



Tuesday, January 10, 2012

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/Chairman Archuleta called the meeting to order at 6:04 p.m. on behalf of the City Council/Redevelopment Agency, Housing Assistance Agency and Water Authority.

PRESENT: Armenta, Salcido, Tercero, Camacho, Archuleta

ABSENT: None

COMMISSIONERS PRESENT:

Fred Zermeno, Planning Commissioner

INVOCATION: Councilmember David W. Armenta

PLEDGE OF ALLEGIANCE: Councilmember Brent A. Tercero

Mayor Archuleta acknowledged members of the Teen Council who were present in the audience.

SPECIAL PRESENTATIONS:

- Holiday Home Decorating Contest – Presented certificates to the following winners:
 - Residential
 - Sweepstakes, Chris Ayala – 8726 Olympic Blvd
 - 1st Place, Sedillo Family – 6313 Bequette Ave.
 - 2nd Place, Abraham Duran – 9059 Myron St.
 - 3rd Place, Jaime Acosta – 4024 S. Maris Ave.
 - Business
 - Wienerschnitzel
 - Retirement Living
 - Telacu Del Rio (Retirement Living Facility)

- Southern California Gas Company – Pipeline Systems Safety Presentation presented by Julia Emerson.

Ms. Emerson provided a brief overview of the operation, maintenance and safety of pipelines systems in the city stating that the gas company meets or exceeds federal and state safety regulations. Her presentation included communications with residents, expediting permits and utilizing Dig-Alert.

PUBLIC HEARING:

- 1. PUBLIC HEARING – Zoning Code Amendment No. 161 – Amending the Zoning Code of the Pico Rivera Municipal Code Chapter 18.46 “Signs & Advertising” Pertaining to Promotional Advertising. (1300)**

Mayor Archuleta opened the public hearing and noted that there was no written communications to provide public testimony.

City Manager Bates stated that on August 23, 2011 the City Council approved these regulations except for the issue dealing with promotional flags which was returned to staff for amendments and is back before Council for final consideration.

Oral Communications:

Zita Rodriguez:

- Addressed the City Council to address her concerns with the zoning code amendments pertaining to fees and the clutter of advertising banner flags on city streets.

Mayor Archuleta closed the public hearing.

Councilmember Salcido asked for clarification regarding different types of banners and flags and asked when businesses could display them for promotional purposes. Director of Community and Economic Development Martinez explained that flags are the erect angular flags and the pennants are a string of triangular flags. He stated that the flags may be displayed for seven (7) days and could only be posted during state and federal holidays, Valentines Day, graduation days and any other normal holiday or grand openings.

Councilmember Tercero asked what is the purpose of having 100 feet distance between each flag to which Deputy Director Julia Gonzales stated that there was an issue with clutter in the large shopping centers and it was determined after speaking with several residents and business owners that 100 feet distance would be appropriate. She also noted that there is only one flag per business that is being proposed in order to restrict the number of flags.

Councilmember Tercero stated that with a 100 feet distance between each flag he is concerned with small businesses in strip malls that may be tucked away from the main street that may not be able to display a flag due to limited space. He suggested that with the proposal of each business only being able to display one flag that perhaps 50 feet distance between each flag would be more favorable.

Due to hard economic times, Mayor Pro Tem Camacho stated that the City needs to remain business friendly as well as continue to maintain the quality of life for the community. He stated that the proposal is fair, encouraged city enforcement and concurred with Councilmember Tercero's suggestion of a 50 feet distance between each flag banner for small businesses with limited space.

Councilmember Armenta suggested changing the distance between flag banners in the ordinance to read between 50 feet and 100 feet, leaving the footage at the discretion of staff based upon the size of the area. Mayor Archuleta concurred with Councilmember Armenta's recommendation.

Councilmember Tercero voiced his concerns with enforceability and stated that it may be easier to enforce a set number rather than having flexibility.

