



Tuesday, June 22, 2010

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

Mayor Salcido called the meeting to order at 6:00 p.m. on behalf of the City Council/Redevelopment Agency, Housing Assistance Agency and Water Authority.

PRESENT: Armenta, Camacho, Contreras Rapisarda, Archuleta, Salcido

ABSENT: None

COMMISSIONERS PRESENT:

Tommy Elisaldez, Planning Commissioner

Bob Solis, Sister City Commissioner

INVOCATION: Mayor Pro Tem Archuleta

PLEDGE OF ALLEGIANCE: Boy Scout and Cub Scout Troop 604

SPECIAL PRESENTATION:

Boy Scout and Cub Scout Troop 604 presented the City Council with commemorative coins celebrating Boy Scouts 100th anniversary.

PUBLIC HEARING(S):

- 1. Public Hearing – Interim Urgency Zoning Ordinance Extension – Prohibiting Entitlements for Fast Food, Quick Service and Drive-Through Fast Food Establishments within the Specified Area. (1300/147)**

Mayor Salcido opened the Public Hearing and noted that there was no written communications to provide public testimony.

Oral Communications:

Paula Murga:

- Addressed the City Council to speak about low income families that may benefit from fast food services and recommended that fast foods consider adding healthier choices to their menus.

Mayor Salcido closed the public hearing.

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Armenta to adopt Ordinance No. 1064 extending interim Ordinance No. 1063 by an additional 10 months and 15 days pursuant to Government Code Section 65858 (a) based on staff's preliminary report findings.

Ordinance No. 1064 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, EXTENDING THE TERMS AND PROVISIONS OF ORDINANCE NO. 1063 FOR AN ADDITIONAL PERIOD OF TEN MONTHS AND FIFTEEN DAYS, PROHIBITING THE APPROVAL OF ANY ZONING PERMIT, USE PERMIT, BUILDING PERMIT, OCCUPANCY PERMIT, OR OTHER ENTITLEMENT FOR FAST FOOD, QUICK FOOD SERVICE OR DRIVE-THROUGH FOOD BUSINESSES WITHIN DESIGNATED PORTIONS OF THE CITY OF PICO RIVERA PENDING COMPLETION OF STUDY AND REPORT BY THE PLANNING COMMISSION PERTAINING TO THE PROPER CONDITIONS AND REGULATIONS FOR THE ORDERLY PLANNED AND COORDINATED DEVELOPMENT AND FUTURE USE OF FAST FOOD, QUICK FOOD SERVICE OR DRIVE-THROUGH FOOD BUSINESSES, DECLARING THIS AN INTERIM ZONING ORDINANCE, AND SETTING FORTH FACTS CONSTITUTING THE SAME AS AN URGENCY ORDINANCE.

Motion carries by the following roll call vote:

AYES: Armenta, Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: None

INTRODUCTION OF FIRE CHIEF:

La Fonda Riggins from Los Angeles County Fire Department introduced Fire Chief Gerald Heintzel who introduced local station 103 members and his family.

1st PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY:

John Chavez, former Mayor:

- Addressed the City Council to speak on Items 6, 14 and 16.

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

- Addressed the City Council regarding decisions made by City Council and the salary of the City Manager and Assistant City Managers.

Gila Lopez:

- Addressed the City Council opposing the need for two Assistant City Manager positions and disapproves of the practice of voting three to two.

Virginia Aguirre:

- Addressed the City Council regarding the City Manager position and Assistant City Managers positions; requested that Councilmember Contreras Rapisarda set up a meeting with representatives of the Public Works crew who would like to meet with her.

In response to Ms. Aguirre's comments, Councilmember Contreras Rapisarda stated that a meeting has been scheduled with Public Works personnel and that she as well as the rest of the Council appreciates all the work that the Public Works crew do throughout the City.

Mayor Pro Tem Archuleta stated that in regard to Mr. Chave'z comments regarding the library's \$8 million dollars, the interest will be used for overage in construction.

