



Tuesday, September 10, 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, Salcido, Tercero

ABSENT: None

COMMISSIONERS PRESENT:

Mike Lay, Parks and Recreation Commission

INVOCATION: Delivered by Councilmember Elias

PLEDGE OF ALLEGIANCE: Led by Mayor Pro Tem Camacho

SPECIAL PRESENTATIONS:

- Water PFAS Monitoring Presentation

Councilmember Elias mentioned his concerns with the recent news article that stated the City's water is tainted. City Manager Carmona reiterated that the article caused concern to the residents but that the City's water meets the required State and Federal drinking water standards and that it is safe to drink.

Public Works Senior Engineer Osuna provided a brief PowerPoint presentation to address the concerns of PFAS monitoring requirements implemented by the State Water Resources Control Board (SWRCB). He explained that PFAS is a collective term for a large group of synthetic chemicals that includes perfluorooctanoate (PFOA) and perfluorooctanesulfonate (PFOS) and that the SWRCB, under AB 756, will require on and after January 1, 2020 that when the detection of these chemicals occurs at or above the notification level (NL), the water system must notify its customers of the detection. The new notification levels are 5.1 parts per trillion (ppt) and 6.5 ppt for PFOS. Test results for the Pico Rivera Water Authority (PRWA) shows detection levels above the notification levels; however, they are below the response level (RL) of 70 ppt and the Pico Water District (PWD) reported similar notification levels to the Pico Rivera Water Authority. He further explained that the water provided to the public by the PRWA and PWD currently meets and exceeds all State and Federal drinking water standards and is therefore safe to drink per California Health and Safety Code section 116681 definition (I).

Pico Water District General Manager Grajeda also spoke on behalf of the PWD water test results reiterating that the water provided to the public not only meets the State and

Federal drinking water standards, but that California has the most stringent water quality control for safe drinking water.

Mayor Tercero stated that the City has been proactive and transparent by notifying residents prior to the January 2020 timeline.

- Standing Committee Structure Presentation

City Attorney Alvarez-Glasman in collaboration with the City Manager and City Clerk's office provided a PowerPoint presentation highlighting the Goals of a Council Committee Structure, Standing Committee vs. Ad Hoc Committee, Pros and Cons and various Options. After some discussion amongst the City Council, it was decided that there is no need for establishing Standing Committees and to eliminate all existing Ad Hoc Committees. Ad Hoc Committees would be formed when needed with a defined purpose and time frame to accomplish its purpose.

Motion by Councilmember Salcido, seconded by Councilmember Elias to eliminate all current ad-hoc committees and establish committees on an as-needed basis. Motion carries by the following roll call vote:

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

PUBLIC HEARING(S):

City Council:

- 1. Public Hearing – Review Cost Recovery Study and Approve a Resolution Establishing User Fee Schedule for Adoption of New Fees. (700)**

Mayor Tercero opened the public hearing and noted that there was two (2) written communications received; one from Southern California Edison and the other from the Southern California Gas Company regarding concerns to several fee increases. There were no public comment cards to provide public testimony.

Interim Finance Director Carrazco provided a brief PowerPoint presentation on Cost Allocation/Cost Recovery Study highlighting Definitions, Personal Choice Services vs. Community Supported, Comparison to Other Cities, and Moving Forward scenarios. Mr. Carrazco stated that the focus of this presentation is on Personal Choice Services and comparisons to other cities. After some discussion amongst City Council, Mayor Tercero reiterated that the rate increases are based on recovering cost of doing business to which Interim Finance Director Carrazco confirmed.

Mayor Tercero closed the public hearing.

