



Tuesday, February 9, 2016

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

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

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

**ABSENT:** None

**COMMISSIONERS PRESENT:**

Paul Gomez, Planning Commission

John Garcia, Parks & Recreation Commission

**INVOCATION:** Amyrah Pantoya, Pico Rivera Donna

**PLEDGE OF ALLEGIANCE:** Aliyah Lira, Pico Rivera Donna

**SPECIAL PRESENTATIONS:**

- Certificate of Recognition – Pico Rivera Donnas Gremlins Division; Pico Rivera Donnas Jr. Pee Wee Division; and Pico Rivera Donnas Jr. Midgets Division for placing 1<sup>st</sup> at the 2016 Jamz Youth National Cheer Competition in Las Vegas
- Certificate of Recognition presented to Reserve Deputy Daniel Lopez for 55 Years of Service with the Los Angeles County Sheriff's Department

**PUBLIC COMMENTS:**

Edgar Estrada, Representative of Assemblymember Cristina Garcia's office:

- Addressed the City Council regarding the Burke Street property and open green space.

Michael Barba:

- Addressed the City Council regarding the Burke Street property, his objection to the development of new homes and deterioration on the railroad tracks on Slauson Avenue.

Zita Rodriguez:

- Addressed the City Council to voice her complaint against the behavior of a City employee who approached her during afterhours at a City Council meeting.

Lupe Diaz:

- Addressed the City Council to voice her concerns with the turnover of employees and part-time employees replacing full-time employees.

Lupe Aguilar (retired employee):

- Addressed the City Council to represent full-time employees who feel they have nowhere to go to address their concerns.

**CONSENT CALENDAR ITEMS:**

**1. Minutes:**

- Approved City Council regular meeting of January 26, 2016

**2. Approved 12<sup>th</sup> Warrant Register of the 2015-2016 Fiscal Year. (700)**  
Check Numbers: 270049-270247  
Special Check Numbers: None

**3. Update to Sales Tax Authorized Positions. (700)**

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

**4. Update to Authorized Signers on City Checks. (700)**

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

**5. 2015-2017 Memorandum of Understanding for (1) CEA Mid-Managers & Professional and Confidential Bargaining Unit. (500)**

1. Approved a two year Memorandum of Understanding (MOU) between the City of Pico Rivera and Confidential Employees Association (CEA) Mid-Managers & Professional & Confidential Bargaining Unit for the period commencing July 1, 2015 and ending 11:59 p.m. on June 30, 2017; and
2. Approved Resolution No. 6841 with respect to "At-will" employees.

Resolution No. 6841 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING RESOLUTION NO. 5065, 5034, 4648-3, 4648-2, 4648-1, 4648 AND AMENDING ARTICLE 1, SECTION 4 OF THE CITY OF PICO RIVERA PERSONNEL RULES AND REGULATIONS WITH RESPECT TO AT-WILL EMPLOYEES BY CHANGING THE FOLLOWING EMPLOYEE TITLES SO THAT THEY ARE NO LONGER AT-WILL EFFECTIVE FEBRUARY 9, 2016

**6. Treasurer's Report – December 31, 2015. (700)**

1. Received and filed Quarterly Treasurer's Report for the quarter ending December 31, 2015.

**7. Comprehensive Annual Financial Report, Appropriate Limit Calculation and Audit Letters for Fiscal Year Ended June 30, 2015. (700)**

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

**8. Approval to Support the Nomination of Councilmember Brent Tercero to Represent the City of Pico Rivera in the Lower Los Angeles River Working Group.**

1. Supported the nomination of Councilmember Brent Tercero to the Lower Los Angeles River Working Group.

**9. Administrative Services to the Successor Agency to the Pico Rivera Redevelopment Agency – Award Professional Services Agreement to Rosenow Spevacek Group Inc. (500)**

1. Approved Professional Services Agreement with Rosenow Spevacek Group, Inc. (RSG) to provide administrative services for an amount not-to-exceed \$50,000; and
2. Authorized the Mayor to execute the Professional Services Agreement with Rosenow Spevacek Group, Inc. a form approved by the City Attorney.
3. Increased the Fiscal Year 2015-16 Successor Agency budget (851-0501-44500) by \$50,000 to provide funding for this professional services contract.

