



Tuesday, December 11, 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: Armenta, Salcido, Tercero, Camacho

ABSENT: None

COMMISSIONERS PRESENT:

Paul Gomez, Planning Commission

Pat Saucedo, Parks and Recreation Commission

INVOCATION: Delivered by Councilmember Archuleta

PLEDGE OF ALLEGIANCE: Led by Mayor Pro Tem Tercero

SPECIAL PRESENTATIONS:

- Certificate of Recognition presented to the Peewees Cheerleading Teams for being selected to go to Florida to represent the City of Pico Rivera

PUBLIC COMMENTS:

Lauren Talbott, Pico Rivera Community Library Manager:

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

Julie Emerson, representative of Southern California Gas Company:

- Addressed the City Council regarding Item No. 3 and to thank City Council for their openness and partnership.

John Albitre:

- Addressed the City Council regarding filling the City Council vacancy.

Diego Rubalcava-Alvarez did not appear when his name was called.

CONSENT CALENDAR ITEMS:

City Council:

1. Minutes:

- Approved City Council meeting of November 13, 2018

- Received and filed Parks and Recreation Commission meeting of October 11, 2018
2. **Approved 9th Warrant Register of the 2018-2019 Fiscal Year.** (700)
Check Numbers: 280958-281019; 281020-281091; 281093-281141
Special Check Numbers: 281092
 3. **Second Reading and Adoption of 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 Establishing a Street Cut Moratorium on Newly Paved Streets.** (1400)

This item was pulled from the City Council agenda to be brought back at a future date.

4. **Second Reading and Adoption of Ordinance No. 1128, Amending Sections to Title 9, Chapter 9.12, Public Peace, Morals and Welfare, Adding Section 9.12.095, Aggressive Panhandling in Unauthorized and Unsafe Locations of the Pico Rivera Municipal Code.** (1300)

1. Adopted Ordinance No. 1128, amending Title 9, Chapter 9.12 of the Pico Rivera Municipal Code Section 9.12, Public Peace, Morals and Welfare, adding Section 9.12.095 entitled “Aggressive Panhandling in Unauthorized and Unsafe Locations.”

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 **(SECOND READING AND ADOPTION)**

5. **Second Reading and Adoption of Ordinance No. 1129 Amending Chapter 1.20.010 of the Pico Rivera Municipal Code Establishing Authorization to Reduce the Charge of Any Misdemeanor in Violation of this Chapter to an Infraction.** (1300)

1. Adopted 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.

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 **(SECOND READING AND ADOPTION)**

6. Adoption of Resolution Approving Summarily Vacation of Sewer Easement Located at 7860 Paramount Boulevard Pursuant to Streets and Highways Code Sections 8330 through 8336.

1. Adopted Resolution No. 6988 approving a summary vacation of a Sewer Easement on private property located at 7860 Paramount Boulevard, Pico Rivera, California, pursuant to the Streets and Highways Code Sections 8330 through 8336.

Resolution No. 6988 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, SUMMARY VACATING SANITARY SEWER EASEMENT PURSUANT TO STREETS AND HIGHWAYS CODE SECTIONS 8330 THROUGH 8336

7. Pio Pico Park Improvement Project (CIP No. 21349) – Reject All Bids and Re-Advertise. (500)

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

8. Hot Spot Intersection Improvements Rosemead at Slauson Avenue (CIP No. 21277) – Award Construction Contract. (500)

1. Awarded a construction contract in the amount of \$1,937,967 to Sequel Contractors, Inc. for the Hot Spots Intersection Improvements Rosemead Boulevard at Slauson Avenue (CIP No. 21277) and authorized the Mayor to execute the contract in a form approved by the City Attorney;
2. Amended the Fiscal Year 2018-19 adopted budget and increased appropriations in the Measure R Fund (Account No. 207.70.7300-54500-21277) by \$702,000; and
3. Approved the Total Project Budget.

Agreement No. 18-1853

9. Hot Spot Intersection Improvements Rosemead Boulevard at Rosemead Boulevard at Washington Boulevard (CIP No. 21278) – Award Construction Contract and Construction Management Services Professional Services Agreement. (500)

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

10. Final Tract Map No. 77095 – 9 Unit Townhome Development Located at 8813 Gallatin Road. (1300)

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

Water Authority:

11. Minutes:

- Approved Water Authority meeting of November 13, 2018

12. Security Fencing Upgrades at 8316 Washington Boulevard, Plant No. 2 and 8805 Slauson Avenue, Well No. 5 – Award Construction Contract. (500)

1. Awarded a construction contract in the amount of \$97,495 to Gerardo's Wrought Iron, Inc. for security fencing upgrades at 8316 Washington Boulevard, Plant No. 2 and 8305 Slauson Avenue, Well No. 5, and authorized the Water Authority President to execute the contract in a form approved by the General Counsel.