Motion by Councilmember Salcido, seconded by Mayor Pro Tem Camacho to adopt Resolution No. 7032 establishing a user fee schedule for adoption of new fees with the amendment of pulling the two items specific to the Southern California Edison and

Southern California Gas Company communications. Motion carries by the following roll call vote:

Resolution No. 7032 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REVISING AND ESTABLISHING USER FEES AND CHARGES FOR ALL CITY DEPARTMENTS

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

2. Public Hearing – Approve a Resolution Amending Customer Power Generation Rate Schedule for Pico Rivera Innovative Municipal Energy (PRIME) (1100)

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 Councilmember Salcido, seconded by Mayor Pro Tem Camacho to adopt Resolution No. 7033 amending the Customer Power Generation Rate Schedule for Pico Rivera Innovative Municipal Energy (PRIME). Motion carries by the following roll call vote:

Resolution No. 7033 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING THE CUSTOMER POWER GENERATION RATES FOR THE PICO RIVERA INNOVATIVE MUNICIPAL ENERGY COMMUNITY CHOICE AGGREGATION PROGRAM

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

PUBLIC COMMENTS:

Lauren Talbott, Pico Rivera Community Library Manager:

- Addressed the City Council regarding upcoming library programs and events for the month of September. Mayor Tercero asked City staff to work with library personnel into looking at bringing back the “One Book One City” program.

Jose Sanchez:

- Addressed the City Council regarding concerns with the thumping and vibrations on Rosemead Boulevard due to heavy vehicle traffic.

Jayro Queme:

- Addressed the City Council to extend an invite to all for the Community Bike Ride event taking place on Saturday, September 28, 2019.

City Council:

3. Minutes:

- Approved City Council meeting of August 27, 2019

- 4. Approved 3rd Warrant Register of the 2019-2020 Fiscal Year. (700)**
Check Numbers: 283290-283372; 283373-283431
Special Check Numbers: None

- 5. Approve California Choice Energy Authority to Enter into a Long-Term Renewable Energy Contract with 3 Phases Renewables, Inc. on Behalf of Pico Rivera Innovative Municipal Energy. (500)**

1. Approved California Choice Energy Authority (CalChoice) to enter into a long-term renewable energy contract with 3 Phases Renewables, Inc. (3 Phases) on behalf of Pico Rivera Innovative Municipal Energy (PRIME).

Agreement No. 19-1900

- 6. Approve California Choice Energy Authority to Enter into a Long-Term Renewable Energy Contract with Direct Energy Business Marketing, LLC on Behalf of Pico Rivera Innovative Municipal Energy. (500)**

1. Approved California Choice Energy Authority (CalChoice) to enter into a long-term renewable energy contract with Direct Energy Business Marketing, LLC (Direct Energy) on behalf of Pico Rivera Innovative Municipal Energy (PRIME).

Agreement No. 19-1901

- 7. Endorsement of the Pico Rivera Innovative Municipal Energy Power Content Label and Attestation. (500)**

1. Endorsed the accuracy of information presented in the Pico Rivera Innovative Municipal Energy (PRIME) 2018 Power Content Label (PCL) based on California Choice Energy Authority's (CCEA) review of the independently audited report.

- 8. Approval of a First Amendment to Consulting Services Agreement between the City of Pico Rivera and Mercury Public Affairs, LLC. (500)**

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

9. On-Call Plan Check Engineering Services – Award Professional Services Agreements. (500)

1. Awarded a Professional Services Agreement for a term of three (3) years in the total amount of \$75,000 to NV5, Inc. to provide on-call plan check engineering services;
2. Awarded a Professional Services Agreement for a term of three (3) years in the total amount of \$75,000 to Interwest Consulting Group, to provide on-call plan check engineering services; and
3. Executed the agreements in a form approved by the City Attorney.

Agreement No. 19-1903

Agreement No. 19-1904

10. National Pollutant Discharge Elimination System – Award Professional Services Agreement. (500)

1. Awarded a Professional Services Agreement for term of three (3) years in the not-to-exceed amount of \$222,030 to John L. Hunter and Associates, Inc. to provide National Pollutant Discharge Elimination System (NPDES) reporting and storm water compliance services; and
2. Executed the agreement in a form approved by the City Attorney.

