



Tuesday, June 25, 2019

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

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

PRESENT: Camacho, Elias, Tercero

ABSENT: Salcido (excused)

COMMISSIONERS PRESENT:

Edgar Estrada, Planning Commission

Monica Sanchez, Parks and Recreation Commission

INVOCATION: Delivered by Councilmember Elias

PLEDGE OF ALLEGIANCE: Led by Mayor Pro Tem Camacho

SPECIAL PRESENTATION:

- Proclamation presented to Energy Upgrade California

PUBLIC HEARING(S):

City Council:

1. Public Hearing – Landscape and Lighting Assessment District No. 1. (700)

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

Mayor Tercero closed the public hearing.

Motion by Mayor Pro Tem Camacho, seconded by Councilmember Elias to: 1) Adopt Resolution No. 7017 approving the Engineer's Annual Levy Report for the Pico Rivera Landscape and Lighting Assessment District No. 1 for Fiscal Year 2019-20; and 2) Adopt Resolution No. 7018 ordering the Collection of Assessments within the Pico Rivera Landscape and Lighting Assessment District No. 1 for Fiscal Year 2019-20 pursuant to the Landscaping and Lighting Act of 1972. Motion carries by following roll call vote:

Resolution No. 7017 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2019-20 LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1

Resolution No. 7018 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ORDERING THE COLLECTION OF ASSESSMENTS WITHIN THE PICO RIVERA LANDSCAPE AND LIGHTING ASSESSMENT DISTRICT NO. 1 FISCAL YEAR 2019-20

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

2. Public Hearing – Paramount/Mines Landscape Maintenance Assessment District. (700)

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

Mayor Tercero closed the public hearing.

Motion by Mayor Pro Tem Camacho, seconded by Councilmember Elias to: 1) Adopt Resolution No. 7019 approving the Engineer's Annual Levy Report for the Paramount/Mines Landscape Maintenance Assessment District for Fiscal year 2019-20; and 2) Adopt Resolution No. 7020 confirming the Diagram and Assessment, and ordering the Levy of the Fiscal Year 2019-20 Assessment for the Paramount/Mines Landscape Maintenance Assessment District pursuant to the Landscaping and Lighting Act of 1972. Motion carries by the following roll call vote:

Resolution No. 7019 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE ENGINEER'S REPORT FOR THE FISCAL YEAR 2019-20 LEVY AND COLLECTION OF ASSESSMENTS WITHIN THE PARAMOUNT/MINES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

Resolution No. 7020 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT AND LEVYING THE FISCAL YEAR 2019-20 ASSESSMENT FOR THE PICO RIVERA PARAMOUNT/MINES LANDSCAPE MAINTENANCE ASSESSMENT DISTRICT PURSUANT TO THE LANDSCAPING AND LIGHTING ACT OF 1972

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

3. Public Hearing – Federal Section 5310 Program Application to Fund Procurement of Vehicles for City Operated Dial-A-Van Transportation Service. (700)

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

Mayor Tercero closed the public hearing.

Motion by Mayor Pro Tem Camacho, seconded by Councilmember Elias to conduct a public hearing on the Federal Section 5310 (Section 5310) Program application to certify that there are no nonprofit organizations readily available in the area to provide demand responsive Dial-A-Van (DAV) transportation services. Motion carries by the following roll call vote:

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

PUBLIC COMMENTS:

John Contreras:

- Addressed the City Council to speak in support of Item No. 7 Operating Covenant Agreement with Salsa Grill.

Lauren Talbott, Pico Rivera Community Library Manager:

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

Katherine Huerta:

- Addressed the City Council regarding Code Enforcement issues with her property and neighbor's property.

