



Tuesday, February 23, 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:

Gustavo Contreras, Sister City Commission

INVOCATION: Dorian Saavedra, Birney Elementary School Student

PLEDGE OF ALLEGIANCE: Dorian Saavedra, Birney Elementary School Student

SPECIAL PRESENTATIONS:

- Certificate of Recognitions presented to the following organizations for being voted Best of the Best by Assemblymember Garcia's Pride 58 Community Recognition Program:
 - Mario's Tacos, Celia Jimenez
 - Tri-Cities ROP, Chef David Luna
 - Christmas Basket Committee, Thomas Perez and his team of volunteers
 - Friends of the Library, Beverly Walker
 - Birney Dad's Club, Christine Saavedra
 - El Rancho High School (ERHS) Teen Court, Raul Elias

PUBLIC HEARING:

1. **Continued Public Hearing – Conditional Use Permit Modification No. 257.3 Zone Reclassification No. 321, and Zone Code Amendment No. 177, for the Property Located at 4525 Rosemead Boulevard (5272-029-011 and 5272-030-028).** (1300)

Mayor Armenta opened the public hearing and noted that there were no written communications or public comment cards to provide public testimony.

City Manager Bobadilla stated that the recommendation is to continue the public hearing to the meeting of March 22, 2016 to allow additional meetings between the developer and surrounding community.

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Salcido to continue the public hearing to Tuesday, March 22, 2016 to allow for additional meetings between the developer and the surrounding community. Motion carries by the following roll call vote:

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

PUBLIC COMMENT:

Lupe Aguilar:

- Addressed the City Council regarding employee concerns and bullying.

Michael Barba:

- Addressed the City Council regarding his objection to the Burke Street development.

Zita Rodriguez:

- Addressed the City Council regarding employee concerns and bad information.

Johnathan Perisho, Water Conservation Authority:

- Addressed the City Council regarding the Burke Street property development and consideration for open space and connection to the river, as well as to enhance the greenway.

Thomas Jimenez:

- Addressed the City Council regarding the Boys and Girls Club Ribbon cutting ceremony on March 2, 2016 at El Rancho High School baseball field.

Raul Elias:

- Addressed the City Council to thank the City Council and the City Manager on behalf of his students for their recognition (Teen Court and Entrepreneur Club).

In regard to speakers' concerns, Mayor Armenta stated that he is unaware of any bullying issues and that if there is any bullying issues they would be addressed. He stated that the Burke Street project is a study of what could be developed on that property.

Councilmember Salcido thanked Mr. Elias for enhancing the brand of El Rancho High School and Chef David Luna for his work in the Culinary Arts with the students. He also requested the City Council and Administration objectively come to a resolution regarding employee concerns as addressed by the two speakers. In regard to the Burke Street property, Councilmember Salcido suggested that staff investigate the possibility of green/open space area as part of the City's viable plan for the project area.

Mayor Pro Tem Archuleta acknowledged and congratulated all the volunteer groups that were recognized in tonight's presentation for all the support and time they give to the City.

CONSENT CALENDAR ITEMS:

2. Minutes:

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

- 3. Approved 13th Warrant Register of the 2015-2016 Fiscal Year. (700)**
Check Numbers: 270320-270526
Special Check Numbers: 270248-270319

- 4. Fireworks Program for 2016. (700)**

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

- 5. Comprehensive Annual Financial Report, Appropriations 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.

- 6. Traffic Safety Improvements Citywide (CIP No. 21305), Federal Project No. HSIPL-5153 (030) – Award Professional Services Agreement for Engineering Services. (500)**

1. Awarded a Professional Services Agreement to KOA Corporation to provide engineering design services for the Traffic Safety Improvements Citywide Project (CIP No. 21305) for an amount not-to-exceed \$64,952 and authorized the Mayor to execute the Agreement in a form approved by the City Attorney; and
2. Approved the Total Project Budget.

