



Tuesday, May 22, 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: Camacho, Salcido, Tercero, Archuleta

ABSENT: Armenta (excused)

COMMISSIONERS PRESENT:

Nadine Barragan, Sister City Commission

INVOCATION: Sister City Commissioner Nadine Barragan

PLEDGE OF ALLEGIANCE: Councilmember Brent Tercero

SPECIAL PRESENTATIONS:

- Go-Getters presentation of 20th Anniversary Pin to City Council and Parks & Recreation Director Ralph Aranda

1st PERIOD OF PUBLIC COMMENTS – AGENDA ITEMS ONLY: None.

CONSENT CALENDAR:

1. Minutes:

- Approved City Council and Successor Agency meeting of May 8, 2012
- Received and filed Parks & Recreation Commission meeting April 12, 2012

2. Approved 9th Warrant Register of the 2011-2012 Fiscal Year. (700)

Check Numbers: 251664-251859

Special Checks Numbers: None.

3. Landscaping and Lighting Assessment District No. 1 – Annual Renewal. (700)

1. Approved Resolution No. 6678 initiating the Fiscal Year 2012-2013 Levy of Annual Assessment and ordering the preparation of the Engineer's Report for the Landscaping and Lighting Assessment District No. 1;
2. Approved Resolution No. 6679 preliminarily approving the Engineer's Report for the Fiscal Year 2012-2013 levy and collection of assessments within the Landscaping and Lighting Assessment District No. 1 pursuant to the Landscaping and Lighting Act of 1972; and
3. Approved Resolution No. 6680 declaring the City Council's intention to levy and collect the annual assessment within the Landscaping and Lighting Assessment District No. 1 for Fiscal Year 2012-2013 pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15, of the California Streets and Highways Code, and setting June 12, 2012 as the date for the public hearing on objections thereto.

Resolution No. 6678 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, CONFIRMING THE ENGINEER'S REPORT AND DECLARING INTENTION TO LEVY ANNUAL ASSESSMENTS FOR FISCAL YEAR 2012-2013, PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1

Resolution No. 6679 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT REGARDING PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1; AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2012-2013

Resolution No. 6680 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, INITIATING PROCEEDINGS FOR ANNUAL LEVY OF ASSESSMENTS FOR PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1 FOR FISCAL YEAR 2012-2013 AND ORDERING THE PREPARATION OF AN ENGINEERS REPORT PURSUANT TO PROVISIONS OF CALIFORNIA STREETS AND HIGHWAYS CODE DIVISION 15, PART 2

4. Paramount/Mines Landscape Maintenance Assessment District – Annual Renewal. (700)

1. Approved Resolution No. 6681 initiating the Fiscal Year 2012-2013 Levy of Annual Assessment and ordering the preparation of the Engineer's Report for the Paramount/Mines Landscape Maintenance Assessment District;
2. Approved Resolution No. 6682 preliminarily approving the Engineer's Report for the Fiscal Year 2012-2013 levy and collection of assessment within the Paramount/Mines Landscape Maintenance Assessment District pursuant to the Landscaping and Lighting Act of 1972; and
3. Approved Resolution No. 6683 declaring the City Council's intention to levy and collect the annual assessment within the Paramount/Mines Landscape Maintenance Assessment District for Fiscal Year 2012-2013 pursuant to the Landscaping and Lighting Act of 1972, Part 2 of Division 15, of the California Streets and Highways Code, and setting June 12, 2012 as the date for the public hearing on objections thereto.

Resolution No. 6681 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, INITIATING THE FISCAL YEAR 2012-2013 LEVY OF ANNUAL ASSESSMENT AND ORDERING THE PREPARATION OF THE ENGINEER'S REPORT FOR THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT

Resolution No. 6682 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, FOR PRELIMINARY APPROVAL OF THE ENGINEER'S ANNUAL LEVY REPORT REGARDING THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE DISTRICT; AND THE LEVY AND COLLECTION OF ANNUAL ASSESSMENTS RELATED THERETO FOR FISCAL YEAR 2012-2013

Resolution No. 6683 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, DECLARING ITS INTENTION TO LEVY AND COLLECT THE ANNUAL ASSESSMENT WITHIN THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT FOR FISCAL YEAR 2012-2013 PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972, PART 2 OF DIVISION 15, OF THE CALIFORNIA STREETS AND HIGHWAYS CODE, AND

SETTING THE TIME AND PLACE OF THE HEARING ON OBJECTIONS
THERE TO

5. **Contract for Accounting Assistance.** (500)
 1. Authorized the City Manager to enter into a contract with Yolanda Karraa in an amount not to exceed \$98,000.