A brief discussion was held amongst the Council regarding the possibility of eliminating the distance of feet between each banner. Council came to the conclusion that in order to avoid clutter on any particular corner a distance of footage is necessary.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to: 1) Waive further reading and introduce Ordinance No. 1070 by title only amending Section 6 Note 8(a)(ii) to read "promotional flags are permitted to be posted from a minimum distance of fifty-feet to a maximum of one-hundred feet, to be determined at the discretion of the zoning administrator, between other promotional flag(s)"; and 2) Approve Resolution No. 6651 adopting an amendment to Chapter 18.46 of the Pico Rivera Municipal Code pertaining to promotional advertising. Motion carried by the following roll call vote:

Ordinance No. 1070 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING CHAPTER 18.46 (SIGNS AND ADVERTISING) OF THE PICO RIVERA MUNICIPAL CODE PERTAINING TO PROMOTIONAL ADVERTISING FOR DEVELOPMENTS WITHIN ALL COMMERCIAL ZONES DESIGNATED HEREIN AS ZONE CODE AMENDMENT NO. 161. **(FIRST READING AND INTRODUCTION)**

Resolution No. 6651 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING AN AMENDMENT TO CHAPTER 18.46 OF THE PICO RIVERA MUNICIPAL CODE AMENDING REGULATIONS PERTAINING TO PROMOTIONAL SIGNAGE DESIGNATED HEREIN AS ZONING CODE AMENDMENT NO. 161 AND "DECREASING" PERMIT ISSUANCE FEES AND CASH BONDS FOR COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

2. **PUBLIC HEARING – Ordinance to Amend Title 5, "Business License and Regulations" of the Pico Rivera Municipal Code Revising Regulations Regarding Vending of Food and Beverages from Motorized Vehicles throughout the City of Pico Rivera.** (1300)

City Manager Bates stated that there has been a court decision that affects this ordinance which staff would like to discuss with the Transportation Ad-Hoc Committee before presenting to Council for their consideration.

Mayor Archuleta stated that the recommendation is to continue the public hearing to a date uncertain and refer the matter to the Transportation Ad-Hoc Committee.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Camacho to continue the public hearing to a date uncertain and refer the matter to the Transportation Ad-Hoc Committee. Motion carried by the following roll call vote:

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

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

CONSENT CALENDAR:

3. Minutes:

- Approved City Council and Redevelopment Agency meeting of December 13, 2011
- Received and filed Planning Commission meeting of December 5, 2011
- Received & filed Parks & Recreation Commission meeting of October 13, 2011
- Received & filed Pico Rivera Sister City Commission meeting of November 21, 2011

4. Approved 10th Warrant Register of the 2011-2012 Fiscal Year. (700)

Check Numbers: 249529-249843

Special Checks Numbers: None

5. Rosemead Boulevard Rehabilitation - Telegraph Road to Washington Boulevard- Capital Improvement Project (CIP) No. 21226 Award of Contract.

(500)

1. Awarded a construction contract in the amount of \$1,255,000 to All American Asphalt, 400 East Sixth Street, Corona, CA 92878, for the Rosemead Boulevard Rehabilitation, Telegraph Road to Washington Boulevard Project.
2. Authorized the Mayor to execute said agreement in a form approved by the City Attorney.

Agreement No. 12-1270

6. Rosemead Boulevard Rehabilitation, Telegraph Road to Washington Boulevard CIP No. 21226 - Award of Professional Services Agreement for Construction Management Services. (500)

This item was pulled from the agenda to a date uncertain for further review and study by staff.

7. Installation of Traffic Control Devices - Restrictions for Bicycles on Sidewalks. (1400)

1. Received and filed

8. City Election Regarding the Pico Rivera Redevelopment Agency as Successor Agency. (1500)

1. Adopted Resolution No. 6652 rescinding the election not to serve as a successor agency to the dissolved Pico Rivera Redevelopment Agency.

Resolution No. 6652 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, RESCINDING RESOLUTION NO. 6637 ELECTING NOT TO SERVE AS A SUCCESSOR AGENCY TO THE DISSOLVED PICO RIVERA REDEVELOPMENT AGENCY

2. Adopted Resolution No. 6653 electing to become the successor agency to the dissolved Pico Rivera Redevelopment Agency.

