



Tuesday, September 23, 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:

Pat Saucedo, Parks & Recreation Commission

INVOCATION: Councilmember Archuleta

PLEDGE OF ALLEGIANCE: Councilmember Armenta

SPECIAL PRESENTATIONS:

- STAR Scroll presented to Mr. John Ramirez by Captain Castellanos and Certificate of Recognition by Mayor Tercero
- Proclamation Declaring October 19-25, 2014 as "Freedom from Workplace Bullies Week."
- Central Basin Municipal Water District presentation *In A Drought, Shut Your Tap*.

1ST PERIOD OF PUBLIC COMMENT – AGENDA ITEMS ONLY:

Oral Communications:

Dennise Silva, Field Representative for Assemblymember Cristina Garcia:

- Addressed the City Council regarding Item No. 5, amendment to contract for solid waste management services to not take action on the item this evening.

In regard to Item No. 7 on the agenda, the following speakers opposed the development of a 29 Townhome Apartment at 8540, 8554 and 8642 Beverly Boulevard:

- Anahid Nercessie
- Paula Murga

- Juan Santamaria
- Guadalupe Velasquez
- Michael and Rosalie Herrera
- Pauline Benavides
- Martha Raya
- Jesse Sahinian
- Virginia Corral
- Beatriz Diaz (did not appear when name was called)

CONSENT CALENDAR:

1. Minutes:

- Approved City Council regular meeting of September 9, 2014;
- Received and field Planning Commission meeting of June 16, 2014 and July 21, 2014; and
- Received and filed Parks & Recreation meeting of August 14, 2014

2. Approved 5th Warrant Register of the 2014-2015 Fiscal Year. (700)

Check Numbers: 263559-263640; 263645-263758

Special Check Numbers: 263641-263644

3. Cancellation of November 25 and December 23, 2014 City Council Meetings. (300)

1. Approved recommendation that the City Council cancel the November 25 and December 23, 2014, City Council meeting due to the holidays.

4. Side Letters of Agreement with Pico Rivera Mid-Managers Association and Pico Rivera Professionals and Confidential Association for Fiscal Year 2014-2015.

(200)

1. Approved the one year Side Letter of Agreement between the City of Pico Rivera and Pico Rivera Mid-Managers Association for fiscal year 2014-2015 (ending June 30, 2015).; and
2. Approved a one year side Letter of Agreement between the City of Pico Rivera and Pico Rivera Professionals and Confidential Association for fiscal year 2014-2015 ending on June 30, 2015.

Agreement No. 14-1544

Agreement No. 14-1545

5. Amendment to Contract for Integrated Solid Waste Management Services. (500)

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

6. Phoenix Group Information Systems – Citation Processing and Collection Services – Approval of Agreement. (500)

1. Approved Agreement No. 14-1546 with Phoenix Group Information System to provide citation processing and collection services at an annual cost not-to-exceed \$48,700. The term of the Agreement shall be for three (3) years commencing October 1, 2014 and shall automatically renew for a maximum of two (2) subsequent 1-year periods unless terminated earlier in the manner set forth in the Agreement.

Agreement No. 14-1546

7. Request for an Appeal per Chapter 18.64, Appeals, of the Pico Rivera Municipal Code for a 29 Townhome Apartment Development at 8540, 8554 and 8642 Beverly Boulevard. (1300)

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

8. Waiver of Parks and Recreation Facility Usage Fee during Off-Season for Community Sports Organizations. (500)

1. Waived the \$20 per player facility usage fee during off-season play for the Community Sports Organizations that utilize city recreation facilities as their home field.

9. Three Hot Spot Intersection Projects – Rosemead Boulevard at Beverly Boulevard (CIP No. 21276); Rosemead Boulevard at Slauson Avenue (CIP No. 21277); Rosemead Boulevard at Whittier Boulevard and Rosemead Boulevard at Washington Boulevard, (CIP No. 21278) – Award Professional Service Agreements for Engineering Services. (500)

Awarded Professional Services Agreements to the following consultants to provide engineering design services:

1. URS Corporation Americas for the Rosemead Boulevard at Beverly Boulevard Improvements Project (CIP No. 21276) for an amount not-to-exceed \$569,516.20;
2. Willdan Engineering for the Rosemead Boulevard at Slauson Avenue Improvements Project (CIP No. 21277) for an amount not-to-exceed \$184,522; and Rosemead Boulevard at Whittier Boulevard and Rosemead Boulevard at Washington Boulevard Improvements Project (CIP No. 21278) for an amount not-to-exceed \$78,776; and
3. Authorized the Mayor to execute the recommended contracts in a form approved by the City Attorney.