Agreement No. 12-1293

6. **Summer Food Service Program.** (700)
 1. Approved submittal of Summer Food Service Program grant application; and
 2. Subject to grant approval, approved the Summer Food Service Program vendor contract extension to Food Service Outreach, Inc. D.B.A., Pacific Catering Company for provision of food services.

Agreement No. 09-1106-3

7. **Rivera Park Renovation, Capital Improvement Program (CIP) Project No. 21219 – Amendment No. 1 to Professional Services Agreement.** (500)
 1. Approved Amendment No. 1 to Professional Services Agreement No. 11-1259 with TGR Geotechnical, Inc. for additional material testing services in an amount not-to-exceed \$15,664 and authorized the Mayor to execute the agreement in a form approved by the City Attorney.

Agreement No. 11-1259-1

8. **Beverly Boulevard Entrance Monuments, Capital Improvement Program (CIP) No. 21231 – Notice of Completion.** (500)
 1. Accepted as complete, effective May 7, 2012, work performed by Sea West Enterprises, Inc. for the entrance monument project; and
 2. Instructed the City Clerk to file the Notice of Completion with the County Recorder.

9. City Hall Parking Lot Light Emitting Diode (LED) Retrofit, Capital Improvement Program (CIP) No. 21239 – Award Construction Contract. (500)

1. Awarded a construction contract in the amount of \$98,470 to Pro Tech Engineering Corp. for the City Hall Parking Lot Light Emitting Diode (LED) Retrofit, CIP No. 21239, and authorized the Mayor to execute the contract in a form approved by the City Attorney.

Agreement No. 12-1309

10. Rivera Park Renovation – Capital Improvement Program (CIP) No. 21219 – Amendment No. 2 to Professional Services Agreement for Construction Management Services. (500)

1. Approved Amendment No. 2 to Professional Services Agreement No. 10-1180 with URS Corporation, Inc. for additional construction management services for an additional amount not-to-exceed \$48,943 and authorized the Mayor to execute the agreement in a form approved by the City Attorney.

Agreement No. 10-1180-2

In regard to Item No. 5 - Contract for Accounting Assistance, Councilmember Tercero requested that the City Manager report back in three months on the status of this contract.

Motion by Councilmember Salcido, seconded by Mayor Pro Tem Camacho to approve Consent Calendar Items 1 through 10. Motion carries by the following roll call vote:

AYES: Camacho, Salcido, Tercero, Archuleta

NOES: None

ABSENT: Armenta

CONSENT CALENDAR ITEMS PULLED: None.

CITY COUNCIL LEGISLATION:

11. Amendment to the Contract between the City of Pico Rivera and the California Public Employees' Retirement System for New Hires – Tier II. (500)

City Manager stated that this item is an extension of what Council approved at the previous meeting. The procedure, he stated, has a three step process with CalPERS which involves 1) approving the dollar amount involved for the conversion; 2) approving the resolutions; and 3) approving the contracts.

Councilmember Salcido asked in regard to the October 31 deadline, if employees concerns with retirement transition issues have been resolved. City Manager Bates responded in the affirmative.

Councilmember Salcido asked how the October 31 deadline was determined. City Manager Bates stated that the date was based on two factors: 1) by extending through October 31 there were more employees who qualify during that time period and 2) staff tried to offer the Early Retirement Incentive Program (ERIP) within as limited a time frame as possible to close the city's structural deficit.

Councilmember Salcido asked if more employees could be included by extending the time period. City Manager Bates stated that extending the timeframe any further would not make a difference. Mr. Bates also stated that a memo was provided to all qualifying employees explaining the benefits and employees were asked to respond by June 1 as to whether the employee plans to continue employment or if they will choose option 1 or 2 of the ERIP. Employees, he stated, have been advised and encouraged to meet with human resources personnel and CalPERS for further clarification on the retirement process.