Speakers who spoke in favor of the proposed Bike Path Project on Mines Avenue:

- James Chavez
- Gabriela Gomez
- John Burton
- Jayro Queme

Speakers who are opposed to the proposed Bike Path Project on Mines Avenue:

- Lee Karr
- Martin Morones

CONSENT CALENDAR ITEMS:

City Council:

4. Minutes:

- Approved City Council meeting of June 11, 2019 and special meeting of June 15, 2019
- Received and filed Parks and Recreation meeting of May 9, 2019

5. Approved 21st Warrant Register of the 2018-2019 Fiscal Year. (700)
Check Numbers: 282666-282696; 282697-282751
Special Check Numbers: None

6. Review and Approve Investment Policy for Fiscal Year 2019-20. (700)

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

7. Operating Covenant Agreement between City of Pico Rivera and Salsa Grill Pursuant to Government Code Section 53083. (500)

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

8. Pico Rivera Regional Bikeway Project (CIP No. 21280) Federal Project No. ATPL-5351 (032) – Adoption of Mitigated Negative Declaration. (700)

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

9. Fiscal Year 2018-19 Third Quarter Treasurer’s Report, March 31, 2019. (700)

1. Received and filed the Treasurer’s Report for the quarter ending March 31, 2019 which represents balances and activity for the third quarter (January – March) of the 2018-19 fiscal year.

10. Approve Amendment No. 1 to Professional Services Agreement No. 16-1674 with GRM Information Management Services for Storage, Shredding, Imaging and Records Management Services. (500)

1. Approved Amendment No. 1 to Professional Services Agreement No. 16-1674 with GRM Information Management Services for storage, shredding, imaging and records management services in an amount not-to-exceed \$70,000 in a given fiscal year.

Agreement No. 16-1674-1

11. Approval of 2019-2024 Municipal Law Enforcement Services Agreement between City of Pico Rivera and Los Angeles County Sheriff’s Department. (500)

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

12. On-Call Traffic Engineering Services – Award Professional Services Agreements. (500)

1. Awarded a Professional Services Agreement to Willdan Engineering and Ellie Farah, Inc. to provide on-call traffic engineering services for an amount not to exceed \$180,000 for three (3) years with options to extend the agreements for two (2) additional one-year periods; and
2. Authorized the Mayor to execute the agreement in a form approved by the City Attorney.

Agreement No. 19-1891

Agreement No. 19-1892

13. Approval of Amendment No. 1 to Professional Services Agreement No. 19-1874 (Cabrera Capital Markets LLC). (500)

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

14. Approve Professional Services Agreement with Pacific Graphics, Inc. for the *Community Guide* and *The Pico Rivera Profile Printing Services*. (500)

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

15. Pico Rivera Golf Course Roof Replacement Project (CIP No. P50017) – Notice of Completion. (500)

1. Accepted the work as completed for the Pico Rivera Golf Course Roof Replacement Project (CIP No. P50017) installed by Tecta America Corporation (Tecta) and authorized the City Clerk to file the Notice of Completion with the Los Angeles County Registrar-Recorder;
2. Approved the Final Total Project Budget of \$201,240; and
3. Authorized the City Manager to release the retention payment and all other monies due to Tecta following the mandatory waiting period from the date the Notice of Completion is recorded.

16. Pico Rivera Golf Course HVAC Replacement Project (CIP No. P50016) – Notice of Completion. (500)

1. Accepted the work as completed for the Pico Rivera Golf Course HVAC Replacement Project (CIP No. P50016) installed by ABM Building Solutions (ABM) and authorized the City Clerk to file the Notice of Completion with the Los Angeles County Registrar-Recorder;
2. Approved the Final Total Project Budget of \$34,190; and
3. Authorized the City Manager to release the retention payment and all other monies due to ABM following the mandatory waiting period from the date the Notice of Completion is recorded.

Motion by Mayor Pro Tem Camacho, seconded by Councilmember Elias to approve Consent Calendar Items No. 4, 5, 9, 10, 12, 15, and 16. Motion carries by the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

6. Review and Approve Investment Policy for Fiscal Year 2019-20. (700)

At the request of Mayor Tercero, Interim Finance Director Carrazco provided a brief overview of the investment policy.

