



Tuesday, November 14, 2017

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

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

PRESENT: Armenta, Camacho, Salcido, Tercero, Archuleta

ABSENT: None

COMMISSIONERS PRESENT: None

INVOCATION: Delivered by Mayor Pro Tem Camacho

PLEDGE OF ALLEGIANCE: Led by Councilmember Armenta

SPECIAL PRESENTATIONS: None

PUBLIC HEARING(S):

City Council:

1. **Continued Public Hearing – Extension of 10 Months 15 Days for Ordinance No. 1110 Amending Chapter 18.04, 18.40 and 18.42 of Title 18, Establishing Standards Related to Accessory Dwelling Units.** (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: 1) Conduct continued public hearing; 2) Adopt by four-fifths (4/5) vote, Ordinance No. 1112 extending for additional 10 months and 15 days Ordinance No. 1110 amending portions of Title 18 of the Pico Rivera Municipal Code related to accessory dwelling units to conform to the State of California Government Code; 3) Receive, file and issue the Interim Accessory Dwelling Units Written Report per Government Code Section 65858(d); and 4) Determine that the amendments are exempt from the California Environmental Quality Act. Motion carries by the following roll call vote:

Ordinance No. 1112 AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, EXTENDING INTERIM ORDINANCE NO. 1110 FOR 10 MONTHS 15 DAYS AMENDING TITLE 18 OF THE PICO RIVERA

MUNICIPAL CODE TO BRING INTO CONFORMANCE
ACCESSORY DWELLING UNIT LAW WITH THE STATE OF
CALIFORNIA AND DETERMINING THAT THE AMENDMENTS
ARE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL
QUALITY ACT

AYES: Armenta, Camacho, Salcido, Tercero, Archuleta

NOES: None

**2. Continued Public Hearing – Extension of Urgency Ordinance No. 1111
Placing a Moratorium on the Establishment, Relocation and Expansion of
Massage Businesses. (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: 1) Receive, file, and issue the Massage Moratorium Written Report per Government Code Section 65868(d); 2) Conduct continued public hearing; 3) Adopt by four-fifths(4/5) vote, an extension of 10 months 15 days Urgency Ordinance No. 1111 placing a moratorium on massage establishments; and 4) Determine that the project is exempt from the California Environmental Quality Act. Motion carries by the following roll call vote:

Ordinance No. 1113 AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, EXTENDING THE CITYWIDE MORATORIUM FOR 10 MONTHS 15 DAYS PROHIBITING THE APPROVAL, EXPANSION, INTENSIFICATION, OR RELOCATION OF NEW AND EXISTING MASSAGE, PHYSICAL THERAPY, OR ACUPUNCTURE ESTABLISHMENTS

AYES: Armenta, Camacho, Salcido, Tercero, Archuleta

NOES: None

PUBLIC COMMENTS:

Frank Thomas Morales:

- Addressed the City Council to speak on the leadership of the Montebello Unified School District Board of Education.

Victor Gonzalez:

- Addressed the City Council to speak about the homeless and abandoned shopping carts on Burke Street.

Lauren Talbott, Pico Rivera Community Library Manager:

- Addressed the City Council to speak of upcoming events for the month of November.

CONSENT CALENDAR ITEMS:

City Council:

3. Minutes:

- Approved City Council regular meeting of October 10, 2017 and special meeting of October 16, 2017
- Received and filed Parks and Recreation meeting of September 14, 2017
- Received and filed Planning Commission meetings of June 5, 2017 and July 17, 2017

4. Approved 8th Warrant Register of the 2017-2018 Fiscal Year. (700)

Check Numbers: 277220-277563

Special Check Numbers: None

Recommendation: Approve

5. Interim Urgency Ordinance Declaring and Imposing a Citywide Moratorium on the Establishment or Operation of Cannabis Related Activities Authorized by Proposition 64, the “Adult Use of Marijuana Act.” (1300)

1. Adopted Interim Urgency Ordinance No. 1114 declaring and imposing a forty-five (45) day citywide moratorium on the establishment and operation of commercial cannabis activities authorized by the Adult Use of Marijuana Act.

