



Tuesday, November 13, 2018

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

Mayor/President Camacho called the regular meeting to order at 6:00 p.m. on behalf of the City Council and Water Authority.

PRESENT: Archuleta, Armenta, Salcido, Tercero, Camacho

ABSENT: None

COMMISSIONERS PRESENT:

Fred Zermeno, Planning Commission

Gustavo Contreras, Sister City Commission

INVOCATION: Delivered by Councilmember Archuleta

PLEDGE OF ALLEGIANCE: Led by Mayor Pro Tem Tercero

SPECIAL PRESENTATIONS:

- Jeffrey Prang, Los Angeles County Tax Assessor presented Councilmember Archuleta with a Certificate of Recognition
- Certificate of Recognition presented to the Pico Rivera Youth Soccer and Happy Feet Soccer

PUBLIC COMMENTS:

Esther Celiz:

- Addressed the City Council to congratulate Senator Elect Archuleta and to thank him for his service as City Council Member.

Dr. Monica Sanchez:

- Addressed the City Council regarding Item No. 16 pertaining to best practices, outreach and education on public health and safety and regulating nuisance tobacco shops and these type of businesses.

Lauren Talbott, Pico Rivera Community Library Manager:

- Addressed the City Council regarding upcoming library programs and events for the month of November.

Julie Emerson, representative of Southern California Gas Company:

- Addressed the City Council regarding Item No. 15 and Ordinance No. 43 franchise as it pertains to the contract with the Gas Company.

CONSENT CALENDAR ITEMS:

City Council:

1. Minutes:

- Approved City Council meeting of October 23, 2018 and Special City Council meeting of November 2, 2018;
- Received and filed Planning Commission meetings of December 19, 2017, March 5, 2018, April 2, 2018, April 16, 2018, May 7, 2018 and June 18, 2018.
- Received and filed Parks and Recreation Commission meetings of March 8, 2018, April 12, 2018, May 10, 2018, June 7, 2018 and September 13, 2018.

2. Approved 8th Warrant Register of the 2018-2019 Fiscal Year. (700)
Check Numbers: 280754-280828; 280829-280873; 280874-280957
Special Check Numbers: None

3. Second Reading and Adoption of Ordinance No. 1126, Amending Sections of Title 18, Zoning, of the Pico Rivera Municipal Code. (1300)

1. Adopted Ordinance No. 1126, Amending Sections of Title 18, Zoning, of the Pico Rivera Municipal Code.

Ordinance No. 1126 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, AMENDING TITLE 18, ZONING, OF THE PICO RIVERA MUNICIPAL CODE HEREIN AS ZONE CODE AMENDMENT NO. 186 **(SECOND READING AND ADOPTION)**

4. Approve a Holiday Closure of City Facilities on December 24 and 31, 2018. (200)

1. Approved Resolution No. 6987 closing City facilities on December 24 and 31, 2018.

Resolution No. 6987 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING A CLOSURE OF CITY FACILITIES ON DECEMBER 24 AND DECEMBER 31, 2018 FOR THE ENTIRETY OF THE TWO CALENDAR DAYS

5. Amend the Fiscal Year 2018-19 Budget to Provide Payment for a Settlement Related to the Beverly-Rosemead Boulevards Hot Spots Project. (700)

1. Amended the Fiscal Year 2018-19 Adopted General Fund Budget by increasing appropriations by \$200,000 in Account No. 100.90.9000-56910 (Non-Departmental, Legal Service).

6. Heating, Ventilation, and Air Conditioning (HVAC) Upgrades at Senior Center (CIP No. 21309) – Award Professional Services Agreement for Installation. (500)

1. Awarded Professional Services Agreement in the amount of \$119,815 to ABM Building Solutions to install a Replacement Rooftop Heating, Ventilation and Air Conditioning (HVAC) Package Unit for the Senior Center; and
2. Authorized the Mayor to execute the agreement in a form approved by the City Attorney.

Agreement No. 18-1847

7. Installation of Traffic Control Devices – Traffic Safety. (1400)

1. Received and filed.

8. Traffic Safety Improvements Citywide (CIP No. 21305), Federal Project No. HSIPL-5351 (030) – Notice of Completion. (500)

1. Accepted the work as completed for the Traffic Safety Improvements Citywide (CIP No. 21305), Federal Project No. HSIPL-5351 (030), constructed by PTM General Engineering Services, 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 Traffic Safety Improvements Citywide Project have no significant effect on the environment and approved the changes in the aggregate amount of \$60,256. The final contract amount with PTM General Engineering Services, Inc. is \$889,285;
3. Approved the Final Total Project Budget; and
4. Authorized the Acting City Manager to release the retention payment and all other monies due to PTM General Engineering Services, Inc. following the mandatory waiting period from the date the Notice of Completion is recorded.

