



Tuesday, September 24, 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:** Commissioner Zermeno

**OPTIONAL STUDY SESSION REGARDING ITEM NO. 8: 5:30 p.m. to 6:00 p.m.**

**SPECIAL PRESENTATIONS:**

- Certificate of Recognition presented to Jaeda Hernandez and Samuel Contreras for their participation in the Reach to Achieve Program

**PUBLIC HEARING:**

1. **Public Hearing – The Community Development Block Grant Consolidated Annual Performance and Evaluation Report for Fiscal Year 2012-13. (1600)**

Mayor Camacho opened the public hearing and noted that there were no written communications or public comment cards to provide public testimony.

City Manager Bates stated that this annual report is filed yearly with the federal government reporting on the accomplishments under the block grant program.

Mayor Camacho closed the public hearing.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to approve the fiscal year 2012-2013 Consolidated Annual Performance and Evaluation Report. Motion carries by the following roll call vote:

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

**NOES:** None

**1<sup>st</sup> PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY:**

Roddie Rodriguez, President of the Pico Rivera Concerned Citizens Committee:

- Addressed the City Council regarding the beautification of the city and asked for an upgrade on Beverly Road; concerns with the city's Housing Element development; newspaper article in *Whittier Daily News* pertaining to Councilmember Armenta; and efforts to meet with the City Manager.

**CONSENT CALENDAR:**

**2. Minutes:**

- Approved City Council meeting of September 10, 2013; and
- Received and filed Parks & Recreation meeting of August 8, 2013

**3. Approved 5<sup>th</sup> Warrant Register of the 2013-2014 Fiscal Year. (700)**

Check Numbers: 258683-258823

Special Checks Numbers: None

**4. Resolution in Support of the Rivers and Mountains Conservancy's (RMC) Grant Application for a Gateway Cities River Master Plan. (700)**

1. Adopted Resolution No. 6737 in support for the Rivers and Mountains Conservancy grant application to the California Strategic Growth Council for a Gateway Cities Rivers Master Plan and requested that the Pico Rivera Sports Arena Campground Rehabilitation Project be incorporated in the master plan for the San Gabriel River.

Resolution No. 6737 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, SUPPORTING THE RIVERS AND MOUNTAINS CONSERVANCY PLANNING GRANT APPLICATION FOR THE GATEWAY CITIES RIVERS MASTER PLAN

**5. Whittier Boulevard Street Rehabilitation Project, Van Norman Road to Paramount Boulevard, CIP No. 21246 – Award Professional Services Agreement for Engineering Services. (500)**

1. Awarded a Professional Services Agreement to Kabbara Engineering to provide engineering design services for the Whittier Boulevard Street Rehabilitation Project, Van Norman Road to Paramount Boulevard, CIP No. 21246, for an amount not to exceed \$199,979 and authorized the Mayor to execute the agreement in a form approved by the City Attorney.

Agreement No. 13-1412

**6. Passons Boulevard Underpass Project (CIP No. 20053) – Amendment No. 4 to Professional Services Agreement. (500)**

1. Approved Amendment No. 4 to Professional Services Agreement No. 08-1063 with Harris and Associates, Inc. for additional construction management services in accordance with the scope of work and fee proposal dated September 9, 2013 for an additional amount not-to-exceed \$83,971 and authorized the Mayor to execute the amendment in a form approved by the City Attorney.

Agreement No. 08-1063-4

**7. Extended Leave of Absence Without Pay for Executive Assistant. (200)**

1. Approved an extended leave of absence without pay.

Motion by Councilmember Armenta, seconded by Councilmember Archuleta to approve Consent Calendar items no. 2 through 7. 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:**

**8. Approval of the Memoranda of Understanding with the Gateway Water Management Authority for the Development of Watershed Management Programs for the Lower Los Angeles River and Lower San Gabriel River and Adoption of a Resolution. (500)**

City Manager Bates stated that the City is required by the Environmental Protection Agency (EPA), State and the Water Quality Control Board (WQCB) to develop a plan for implementation that controls the flow of storm water and pollutants in the storm water. The challenge, he stated, is that the requirements that are being applied are almost impossible to meet.

Director of Public Works Cervantes added that a survey was taken of the cities in the Gateway Region that were involved in the various watershed meetings. He stated that of all the cities that were contacted, 65% of those cities have already approved similar MOUs to move forward. The 35% of the cities that have not approved the plan, he stated, are scheduled to approve it at their first meeting in October. The City of Los Angeles and Long Beach were also contacted and all of those agencies are moving forward with adopting a plan. He stated that there are 37 cities that are petitioning the State to challenge the permit and Pico Rivera is one of those cities. While the City is challenging the State, he added, we are still mandated to comply with the permit in the interim.

Councilmember Archuleta stated for the record other cities that are being asked to comply: Artesia, Bellflower, Cerritos, Diamond Bar, Downey, Hawaiian Gardens, La Mirada, Lakewood, Long Beach, Norwalk, Santa Fe Springs, Whittier, and Los Angeles County Flood Control District. He further stated possible penalties and litigation.

Director Cervantes stated that in 1988 the storm water quality requirement became part of the Clean Water Act (CWA), and since then the State Water Resources Control Board (SWRCB) has issued permits that have evolved and become complicated over the years.

Storm Water Consultant Desi Alvarez stated that there has been an appeal to the permit and the appeal is the first step in litigation. He stated there is going to be a hearing by the SWRCB on October 8 which will be the first hearing. He added that there is a coalition of seven (7) counties within the Southern California group, where this permit that has been issued in Los Angeles is going to be the model that everyone will follow. He stated it is an adaptive permit that requires cities to develop comprehensive plans to improve the storm water quality and better use of storm water as a resource. This

group of agencies, he stated, will be making a presentation to the Board on October 8, 2013.