CONSENT CALENDAR ITEMS:

2. Minutes:

- City Council and Redevelopment Agency meeting of June 8, 2010
- Planning Commission meeting of April 5, 2010

3. 21st Warrant Register of the 2009-2010 Fiscal Year. (700/78)

Check Numbers: 240426-240517; 240520-240652

Special Checks Numbers: 240518-240519

4. Modify Parking Restrictions at Designated School Bus Loading Zones and Student Loading Zones. (1400/109)

This item continued to meeting of July 13, 2010.

5. Adopt Resolution for the Submittal of an Application for Funding Under the CalHome Program. (1600/700)

1. Adopted Resolution No. 6551 authorizing the City of Pico Rivera Community and Economic Development Department to submit an application to the California State Department of Housing and Community Development (HCD) for funding in the amount of one million dollars (\$1,000,000) under the CalHome Owner-Occupied Rehabilitation Program.

Resolution No. 6551 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AUTHORIZING THE SUBMITTAL OF AN APPLICATION TO THE CALIFORNIA STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR FUNDING UNDER THE CALHOME PROGRAM; THE EXECUTION OF A STANDARD AGREEMENT IF SELECTED FOR SUCH FUNDING AND ANY AMENDMENTS THERETO; AND ANY RELATED DOCUMENTS NECESSARY TO PARTICIPATE IN THE CALHOME PROGRAM

6. Adoption of GANN Appropriation Limit for Fiscal Year 2010-2011. (700)

1. Approved Resolution No. 6552 adopting the 2010-2011 fiscal year GANN appropriation limit.

Resolution No. 6552 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING AND ADOPTING THE ANNUAL APPROPRIATION LIMIT FOR THE FISCAL YEAR 2010-2011

7. Professional Services Agreement for Graffiti Analysis Intelligence Tracking System. (500)

1. Approved Professional Services Agreement with Graffiti Tracker Inc., 12165 W. Center Road, Suite 80, Omaha, NE 68144, to continue the use of the Graffiti Analysis Intelligence Tracking System at an annual cost not to exceed \$18,000; and
2. Authorized Assistant City Manager to renew agreement.

Agreement No. 10-1165

8. **Conflict-of-Interest Code Biennial Review.** (300/200)
 1. Directed the City Clerk to notify City departments and agencies to review their Conflict of Interest Code pertaining to designated employees to ascertain if any changes or amendments to said code are necessary.

9. **Application for 2010 Edward Byrne Justice Assistance Grant.** (700/156)
 1. Received and filed.

10. **Notice of Completion for Senior Center Renovation Project – CIP No. 21203.** (500)
 1. Accepted work by CJPRO, Inc., 1220 Mendez Drive, Fullerton, CA 92833; and
 2. Instructed the City Clerk to file the appropriate Notice of Completion.

11. **Purchasing Authority Delegated to the Two Assistant City Managers.** (700)
 1. Authorized the two Assistant City Managers to continue with delegated purchasing authority of the City Manager's Office consistent with past practice, and approve purchasing procedures followed under the last City Manager (shown in attached chart) to ensure smooth and ongoing operations at City Hall.

12. **Change Order for Nexus Phone Systems.** (700)
 1. Authorized a change order in the amount of \$18,500 with Nexus IS to pay for additional phone sets as part of the new VoIP phone system and an increase in the project budget No. 21227 for same amount; and
 2. Adopted Resolution No. 6555 authorizing budget amendment for FY 2009-2010 for phone system.

Resolution No. 6553 A RESOLUTION OF THE CITY OF PICO RIVERA, CALIFORNIA, AUTHORIZING BUDGET AMENDMENT FOR FISCAL YEAR 2009-2010 FOR PHONE SYSTEM

13. Southland Transit Dial-a-Ride Program. (500)

1. Approved a month-to-month agreement with Southland Transit Inc. to operate the City's Dial-a-Ride transportation program.

