



Tuesday, April 24, 2012

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

Mayor Archuleta called the meeting to order at 6:04 p.m. on behalf of the City Council/Successor Agency.

PRESENT: Armenta, Salcido, Tercero, Camacho, Archuleta

ABSENT: None

COMMISSIONERS PRESENT:

Ruben Garcia, Planning Commission

John Garcia, Parks & Recreation Commission

INVOCATION: John Garcia, Parks & Recreation Commission

PLEDGE OF ALLEGIANCE: Led by Girl Scout Troops 504 & 414

SPECIAL PRESENTATIONS:

- None.

PUBLIC HEARING(S):

1. **Public Hearing – Final Initial Study/Mitigated Negative Declaration for Rio Vista Park Renovation – Project No. 21224.** (500)

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

Motion by Councilmember Salcido, seconded by Councilmember Armenta to close the public hearing. There being no objection, Mayor Archuleta closed the public hearing.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to adopt Resolution No. 6672 approving the project and the Mitigated Negative Declaration with

Mitigation Monitoring and Reporting Program. Motion carries by the following roll call vote:

Resolution No. 6672 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE RIO VISTA RENOVATION PROJECT AND ADOPTING THE FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION WITH MITIGATION MEASURES

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

2. Public Hearing – Final Initial Study/Mitigated Negative Declaration for Smith Park Renovation – Project No. 21218. (500)

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

Mayor Archuleta closed the public hearing.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to adopt Resolution No. 6673 approving the project and the Mitigated Negative Declaration with Mitigation Monitoring and Reporting Program. Motion carries by the following roll call vote:

Resolution No. 6673 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE SMITH PARK RENOVATION PROJECT AND ADOPTING THE FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION WITH MITIGATION MEASURES

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

3. Public Hearing – Zoning Code Amendment No. 166 – Prohibiting Entitlements for Fast Food Establishments within the Northern Boundaries of the City. (1300)

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

Mayor Archuleta closed the public hearing.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to continue the item to the City Council meeting of May 8, 2012. Motion carries 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:

4. Minutes:

- Approved City Council and Successor Agency meeting of April 10, 2012
- Received and filed Parks & Recreation Commission meeting of March 8, 2012
- Received and filed Sister City Commission meeting of February 27, 2012
- Received and filed Sister City Commission meeting of March 19, 2012

5. Approved 17th Warrant Register of the 2011-2012 Fiscal Year. (700)

Check Numbers: 251255-251378; 251381-251471

Special Checks Numbers: 251379-251380

6. Edward Byrne Memorial Justice Assistance Grant Application – Fiscal Year 2012/2013. (700)

1. Received and filed the Edward Byrne Memorial Justice Assistance Grant Application.

7. Authorization to Advertise Construction – Smith Park Renovation Project, CIP No. 21218 and Rio Vista Park Renovation Project, CIP No. 21224. (500)

1. Approved Plans, Specifications and Estimates (PS&Es) for the Smith Park Renovation Project, CIP No. 21218 and for the Rio Vista Park Renovation Project No. 21224; and
2. Authorized the City Clerk to publish the Notice Inviting Bids.

8. Passons Boulevard Underpass Project (CIP No. 20053) – Amendment No. 2 to Professional Services Agreement. (500)

1. Approved Amendment No. 2 to Professional Services Agreement No. 08-1063 with Harris and Associates, Inc. for additional construction management services in accordance with the scope of work and fee proposal dated March 28, 2012 for an additional amount not-to-exceed \$786,215 and authorize the Mayor to execute it in a form approved by the City Attorney.

