



Tuesday, August 10, 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 6:05 p.m. on behalf of the City Council/Redevelopment Agency and Housing Assistance Agency.

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

**ABSENT:** Contreras Rapisarda (excused)

**COMMISSIONERS PRESENT:**

David Angelo, Sister City Commissioner

Fred Zermeno, Planning Commissioner

**INVOCATION:** Councilmember Armenta

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem Archuleta

**SPECIAL PRESENTATION:**

City Council and Los Angeles County Fire Department Assistant Fire Chief Heinzl, Fire Chief Crocker and local fire station members recognized LA Fitness Manager Jorge Dominguez and Dr. Patel for their heroic efforts in performing CPR and saving a life.

Mayor Pro Tem Archuleta introduced members of the Sister City delegation from San Luis Potosi who was present in the audience.

**PUBLIC HEARING(S):**

1. **Public Hearing - 2010 Congestion Management Program.** (900)

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

Mayor Salcido closed the public hearing.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Archuleta to adopt Resolution No. 6562 affirming City conformance with the Congestion Management Program.

Resolution No. 6562 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089

Motion carries by the following roll call vote:

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

**NOES:** None

**ABSENT:** Contreras Rapisarda

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

**2. Minutes:**

- City Council and Redevelopment Agency meeting of July 27, 2010
- Planning Commission meeting of June 7, 2010

**3. 3<sup>rd</sup> Warrant Register of the 2010-2011 Fiscal Year.**

(700/78)

Check Numbers: 241237-241526

Special Checks Numbers: None.

**4. Resolution in Support of State Funding for “Operation Welcome Home” Veterans Transitional Program.**

1. Adopted Resolution 6563 endorsing Governor’s May revision proposal to the state budget allocating \$8.4 million in further funding to “Operation Welcome Home”; and
2. Forward copies of the resolution to the Speaker of the Assembly, President Pro Tempore of the State Senate, Chairs of the Senate and Assembly Veterans Affairs Committees, Senator Ron Calderon, Assembly Majority Leader Charles Calderon, and local veterans’ organizations.

Resolution No. 6563 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, IN SUPPORT OF GOVERNOR SCHWARZENEGGER'S PROPOSAL TO ALLOCATE \$8.4 MILLION IN ADDITIONAL FUNDING TO OPERATION WELCOME HOME

5. **Reimbursement Agreement with El Rancho Unified School District (School Resource Deputy).** (500)

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

6. **Compliance with Council Policy on \$30,000 Threshold Purchases from Individual Vendors.** (700)

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

7. **Design, Purchase and Installation of Sports Lights at Rio Hondo Park.** (500)

1. Entered into a General Services Agreement with RHA Landscape, Architects, Planners, Inc. for design services and required environmental studies for the installation of Sports Lighting at Rio Hondo Park;
2. Entered into a Sole Source Contractor Services Agreement for the purchase and installation of Sports Lights and Controls at Rio Hondo Park;
3. Renamed Capital Project No. 21191 from Smith Park Field Light renovations to Rio Hondo Sports Light Project; and
4. Authorized reprogramming of uncommitted 2002 Park Bond funds \$110,192 per capita and \$100,880 Roberi-Z'berg-Harris funds to Capital Project No. 21191.

Agreement No. 10-1174

Agreement No. 10-1175

**8. Residential Resurfacing Program (RRP) – Phase C – CIP No. 21225 – Notice of Completion.** (500)

1. Accepted work performed by Bond Blacktop, Inc., 2828 Faber Street, Union City, California, 94587; and
2. Directed the City Clerk to file Notice of Completion with an effective date of completion of July 22, 2010.

**9. Approval of Plans and Specifications for the Construction of the Passons Boulevard Underpass Project (CIP No. 20053) and Authorize Receipt of Bids.** (500)

1. Approved plans, specifications, and estimates (PS&Es) for the construction of the underpass structure for Passons Boulevard south of Slauson Avenue; and
2. Authorized the City Clerk to advertise for receipt of bids for subject project.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Archuleta to approve Consent Calendar Items 1, 2, 3, 4, 7, 8, and 9. Motion carries by the following roll call vote:

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

**NOES:** None

**ABSENT:** Contreras Rapisarda

**CONSENT CALENDAR ITEMS PULLED:**

**5. Reimbursement Agreement with El Rancho Unified School District (School Resource Deputy).** (500)

Councilmember Camacho inquired as to how long the City has had this agreement and what it entails with Assistant City Manager Prang stating that it is a joint effort with the school district to provide a Resource Officer at the high school to assist with truancy, gang activity and other types of law enforcement issues. Further, he stated that the request came from the school district to provide additional police protection and that the City in partnership agreed to support this program with the school district paying 50 percent on a 10 month schedule.