9. Award Roof Replacement Contract to Tecta America for the Purchase and Installation of New Roofs for City Hall and City Hall West (CIP No. 50014).

(500)

1. Authorized the Acting City Manager to award a contract in the amount of \$271,000 to Tecta America for the roof replacement at City Hall and City Hall West utilizing National Cooperative Purchasing Alliance Contract (NCPA) No. 02-20; and
2. Approved a budget amendment to the Fiscal Year 2018-19 adopted budget and appropriate \$271,000 to the Capital Project Fund (Account No. 400.70.7300-54500-A50014; 100.98.9800-56900 Transfer Out and 400.00.0000-47900 Transfer In).

Agreement No. 18-1848

Water Authority:

10. Minutes:

- Approved Water Authority meeting of October 23, 2018

11. Authorize the Pico Rivera Water Authority Acting Executive Director to Negotiate and Execute an Agreement for a Water Rights Sublease for Fiscal Year 2018-19 with Liberty Utilities. (500)

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

12. Pico Rivera Water Authority Well No. 5 Rehabilitation and Pumping Equipment Replacement (CIP No. 21337) – Notice of Completion. (500)

1. Accepted the work as completed for Well No. 5 Rehabilitation and Pumping Equipment Replacement Project (CIP No. 21337) constructed by General Pump Company and authorized the City Clerk to file the Notice of Completion with the Los Angeles County Registrar-Recorder; and
2. Approved the Final Total Project Budget of original contract and authorized the Acting Executive Director to release payment and all other monies due to General Pump Company following the mandatory waiting period from the date the Notice of Completion is recorded.

13. Approve Purchase of Replacement Water Meters from Ferguson Enterprises, Inc. (700)

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

14. Approve Purchase of a Tractor Loader Backhoe Case 580SN from Sonsray Machinery, LLC. (700)

1. Authorized the Executive Director to approve the purchase of a Tractor Loader Backhoe Case 580SN Heavy Equipment from Sonsray Machinery, LLC in the amount of \$126,109.

Motion by Councilmember/Commissioner Armenta, seconded by Councilmember/Commissioner Salcido to approve Consent Calendar Items No. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, and 14. Motion carries by the following roll call vote:

AYES: Armenta, Archuleta, Salcido, Tercero, Camacho

NOES: None

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

11. Authorize the Pico Rivera Water Authority Acting Executive Director to Negotiate and Execute an Agreement for a Water Rights Sublease for Fiscal Year 2018-19 with Liberty Utilities. (500)

Vice President Tercero asked for an explanation about the sublease and if the City went out to bid. Acting City Executive Director Salazar stated that the City did not go out to bid and that Liberty Utilities has worked with several different cities. She further stated that the City will go out to bid when the sublease is for a longer term.

Motion by Vice President Pro Tem Tercero, seconded by Commissioner Armenta to authorize the Acting Executive Director to negotiate final terms and execute a Water Rights License Agreement, in a form approved by the General Counsel, with Liberty Utilities for the lease of 1,300 acre-feet of water rights with flex during the 2018-19 Fiscal Year at a rate of \$160 per acre-foot. Motion carries by the following roll call vote:

Agreement No. 18-43

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

13. Approve Purchase of Replacement Water Meters from Ferguson Enterprises, Inc. (700)

Vice President Tercero asked if the water meters would be upgraded to next generation water meters. Acting Executive Director Salazar stated that the next generation water meters would cost approximately \$3 million and that the recommended action is to replace the current meters that will eventually allow for the retrofitting of next generation meters.

Motion by Vice President Tercero, seconded by Commissioner Armenta to authorize the Acting Executive Director to approve the purchase of replacement water meters from Ferguson Enterprises, Inc. Motion carries by the following roll call vote:

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

REGULAR AGENDA:

City Council:

15. Approval of an Ordinance Adding Section 12.20.170 “Street Cut Moratorium” to Title 12 “Streets, Sidewalks and Public Places”, Division 1 “Street Permit Work”, Chapter 12.20 “Excavations and Encroachments” to the Pico Rivera Municipal Code Establishing a Street Cut Moratorium on Newly Paved Streets. (1400)

Councilmember Salcido stated that in regard to the Southern California Gas Company’s concerns addressed under public comment that the proposed ordinance allows for flexibility.