Motion by Mayor Pro Tem Camacho, seconded by Mayor Tercero to adopted Resolution No. 7021 approving the investment Policy for Fiscal Year 2019-20 that governs investments for the City of Pico Rivera and the Successor Agency. Motion carries by the following roll call vote:

Resolution No. 7021 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AND THE SUCCESSOR AGENCY TO THE DISSOLVED REDEVELOPMENT AGENCY OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE "INVESTMENT POLICY" FOR FISCAL YEAR 2019-20

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

7. Operating Covenant Agreement between City of Pico Rivera and Salsa Grill Pursuant to Government Code Section 53083. (500)

Councilmember Elias expressed his concerns with the use of the grant monies being used for a restaurant and the economic benefits as it relates to the City's Economic Development Sustainability fund.

Mayor Pro Tem Camacho elaborated on the site specific plan and how this subsidy will improve the entire El Paseo Plaza.

Mayor Tercero acknowledged Councilmember Elias' concerns pertaining to grant funds and requested that going forward, City staff create criteria requirements for businesses to meet in order to be recipients of the funds. He further stated that he supports the operating covenant agreement between the City of Pico Rivera and Salsa Grill as an additional \$750,000 investment is being leveraged by the property and restaurant owners.

Motion by Mayor Pro Tem Camacho, seconded by Mayor Tercero to: 1) Approve Resolution No. 7022 providing for an Operating Covenant Agreement between the City of Pico Rivera and Zapien's Restaurant Group, Inc., doing business as Zapien's Salsa Grill, in the amount of \$450,000 contingent upon adherence to the Operating Covenant Agreement pursuant to the authority of Government Code Section 53083; and 2) Appropriate \$450,000 in the Fiscal Year 2019-20 budget for economic development incentives (Economic Development Sustainability Fund, Account No. 255.30.3020-56920). Motion carries by the following roll call vote:

Resolution No. 7022 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING AN OPERATING COVENANT AGREEMENT BY AND BETWEEN THE CITY OF PICO RIVERA AND ZAPIEN'S RESTAURANT GROUP, INC. PURSUANT TO GOVERNMENT CODE SECTION 53803

Agreement No. 19-1889

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

8. Pico Rivera Regional Bikeway Project (CIP No. 21280) Federal Project No. ATPL-5351 (032) – Adoption of Mitigated Negative Declaration. (700)

Councilmember Elias reiterated for clarification purposes that tonight's vote is not on the design or construction of the bikeway project to which City Manager Carmona responded in the affirmative. Mayor Tercero stated that there will be additional meetings to hear the residents' comments and concerns in the upcoming weeks.

Motion by Mayor Pro Tem Camacho, seconded by Councilmember Elias to: 1) Approve a resolution to adopt the Mitigated Negative Declaration for the Pico Rivera Regional Bikeway Project (CIP No. 21280) and Mitigation Monitoring and Reporting Program prepared for this project in compliance with the California Environmental Quality Act (CEQA) requirements; and 2) Authorize the City Manager to issue payment to the Los Angeles Regional Water Quality Control Board in the amount of \$37,772 for 401 Water Quality Certification Permit fees. Motion carries by the following roll call vote:

Resolution No. 7023 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, ADOPTING THE MITIGATED NEGATIVE DECLARATION FOR THE PICO RIVERA REGIONAL BIKEWAY PROJECT (CIP NO. 21280) AND MITIGATION MONITORING AND REPORTING PROGRAM

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

11. Approval of 2019-2024 Municipal Law Enforcement Services Agreement between City of Pico Rivera and Los Angeles County Sheriff's Department. (500)

Councilmember Elias asked to meet with Captain Marquez to discuss the budget. Mayor Tercero stated for clarification purposes that the City does not negotiate the contract directly with the Sheriff's Department but that the contract is negotiated through representatives of the Contract Cities Association which represents 42 cities in the County.