Agreement No. 16-1654

**10. Roadway Improvements Citywide (CIP No. 21333) Federal Project B-15-MC-06-0526 – Award Construction Contract. (500)**

1. Awarded a construction contract in the amount of \$267,213.40 to Palp, Inc. DBA Excel Paving Company for the Roadway Improvements Citywide Project (CIP No. 21333) Federal Project ID B-15-MC-06-0526, and authorized the Mayor to execute the contract in a form approved by the City Attorney; and
2. Approved the Total Project Budget, including an additional appropriation of \$50,000 in Community Development Block Grant (CDBG) funds to Acct. No. 210-7300-44500-21333 for this period.

Agreement No. 16-1655

**11. Annual Signing and Striping Improvements (CIP No. 21317) – Award Construction. (500)**

1. Awarded a construction contract in the amount of \$35,198.50 to Chrisp Company, for the Annual Signing and Striping Improvements Project (CIP

- No. 21317), and authorize the Mayor to execute the contract in a form approved by the City Attorney;
2. Authorized the City Manager to negotiate additional signing and striping work, at the unit prices bid by Chrisp Company. This will include restriping of additional streets throughout the City up to the original project budget of \$75,000; and
  3. Approve the Total Project Budget.

Agreement No. 16-1656

**12. Annual Sidewalk Improvements Project (CIP No. 21330) – Award Construction. (500)**

1. Awarded a construction contract in the amount of \$77,298 to FS Construction, for the Annual Sidewalk Improvements Project (CIP No. 21330), and authorized the Mayor to execute the contract in a form approved by the City Attorney; and
2. Approved the Total Project Budget.

Agreement No. 16-1657

**13. Whittier Boulevard Street Rehabilitation Project, Van Norman Road to Paramount Boulevard (CIP No. 21246) – Award Additional Construction Management Services. (500)**

1. Authorized the City Manager to execute a Letter of Engagement with AIM Consulting Services to provide additional construction management and inspection services for the Whittier Boulevard Street Rehabilitation Project (CIP No. 21246) for an amount not-to-exceed \$48,650; and
2. Approved the Total Project Budget including an increase to Fiscal Year 2015-16 Proposition C appropriation of \$58,650.

Agreement No. 16-1658

**14. Authorization for Purchase of One New Stark Filtration System (#SS4-96-10) for the Smith Park Pool Renovation Project (CIP No. 21307). (500)**

1. Authorized the purchase of one (1) new Stark Filtration System (#SS4-96-10) from Commercial Aquatic Services, Inc. of Anaheim, California for the Smith Park Pool Renovation Project (CIP No. 21307) in the amount of \$74,878.36;
2. Authorized the City Manager to execute all documents related to the purchase of the recommended equipment.

Motion by Councilmember Tercero, seconded by Councilmember Salcido to approve Consent Calendar Items No. 1, 2, 5, 6, 8, 9, 10, 11, 12, 13 and 14. Motion carries by the following roll call vote:

**AYES:** Archuleta, Camacho, Salcido, Tercero, Armenta  
**NOES:** None

**CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:**

**3. Update to Sales Tax Authorized Positions. (700)**

Councilmember Tercero asked what the reason is for updating the authorized positions and what positions were on the original resolution.

City Manager Bobadilla stated that Resolution No. 3489 was approved in 1988 and listed the positions of Mayor and Councilmembers, City Manager, Assistant City Manager and Finance Director. The revised resolution includes Deputy Director of Finance, Director of Community Development and Assistant to the City Manager. Mr. Bobadilla stated that by adding the listed positions to the positions authorized to access sales and use tax would allow them to participate in meetings for monitoring and preparing the City's annual budget as the sales and use tax is confidential.

Councilmember Tercero voiced his concerns *with granting authorization to multiple positions, particularly the Mayor and City Council, and with Assistant City Manager Cardenas being an elected official who sits on a School Board having access to the City's sales and use tax.* Councilmember Camacho stated that all proposed authorized positions adhere to a form of ethical conduct and that it should not be a concern. Councilmember Salcido concurred with Councilmember Camacho's statement.

