



Tuesday, February 26, 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: None.

INVOCATION: Councilmember Archuleta

PLEDGE OF ALLEGIANCE: Councilmember Tercero

SPECIAL PRESENTATIONS: None.

1st PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY:

Virginia Aguirre:

- Addressed the City Council regarding reduction in employee benefits and her service as a volunteer worker with the Christmas Baskets Committee.

Jeffrey W. Natke, representative of the Pico Rivera Mid-Managers and Professional and Confidential Association:

- Addressed the City Council regarding Item No. 6 Mid-Year Budget and the proposed \$37,500 funding to charities and the Chamber of Commerce.

Charlie Villanueva:

- Addressed the City Council to speak as a member of the Chamber of Commerce and of his appreciation for their services.

Maria Segovia, President of the Pico Rivera Chamber of Commerce:

- Addressed the City Council to thank them for their support, to request funding and to introduce board members of the Chamber of Commerce who were present in the audience.

Mary Ann Bakotich, Executive Director of the Chamber of Commerce:

- Addressed the City Council to speak of the Chamber benefits that enhance the partnership with the city.

CONSENT CALENDAR:

1. Minutes:

- Approved City Council meeting of February 12, 2013; and
- Received and filed Parks & Recreation Commission meeting of November 8, 2012

2. Approved 13th Warrant Register of the 2012-2013 Fiscal Year. (700)

Check Numbers: 255590-255788

Special Checks Numbers: None.

3. 2013 CalHome Program Grant Application. (700)

1. Adopted Resolution No. 6710 authorizing the submittal of a grant application to the California Housing and Community Development Department for the 2013 CalHome Program grant funds.

Resolution No. 6710 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, HEREBY AUTHORIZES THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM

4. KaBOOM! Shade Shelter and Outdoor Fitness Grant Application. (700)

1. Approved submittal of an application for a Shade Shelter grant at Streamland Park and an Outdoor Fitness Equipment grant for Pico Park.

5. City Hall Emergency Backup Generator Project, CIP No. 21243 – Authorization to Bid. (500)

1. Approved Plans, Specifications and Estimate (PS&E) for City Hall Emergency Backup Generator Project, CIP No. 21243;
2. Authorized the City Clerk to publish the Notice Inviting Bids; and

3. Approved the Notice of Exemption for the subject project and authorized the City Clerk to file with the County Recorder.

Councilmember Salcido inquired about the use and need of the emergency backup generator. City Manager Bates stated that the last time the city experienced a power outage, the current backup generator failed due to the fact that the current system is old and was not designed to handle the high demand of energy used today. Director Cervantes added that the proposed generator provides 15 times the power of the previous backup generator and will keep the city functional for 24-hours.

Motion by Councilmember Armenta, seconded by Councilmember Archuleta to approve Consent Calendar Items No. 1 through 5. Motion carries by the following roll call vote:

AYES: Archuleta, Armenta, Salcido, Tercero, Camacho

NOES: None

CONSENT CALENDAR ITEMS PULLED: None.

LEGISLATION:

6. Mid-Year Budget Review FY 2012-13. (700)

City Manager Bates stated that the city's revenues are coming in better than projected and that the deficit for this current year will be close to \$400,000. He further stated that City Council has directed that the city maintain a 25% reserve and that the city is at about an 18% reserve. The challenges that the city faces, he stated, are the rising retirement and medical costs. He added that with the fixed property rates under Proposition 13, the only other source of revenue available to the city is sales tax revenue.

Assistant City Manager Matsumoto provided a brief PowerPoint presentation providing information on general fund sources, general fund uses, summary of sources and uses, mid-year highlights and policy items to consider.

City Manager Bates stated that staff met with the Ad Hoc Budget Committee and presented this information for their review. He stated that item number five comes without any policy recommendations leaving it to the judgment of the City Council.

Council members discussed sales tax revenue, restoring fiscal integrity, justification for funding charities, Council's direction to review charitable funding at mid-year, objections to funding at this time, Ad Hoc Committee's recommendation to discuss funding options in open session, importance of servicing community groups that provide benefits to the whole community and fostering business development, plan of action for raising revenue and job costing.

In regard to Mayor Camacho's statement pertaining to the city proactively raising revenue, City Manager Bates stated that one area that would impact revenue is business development because that would produce sales tax and jobs. City Manager Bates further elaborated on the city's deficit stating that revenues and expenditures are coming into balance which will help with the city's unfunded retirement benefits and PERS smoothing.

Councilmembers Armenta and Salcido stated their opposition to item 5 of the recommendation being placed on the agenda for consideration at this time as the city is not in the position to provide this type of funding.

Motion by Councilmember Armenta, seconded by Councilmember Archuleta to approve the following Mid-Year Budget adjustments to the FY 2012/13 budget: 1) Approve budget adjustments to General Fund Appropriations (Attachment 2); 2) Approve budget adjustments to other funds appropriations (Attachment 3); 3) Approve budget adjustments to Capital Improvement Projects (Attachment 4); and 4) Approve budget adjustments to revenues (Attachment 5).

AYES: Archuleta, Armenta, Tercero, Camacho

NOES: Salcido

Recessed to Water Authority at 7:15 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Water Authority at 7:20 p.m.

ALL MEMBERS WERE PRESENT

NEW BUSINESS: None.

OLD BUSINESS: None.

2ND PERIOD OF PUBLIC COMMENTS – ALL OTHER CITY-RELATED BUSINESS:

Nick Pondoff:

- Addressed the City Council regarding waiving the requirements for building a block wall as it pertains to the expansion of a driveway.

Recessed to Closed Session at 7:21 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 9:36 p.m.

ALL MEMBERS WERE PRESENT

CLOSED SESSION(S):

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (1)

Lucky Sevens Inc. vs. City of Pico Rivera

Case No. BC 472322

City Attorney Alvarez-Glasman stated that direction was provided to Special Counsel and that there was no action taken and nothing further to report.

b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (1)

Jeff Tracy dba Land Forms vs. City of Pico Rivera

Case No. VC 062697

City Attorney Alvarez-Glasman stated that direction was provided to the City Attorney and that there was no action taken and nothing further to report.

c. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (4)

Consideration of initiation of litigation – one matter

City Attorney Alvarez-Glasman stated that there was no action taken and nothing further to report.

d. LIABILITY CLAIMS

Pursuant to Government Code Section 54956.95

Claimant: Jeff Tracy Inc. dba Land Forms Landscape Construction

Agency claimed against: City of Pico Rivera

City Attorney Alvarez-Glasman stated that there was no action taken and nothing further to report.

e. 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 action taken and nothing further to report.

f. PUBLIC EMPLOYMENT

Pursuant to Government Code Section 54957

Title: City Manager

City Attorney Alvarez-Glasman stated that there was no action taken and nothing further to report.

ADJOURNMENT:

Mayor Camacho adjourned the City Council meeting at 9:37 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 February 26, 2013 and approved by the City Council on March 12, 2013.

Anna M. Jerome, Deputy City Clerk