Adopt Resolution No. 6653 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ELECTING TO BECOME THE SUCCESSOR AGENCY TO THE DISSOLVED PICO RIVERA REDEVELOPMENT AGENCY

9. Mayoral Appointments. (100)

1. Received and filed.

10. Parks & Recreation; Sister City and Planning Commission Appointments. (300)

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

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Camacho to approve Consent Calendar Items No. 3, 4, 5, 7, 8, and 9. Motion carried by the following roll call vote:

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

CONSENT CALENDAR ITEMS PULLED:

10. Parks & Recreation; Sister City and Planning Commission Appointments. (300)

Councilmember Salcido suggested eliminating the Sister City Commission and put it back to an independent committee. To be consistent, he also recommended that the Parks & Recreation Commission be eliminated and made into a committee. He stated that he is in favor of keeping the Parks & Recreation Commission but wanted to be consistent in his recommendations.

After a brief discussion on the value of the Parks & Recreation Commission, Councilmember Tercero stated that it is the responsibility of the Council as well as the commissioners to make sure that the commission is effective and has a good scope of work and he is concerned that by not taking action to approve the commission this evening it may delay the progress of the commission.

Director of Parks & Recreation Aranda stated that delaying the start of the commission would not affect any programs or services that are offered.

Councilmember Armenta stated that he is in favor of having staff review the function of the Sister City Commission.

Mayor Pro Tem Camacho, Councilmember Tercero and Mayor Archuleta stated that they are not in favor of eliminating the Parks & Recreation Commission as their advisement on park projects and programs is important to the City; however, they would consider re-evaluating the function of the Sister City Committee.

Motion by Councilmember Salcido, seconded by Councilmember Armenta to refer the Parks & Recreation Commission back to staff for further study and review. Motion failed (3-2).

AYES: Armenta, Salcido

NOES: Tercero, Camacho, Archuleta

Motion by Councilmember Salcido, seconded by Councilmember Armenta to adopt Resolution No. 6654 appointing said city electors to the Parks & Recreation Commission. Motion carried by the following roll call vote:

Resolution No. 6654 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPOINTING THE FOLLOWING CITY ELECTORS: JOSEPH A. PALOMBI, CARLOS CRUZ,

JOHN R. GARCIA, RODNEY TORRES, AND WILLIAM PAUL GOMEZ TO THE PARKS AND RECREATION COMMISSION FOR A ONE YEAR TERM SAID TO EXPIRE DECEMBER 2012.

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

Motion by Councilmember Salcido to eliminate the Sister City Commission. Motion failed due to lack of a second.

Motion by Councilmember Salcido, seconded by Councilmember Armenta to table the appointments for the Sister City Commission for further review and study of the commission by staff with a report on staff's findings being brought back to Council in February. Motion carried by the following roll call vote:

Not Approved Resolution No. ____ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPOINTING THE FOLLOWING CITY ELECTORS: JORGE A. CASTRO, NADINE BARRAGAN, LINDA MARTINEZ, AND DAVID ANGELO TO THE SISTER CITY COMMISSION FOR A TWO YEAR TERM SAID TO EXPIRE DECEMBER 2013.

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

Motion by Mayor Archuleta, seconded by Councilmember Armenta to adopt Resolution No. 6655 appointing said city electors to the Planning Commission. Motion carried by the following roll call vote:

Resolution No. 6655 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPOINTING THE FOLLOWING CITY ELECTORS: ESTHER CELIZ, FRED ZERMENO, RUBEN L. GARCIA, TOMMY ELISALDEZ AND ROBERT A. MARTINEZ TO THE PLANNING COMMISSION FOR A TWO YEAR TERM SAID TO EXPIRE DECEMBER 2013.