Motion by Mayor Pro Tem Camacho, seconded by Councilmember Elias to approve an agreement with the Los Angeles County Sheriff's Department for law enforcement services for a five-year (5-year) period, beginning July 1, 2019 – June 30, 2024. Motion carries by the following roll call vote:

Agreement No. 19-1890

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

13. Approval of Amendment No. 1 to Professional Services Agreement No. 19-1874 (Cabrera Capital Markets LLC). (500)

Councilmember Elias addressed his concern with the contract in terms of advocacy and lobbying. City Manager Carmona stated that the firm has unique relationships with some of the elected officials which is being leveraged to the City's advantage and that the firm is not a registered lobbyist. He stated that a lobbying firm has been retained for advocating on behalf of the City. Mayor Pro Tem Camacho elaborated on the Whittier Narrows Dam project and the need to have the right relationships and team in place to advocate on behalf of the City. Councilmember Elias stated that he has concerns with the individual representing the firm who is advocating on behalf of the City.

Motion by Mayor Pro Tem Camacho, seconded by Mayor Tercero to approve Amendment No. 1 to the Professional Services Agreement with Carbera Capital Markets, LLC that would extend the term of the agreement for one (1) year (July 1, 2019 – June 30, 2020).

Agreement No. 19-1874-1

AYES: Camacho, Tercero
NOES: Elias
ABSENT: Salcido

14. Approve Professional Services Agreement with Pacific Graphics, Inc. for the *Community Guide* and *The Pico Rivera Profile* Printing Services. (500)

Mayor Tercero asked staff to clarify the discrepancy between the requested \$72,000 and the bid amount of \$52,000 for printing services. Parks and Recreation Director

Salazar stated that the additional amount of \$20,000 was added to cover additional printing requirements such as inserts and other material that may be needed. Mayor Tercero stated that going forward staff should only request the needed amount and then provide change orders when needed.

Motion by Mayor Tercero, seconded by Mayor Pro Tem Camacho to approve Professional Services Agreement to Pacific Graphics, Incorporated (PGI) in an amount not-to-exceed \$72,000 for the *Community Guide (Guide)* and *The Pico Rivera Profile (Profile)* printing services for Fiscal Year 2019-20.

Agreement No. 19-1893

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

REGULAR AGENDA:

City Council:

- 17. Adoption of Fiscal Year 2019-20 Operating Budget and Capital Improvement Program, Adoption of Gann Appropriations Limit and Approval of Updated Reserve Policies.** (700)

This item was continued to the meeting of July 9, 2019 with a budget study session to be held on July 1, 2019.

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

Councilmember Elias spoke of the structuring of a standing committee and of his attendance at a Neighborhood Watch meeting at the Golf Course in which residents addressed concerns of vagrancy, use of a fireworks application, probation center parking issues and unpermitted newsstands. Also discussed was the cap on property and sales tax with Deputy City Attorney Lam explaining their firms' findings. Mayor Tercero requested that the City Attorney's office provide information on whether property taxes could be unilaterally increased on bonds and reiterated that sales tax could not be raised as they are capped by state law.

Mayor Pro Tem Camacho mentioned that the probation center is utilizing a closed school site which has had issues with parking, speeding and non-compliance with stop signs that needs to be addressed. He also mentioned the concerted efforts on the 2020 Census and the importance of having a complete count of residents in the City in regard to future funding for the City.

Mayor Tercero asked City Manager Carmona to review a permanent standing committee structure and to provide a report to the City Council in August regarding the findings. In compliance with AB 1234, Mayor Tercero reported on his attendance at the

Gateway Cities Council of Governments Conference highlighting the topics discussed such as enhanced infrastructure, financing districts, zoning for housing, cap and trade, and water permits.

CLOSED SESSION: None

ADJOURNMENT:

Mayor Tercero adjourned the City Council meeting at 7:45 p.m. There being no objection it was so ordered.

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

Brent A. Tercero, 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 June 25, 2019 and approved by the City Council on July 9, 2019.

Anna M. Jerome, City Clerk