Motion by Councilmember Salcido, seconded by Councilmember Tercero to: 1) Approve the Certification of Compliance with Government Code Section 20903; 2) Adopt Resolution No. 6684 of intention to approve an amendment to contract between the Board of Administration of the California Public Employees' Retirement System (CalPERS) and the City Council of the City of Pico Rivera to provide the Government Code Section 20903 Early Retirement Incentive Plan (ERIP) and Government Code Section 20475: different level of benefits for new employees; Section 21353: 2%@60 and Section 20037: Three-Year Final Compensation; 3) Designate all full-time positions within the City of Pico Rivera as eligible for the ERIP; 4) Designate the period beginning July 1, 2012 and ending October 31, 2012 as the window period for the ERIP. To be eligible to receive the ERIP benefits, members must retire between July 2, 2012 and

October 31, 2012; and 5) Authorize the City Clerk to execute all necessary certifications of the City's actions. Motion carries by the following roll call vote:

Resolution No. 6684 A RESOLUTION OF INTENTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA

AYES: Camacho, Salcido, Tercero, Archuleta

NOES: None

ABSENT: Armenta

SUCCESSOR AGENCY ACTIVITIES: None.

NEW BUSINESS:

Mayor Pro Tem Camacho announced the birth of his third daughter on May 17, 2012.

OLD BUSINESS:

Councilmember Tercero asked for an update on the city's computer donation program with Director of Finance Matsumoto stating that notices to non-profit organizations, and advertisement in the City's *Profile* and *Whittier Daily News* are forthcoming.

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

John Senteno:

- Addressed the City Council regarding vacant properties; transients living in vacant properties, maintenance of properties and banks responsibilities; property at 9522 Burke Street.

City Manager Bates and Community and Economic Development Director Martinez stated that the city has a follow-up process with the banks and that Code Enforcement responds to calls from the public.

Councilmember Salcido suggested utilizing the website for communicating with City Hall and the public on community concerns.

Eddie Morales, Public Works Employee:

- Addressed the City Council regarding his concerns with layoffs for part-time employees. He stated that the maintenance workers manicure the parks and with the renovation of the parks, the potential layoffs could have a negative impact on the newly landscaped parks.

City Manager Bates stated that the city is facing a challenge in trying to balance the budget and stated that the impact of the retirements will help the bottom line. He further stated that management will not know until June 1 how many full-time employees will be retiring and the full impact it will have on part-time employees. Mr. Bates stated that management will be recommending as few layoffs as possible.

Margot Eiser:

- Addressed the City Council to speak in support of saving trees at Smith Park.

Carolyn Schoff:

- Addressed the City Council to speak about Pio Pico State Historic Park and efforts to keep the park open. She presented City Council with citizen petitions and literature on the park.

City Manager Bates stated that the cities of Pico Rivera, Santa Fe Springs and Whittier, with Whittier taking the lead, are trying to save the park and that they are actively looking for grants to keep the park open.

Rudy Guevara, SEIU Representative:

- Addressed the City Council to speak in support of keeping part-time employees and the services that they provide to the community. Pertaining to a previous speaker's concerns, he suggested that the city look into a blight ordinance that may generate revenue for the budget.

Paula Murga:

- Addressed the City Council regarding a Public Records request and clarification of travel expenses and reimbursements.

Zita Rodriguez:

- Addressed the City Council regarding potential layoffs for part-time employees and comments made by Mayor Pro Tem Camacho at the April 22, City Council meeting.

Virginia Aguirre:

- Addressed the City Council regarding her concern for potential layoffs of part-time employees, the budget and contracted services.

Joe Bueno:

- Addressed the City Council to speak on city improvements and to thank the City Council and City Manager.

Mayor Archuleta mentioned the Memorial Day celebration on May 28, 2012, 10:00 a.m. at the Veteran's Memorial Monument. Councilmember Salcido asked if the parking situation had been coordinated for that event with Director Aranda responding in the affirmative.

In regard to potential layoffs, Councilmember Salcido stated that management and employees need to continue with an open dialogue by listening to suggestions and being open minded. He further stated that Mr. Morales brought up a good point regarding protecting the investment of the new parks and the negative impact it would have if we lose our part-time maintenance workers.

Recessed to Closed Session at 6:55 p.m.

ALL FOUR MEMBERS WERE PRESENT

Reconvened from Closed Session at 7:29 p.m.

ALL FOUR MEMBERS WERE PRESENT

CLOSED SESSION:

A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION

Pursuant to Government Code Section § 54956.9 (b)

Number of Cases: One Case

City Manager Bates reported that there was no final action taken and nothing further to report.

ADJOURNMENT:

Mayor Archuleta adjourned the City Council meeting in memory of Juliet Ricaud and Henry Martinez at 7:29 p.m. There being no objection it was so ordered.

AYES: Camacho, Salcido, Tercero, Archuleta

NOES: None

ABSENT: Armenta

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 May 22, 2012 and approved by the City Council on June 12, 2012.

Anna M. Jerome, Assistant City Clerk