Agreement No. 19-1905

11. Veterans Memorial Capital Improvements Project (CIP No. S50008) – Notice of Completion. (500)

1. Accepted the work as completed for the Veterans Memorial Improvement Project (VMIP) CIP No. S50008 constructed by ARC Construction, Inc. 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 \$683,070.

12. Pio Pico Park Improvements Project (CIP No. 21349) – Additional Funding Appropriation and Construction Change Order. (500)

1. Approved Construction Change Order in the amount of \$117,000 for Pio Pico Park Improvements, CIP No. 21349; and
2. Approved the Total Project Cost.

In regard to PRIME Items 5, 6, and 7, Mayor Tercero stated for the record that cost effective measures continue to be utilized along with obtaining true greenhouse gas free energy sources.

Motion by Councilmember Salcido, seconded by Mayor Pro Tem Camacho to approve Consent Calendar Items No. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11 and 12. Motion carries by the following roll call vote:

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

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

8. Approval of a First Amendment to Consulting Services Agreement between the City of Pico Rivera and Mercury Public Affairs, LLC. (500)

Councilmember Elias raised concerns with the service language of the agreement with Mercury Public Affairs, LLC. City Manager Carmona stated that Mercury offers government relations and deliverables and that the firm is on a retainer. He also mentioned that the agreement could be terminated at any time, but that there is a need to have Mercury continue to assist the City in having our language inserted into the fiscal budget this year to take advantage of the infrastructure bill that is moving forward in Congress. Staff has scheduled a meeting next week in Washington, D.C. to further advocate to get these funds and to draft specific language for dam mitigation services and reduce the fiscal impact to our City. He further stated that there should be some results in regard to the firm drafting language for the Army Corps of Engineers in November-December. Mayor Tercero requested that staff provide a progress report of deliverables in November to the City Council to monitor results.

Motion by Councilmember Salcido, seconded by Mayor Pro Tem Camacho to approve first amendment to Consulting Services Agreement with Mercury Public Affairs, LLC for the purposes of 1) extending the term of the agreement for one year (September 1, 2019 – August 31, 2020); 2) Add termination provisions to the agreement; and 3) incorporate costs associated with the extension of the term.

Agreement No. 19-1902

AYES: Camacho, Salcido, Tercero
NOES: Elias

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

Councilmember Elias thanked the first responders for the guided tour of their facilities and asked that they provide a presentation at a future meeting highlighting special skills, equipment, capabilities and challenges that they face. Councilmember Elias inquired about recent property tax increases and suggested that the residents be educated on the difference between parcel tax and bond taxations, and that the recent rate increases are due to the School District bonds and not the City.

Mayor Tercero stated that the Army Corps of Engineers visited the Whittier Narrows Dam recently and asked City Manager Carmona to provide a report of that visit at the next meeting.

Recessed into Closed Session at 7:45 p.m.

ALL FOUR COUNCIL MEMBERS WERE PRESENT

Reconvened from Closed Session at 8:40 p.m.

ALL FOUR COUNCIL MEMBERS WERE PRESENT

CLOSED SESSION(S):

a. CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency Designated Representatives:

City Manager Steve Carmona

Assistant City Manager Katherine Fuentes

Employee organization:

Service Employees International Union, Local 721 – Part-time Unit

City Attorney Alvarez-Glasman stated that City Council was briefed, direction was provided and no final action was taken.

b. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(4)

Two matters

City Attorney Alvarez-Glasman stated that on Matter No. 1 a proposed settlement agreement with Prime was passed on a 4-0 vote.

AYES: Camacho, Elias, Salcido, Tercero

NOES: None

On Matter No. 2 direction was given to City Attorney Alvarez-Glasman and no final action was taken.

ADJOURNMENT:

Mayor Tercero adjourned the City Council meeting at 8:42 p.m. There being no objection it was so ordered.

AYES: Camacho, Elias, Salcido, Tercero

NOES: None

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 September 10, 2019 and approved by the City Council on September 24, 2019.

Anna M. Jerome, City Clerk