



Tuesday, May 27, 2014

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

Mayor Tercero called the meeting to order at 6:00 p.m. on behalf of the City Council.

PRESENT: Archuleta, Armenta, Camacho, Salcido, Tercero

ABSENT: None

COMMISSIONERS PRESENT:

Tommy Elisaldez, Planning Commission

INVOCATION: Councilmember Archuleta

PLEDGE OF ALLEGIANCE: Planning Commissioner Elisaldez

SPECIAL PRESENTATIONS:

- El Rancho Academic Decathlon Team

PUBLIC HEARING(S):

1. **Public Hearing Regarding Pico Rivera Sewer Service Charges and the Levy of Charges for Fiscal Year 2014/2015 with No Changes in Rates.** (700)

Mayor Tercero opened the public hearing. City Manager Bates stated that the City received four letters of opposition and that three members of the public wish to speak.

Oral Communications:

Mal Aidells:

- Addressed the City Council regarding his concern for potential liability and cost in taking over the sewer system services.

Michael Barber:

- Addressed the City Council asking the reasons the County has given for withdrawing their services.

Henrietta Corroa Salazar:

- Addressed the City Council regarding notification to residents, cost savings to the City and infrastructure repair.

City Manager Bates stated that the proposal is not to take over the main sewer system that would still be maintained by the County but the City would be handling the laterals that feed into the main sewer system. The City's sewer system, he stated, is in a better state of repair and the City would be saving \$300,000 to \$400,000 per year by maintaining the sewer system. He stated that the money that would be saved would be placed into the City's reserve and used for future capital improvement projects on the system. He further stated that private contractors will maintain the sewer services and train City employees on how to maintain the system. The process of taking over the sewer services from the County, he stated, has taken a year and added that 15,000 mailings went out to residents and local businesses informing them of the change.

Councilmember Armenta stated that as a cost savings other cities have taken over maintaining their sewer services as well. Mayor Pro Tem Salcido added that the decision for the City to maintain the sewer system was not taken lightly and that staff has been working on this for over a year. He asked, before voting, if this item could wait until the new City Manager came on board. City Manager Bates stated that the process is time sensitive.

Mayor Tercero closed the public hearing.

Motion by Councilmember Archuleta, seconded by Mayor Pro Tem Salcido to: 1) Conduct the noticed Public Hearing regarding the Pico Rivera Sewer Service Charges for Fiscal Year 2014/2015; 2) At the conclusion of Public Hearing, consider all written protests submitted and oral testimony presented; and 3) Adopt Resolution No. 6766 confirming the establishment of locally controlled sewer service charges for the City of Pico Rivera with No Change in Rates; Adoption of the Engineer's Report; and Ordering the Levy and Collection of the Sewer Service Charges for Fiscal Year 2014/2015. Motion carries by the following roll call vote:

Resolution No. 6766 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, CONFIRMING THE ESTABLISHMENT OF LOCAL-CONTROLLED SEWER SERVICE CHARGES FOR THE CITY OF PICO RIVERA; ADOPTION OF THE ENGINEER'S REPORT PREPARED AND FILED IN CONNECTION WITH THE SEWER SERVICE CHARGES; AND ORDERING THE LEVY AND COLLECTION OF SEWER SERVICE CHARGES COMMENCING WITH FISCAL YEAR 2014/2015 – WITH NO CHANGE OR INCREASE

AYES: Archuleta, Armenta, Camacho, Salcido

NOES: Tercero

1ST PERIOD OF PUBLIC COMMENT – AGENDA ITEMS ONLY: None.

CONSENT CALENDAR:

2. Minutes:

- Approved City Council regular meeting of May 13, 2014.
- Received and filed Planning Commission meeting of April 7, 2014; and
- Parks & Recreation meeting of March 13, 2014

3. Approved 19th Warrant Register of the 2013-2014 Fiscal Year. (700)

Check Numbers: 261877-262050

Special Checks Numbers: None

4. Second Reading – Adoption of Ordinance No. 1087 for Zoning Code Amendment No. 171 to Allow Instructional Tastings of Beer, Wine and Distilled Spirits in Conjunction with Certain Qualified Off-Sale Retail Licensed Businesses. (1300)

1. Adopted Ordinance No. 1087 approving Zoning Code Amendment No. 171.

Ordinance No. 1087 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING ZONE CODE AMENDMENT NO. 171 AMENDING TITLE 18 (ZONING) OF THE PICO RIVERA MUNICIPAL CODE ALLOWING THE ISSUANCE OF A TYPE-86 INSTRUCTIONAL TASTING ALCOHOL LICENSE TO CERTAIN EXISTING OFF-SALE ESTABLISHMENTS SUBJECT TO THE ISSUANCE

OF A CONDITIONAL USE PERMIT (SECOND READING AND ADOPTION)

- 5. Approve Memorandums of Understanding (MOU) with Los Angeles County Metropolitan Transportation Authority (METRO) for Four Hot Spot Intersection Projects. (500)**

1. Approved Memorandum of Understanding (MOU) for each of four Hot Spot Intersection Improvement Projects with METRO for the use of \$6,450,000 in METRO's Measure R funds from the SR-91/I-605/I-405 Hot Spots Program; and
2. Authorized the Mayor to execute the MOU's for the four intersections in a form approved by the City Attorney.