Ordinance No. 1114 AN INTERIM ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DECLARING AND IMPOSING A CITYWIDE MORATORIUM ON CANNABIS-RELATED ACTIVITIES AUTHORIZED BY PROPOSITION 64, THE “ADULT USE OF MARIJUANA ACT”

6. Commercial Façade Program – CDBG – 8417-8425 Rosemead Boulevard Award Construction and Approve 20% Loan. (500)

1. Awarded a construction contract up to the amount of \$48,180 (which includes a 10% contingency) to Corral Construction for the Commercial Façade Program (Project 16-2) and authorized the City Manager to execute the contract in a form approved by the City Attorney; and
2. Authorized the City Manager to execute the Commercial Façade Grant and Loan Agreement Containing Covenants (these covenants run with the land) in the amount up to \$12,758 between the City of Pico Rivera (“City”) and Joseph Principe, property owner of 8417-8425 Rosemead Boulevard.

Agreement No. 17-1782

7. Renewal of Professional Services Agreement with HDL Companies to Perform Sales and Use Tax Auditing and Examination Services. (500)

1. The City Council delegated signing authority to the City Manager approving a professional services agreement with HDL Companies to perform sales and use tax auditing and examination services.

Agreement No. 17-1783

8. Paramount Boulevard Landscape Medians Improvements Project from Mines Avenue to Whittier Boulevard (CIP No. 21272) – Award Construction Contract. (500)

1. Awarded a construction contract in the amount of \$1,198,570 to Palp, Inc. DBA Excel Paving Company, for the Paramount Boulevard Median Improvement Project (CIP No. 21272, Federal ID No. HSIPL 5351 (031) and authorized the Mayor to execute the contract in a form approved by the City Attorney;
2. Amended the Fiscal Year 2017-18 adopted budget by appropriating \$149,573 in Highway Safety Improvement Program funds (Account No. 698.98.9800-56900) and \$100,427 in Proposition C funds (Account No. 206.98.9800-56900) and amending Account Nos. 400.00.0000-47900 / 400.70.7300.54500-21272, increasing budget by \$250,000; and
3. Approved the Total Project Budget.

Agreement No. 17-1784

9. Residential Resurfacing Program, Phase “G” – Cape Seal Project (CIP No. 21345) - Notice of Completion. (500)

1. Accepted the work as completed for the Residential Resurfacing Program, Phase “G”, Cape Seal Project (CIP No. 21345) constructed by Manhole Adjusting, Inc. and authorized the City Clerk to file the Notice of Completion with the Los Angeles County Registrar-Recorder;
2. Found that the requested “Changes in Work” for the Residential Resurfacing Program, Phase “G”, Cape Seal Project have no significant effect on the environment and approved the changes in the aggregate amount of \$9,983. The final contract amount with Manhole Adjusting Inc. is \$438,578; and
3. Approved 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.

10. CDBG Durfee Avenue ADA Ramp Improvements (CIP No. 21363) – Authorization to Advertise for Construction and Award Construction Contract. (500)

1. Approved Plans, Specifications and Estimate (PS&E) for the CDBG Durfee Avenue ADA Ramp Improvements Project (CIP No. 21363) and authorized the City Clerk to publish the Notice Inviting Bids;
2. Authorized the City Manager to award the construction contract within the approved Total Project Budget;
3. Approved the Notice of Exemption (NOE) for the subject project and authorized the City Clerk to file the NOE with the County Recorder, in accordance with the California Environmental Quality Act; and
4. Approved the Total Project Budget and amended the Fiscal Year 2017-18 budget to appropriate \$100,000 in Community Development Block Grant (CDBG) funding.