Councilmember Salcido stated that the City Council recognizes that the City will spend money on a plan that it will never be refunded for, but also recognizes that there are no other options but to approve the development of the plan.

Motion by Councilmember Salcido, seconded by Mayor Pro Tem Tercero to: 1) Approve the Memorandum of Understanding (MOU) with the Gateway Water Management Authority (GWMA) to develop a Watershed Management Program and Coordinated Integrated Monitoring Program for the Lower Los Angeles River Watershed Committee, and authorized the Mayor to execute the MOUs in a form approved by the City Attorney (Exhibit "B"); and 2) Approve the Memorandum of Understanding (MOU) with the Gateway Water Management Authority (GWMA) to develop a Watershed Management Program and Coordinated Integrated Monitoring Program for the Lower San Gabriel River Watershed Committee and authorized the Mayor to execute the MOUs in a form approved by the City Attorney (Exhibit "C"); and 3) Appropriate \$113,600 from the General Fund Reserve for the Lower Los Angeles River Watershed Committee (\$39,900) and Lower San Gabriel River Watershed Committee (\$73,700); and 4) Adopt Resolution No. 6738 requesting the MS4 Permit (Order No. R4-2012-0175, NPDES Permit No. CAS004001; Waste Discharge Requirements for Municipal Separate Storm Sewer System (MS4) Discharges Within the Coastal Watersheds Of Los Angeles County, Except Those Discharges Originating From The City Of Long Beach MS4 Permit) to be amended or funded by the Federal or State governments. Motion carries by the following roll call vote:

Resolution No. 6738 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REQUESTING ORDER NO. R4-2012-0175, NPDES PERMIT NO. CAS004001 BE AMENDED OR FULLY FUNDED BY STATE AND FEDERAL PROGRAMS

Agreement No. 13-1413

Agreement No. 13-1414

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

**NOES:** None

Recessed to Water Authority at 6:25 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Water Authority at 6:26 p.m.

ALL MEMBERS WERE PRESENT

**NEW BUSINESS:**

Councilmember Salcido addressed his concerns with the recent incident at the El Rodeo Night Club with Captain Thornton elaborating on previous actions that have been put in place and future actions to be taken at the night club.

Councilmember Armenta commented on the visibility of the homeless in the City and asked staff in regard to the El Rodeo if the zoning could be changed when new tenants take over the property. He also mentioned a pump on Parsons and Shade Lane and overgrown vegetation. In response to re-zoning of the El Rodeo property, City Attorney Alvarez-Glasman stated that if new tenants took over the property, the zoning could be looked at for restrictions on a night club and a new owner would be issued different Conditional Use Permits (CUPs).

In compliance with AB 1234 requirements, Mayor Pro Tem Tercero reported on his attendance at the California League of Cities Conference. He mentioned some of the topics covered were sales tax, water infrastructure and parliamentary procedures.

Councilmember Archuleta mentioned the slurry sealing of many residential streets in the City with Director Cervantes adding that the purpose of the slurry seal is to preserve the good conditions of the surface of the streets.

Mayor Camacho offered his condolences to the family of the victim at the El Rodeo shooting and commended the Sheriff's Department for their quick response in apprehending the suspects involved in the incident. He elaborated on the progress the City has made in the way of public safety and that the City is headed in the right direction. Mayor Camacho also commented on all the major street improvements including the new City entrance monuments, the recent open house at the new county library and the benefits of a senior service food program. He also inquired about the progress on the Consolidated Sewer Maintenance District program recently obtained by the City.

In regard to the Consolidated Sewer Maintenance District program, City Manager Bates stated that as of today, the County Board of Supervisors approved the City's submission so staff will start moving forward on the technical level of the program.

**OLD BUSINESS:**

Councilmember Archuleta inquired about the Halloween Spooktacular event. Deputy Director Rico stated that the Halloween Spooktacular would take place at Pico Park.

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

Roddie Rodriguez, President of the Pico Rivera Concerned Citizens Committee:

- Addressed the City Council regarding the recent incident at the El Rodeo; noise from railroad tracks on Durfee Avenue; and asked for a letter from each Council member pertaining to how many times the train can blow its whistle.

John Belmonte, Vice President of the Pico Rivera Concerned Citizens Committee:

- Addressed the City Council to speak on the Housing Element development and court case regarding Councilmember Armenta.

Roberta Torres:

- Addressed the City Council to thank the Sheriff's Department for patrolling the Towne Center area; stated she has seen improvements made pertaining to loitering of vagrants and Pico Rivera Gardens residents; and spoke of her concerns regarding the incident at the El Rodeo.

Victor Gonzalez:

- Addressed the City Council regarding the use of the basketball courts at El Rancho High School and to thank the City Council and the El Rancho School District for their support. He spoke about hoping to involve the Sheriff's and Fire Department in providing basketball training to the youth.

**ADJOURNMENT:**

Mayor Camacho adjourned the City Council meeting at 7:02 p.m. in memory of former El Rancho High School Football Coach Ernie Johnson and Melvin Cortez, El Rodeo Valet. There being no objection it was so ordered.

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

**NOES:** None

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Gustavo V. Camacho, Mayor

**ATTEST:**

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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 September 24, 2013 and approved by the City Council on October 8, 2013.

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Anna M. Jerome, Deputy City Clerk