Agreement No. 14-1547

Agreement No. 14-1548

Motion by Mayor Pro Tem Salcido, seconded by Councilmember Armenta to approve Consent Calendar Items No. 1, 2, 3, 4, 6, 8, and 9. Motion carries by the following roll call vote:

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

5. Amendment to Contract for Integrated Solid Waste Management Services. (500)

Mayor Tercero pulled the item for further clarification as he had a misunderstanding of the terms of the agreement. City Manager Bobadilla confirmed that there would not be an increase in rates for three years from 2015 through 2017. Mayor Tercero stated for the record that the current trash hauler does an amazing job and that he made an error miscalculating the numbers.

Motion by Councilmember Archuleta, seconded by Councilmember Armenta to approve first Amendment to the Solid Waste Franchise Agreement between the City of Pico Rivera and NASA Services, Inc., granting a Rolling Agreement term, and clarifying certain provisions of the Agreement.

Agreement No. 12-1290-1

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

7. Request for an Appeal per Chapter 18.64, Appeals, of the Pico Rivera Municipal Code for a 29 Townhome Apartment Development at 8540, 8554 and 8642 Beverly Boulevard. (1300)

After a brief discussion amongst City Council members in regard to the Planning Commission's decision to deny the development of a 29 Townhouse Apartment Development and the concerns of the residents pertaining to traffic control, privacy and safety issues, and property values, the concession was to agree with the Planning Commission's decision.

Motion by Councilmember Camacho, seconded by Councilmember Armenta to deny the request to appeal a decision by Planning Commission and bring forth the application to develop a 29 townhome rental development for City Council consideration or Planning Commission re-consideration to a date uncertain.

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

LEGISLATION: None.

MAYOR/COUNCILMEMBER REPORTS ON INTERGOVERNMENTAL AGENCY MEETINGS:

In compliance with AB 1234 reporting requirements, Mayor Tercero provided a brief report on his attendance at the League of California Cities Conference which entailed discussion on creating sustainability, succession planning, utility tax, and partnering with different agencies.

NEW BUSINESS:

Councilmember Archuleta congratulated City Manager Bobadilla for his success with the employee recognition luncheon.

Mayor Tercero mentioned that Beverly Road is in need of street striping, that there is a drainage problem on Rosemead Boulevard and Olympic Way, and that the parking lot where the Chamber of Commerce is located needs cleanup.

Councilmember Camacho requested for safety purposes that staff look into the maintenance and lighting of a pedestrian underpass on Rosemead Boulevard and Beverly Road near North Ranchito Elementary school.

OLD BUSINESS: None.

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

Susana Rodarte:

- Addressed the City Council regarding her concerns for a marijuana dispensary in the community.

Recessed to Water Authority at 7:20 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Water Authority at 7:24 p.m.

ALL MEMBERS WERE PRESENT

City Attorney Alvarez-Glasman stated that there were two closed session items for City Council's consideration to add to tonight's agenda that pertain to existing litigation.

Motion by Councilmember Archuleta, seconded by Councilmember Armenta to add the following two items pertaining to existing litigation under closed session. Motion carries by the following roll call vote:

AYES: Archuleta, Armenta, Camacho, Salcido, Tercero

NOES: None

Recessed to Closed Session at 7:25 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 7:35 p.m.

ALL MEMBERS WERE PRESENT

CLOSED SESSION:

a. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (a) City of Pico Rivera v. California New Hope Association, dba Pico Rivera Private Reserve, et. al.

Case No. VC063975

California New Hope Association, dba Pico Rivera Private Reserve, et. al. v. City of Pico Rivera

Case No. VS025933

One Matter

City Attorney Alvarez-Glasman stated that direction was provided for settlement, no final action taken and that there was nothing further to report.

b. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph 1

City of Pico Rivera v. Water Replenishment District of Southern California (and related cases)

Case No. BS139228

One Matter

City Attorney Alvarez-Glasman stated direction was provided to the City Attorney to proceed with the Tolling agreement. No final action taken and nothing further to report.

ADJOURNMENT:

Mayor Tercero adjourned the City Council meeting at 7:31 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 September 9, 2014 and approved by the City Council on September 23, 2014.

Anna M. Jerome, City Clerk