11. CDBG Sidewalk Improvements Citywide (CIP No. 21364) – Authorization to Advertise for Construction and Award Construction Contract. (500)

1. Approved Plans, Specifications and Estimate (PS&E) for the CDBG Sidewalk Improvements Citywide Project (CIP No. 21364) and authorized the City Clerk to publish the Notice Inviting Bids;
2. Authorized the City Manager to award the construction contract within the approved Total Project Budget;
3. Approved the Notice of Exemption (NOE) for the subject project and authorized the City Clerk to file the NOE with the County Recorder, in accordance with the California Environmental Quality Act; and
4. Approved the Total Project Budget.

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION: None.

REGULAR AGENDA:

City Council:

12. Creation of a Pension Rate Stabilization Program Trust Administered by Public Agency Retirement Services for the Purpose of Funding Future Pension Obligations. (200)

Councilmember Tercero asked staff to also look at “Other Postemployment Benefits (OPEB)” for higher rates in pre-funding a trust.

Motion by Councilmember Salcido, seconded by Councilmember Armenta to: 1) Approve Resolution No. 6937 creating a Pension Rate Stabilization Program (PRSP) trust administered by Public Agency Retirement Services (PARS); and 2) Amend the Fiscal Year 2017-18 budget to utilize \$1,000,000 in General Fund reserves to pre-fund the trust (Account No. 100.90.9011-51951, PARS PRSP Trust). Motion carries by the following roll call vote:

Resolution No. 6937 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE ADOPTION OF A PENSION RATE STABILIZATION PROGRAM TRUST ADMINISTERED BY PUBLIC AGENCY RETIREMENT SERVICES

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

13. Presentation of Citywide Pavement Management Program and Approval of a Financing Plan. (700)

Mayor Pro Tem Camacho asked staff to look at different financing mechanisms for other Total Road Improvement Program (TRIP) type options and asked to amend the motion to include that language.

Councilmember Tercero inquired to the timeframe of the project stating that today's \$30 million dollars will be different in 10 years and that much more work could be accomplished using today's dollars rather than 10 years from now. Director of Public Works Enriquez recommended that the work be staged and not done all at one time. Assistant City Manager Cardenas stated that the goal is to accomplish the project in five (5) to seven (7) years allowing staff some flexibility by staging the project. Councilmember Tercero inquired about early repayment with Director of Finance Solorza stating that early repayment is an option and further detail will be provided to City Council at a later date.

Motion by Councilmember Armenta, seconded by Councilmember Salcido to include language that allows staff to look at other TRIP type options and to: 1) Receive and file a report on the citywide Pavement Management Program plan; and 2) Approve financing of the citywide Pavement Management Program by participating in the Total Road Improvement Program (TRIP). Motion carries by the following roll call vote:

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

GOOD OF THE ORDER (INTERGOVERNMENTAL AGENCY MEETINGS, AB 1234 REPORTS, NEW BUSINESS, OLD BUSINESS):

Councilmember Armenta thanked staff for a successful Veteran's Day event and wished everyone a "Happy Thanksgiving."

Councilmember Tercero acknowledged and thanked staff and the Ad Hoc Committees who worked on the Road Improvement Program and Pension Funds.

Mayor Pro Tem Camacho gave kudos to the Fire Department, the Sheriff's Department and in particular to Deputies Longorio and Perez for their assistance with a vehicle collision and their professionalism in dealing with the individuals who were injured.

Mayor Archuleta reiterated the success of the Veteran's Day event and praised staff for a job well done, spoke of Measure M, R, Prop C and the gas tax that allows cities to repave their streets, and spoke of efforts to improve the city's pension, ensuring that the employees and their families are taken care of and that the city's obligation is met.

ADJOURNMENT:

Mayor Archuleta adjourned the City Council meeting at 6:41 p.m. There being no objection it was so ordered.

AYES: Armenta, Camacho, Salcido, Tercero, Archuleta

NOES: None

Bob J. Archuleta, 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 November 14, 2017 and approved by the City Council on December 12, 2017.

Anna M. Jerome, City Clerk