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

CITY COUNCIL LEGISLATION: None

REDEVELOPMENT AGENCY CONSENT:

11. Annual Report for Fiscal Year Ending June 30, 2011. (700/1500)

1. Received and filed.

12. Update Enforceable Obligation Payment Schedule. (700/1500)

1. Adopted Resolution No. 449-12 approving an updated Enforceable Obligation Payment Schedule (EOPS).

Resolution No. 449-12 A RESOLUTION OF THE REDEVELOPMENT AGENCY OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING AN UPDATED ENFORCEABLE OBLIGATION PAYMENT SCHEDULE PURSUANT TO HEALTH AND SAFETY CODE SECTION 34169

Motion by Director Salcido, seconded by Director Armenta to approve Redevelopment Agency Consent Calendar Items 11 and 12. Motion carries by the following roll call vote:

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

Recessed to Housing Assistance Agency at 6:55 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Housing Assistance Agency at 6:55 p.m.

ALL MEMBERS WERE PRESENT

Recessed to Water Authority at 6:56 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Water Authority at 6:56 p.m.

ALL MEMBERS WERE PRESENT

NEW BUSINESS: None.

OLD BUSINESS:

Councilmember Tercero requested that within a year's time staff should evaluate the effectiveness of the bicycle signage and its enforceability and provide Council with a report on their findings. Councilmember Salcido added that the bicycle signage is a follow-up to allowing residents to ride their bikes on sidewalks so there is no real enforcement issue at this time.

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

Jesus Orozco:

- Addressed the City Council to comment on higher education, educational crisis, house meetings and efforts to create alliances with organizations to promote a college degree in every household. Requested support of the City Council in hosting their workshops and programs.

Mayor Pro Tem Camacho stated that the City has developed a partnership between the city, the school district and the Hispanic Scholarship Fund and that they are promoting generation first degree. He stated that he looks forward to working with Mr. Orozco and thanked him for his effort in promoting a higher education.

Councilmember Armenta stated that students are having difficulty getting classes that they need at the community college level and thanked Mr. Orozco for his efforts.

Councilmember Salcido stated that the City has been doubling its college graduation rate every 10 years, recognizing that the City has a long way to go.

In regard to tackling the education problem, Councilmember Tercero stated that it starts at a state policy level especially for community colleges and suggested lobbying our state representatives and legislators in the area.

Mayor Archuleta stated that the City is on the right track and noted the building of a new library in the City.

Rosemary Gurrola, Pico Rivera Librarian:

- Addressed the City Council regarding a puppet show at the Pico Rivera Library on Saturday, January 14, 2012 at 2:00 p.m. and commented on the historical scrap book put together and provided to the library by Administrative Analyst Ray Chavez.

Joe Bueno:

- Addressed the City Council to comment on the leadership of the city and city improvements.

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

- Addressed the City Council regarding Maria Hicks trial and freedom of speech.

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

- Addressed the City Council regarding freedom of speech and to compliment the Sheriff's department for doing a great job in keeping the city safe.

Recessed to Closed Session at 7:23 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 8:30 p.m.

ALL MEMBERS WERE PRESENT

CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL- EXISTING LITIGATION

Pursuant to Government Code Section § 54956.9 (a)

California Redevelopment Association v. Matosantos

City Attorney Alvarez-Glasman stated that there was no reportable action taken and that there was nothing further to report.

B. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION

Pursuant to Government Code Section § 54956.9 (c)

Number of Cases: One Case

City Attorney Alvarez-Glasman stated that there was no reportable action taken and that there was nothing further to report.

C. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code § 54957.6

Agency Designated Representatives: City Manager, Assistant City Manager, and Finance Director

Employee Organization: SEIU Local 721 Full-time, Hourly Employees, and City Employees Associates

City Attorney Alvarez-Glasman stated that there was no reportable action taken and that there was nothing further to report.

ADJOURNMENT:

Mayor Archuleta adjourned the City Council meeting at 8:33 p.m. in memory of Richard Calvillo and Beatrice Bustamante. There being no objection it was so ordered.

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

Bob J. Archuleta, 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 January 10, 2012 and approved by the City Council on January 24, 2012.

Daryl A. Betancur, City Clerk