Agreement No. 18-45

13. Pico Rivera Water Authority Well No. 1 Rehabilitation and Pump Replacement (CIP No. 21337) – Award Construction Contract. (500)

1. Awarded construction contract in the amount of \$108,458 to Best Drilling and Pump Company for the Well No. 1 – Rehabilitation and Pump Replacement Project, and authorize the Acting Executive Director to execute the contract in a form approved by the City Attorney.

Agreement No. 18-44

Motion by Councilmember Armenta, seconded by Councilmember Salcido to approve Consent Calendar Items No. 1, 2, 4, 5, 6, 8, 11, 12 and 13. Motion carries by the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

7. Pio Pico Park Improvement Project (CIP No. 21349) – Reject All Bids and Re-Advertise. (500)

Mayor Pro Tem Tercero reiterated with the Acting City Manager that the bids were being rejected because they were too high. He asked what changes the City plans to make to the design. Acting City Manager Salazar stated that staff will be looking at the solar lighting and other designs to see how they could streamline the project.

Motion by Mayor Pro Tem Tercero, seconded by Councilmember Armenta to: 1) Reject all submitted bids for the Pio Pico Park Improvement Project, CIP No. 21349; and 2) Authorize the City Clerk to re-advertise the Notice Inviting Bids. Motion carries by the following roll call vote:

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

9. Hot Spot Intersection Improvements Rosemead Boulevard at Rosemead Boulevard at Washington Boulevard (CIP No. 21278) – Award Construction Contract and Construction Management Services Professional Services Agreement. (500)

Mayor Pro Tem Tercero stated that he was aware of a bid protest because the contractor selected does not have one of the specific licenses that is required but that his subcontractor does. He asked if this would pose a problem. Acting City Manager Salazar stated that it would not as the selected contractor included the subcontractor in his overall bid.

Motion by Mayor Pro Tem Tercero, seconded by Councilmember Armenta to: 1) Award a construction contract in the amount of \$1,298,089 to Sequel Contractors, Inc. for the Hot Spots Intersection Improvements, Rosemead Boulevard at Whittier Boulevard and Rosemead Boulevard at Washington Boulevard Project (CIP No. 21278) and authorize the Mayor to execute the contract in a form approved by the City Attorney; 2) Award a Professional Services Agreement to Vali Cooper and Associates, Inc. to provide construction management and inspection services for the Hot Spots Intersection Improvements, Rosemead Boulevard at Whittier Boulevard and Rosemead at Washington Boulevard Project (CIP No. 21278) for an amount not-to-exceed \$199,979 and authorize the Mayor to execute the Agreement in a form approved by the City Attorney; 3) Amend the Fiscal Year 2018-19 adopted budget and increase appropriations in the Measure R Fund (Account No. 207.70.7300-54500-21278) by \$446,500; and 4) Approve the Total Project Budget. Motion carries by the following roll call vote:

Agreement No. 18-1854

Agreement No. 18-1855

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

10. Final Tract Map No. 77095 – 9 Unit Townhome Development Located at 8813 Gallatin Road. (1300)

Councilmember Salcido inquired about the traffic study on this development as it pertains to calming devices. Acting City Manager Salazar stated that staff is currently working on a signing and striping design that should be completed prior to the townhomes being constructed. Councilmember Salcido stated that this addresses his concerns as long as there is a good faith effort to improve the calming devices.

Motion by Mayor Pro Tem Tercero, seconded by Councilmember Armenta to: 1) Adopt Resolution No. 6989 approving the Final Tract Map No. 77095 – 9-unit townhome development located at 8813 Gallatin Road; 2) Approve the Final Tract Map as it conforms to the requirements in the Subdivision Map Act and previously approved Tentative Tract Map No. 77095; 3) Authorize the City Engineer to sign the Final Tract

Map; and 4) Authorize the City Clerk to sign and submit the Final Tract Map for recordation with the Los Angeles County Registrar-Recorder's Office. Motion carries by the following roll call vote:

Resolution No. 6989 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE FINAL TRACT MAP NO. 77095 TO A SUBDIVISION FOR 9 RESIDENTIAL TOWNHOME UNITS ON A 21,540 SQUARE FOOT SITE LOCATED AT 8813 GALLATIN ROAD

AYES: Armenta, Salcido, Tercero, Camacho

NOES: None

REGULAR AGENDA:

City Council:

14. Official Results of November 6, 2018 General Municipal Election in the City of Pico Rivera. (300)

Motion by Mayor Pro Tem Tercero, seconded by Councilmember Armenta to: 1) Adopt Resolution No. 6990 reciting the fact of the General Municipal Election held on Tuesday, November 6, 2018, declaring the result and such other matters as provided by law; and 2) Receive and file Exhibit "A", Certificate of Canvass and Statement of Votes Cast as provided by the Los Angeles County Registrar-Recorder/County Clerk. Motion carries by the following roll call vote:

Resolution No. 6990 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON TUESDAY, NOVEMBER 6, 2018, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW

AYES: Armenta, Salcido, Tercero, Camacho

NOES: None

15. Presentations.

City Council Members thanked Councilmember Armenta for his 17 years of service and presented him with a commemorative scrapbook. Councilmember Armenta thanked his colleagues, residents, City staff, family and friends for their support and wished his colleagues and newly elected City Council Members well.