Agreement No. 16-1660

- 7. Amendment No. 1 to Professional Services Agreement No. 15-1592 with Kosmont Companies for Economic Development Advisory Services. (500)**

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

- 8. Pico Park Enhancements Project (CIP No. 21279) – Award Construction Contract. (500)**

1. Awarded a construction contract in the amount of \$373,787.50 to Salix Development, Inc. for the Pico Park Enhancements Project (CIP No. 21279) and authorized the Mayor to execute the contract in a form approved by the City Attorney; and
2. Approved the revised Total Project Budget for the project, including an appropriation increase of \$116,200 of Public Image Enhancement (PIE) Funds (Fund 017).

Agreement No. 16-1661

9. Residential Resurfacing Program, Phase “F” – Cape Seal Project (CIP No. 21292) – Notice of Completion. (500)

1. Accepted the Work as completed, effective December 1, 2015, for the Residential Resurfacing Program Phase “F” Cape Seal (CIP No. 21292) constructed by Manhole Adjusting Inc. and authorized the City Clerk to file the Notice of Completion with the Los Angeles County Registrar-Recorder;
2. Find that the changes in work for the project have no significant effect on the environment and approved the changes and increased construction contract amount of \$43,909. The final contract amount with Manhole Adjusting Inc. increases from \$597,306 to \$641,215;
3. Approve the final Total Project Budget, and authorized the City Manager to release the retention payment and all other monies due to Manhole Adjusting Inc. following the mandatory waiting period from the date the Notice of Completion is recorded; and
4. Approved appropriation increases of \$25,753 in Rubberized Asphalt Concrete (RAC) Grant Fund 699 and \$6,000 in Measure R Fund 096 to CIP No. 21292.

Motion by Councilmember Tercero, seconded by Councilmember Camacho to approve Consent Calendar Items 3, 4, 6, 8, and 9. Motion carries by the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

2. Minutes:

Councilmember Tercero requested that the summary of the minutes of February 9, 2016 be amended to reflect the following:

Item No. 3, Page 5, Paragraph 3: 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.

Item No. 4, Page 6, Paragraph 3: 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 City Council special meeting minutes of January 19, 2016 and regular meeting minutes of February 9, 2016 with amendment. Motion carries by the following roll call vote:

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

5. Comprehensive Annual Financial Report, Appropriations Limit Calculation and Audit Letters for Fiscal Year ended June 30, 2015. (700)

Councilmember Tercero stated that pertaining to his questions regarding the CAFR, he met with City Manager Bobadilla and Finance Director Solorza, and asked if the auditors will be providing a comprehensive presentation to the City Council to which Finance Director Solorza responded in the affirmative.

Motion by Councilmember Tercero, seconded by Councilmember Salcido to receive and file: 1) Comprehensive Annual Financial Report (CAFR), Fiscal Year ending June 30, 2015; 2) Appropriations Limit Calculation, Fiscal Year ending June 30, 2015; 3) Government Auditing Standards Letter, Fiscal Year ending June 30, 2015; 4) Audit Committee Letter, Fiscal Year ending June 30, 2015; and 5) Management Letter, Fiscal Year ending June 30, 2015. Motion carries by the following roll call vote:

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

7. Amendment No. 1 to Professional Services Agreement No. 15-1592 with Kosmont Companies for Economic Development Advisory Services. (500)

City Manager Bobadilla noted an amendment in the amount of the appropriation as originally recommended in the agenda report. He stated the budget adjustment increase is not to exceed \$20,000 rather than \$60,000.

Councilmember Tercero stated that he would like to setup a meeting to speak with City Manager Bobadilla and any other specific individuals involved in this project regarding the expenditures on this item.

Councilmember Salcido asked staff to elaborate on the total cost. Assistant to the City Manager Chavez stated that the original agreement was for \$60,000 to provide economic development advisory services. He stated that there is a surplus in funds but that the additional \$20,000 would be on an as needed basis to help out with forthcoming future City projects.

Councilmember Camacho stated that Assistant to the City Manager Chavez reiterated what the staff reports states and asked Councilmember Tercero what additional information is needed.

Councilmember Tercero stated that in looking at the Warrant Registry, the amount totals listed in the warrant is more than \$60,000 given to Kosmont Companies. City Manager Bobadilla stated that the Warrant Registry is not broken out by projects but the checks are lumped together into one sum. Kosmont Companies, he stated, has a separate agreement for working on deferrals.