Agreement No. 99-735-5

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Archuleta to approve Consent Calendar Items No. 2, 3, 5, 6, 7, 8, 9, 10, 11, 12 and 13. Motion carries by the following roll call vote:

AYES: Armenta, Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: None

CONSENT CALENDAR ITEMS PULLED: None.

CITY COUNCIL LEGISLATION:

14. Memorandum of Understanding between the City of Pico Rivera and County of Los Angeles: Library Funding Agreement. (500)

A PowerPoint presentation on the design of the County Library was given by Eric Mar of Carde Ten Architects.

Councilmember Contreras Rapisarda inquired as to the size of the lot and energy efficiency regarding the construction of the new library.

Mayor Salcido commented that in the design of the library there will be outdoor courtyards that expand the size of the library in the sense that they can be used as outdoor rooms.

Assistant City Manager Prang stated that the design of the building is to County standards so it will be a green building that reduces carbon footprints with Architect Eric Mar adding that the building is designed for minimal maintenance.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Archuleta to approve recommendation by City Council Library Ad Hoc Committee to enter an agreement between the City of Pico Rivera and Community Development Commission of the County of Los Angeles regarding funding for the Pico Rivera Library.

Agreement No. 10-1166

Motion carries by the following roll call vote:

AYES: Armenta, Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: None

15. Planning, Parks & Recreation, and Sister City Commission Appointments.
(300/59)

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Armenta to adopt Resolutions No. 6554, 6555 and 6556 approving and confirming Councilmember Barbara Contreras Rapisarda's appointments to the Planning, Parks & Recreation, and Sister City Commissions.

Resolution No. 6554 A RESOLUTION OF THE CITY OF PICO RIVERA, CALIFORNIA, APPOINTING JEREMIAH RODRIGUEZ, ELECTOR OF SAID CITY TO THE PLANNING COMMISSION FOR A PARTIAL TERM SAID TO EXPIRE DECEMBER 2011

Resolution No. 6555 A RESOLUTION OF THE CITY OF PICO RIVERA, CALIFORNIA, APPOINTING SYLVIA VELA-AMAYA, ELECTOR OF SAID CITY TO THE PARKS AND RECREATION COMMISSION FOR A PARTIAL TERM SAID TO EXPIRE DECEMBER 2010

Resolution No. 6556 A RESOLUTION OF THE CITY OF PICO RIVERA, CALIFORNIA, APPOINTING RAYMOND LOZA, ELECTOR OF SAID CITY TO THE SISTER CITY COMMISSION FOR A PARTIAL TERM SAID TO EXPIRE DECEMBER 2011

Motion carries by the following roll call vote:

AYES: Armenta, Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: None

16. Budget Adoption for Fiscal Year 2010/2011 Budget. (700/60)

Councilmember Armenta asked for an overview on the budget proposal with Mayor Salcido stating that the significant change was the elimination of one of the Assistant City Manager positions and the creation of a new position for grant solicitation, grant writing and public information officer all folded into one and added that there would be no loss of jobs but that positions would be changed around. At the budget study session, Mayor Salcido stated that the decision from his colleagues was to not fill the vacant positions of purchasing manager, revenue manager, and senior analyst and to keep the two Assistant City Manager positions.

Motion by Councilmember Armenta, seconded by Mayor Salcido to approve the budget as originally proposed by the Ad Hoc Budget Committee with the structural reorganization of administrative staff which includes eliminating one of the Assistant City Manager positions for an annual savings of \$500,000.

Motion failed by the following roll call vote:

AYES: Armenta, Salcido

NOES: Camacho, Contreras Rapisarda, Archuleta

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Camacho to 1) Adopt the Council Ad Hoc Budget Committee's Proposed Budget document, as amended at the June 17, 2010 budget study session, with all the detail expenditure and revenue budgets for all funds of the City totaling \$129,134,400; 2) Approve revised investment policy; and 3) Approve Fiscal Year 2010/2011 Budget Adoption resolutions for each fund, with expenditures and revenues as listed in detail in the Proposed Budget document presented to the City Council on June 17, 2010.