16. Administration of the Oath of Office to Newly Elected City Council Members.

Los Angeles County Superior Court Judge Lucy Armendariz administered the Oath of Office to Gustavo Camacho.

Los Angeles Superior Court Judge David Wesley administered the Oath of Office to Raul Elias.

17. City Council Reorganization.

- a. City Clerk calls for nominations for the Office of Mayor of Pico Rivera

City Clerk Jerome called for nominations for the Office of Mayor. Mayor Pro Tem Tercero was nominated by Councilmember Salcido. Noting no further names, the nomination period was closed.

Mayor Pro Tem Tercero was nominated and selected to serve as Mayor of the City of Pico Rivera pursuant to a 4-0 vote.

AYES: Elias, Camacho, Salcido, Tercero
NOES: None

Mayor Tercero presented outgoing Mayor Camacho with a commemorative plaque of pins representing the different events taken place over the course of the City's 60th Anniversary and a scrapbook commemorating his year as Mayor. Councilmember Camacho thanked his colleagues and City staff for their support and the successes of the year as well as his family and friends.

- b. Mayor calls for nominations for the Office of Mayor Pro Tempore of Pico Rivera

Mayor Tercero called for nominations for the Office of Mayor Pro Tempore. Councilmember Camacho was nominated by Councilmember Salcido. Noting no further names, the nomination period was closed.

Councilmember Camacho was nominated and selected to serve as Mayor Pro Tempore of the City of Pico Rivera pursuant to a 4-0 vote.

AYES: Elias, Camacho, Salcido, Tercero
NOES: None

- c. Comments from Mayor

Newly selected Mayor Tercero thanked his colleagues for believing in and continuing the process in the rotation of selecting the Mayor and also thanked and recognized his family and friends and those who support him in his role as Mayor. He stated that he plans to continue to move the City forward by working together, being productive, building on strength, integrity, unity and transparency as well as filling the vacancy on City Council, solidifying the leadership of the City with a City Manager and to continue with the improvements of City streets, housing, jobs and businesses.

- d. Comments from Mayor Pro Tempore

City Council Members congratulated Mayor Pro Tem Camacho for being selected as Mayor Pro Tempore.

e. Comments from City Council Members

City Council Members congratulated newly elected Councilmember Elias. Councilmember Elias expressed his gratitude and stated that as a City Council Member he will be serving his neighbors as he considers all residents to be his neighbors.

18. Appointment of Representative to the Greater Los Angeles County Vector Control District Board of Trustees. (100)

Motion by Mayor Tercero, seconded by Councilmember Salcido to appoint Councilmember Elias as a Trustee to the Greater Los Angeles County Vector Control District for a two-year term, effective January 7, 2019. Motion carries by the following roll call vote:

AYES: Elias, Camacho, Salcido, Tercero

NOES: None

19. Alternatives/Options to Fill the Vacancy Due to Former Councilmember Bob Archuleta's Election to the California State Senate. (100)

City Attorney Alvarez-Glasman provided the City Council with the options and cost for filling the City Council vacancy left by Senator Bob J. Archuleta which is that the City Council either: (1) appoint an individual to serve in the vacant Councilmember position; or (2) direct staff to prepare the necessary documents and resolutions ordering a special election to fill the vacancy. In addition, that the City Council discuss the reorganization of City Council and discuss the vacant organizational appointments.

Mayor Pro Tem Camacho and Councilmember Salcido suggested a Study Session to discuss the options for filling the vacancy.

Councilmember Elias asked if an All Mail ballot would be an option to lower the cost of the election which City Attorney Alvarez-Glasman stated that City staff could research the option with the Registrar-Recorder/County Clerk's office. No action from the City Council was required on this item at this time.

GOOD OF THE ORDER (INTERGOVERNMENTAL AGENCY MEETINGS, AB 1234 REPORTS, NEW BUSINESS, OLD BUSINESS): None

Recessed to Closed Session at 7:15 p.m.

ALL FOUR CITY COUNCIL MEMBERS WERE PRESENT

Reconvened from Closed Session at 7:42 p.m.

ALL FOUR CITY COUNCIL MEMBERS WERE PRESENT

CLOSED SESSION(S):

a. PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT

Pursuant to Government Code Section 54597

Title: City Manager

City Attorney Alvarez-Glassman stated that direction was provided to the City Attorney's office and that no final action was taken.

ADJOURNMENT:

Mayor/President Tercero adjourned the City Council meeting at 7:43 p.m. in memory of employees Tony Vega, Gloria Candelaria, El Rancho High School Football Coach Mike Sweeny and President George H. W. Bush. There being no objection it was so ordered.

AYES: Elias, Camacho, Salcido, Tercero

NOES: None

Brent A. Tercero, 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 December 11, 2018 and approved by the City Council on January 8, 2019.

Anna M. Jerome, City Clerk/Authority Secretary