9. Assembly Constitutional Amendment 23, Transportation Investment Act.

1. Adopted Resolution No. 6674 supporting Assembly Constitutional Amendment 23, the Transportation Act.

Resolution No. 6674 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, SUPPORTING ACA 23, AN AMENDMENT TO THE CALIFORNIA CONSTITUTION LOWERING THE VOTER THRESHOLD TO 55 PERCENT FOR LOCAL TRANSPORTATION TAX MEASURES

10. Expenditures for Bus Transportation. (700)

1. Approve purchase order with A & D Transportation in an amount “not to exceed” \$35,000.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to approve Consent Calendar items number 4 through 10. Motion carries by the following roll call vote:

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: Tercero (Item No. 9)

CONSENT CALENDAR ITEMS PULLED: None.

CITY COUNCIL LEGISLATION: None.

SUCCESSOR AGENCY ACTIVITIES:

11. Contract for Successor Agency Assistance.

(500)

City Manager Bates stated that the City Council is the Successor Agency for the purpose of curtailing the activities of the Pico Rivera Redevelopment Agency. He stated that in essence, the county, the city, the Community College District and the El Rancho Unified School District have all appointed members to a new authority board which is to work with the city to curtail the activities of redevelopment. That process, he stated, is moving forward. He further stated that there has been one meeting of the authority board with another meeting scheduled for Thursday, April 26, 2012. Mr. Bates stated that the process is very complicated, technical, legal, and financial, with a complexity of issues. Our Finance Director, he stated, is doing an excellent job staying on top of all these challenges and stated that there are some positive opportunities for the city as the redevelopment agency is phased out of existence. Staff, he stated, will keep the City Council informed on the progress being made and stated that this particular item is to provide some technical staff assistance that is needed. The only money that will be utilized, he stated, is the money that is required to be spent to help our Finance Director prepare the staff reports for each of the meetings.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Camacho to authorize the City Manager to execute a contract with Rosenow Spevacek Group, Inc. to provide assistance with administering the activities of the Successor Agency.

Agreement No. S12-001

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

NEW BUSINESS:

Mayor Pro Tem Camacho stated that the KaBOOM Build Day for the playground will take place Saturday, April 28, 2012 at Streamland Park and invited residents to join in the event. He also stated that Thursday, May 3, 2012 is National Day of Prayer from 4:00 p.m. to 6:00 p.m. in front of City Hall.

OLD BUSINESS: None.

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

Paula Murga:

- Addressed the City Council regarding the trash hauler contract and stated that Council should take into consideration the needs of the residents; she also stated her concerns with the Dial-A-Ride and taxi services proposals.

City Manager Bates stated that in regard to the solid waste contract, the City Council considered the three lowest bidders with the lowest bidder being Rainbow, then NASA and then CalMet. He stated that any of these three contractors that were considered and selected would make a positive impact on the cost of the trash hauler services to the city. He stated that NASA will be saving the residents and businesses \$1.4 million a year over the life of the seven year agreement.

Pertaining to Ms. Murga's concerns with the proposed changes to Dial-A-Ride services, City Manager Bates stated that the challenge that the city faces is that the cost per trip with the current system is very high. He stated that the Council has directed staff to look at alternatives that could provide a very good level of service and reduce the overall cost. He further stated that staff is looking at combining three systems: Dial-A-Van, taxi services and a fixed route system that would assist the elderly, handicap and general community, and that would provide more trips at less cost.

Councilmember Armenta stated that in regard to the comments made by Ms. Murga on the trash hauler contract, he stated that Council takes full responsibility and liability for the decisions that are made for the residents and asked for the speaker to check her facts.

Barbara Diaz:

- Addressed the City Council to ask that the canopy of trees at Smith Park between the pool and skate park be saved, if not all the trees at least half of the trees and spoke of sparing the avocado trees.
- Ms. Diaz also spoke of the homeless in the city.

In response to Ms. Diaz' concerns, Parks & Recreation Director Aranda stated that the city will be planting double the trees of those being removed from the park.

Councilmember Armenta suggested that Director Aranda and Ms. Diaz meet to discuss which trees at Smith Park could possibly be saved.

Nora Chen, Rivera Librarian:

- Addressed the City Council to speak about new computers installed at the library, upcoming teen programs, magic show and summer reading programs.