Motion by Councilmember Salcido, seconded by Councilmember Tercero to: 1) Approve Amendment No. 1 to Professional Services Agreement No. 15-1592 with Kosmont Companies for an amount not to exceed \$20,000; 2) Authorize the Mayor to execute Amendment No. 1 to Professional Services Agreement in a form approved by the City Attorney; and 3) Approve a budget adjustment increasing appropriations by \$20,000 for Fiscal Year 2015-16 in the Economic Development Activities (EDA) Fund (Fund 634). Motion carries by the following roll call vote:

Agreement No. 15-1592-1

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

LEGISLATION:

10. Fiscal Year 2015-16 Mid-Year Budget Update. (700)

Finance Director Solorza provided a brief presentation on the mid-year budget giving an overview on the general fund, expenditures and revenues, projected revenues and expenditures, and the fund balance general funds. He stated that there is a projected ending year surplus of \$187,434. He further stated that sales tax are up, property tax is down and the projected revenue shows a savings in salaries and benefits and in departmental expenses. In regard to projected expenditures he stated that budget adjustments include the conversion of eight Public Works staff from part-time to full time, provision of longevity pay as part of labor negotiations, and a budget amendment to pay a settlement claim. Overall, he stated, the City's General Fund is on the right track and efforts to right-size the budget through "zero-based budgeting" will continue in order to produce on-going balanced budgets.

Councilmembers discussed the AB 109 early release of prisoners and the impact it has on public safety resources, appropriations of \$200,000 for Economic Development, sales tax, the addition of an Economic Development Manager position and code enforcement.

Councilmember Tercero stated that he would not feel comfortable approving \$200,000 appropriation for Economic Development without the detail on the funds as currently provided and asked to meet with City Manager Bobadilla to discuss other departments such as the Water funds. Mayor Armenta asked that staff keep the City Council updated on the use of the Economic Development funds and requested that staff setup a budget session meeting for City Council.

Motion by Mayor Pro Tem Archuleta, seconded by Councilmember Tercero to: 1) Approve the budget amendments as outlined in Attachment 1 to this agenda report, increasing General Fund appropriations for Fiscal Year 2015-16 by \$407,000 and Economic Development Account (EDA) fund appropriations by \$200,000; and 2) Amend the master position list to add a Principal Analyst (Economic Development Manager) to the Community and Economic Development Department. Motion carries by the following roll call vote:

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

MAYOR/COUNCILMEMBER REPORTS ON INTERGOVERNMENTAL AGENCY MEETINGS:

Mayor Pro Tem Archuleta reported on his attendance at the Vector Control meeting and discussion concerning the Zika Virus. He stated that there are no reported cases in California but asked residents to be vigilant in regard to the Asian and Tiger mosquitos. He reminded residents to get rid of standing water at their homes.

NEW BUSINESS:

Councilmember Salcido asked with the grand opening of the Culichi Town for staff to confirm that the business has obtained a live entertainment permit. Mayor Armenta commented on the lack of parking spaces at that strip mall location. He also mentioned that a signal light is out on Slauson and Parsons Boulevard.

Mayor Pro Tem Archuleta asked that the Sheriff's deputies be vigilant with prohibiting individuals standing on medians/islands seeking donations for safety purposes. Councilmember Salcido stated that Fire Department personnel should comply with the same standards for safety purposes as well.

OLD BUSINESS:

Mayor Pro Tem Archuleta asked for an update on the Whittier Boulevard project. Public Works Director Enriquez stated that he expects to have a Notice of Completion on the project in April.

Recessed into Closed Session at 7:40 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 8:34 p.m.

ALL MEMBERS WERE PRESENT

ADJOURNMENT:

Mayor Armenta adjourned the City Council meeting at 8:55 p.m. in memory of Esperanza Hernandez, Rose Ramirez, Commander Richard Ruiz, Roger Millare and Roberto R. Baez. There being no objection it was so ordered.

AYES: Archuleta, Camacho, Salcido, Tercero, Armenta

NOES: None

David W. Armenta, 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 February 23, 2016 and approved by the City Council on March 8, 2016.

Anna M. Jerome, City Clerk