intended for drug use but that can be used for such purposes.
5. It is necessary to adopt this interim ordinance as an urgency measure in order to prevent the establishment of e-cigarettes, drug paraphernalia and head shops which would defeat the purpose of a study and any resulting ordinance.
6. If an urgency interim zoning ordinance is not adopted immediately the permitting of e-cigarettes, drug paraphernalia and head shops may be contested in a court of law and permitted which would be contrary to the orderly, planned and coordinated development and future use of properties within the City of Pico Rivera because there are currently no specific zoning regulations, zoning permits, business permits or other special regulations regulating the establishment, location and operation of e-cigarette retailers, drug paraphernalia retailers and head shops.

**SECTION 5.** In order to protect the public health, safety and welfare it is necessary to enact this Ordinance as an urgency measure to go into effect immediately upon its adoption, and that to enact this Ordinance after giving notice, holding public hearings and two readings thereof, and thereafter to await thirty days for said Ordinance to become effective, will be detrimental to the public health, safety and welfare, in that during the interim period further such e-cigarette, head shop and drug paraphernalia may be established without the benefit of proper criteria and regulations. It is therefore necessary that this Ordinance go into effect immediately upon adoption.

**SECTION 6.** For purposes of this ordinance an “e-cigarette” retailer shall mean a business with any combination of the following characteristics as described by the United States Food and Drug Administration and California Health & Safety Code section 119405:

- a. products designed to deliver nicotine or other substances to a user in the form of a vapor or vaporized solution
- b. composed of a rechargeable, battery-operated heating element

- c. replaceable cartridge that may contain nicotine or other chemicals
- d. atomizer that, when heated, converts the contents of the cartridge into a vapor that can be inhaled by the user
- e. products are often made to look like such products as cigarettes, cigars, and pipes
- f. products are often made to look like everyday items such as pens and USB memory sticks, for people who wish to use the product without others noticing

**SECTION 7.** For purposes of this ordinance “drug paraphernalia” shall be consistent with the California Health and Safety Code Section 11014.5 and shall mean a business that sells (wholesale or retail), trades, loans, or barbers any of the following:

- a. Kits designed for use or marketed for use in planning, propagating, cultivating, growing, or harvesting any species of plant which is a controlled substance or from which a controlled substance can be derived
- b. Kits designed for use or marketed for use in manufacturing, compounding, converting, producing, processing or preparing controlled substances.
- c. Isomerization devices designed for use or marketed for use in increasing the potency of any species of plant which is a controlled substance.
- d. Testing equipment designed for use or marketed for use in identifying, or in analyzing the strength, effectiveness, or purity of controlled substances.
- e. Scales and balances designed for use or marketed for use in weighing or measuring controlled substances.
- f. Containers and other objects designed for use or marketed for use in storing or concealing controlled substances.
- g. Hypodermic syringes, needles and other objects designed for use or marketed for use in parenterally injecting controlled substances into the human body.
- h. Objects designed for use or marketed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body, such as:
  - a. Carburetion tubes and devices.
  - b. Smoking and carburetion masks.
  - c. Roach clips, meaning objects used to hold burning material, such as a marijuana cigarette, that has become too small or too short to be held in the hand.
  - d. Miniature cocaine spoons, and cocaine vials.
  - e. Chamber pipes.
  - f. Carburetor pipes.
  - g. Electric pipes
  - h. Air-driven pipes.
  - i. Chillums.
  - j. Bongs.
  - k. Ice Pipes or chillers.

**SECTION 8.** For purposes of this ordinance “Head Shop or Smoke Shop” shall mean a business that sells (wholesale or retail), trades, loans, or barter drug-related paraphernalia or any item whether useful for non-drug related purposes or not, which is displayed, grouped with other items, advertised, or promoted in a manner to reasonably suggest its usefulness in the growing, harvesting, processing manufacturing, preserving, inhaling, injecting or ingesting of marijuana, hashish, cocaine, any controlled substance, new age herbs, or other recreational drugs.

**SECTION 9.** The City Council hereby declares that it would have passed this Ordinance sentence by sentence, paragraph by paragraph, and section by section, and does hereby declare that the provisions of this Ordinance are severable, and if, for any reason, any sentence, paragraph or section of this ordinance shall be held invalid, such decision shall not affect the validity of the remaining parts of this Ordinance.

**SECTION 10.** No person shall violate any provision, or fail to comply with any of the requirements of this ordinance, and any person violating any provision, or failing to comply with any provision of this ordinance shall be subject to any and all penalties as set forth under the Pico Rivera Municipal Code. The definitions for land use violations as set forth under the Pico Rivera Municipal Code shall apply to violations of the provisions of this ordinance.

**SECTION 11.** The proposed action is considered to be exempt from the provisions of the California Environmental Quality Act (CEQA), pursuant to Section 15061(b)(3) of the CEQA Guidelines, in that the proposed action consists of the adoption of a zoning moratorium ordinance which does not have the potential for causing a significant effect on the environment.

**SECTION 12.** The City Clerk shall certify to the adoption of this Ordinance and shall cause the same to be published or posted as prescribed by law. This Ordinance shall take effect immediately upon its adoption. This Ordinance shall be effective for a period of 45 days unless extended pursuant to California Government Code Section 65858.

[Signatures on following page]

**ORDINANCE NO.** \_\_\_\_\_

**Page 5 of 5**

**APPROVED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2013 by members of the City Council of the City of Pico Rivera, voting as follows:

\_\_\_\_\_  
Gustavo V. Camacho, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Anna M. Jerome, Deputy City Clerk

\_\_\_\_\_  
Arnold M. Alvarez-Glassman, City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**