Resolution No. 6557 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR THAT BEGINS JULY 1, 2010 AND ENDS JUNE 30, 2011 FOR THE CITY OF PICO RIVERA

Councilmember Armenta said he would be voting no because he believes one of the Assistant City Manager positions should be eliminated. He also stated that he approves the rest of the budget as is.

Mayor Salcido stated that he disagrees with his colleagues regarding the amendment to the structural reorganization but believes that it is a good solid budget overall.

Motion carries by the following roll call vote:

AYES: Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: Armenta

REDEVELOPMENT AGENCY CONSENT CALENDAR:

1. Budget Adoption for Fiscal Year 2010/2011 Budget. (700/60)

Motion by Director Archuleta, seconded by Director Camacho to 1) Adopt the Council Ad Hoc Budget Committee's Proposed Budget document, as amended at the June 17, 2010 budget study session, with all the detail expenditure and revenue budgets for all funds of the City totaling \$129,134,400; 2) Approve revised investment policy; and 3) Approve Fiscal Year 2010/2011 Budget Adoption resolutions for each fund, with expenditures and revenues as listed in detail in the Proposed Budget document presented to the City Council on June 17, 2010.

Resolution No. 442-10 A RESOLUTION OF THE PICO RIVERA REDEVELOPMENT AGENCY ADOPTING THE ANNUAL BUDGET FOR THE FISCAL YEAR THAT BEGINS JULY 1, 2010 AND ENDS JUNE 30, 2011 FOR THE REDEVELOPMENT AGENCY

Motion carries by the following roll call vote:

AYES: Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: Armenta

Recessed to Housing Assistance Agency at 7:15 p.m.

ALL COUNCIL MEMBERS WERE PRESENT

Reconvened from Housing Assistance Agency at 7:15 p.m.

ALL COUNCIL MEMBERS WERE PRESENT

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

ALL COUNCIL MEMBERS WERE PRESENT

Reconvened from Water Authority at 7:15 p.m.

ALL COUNCIL MEMBERS WERE PRESENT

NEW BUSINESS:

Mayor Pro Tem Archuleta requested that staff bring back the Sheriff's Bike Patrol during the summer to patrol City shopping centers.

Councilmember Armenta requested that stands with plastic bags be placed in the parks so that people walking their dogs have a way to place dog waste with Mayor Salcido requesting that courtesy signs be placed around Rivera Middle school regarding the same issue.

Councilmember Camacho inquired about fencing at Pico Park in regard to the Parks Master Plan with Assistant City Manager stating that staff is waiting to hear from the school district. Councilmember Barbara Contreras Rapisarda asked if staff will continue to move forward with the Parks Master Plan if we do not come to a consensus with the school district with Assistant City Manager Prang responding in the affirmative.

Councilmember Contreras Rapisarda asked Council to consider a minimal increase in stipends for commissioners with Mayor Salcido saying that he is opposed to an increase but that staff could review the possibility of an increase in about six months.

Mayor Salcido and Councilmember Armenta discussed the application for a permanent permit for a material recovery facility that involved public meetings/hearings and residents concerns for an increase in traffic in the area. Mayor Salcido stated that this facility is not in violation of its Conditional Use Permit (CUP) and that by applying for a permanent permit there would be no change to their current operation or any increase in truck traffic. Further, he requested that staff craft a plan for a personal outreach to the neighborhood that is most impacted and address residents' concerns to remedy the situation. Councilmember Armenta requested that staff inform the County that all public hearings/meetings for residents should be held within 300 feet of the material recovery facility.

Assistant City Manager Prang stated that a traffic study is underway to address residents' concerns.