Councilmember Armenta added that the City and School District have had this agreement for over 10 years and that it is a budgeted item and most likely will continue to be a budgeted item.

Councilmember Camacho suggested that during the mid-year budget review for staff to determine if there are funds available for the City to provide 100 percent of the funding for the School Resource Deputy as he sees this as a benefit to both the school and the City. Mayor Salcido and Council concurred with Councilmember Camacho's suggestion with Mayor Pro Tem Archuleta adding that if it is feasible he would like to see it further funded even if it's not at 100 percent.

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Armenta to: 1) Approve an agreement with El Rancho Unified School District (ERUSD) under, which the City will be reimbursed for 50% of the cost of providing a School Resource Deputy from September 2010 through June 2011.

Agreement No. 10-1173

Motion carries by the following roll call vote:

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

**NOES:** None

**ABSENT:** Contreras Rapisarda

**6. Compliance with Council Policy on \$30,000 Threshold Purchases from Individual Vendors. (700)**

Councilmember Armenta asked staff to further clarify the intent of the report.

Director of Finance Herrera stated that the City recognizes that from time-to-time piece meal purchases are made with certain vendors throughout the year and by the end of the fiscal year the \$30,000 threshold gets exceeded and that the intent is to bring all contracts with vendors into compliance with the \$30,000 threshold by the end of this fiscal year.

For clarification purposes, Mayor Salcido stated that the City is violating its own policy inadvertently.

Councilmember Armenta stated that the City Manager can spend \$30,000 without Council approval and that the amount has been exceeded by several different entities. He stated that he is concerned that the City's accounting system is not providing the adequate check and balances and suggested that since the City is currently without a City Manager that the threshold be dropped to \$15,000 - \$20,000 until staff can accurately itemize and monitor expenses. Further, he suggested that the checks and balances should be monitored weekly with Director of Finance Herrera concurring with a frequent monitoring process. Director Herrera stated that staff is now looking at procurement and getting better pricing with some of the vendors and asked that Council provide a prioritization for compliance.

Councilmember Armenta requested that staff provide a monthly report to Council on how the City is meeting its \$30,000 threshold compliance on accounts that have exceeded the threshold and report on any accounts coming close to meeting the \$30,000 threshold.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Archuleta to: 1) Receive and file the list of vendors who provided goods and services over \$30,000 last fiscal year, but did not receive City Council approval; and 2) Authorize the City Manager's Office to continue to approve purchases from these vendors "as needed" during the fiscal year, while staff negotiates contracts and bids applicable purchases for approval by City Council not later than June 30, 2011. Motion carries by the following roll call vote:

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

**NOES:** None

**ABSENT:** Contreras Rapisarda

**CITY COUNCIL LEGISLATION:** None.

**REDEVELOPMENT AGENCY CONSENT CALENDAR:** None.

**NEW BUSINESS:**

Mayor Pro Tem Archuleta recommended lowering the \$30,000 threshold to \$20,000 and requested a staff report providing that feasibility as well as other cities thresholds and asked if the new accounting software program will provide the necessary checks and balances with Director of Finance Herrera responding in the affirmative.

Adding to Mayor Pro Tem Archuleta's comments in regard to checks and balances, Councilmember Armenta stated that it is a matter of being organized with a few exceptions as in the case of emergency spending. Mr. Armenta also requested that the consultants provide to Council an update on a monthly basis on ongoing projects in the City. Mayor Salcido concurred with the recommendation and asked if staff could first provide the project update in memo form and if there is a consensus amongst the Council then a consultant could be brought in to give a presentation.

City Clerk Betancur announced that the Ceremonial and Regular City Council meetings will go dark for August 23 and 24, but that there will be a special meeting held Tuesday, August 17, 2010 at 2:00 p.m. in the Council Chambers regarding the Metro Gold Line and Beverly Boulevard Landscape Medians.