Agreement No. 14-1490 Agreement No. 14-1491 Agreement No. 14-1492
Agreement No. 14-1493

- 6. Sidewalk Improvements, CIP No. 21271 – Notice of Completion. (500)**

1. Accepted as complete, effective May 20, 2014, work performed by Mora's Equipment and Construction on the Sidewalk Improvements Project; and
2. Instructed the City Clerk to file the Notice of Completion with the Los Angeles County Recorder.

- 7. Traffic Signal Safety Improvements Citywide, CIP No. 21242 – Authorization to Advertise for Construction. (500)**

1. Approved Plans, Specifications and Estimate (PS&E) for the Traffic Signal Safety Improvements Citywide, CIP No. 21242; Federal Project No. HSIPL-5351(023);
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.

- 8. Whittier Boulevard Street Rehabilitation Project, Van Norman Road to Paramount Boulevard, CIP No. 21246 – Amendment No. 1 to Professional Services Agreement No. 13-1412 with Kabbara Engineering. (500)**

1. Approved Amendment No. 1 to Professional Services Agreement No. 13-1412 with Kabbara Engineering for additional design services for an amount not to exceed \$74,851 in accordance with proposal to the City dated April 10, 2014, and authorized the Mayor to execute the amendment in a form approved by the City Attorney.

Agreement No. 13-1412-1

9. Treasurer's Report – March 31, 2014. (700)

1. Received and filed Quarterly Treasurer's Report for the quarter ending March 31, 2014.

10. Revised List of Fireworks Stand Applicants. (700)

1. Approved the attached revised list of fireworks stand applicants and authorized the issuance of permits to operate.

Motion by Mayor Pro Tem Salcido, seconded by Councilmember Armenta to approve Consent Calendar Items No. 2 through 10. Motion carries by the following roll call vote:

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION: None.

LEGISLATION:

11. Appointment of City Manager and Approval of Employment Agreement.

Councilmember Camacho commended his colleagues for going through a very objective process and for looking out for the best interest of the City in selecting the new City Manager. Mayor Pro Tem Salcido, Councilmember Archuleta and Mayor Tercero concurred with Councilmember Camacho's comments.

Mr. Bobadilla, who was in the audience, stated that it is a great pleasure to be selected and that it is a privilege to be part of the Pico Rivera family.

Motion by Councilmember Armenta, seconded by Councilmember Archuleta to approve René Bobadilla as City Manager and approved the attached employment agreement. Motion carries by the following roll call vote:

Agreement No. 14-1494

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

MAYOR/COUNCILMEMBER REPORTS ON INTERGOVERNMENTAL AGENCY MEETINGS:

In compliance with AB 1234 requirements, Councilmember Armenta reported on his attendance at the Contract Cities Conference in Palm Springs and Shopping Center Conference in Las Vegas. He welcomed new City Manager Bobadilla, asked staff to look into extending the trash hauler contract and commented on a letter he received regarding the Memorial Day events and comments by Councilmember Archuleta at the event that were well received.

NEW BUSINESS:

Councilmember Archuleta asked Public Works staff to look into a right turn only southbound on Passons Boulevard from Slauson Avenue at Burke Street.

Community and Economic Development Director Martinez commented on a new development on Slauson Avenue that will provide document services such as shredding and records management.

Request for freeze on all personnel action, including hiring, termination, discipline and/or promotion (requested by Mayor Tercero).

City Council held a discussion on the above referenced subject. Councilmember Archuleta cited from the City's Municipal Code stating that personnel issues belong to the City Manager with Council members Armenta and Camacho concurring with his objective. City Attorney Alvarez-Glasman stated that the City Council could not mandate the City Manager to follow the City Council's request for a freeze on all personnel action, and that it was not illegal for City Council to make the request. For the record, Mayor Tercero stated that the recommendation is not to change any City

policies and Mayor Pro Tem Salcido stated that he made the request to temporarily freeze any personnel action until the new City Manager came on board.

Motion by Mayor Pro Tem Salcido, seconded by Mayor Tercero requesting to freeze all personnel action, including hiring, termination, discipline and/or promotion. Motion failed on a 2-3 vote.

AYES: Salcido, Tercero

NOES: Archuleta, Armenta, Camacho

OLD BUSINESS:

Councilmember Archuleta commented on the Memorial Day Services.

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

Claude Bilodean:

- Addressed the City Council regarding the appointment of the new City Manager.

Jesus-Chuy-Rivera:

- Addressed the City Council regarding parking for the disabled.

City Council did not recess into Closed Session.

CLOSED SESSION:

a. PUBLIC EMPLOYMENT

Pursuant to Government Code Section 54957

Title: City Manager

ADJOURNMENT:

Mayor Tercero adjourned the City Council meeting at 7:04 p.m. There being no objection it was so ordered.

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

Brent A. Tercero, Mayor

ATTEST:

Anna M. Jerome, 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 27, 2014 and approved by the City Council on June 10, 2014.

Anna M. Jerome, City Clerk