



Tuesday, May 28, 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:

Fred Zermeno, Planning Commission

INVOCATION: Councilmember Archuleta

PLEDGE OF ALLEGIANCE: Planning Commissioner Zermeno

SPECIAL PRESENTATIONS:

- Proclamation to the American Cancer Society – 10th Anniversary of the Pico Rivera Relay for Life
- Home & Vehicle Burglaries: Hide-it, Lock-it, or Lose-it presented by the Los Angeles Sheriff's Department, Lt. Steve Sanchez

1st PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY: None.

CONSENT CALENDAR:

1. Minutes:

- Approved City Council meeting of May 14, 2013
- Received and filed Parks and Recreation meeting of April 11, 2013

2. Approved 19th Warrant Register of the 2012-2013 Fiscal Year.

(700)

Check Numbers: 256874-257058

Special Checks Numbers: 256980-256981

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)

This item was pulled from the Consent Calendar for further discussion and clarification.

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

1. Adopted Resolution No. 6719 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. Adopted Resolution No. 6720 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. Adopted Resolution No. 6721 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. Adopted Resolution No. 6722 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. Adopted Resolution No. 6723 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. Authorized 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. 6719 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. 6720 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. 6721 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. 6722 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. 6723 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)

This item was pulled from the Consent Calendar for further discussion and clarification.

6. **Adopt Amended Resolution for the City of Pico Rivera's withdrawal from the Los Angeles County Consolidated Sewer Maintenance District.** (1200)

This item was pulled from the Consent Calendar for further discussion and clarification.

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

1. Authorized 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. Authorized 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. Appropriated \$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)

This item was pulled from the Consent Calendar for further discussion and clarification.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to approve Consent Calendar Items 1, 2, 4, and 7. Motion carries by the following roll call vote:

AYES: Archuleta, Armenta, Salcido, Tercero, Camacho

NOES: None

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

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)

Councilmember Tercero inquired about the finding of no consequences for the California Environmental Quality Act (CEQA) report. He asked how it was determined not to have an impact. Senior Planner Aguilar stated that the zone change would not

trigger a change in allowable land uses since the original zone was commercial and is compliant with the general plan designation. She stated that because the land uses didn't change and is consistent with the general plan there is no impact to CEQA.

Motion by Councilmember Archuleta, seconded by Councilmember Tercero to adopt Ordinance No. 1074 changing the zone designation from General Commercial (C-G) to Commercial Planned Development (CPD). Motion carries by the following roll call vote:

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

AYES: Archuleta, Armenta, Salcido, Tercero, Camacho

NOES: None

5. Treasurer's Report – March 31, 2013. (700)

Councilmember Tercero inquired about the positive balances in the Treasurer's Report. City Manager Bates stated that the tax payments have just come in from the county and that the money is paid out over the balance of the year. Finance Director Matsumoto stated that Fund 12 of the report is the public employee benefit obligation fund which is accumulating money and is planned to be used for retiree medical. Funds 15 and 16, he stated, are collectively reserves for the city. He added that Item No. 17 is the image enhancement fund and these fees are from development and are only to be used for the image enhancement of Pico Rivera that is committed to parks projects. Prop C, he stated, is programmed and those are on-going projects; Measure R the money is on hand and is spent as the city completes the projects. He further stated that the Air Quality improvement fund is restricted for air quality AB 2766 money. City Manager Bates added that the money has been reserved specifically for projects approved by the Air Quality Management District (AQMD) and that some of that money had been used to fund fuel efficiency vehicles for parking enforcement.

Councilmember Tercero also asked about the funds regarding the Golf Course and GolfLinks. Director of Finance Matsumoto stated that he would meet with him to provide an explanation of how the fund is designated.

Motion by Councilmember Archuleta, seconded by Councilmember Tercero to receive and file Quarterly Treasurer's Report for the quarter ending March 31, 2013. Motion carries by the following roll call vote:

AYES: Archuleta, Armenta, Salcido, Tercero, Camacho

NOES: None

6. Adopt Amended Resolution for the City of Pico Rivera's withdrawal from the Los Angeles County Consolidated Sewer Maintenance District. (1200)

Councilmember Archuleta asked for Public Works Director Cervantes to explain the situation that took place recently with a clogged sewer.

Public Works Director Cervantes stated that there was a clog in the sewer system that caused an odor. He stated that the sewer system is partly owned by the county and the other part is owned by the city. The problem, he stated, was reported to both entities that each moved forward using their own mitigation measures. The difference with the city taking over, he stated, is that the city could respond immediately rather than waiting on the county to make their analysis.

Councilmember Archuleta asked if the city would need additional equipment, if the city owns equipment or would a sub-contractor be utilized. Public Works Director Cervantes stated that the city would hire a contractor that would be under the city's authority.

Councilmember Tercero asked how the city knows what shape the sewer system is in, if the city uses a contractor would the city pay extra fees for emergency situations or would it be covered under the contract and if the county uses their own employees or if they contract out.