Mayor Salcido requested that at the first City Council meeting of September a Closed Session be held regarding public employment issues or performance evaluation to discuss the roles of the two Assistant City Managers with all members of the City Council concurring.

City Attorney Alvarez-Glasman stated that he would research the Government Code for the proper language of the Closed Session.

### **OLD BUSINESS:**

Mayor Salcido requested that the Sheriff enforce the scavenging ordinance in the local neighborhoods and that based on resident complaints he asked that staff look into the parking of oversized (height) vehicles in the street such as motor homes, monster trucks, etc. that obstruct drivers view and cause safety hazards.

Assistant City Manager Prang stated that there are a number of cities that ban the parking of vehicles over 6 feet tall in the street. He also stated that the City receives a number of calls from residents who complain that the recreational vehicles such as a motor home take up too much parking on the streets as well.

Mayor Pro Tem Archuleta suggested that an article regarding scavenging enforcement be placed in the *Profile* for residents to be aware of and to be able to report on and also suggested that soliciting after dark be prohibited.

In terms of scavenging enforcement, Councilmember Armenta suggested utilizing Parking Enforcement since they drive around the City at all hours of the day and night.

He also requested that staff look into replacing green waste trash cans with the automated green waste cans since the waste hauler is no longer providing replacements for old deteriorated green waste trash cans.

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

Alex Rodriguez:

- Addressed the City Council to request that representatives from BNSF railroad speak to residents regarding train delays, horn blowing and the impact to surrounding neighborhoods during construction of the Passons grade separation.

Assistant City Manager Prang provided City Council with an update on the railroad underpass by stating that with this evening's approval of going out to bid on the project, staff estimates bringing this item back to Council in October with the final recommendation for a contractor to start on the Passons Grade Separation. He added that this will be a two year project with excavation taking place near the beginning of the year and completion in August 2012.

Mayor Salcido requested that all representatives related to the project provide a brief presentation to Council and residents to which Assistant City Manager Prang stated that he will try to provide the presentation sometime in September/October.

Councilmember Armenta asked when Passons Boulevard would be closed to through traffic.

Director of Public Works Cablay provided a PowerPoint presentation showing three slides of the Passons Grade separation. In response to Councilmember Armenta's question, Director Cablay said that Passons would remain open until all the underground utilities have been installed which would probably be another year. He also mentioned that stakeholder meetings will be hosted in the neighborhood as part of the construction management outreach.

In response to Mayor Salcido's question regarding the closure of Serapis Avenue, Director Cablay said that the closure of Serapis was part of the environmental findings but also stated that with talk of a high speed rail, the City would ask to reopen Serapis as a part of a grade separation.

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

- Addressed the City Council to comment on the salaries of the two Assistant City Managers and actions of Mayor Salcido regarding patriotism and teaching.

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

- Addressed the City Council regarding Mayor Salcido, patriotism and saluting of the flag; salaries of the two Assistant City Managers and the hiring of a City Manager; thanked Councilmember Armenta for keeping watch on City funds.

Joe Bueno:

- Addressed the City Council to thank Council and staff for the street lights on Triton and surrounding streets; provided Council with a new list of cul-de-sac streets without street lights; asked who pay's for the street light poles.

In response to Mr. Bueno's inquiry, Director of Public Works Cablay stated that the City owns 10% of the streets lights and the rest is owned by Southern California Edison (SCE). The street lights, he stated, are paid for by the rates that are assessed through taxes and once those are paid, SCE utilizes those funds to energize and maintain the lights as well as pay for maintenance of new poles and lights. He also stated that SCE will not install new lights until the City has conducted their due diligence. Today's process, he said, entails a survey to make sure the residents and property owners would like street lights and that the neighborhoods reconcile their differences in cases where there is a split on the decision to have lights placed in their neighborhoods.

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

**CITY COUNCIL COMMENTS:**           None.

**ADJOURNMENT:**

The City Council meeting was adjourned at 7:16 p.m. There being no objection it was so ordered.

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

**NOES:** None

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Gregory Salcido, Mayor

**ATTEST:**

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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 August 10, 2010, and approved by the City Council on September 14, 2010.

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Daryl A. Betancur, City Clerk