Zita Rodriguez:

- Addressed the City Council regarding the trash hauler contract; her concerns with the proposed changes to the Dial-A-Ride services and hopes the Council makes a wise decision; and thanked members of the Council and City Manager Bates who attended the Pio Pico Women's event over the weekend.

For clarification purposes, Mayor Archuleta stated that in regard to the Dial-A-Ride services the city is proposing to utilize three different sources: a large van, a smaller van that would accommodate someone in a wheelchair and a taxi cab. City Manager Bates concurred with Mayor Archuleta's comments and reiterated that the city is looking at bringing the cost per trip down so the city could service more people at a lower cost.

Virginia Aguirre:

- Addressed the City Council regarding Brown Act violations, proposed taxi services and talk of a recall.

City Attorney Alvarez-Glasman stated that the Brown Act does not prohibit the majority of the legislative body from getting together for social events, ribbon cuttings, dinners, etc. as long as there is no city business being discussed.

Mayor Pro Tem Camacho stated that he concurs with Councilmember Armenta in that it is important for speakers to get their facts straight and suggested that if anyone has a question or concerns to dialogue with members of the Council by setting up a meeting and putting their concerns on the table. He stated that a lot could be accomplished by having an open dialogue and stated that he was the one who recommended an open session for the trash services contract to promote open government.

Gila Lopez:

- Addressed the City Council regarding her concerns with the proposed change of services for Dial-A-Ride and persons with disabilities and spoke of the excellent service provided by Dial-A-Ride.

City Manager Bates stated that the city is not doing away with Dial-A-Ride services but will be enhancing the services by going from a bus to a van that will have lifts, adding a taxi service and providing a fixed route.

Councilmember Salcido stated that Dial-A-Ride is a type of vehicle that can pickup someone with special needs and that these services will not be eliminated; in fact the services will be enhanced. Staff, he stated, is just using different terms to describe the type of vehicle that can pick up someone with special needs.

Councilmember Tercero stated that a service such as Dial-A-Taxi does have special taxis that are wheelchair accessible and those drivers are specially trained.

Mayor Archuleta reiterated that the current services that are being provided today will not be taken away.

Derrick Alatorre, South Coast Air Quality Management District (SCAQMD):

- Addressed the City Council regarding the gas lawn mower exchange program for electric mowers. He stated that there will be six events beginning May 19 and registration begins May 2, 2012.
- Seeking nominations for Clean Air Award recipients.

Mayor Archuleta suggested that the SCAQMD gas lawn mower exchange program be highlighted in the city's *Profile*.

Recessed to Closed Session at 6:50 p.m.

ALL MEMBERS WERE PRESENT

Reconvened from Closed Session at 7:40 p.m.

ALL MEMBERS WERE PRESENT

CLOSED SESSION:

a. CONFERENCE WITH LABOR NEGOTIATORS

Government Code Section 54957.6

Agency designated representatives: Ron Bates, City Manager; Debbie Lopez, Assistant City Manager; and Mike Matsumoto, Director of Finance.

Employee organizations: SEIU Full-Time Bargaining Unit; SEIU Hourly Bargaining Unit and CEA Professional and Confidential Unit; and CEA Mid-Manager's Bargaining Unit.

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

b. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Government Code Section 54956.9(a)

Water Replenishment District v. City of Pico Rivera

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

ADJOURNMENT:

Mayor Archuleta adjourned the City Council meeting at 7:41 p.m. There being no objection it was so ordered.

AYES: Armenta, Salcido, Tercero, Camacho, Archuleta

NOES: None

Bob J. Archuleta, Mayor

ATTEST:

Anna M. Jerome, Assistant City Clerk

I hereby certify that the foregoing is a true and correct report of the proceedings of the City Council and Successor Agency Regular meeting dated April 24, 2012 and approved by the City Council on May 8, 2012.

Anna M. Jerome, Assistant City Clerk