Director Cervantes stated that the city has a master plan of the full sewer system which includes a full analysis of the system that includes a visible inspection using a video camera system and that the county uses both their own employees and contractors. In regard to who would pay for emergency situations, City Manager Bates stated that the

fee would be covered under the contract and that the county is being looked at as one of the potential bidders on the contract.

Councilmember Tercero asked if the city would be able to set their own rates. City Manager Bates stated that the city would be able to set rates under Prop 218 guidelines. Councilmember Tercero stated that he would like to amend the recommendation by requesting to lock the sewer rates with the county to close sewer usage gaps. City Manager Bates stated that Council could recommend that the rates stay below the county rates and explained that the funds could only be used for this purpose. He stated that under Prop 218 guidelines it could not be used for any other purpose. City Attorney Alvarez-Glasman added that you cannot tie the hands of future council by any action taken tonight.

Motion by Councilmember Archuleta, seconded by Councilmember Armenta to: 1) adopt amended Resolution No. 6724 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. Motion carries by the following roll call vote:

Resolution No. 6724 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

AYES: Archuleta, Armenta, Salcido, Camacho

NOES: Tercero

8. Golf Course Management Amendment. (500)

Councilmember Tercero inquired about the rate increase and stated his concerns for providing increases to contractors who provide benefits to the community. City Manager Bates stated that the \$20,000 would offset the community services being provided and that none of this money is taken from the General Fund.

Councilmember Salcido suggested that in the future that the staff reports provide more specific information as to the community benefits with Mayor Camacho concurring

with the suggestion. Mr. Salcido asked to confirm that the golf course is making a profit with City Manager Bates responding in the affirmative.

Motion by Councilmember Archuleta, seconded by Councilmember Armenta to authorize the Mayor to execute Amendment No. 2 to the Golf Course Management Agreement No. 11-1266. Motion carries by the following roll call vote:

Agreement No. 11-1266-2

AYES: Archuleta, Armenta, Salcido, Camacho

NOES: Tercero

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)

City Manager Bates stated that the city has received a number of potential business owners requesting permits.

Community and Economic Development Deputy Director Gonzalez stated that the E-cigarette is a battery operated cigarette used as a tobacco replacement to wean people off of nicotine but can be used for drug paraphernalia. Staff, she stated, would like to evaluate this further to see what effects it could have on the public.

Motion by Councilmember Archuleta, seconded by Councilmember Armenta to adopt the interim urgency moratorium temporarily prohibiting drug paraphernalia, head and smoke shops for 45 days within city limits. Motion carries by the following roll call vote:

Ordinance No. 1075 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

AYES: Archuleta, Armenta, Salcido, Tercero, Camacho

NOES: None

Recessed to Water Authority at 6:49 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Water Authority at 6:50 p.m.

ALL MEMBERS WERE PRESENT

NEW BUSINESS: None

OLD BUSINESS:

Councilmember Salcido stated his concern for the lack of lights in Field No. 1 at Smith Park with Councilmember Archuleta and Armenta concurring. City Manager Bates stated that he would bring the item back in two weeks with a cost estimate for lights.

Councilmember Armenta asked if there would be concerts in the park this year and a 4th of July celebration. Director of Parks & Recreation Gonzalez stated that there will be three concerts and movies in the park. The 4th of July event, she stated, will take place at El Rancho High School stadium field.

Councilmember Tercero asked about the fitness zones. Parks & Recreation Director Gonzalez stated that the city is on the list for funding and that the city is looking at early 2014 to start the paperwork. She further stated that the city is a finalist for a \$200,000 Land & Water Conservation grant for a rubberized track around Pico Park and three fitness stations.

Councilmember Archuleta spoke about a fundraising pilot project for adding street address numbers in alleyways. Assistant to the City Manager Chavez stated that a pilot program is in place and will be starting in the fall.

Councilmember Tercero inquired about teleconferencing for the next city council meeting since he will be out of state.

In compliance with AB 1234 requirements, Mayor Camacho provided a brief report on his attendance at the California Contract Cities Conference. He also commended the Pico Rivera Veteran's Council for the Memorial Day Services.

Councilmember Salcido mentioned that Cristian Roldan received the National Soccer Player award.

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

Nora Chen, Rivera Librarian:

- Addressed the City Council regarding summer reading programs and upcoming events: June 12, at 4 pm Last Days of the Dinosaurs; June 26 design your own T-shirt; June 18, Through the Eyes of Artist; Wednesday's children's story time at 10:30 a.m.

Joe Price:

- Addressed the City Council regarding the May 18, CERT Training class and donations to the Red Cross for Oklahoma City.

Victor Gonzalez:

- Addressed the City Council regarding basketball youth program updates; lack of basketball courts at the newly constructed parks; asked if there would be an opening ceremony for the basketball league on June 29, 2013.

In regard to Mr. Gonzalez' comments regarding basketball, Councilmember Salcido suggested that Parks & Recreation work with the concerned parents so that they can organize their own independent league.

ADJOURNMENT:

Mayor Camacho adjourned the City Council meeting at 7:15 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 28, 2013 and approved by the City Council on June 11, 2013.

Anna M. Jerome, Deputy City Clerk