Motion by Councilmember Salcido, seconded by Councilmember Armenta to: 1) Introduce and waive first reading Ordinance No. 1127 adding Section 12.20.170 “Street Cut

Moratorium” to Title 12 “Streets, Sidewalks and Public Places”, Division 1 “Street Permit Work”, Chapter 12.20 “Excavations and Encroachments” to the Pico Rivera Municipal Code (PRMC) establishing a street cut moratorium on newly paved streets; and 2) Schedule the second reading and adoption of said ordinance at the next regular City Council meeting. Motion carries by the following roll call vote:

Ordinance No. 1127 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADDING SECTION 12.20.170 (STREET CUT MORATORIUM) TO TITLE 12, DIVISION 1, CHAPTER 12.20 TO THE PICO RIVERA MUNICIPAL CODE ESTABLISHING A STREET CUT MORATORIUM ON NEWLY PAVED STREETS (**FIRST READING AND INTRODUCTION**)

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

16. An Ordinance of the City of Pico Rivera Amending Title 9, Chapter 9.12 of the Pico Rivera Municipal Code Adding Section 9.12.095 Entitled Aggressive Panhandling and Panhandling in Unauthorized and Unsafe Locations. (1300)

Motion by Councilmember Armenta, seconded by Councilmember Salcido to introduce and waive first reading of Ordinance No. 1128 of the City of Pico Rivera amending Title 9, Chapter 9.12 of the Pico Rivera Municipal Code adding Section 9.12.095 entitled “Aggressive Panhandling and Panhandling in Unauthorized and Unsafe Locations;” and 2) Determine that in accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, the project is exempt from CEQA because there is no possibility that the activity in question may have a significant effect on the environment. Motion carries by the following roll call vote:

Ordinance No. 1128 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING TITLE 9, CHAPTER 9.12 OF THE PICO RIVERA MUNICIPAL CODE ADDING SECTION 9.12.095 ENTITLED AGGRESSIVE PANHANDLING AND PANHANDLING IN UNAUTHORIZED OR UNSAFE LOCATIONS (**FIRST READING AND INTRODUCTION**)

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

17. Proposed Amendment to Pico Rivera Municipal Code Chapter 1.20.010 Establishing Authorization to Reduce the Charge of Any Misdemeanor in Violation of this Chapter to an Infraction. (1300)

Motion by Councilmember Armenta, seconded by Councilmember Archuleta to introduce and waive first reading of Ordinance No. 1129 amending Pico Rivera Municipal Code Chapter 1.20, General Penalty, Section 1.20.010, Penalties for code violations-Public nuisance abatement, to allow prosecutors to reduce misdemeanor charges to infractions

for Municipal Code violations on the City's behalf. Motion carries by the following roll call vote:

Ordinance No. 1129 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING AN AMENDMENT TO CHAPTER 1.20.010 OF THE PICO RIVERA MUNICIPAL CODE (**FIRST READING AND INTRODUCTION**)

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

18. Presentation of Citywide Pavement Management Plan (Phase 1) and Approval of Phasing Plan. (1400)

Mayor Pro Tem Tercero asked that staff look at the material that will be used for the slurry seal and overlay for deterioration purposes and Councilmember Archuleta added that through this program the streets of the City would be improved over the next seven years.

Motion by Councilmember Armenta, seconded by Mayor Pro Tem Tercero to: 1) Receive and file a status report on the Citywide Pavement Management Plan (PMP); and 2) Approve a street improvements phasing plan. Motion carries by the following roll call vote:

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

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

Councilmembers Salcido, Armenta, Mayor Pro Tem Tercero, and Mayor Camacho congratulated Senator Elect Archuleta upon his election to the Senate and expressed their gratitude for his dedication over the past 12 years to the City as a Councilmember and Mayor. Councilmember Archuleta thanked his colleagues, City staff and residents.

CLOSED SESSION(S): None.

ADJOURNMENT:

Mayor/President Camacho adjourned the City Council meeting at 7:05 p.m. There being no objection it was so ordered.

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

Gustavo V. Camacho, Mayor/President

ATTEST:

Anna M. Jerome, City Clerk/Authority Secretary

I hereby certify that the foregoing is a true and correct report of the proceedings of the City Council regular meeting dated November 13, 2018 and approved by the City Council on December 11, 2018.

Anna M. Jerome, City Clerk/Authority Secretary