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Salcido to approve Resolution No. 6839 declaring certain City Officials and independent contractor access to receive and review sales and use tax transaction records for the City of Pico Rivera. Motion carries by the following roll call vote:

Resolution No. 6839 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AUTHORIZING CERTAIN CITY OFFICIALS AND A CITY CONTRACTOR ACCESS TO SALES AND USE TAX RECORDS PURSUANT TO SECTION 7056 OF THE REVENUE AND TAXATION CODE OF THE STATE OF CALIFORNIA

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

**4. Update to Authorized Signers on City Checks. (700)**

Councilmember Tercero asked City Manager Bobadilla for an update.

City Manager Bobadilla stated that the prior resolution was adopted in 1970 and included City Clerk or Deputy City Clerk and Treasurer or Deputy Treasurer or Mayor. He further stated that the he currently has been signing checks as the City was without a Finance Director/Treasurer for a while and that internal financial controls require the signature of at least two designated City officials on every City check. The City, he stated, is currently transitioning to a new bank and in doing our due diligence came across the need to update and amend our current authorized signers as proposed on the attached resolution.

Councilmember Tercero stated that he is okay with the proposed City officials as far as the City Manager, Director of Finance/Treasurer, and City Clerk because these positions all hold an accountability to the City Council but was not okay with the Assistant City Manager having that authority *since this position does not hold a public accountability.*

Motion by Councilmember Tercero, seconded by Councilmember Salcido to approve and amend Resolution No. 6840 updating the City officials authorized to sign City checks and striking from the resolution the position of the Assistant City Manager from the authorized City officials. Motion carries by the following roll call vote:

Resolution No. 6840 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AUTHORIZING AND DIRECTING CERTAIN BANKS TO HONOR ALL CHECKS, DRAFTS, AND WARRANTS WHEN BEARING CERTAIN SIGNATURES AND FACSIMILE SIGNATURES OF CITY OFFICIALS AND RESCINDING ALL CONFLICTING RESOLUTIONS

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

**7. Comprehensive Annual Financial Report, Appropriate Limit Calculation and Audit Letters for Fiscal Year Ended June 30, 2015. (700)**

This item was continued to the meeting of February 23, 2016.

**LEGISLATION:** None.

**MAYOR/COUNCILMEMBER REPORTS ON INTERGOVERNMENTAL AGENCY MEETINGS:** None.

**NEW BUSINESS:**

Councilmember Salcido expressed his concern with the selection of the new Assistant City Manager.

In compliance with AB 1234, Mayor Armenta provided a brief report on his attendance at the Independent Cities Conference held in Santa Barbara.

**OLD BUSINESS:** None.

Recessed into Closed Session at 7:31 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 9:01 p.m.

ALL MEMBERS WERE PRESENT

**CLOSED SESSION:**

**a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (4)  
Consideration of Initiation of Litigation – One matter

City Attorney Alvarez-Glasman stated that this item was not heard.

**b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9 subdivision (d) paragraph (2)  
Consideration of Initiation of Litigation – Two matters

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

**c. CONFERENCE WITH LABOR NEGOTIATORS**

Pursuant to Government Code Section 54957.6

Agency Designated Representatives:

City Manager René Bobadilla

Assistant City Manager Ben Cardenas

Human Resources Director Maurice Sebastian

Employee organization:

Pico Rivera Mid-Managers and Professional and Confidential Association  
Bargaining Unit

City Attorney Alvarez-Glasman stated that this item was not heard.

Recessed to Successor Agency to the Pico Rivera Redevelopment Agency at 9:02 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from the Successor Agency to the Pico Rivera Redevelopment Agency at 9:03 p.m.

ALL MEMBERS WERE PRESENT

**ADJOURNMENT:**

Mayor Armenta adjourned the City Council meeting at 9:03 p.m. There being no objection it was so ordered.

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

**NOES:** None

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David W. Armenta, Mayor

**ATTEST:**

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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 February 9, 2016 and approved by the City Council on February 23, 2016.

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Anna M. Jerome, City Clerk