Mayor Pro Tem Archuleta stated that the City takes pride in the street improvements made to Paramount Boulevard and voiced his concerns regarding damage to the streets over time due to the ingress/egress of truck traffic and debris that sometimes falls off the trucks onto the street. He recommended that perhaps the owner of the facility could contribute financially to the City and clean-up the debris that falls onto the street with Councilmember Armenta adding that a tipping fee should be considered when it's time for the company to renew their CUP. City Attorney Alvarez-Glasman suggested that staff could look into the CUP in regards to a "tipping fee." Mayor Pro Tem Archuleta suggested holding a couple more meetings with the County, material recovery facility and residents to address these concerns.

Mayor Salcido spoke of the Parks Master Plan and how the Council is working as partners with the school district to meet the needs of the community.

OLD BUSINESS: None.

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

Rosemary Gurrola, Pico Rivera Librarian:

- Addressed the City Council to introduce new Rivera Library Manager Nora Chen.

Melanie Coward, Executive Director of the Pico Rivera Chamber of Commerce:

- Addressed the City Council to invite them to attend the 52nd installation dinner June 29, 2010 for the incoming President, Jim Osborn.
- Four new members have been added to the Chamber.

Paula Murga:

- Addressed the City Council regarding creating a Ad Hoc Committee to review agenda packet information for new council members; to inquire if the Ad Hoc Committee has come up with a proper process for evaluating the City Manager's job performance; disagrees with the need for two assistant city managers; inquired about the free lunch program for Pio Pico Park; asked if all city property has been returned from a former council member.

Parks & Recreation Director Aranda stated that the lunch program is provided at the parks that have the most activities.

Nadine Barragan, Friends of the Pico Rivera Library, Publicity Chair:

- Addressed the City Council to invite them to come to the Friends of the Library facility;
- Provided a list of services that the friends of the library provide to the City; and
- Invited the Council to join the Friends of the Library for a nominal fee of \$5.00.

Zita Rodriguez:

- Addressed the City Council regarding former City Manager Dennis Courtemarche and the hiring and qualifications of a new City Manager; and
- Disagrees with keeping two assistant city managers.

Virginia Aguirre:

- Addressed the City Council regarding Measure P; opposes the need for two Assistant City Managers, inquired about code enforcement and properties on Passons to Whittier Boulevard, and Passons and Mines Ave.

Joe Bueno:

- Addressed the City Council to say that residents should be acknowledged and thanked for bringing their concerns to the City Council and asked about letter regarding street lights.

CITY COUNCIL COMMENTS:

In response to Ms. Rodriguez' comments, Councilmember Contreras Rapisarda stated that if she would have been in attendance at the budget study session she would have more knowledge about what was discussed.

Mayor Salcido commented saying that he was in attendance at the budget study session and that he still does not agree with having two assistant city managers so residents can still agree or disagree even though they were not in attendance at the budget study session.

Councilmember Camacho said that the budget is balanced with a reserve and that he is proud of the structure that is in place today.

In regard to Mr. Bueno's inquiry, Director of Public Works Cablay stated that there were three action items listed in his letter and staff has moved on two of the three and said that street lights are being installed by Edison.

Mayor Salcido stated that Council had planned to go into closed session to further discuss the qualifications of a new City Manager. City Attorney Alvarez-Glasman stated that the reason Council is not going into closed session is because the closed session item was not properly noticed on the original agenda in compliance with the Brown Act.

ADJOURNMENT:

The City Council meeting was adjourned at 8:07 p.m. There being no objection it was so ordered.

AYES: Armenta, Camacho, Contreras Rapisarda, Archuleta, Salcido

NOES: None

Gregory Salcido, Mayor

ATTEST:

Daryl A. Betancur, City Clerk

I hereby certify that the foregoing is a true and correct report of the proceedings of the City Council and Redevelopment Agency Regular meeting dated June 22, 2010, and approved by the City Council on July 13, 2010.

Daryl A. Betancur, City Clerk