



Tuesday, October 22, 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 Pro Tem Camacho called the regular meeting to order at 6:00 p.m. on behalf of the City Council.

PRESENT: Camacho, Elias, Salcido, Tercero (Mayor Tercero participated via teleconference)

ABSENT: None

COMMISSIONERS PRESENT:

Joseph Palombi, Parks and Recreation Commission

INVOCATION: Delivered by Councilmember Elias

PLEDGE OF ALLEGIANCE: Led by Girl Scout Troop 5711

SPECIAL PRESENTATIONS:

- Certificate of Recognition presented to the Media and Communications Staff – Recipients of CAPIO & 3CMA Awards
- Pico Rivera Innovative Municipal Energy (PRIME) Local Development and Sustainability Business Plan- by Kevala, Inc.

PUBLIC COMMENTS:

Katherine Huerta:

- Addressed the City Council in regard to Code Enforcement, permits, violations and City staff.

Adrian Chavez and Irene Vargas:

- Addressed the City Council to oppose AB 1239 Healthy Youth Act transparency issue with the El Rancho Unified School District curriculum for K-12.

Lauren Talbott, Pico Rivera Community Library Manager:

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

Jose Sanchez and Rose Glover:

- Addressed the City Council regarding concerns with the thumping and shock damage on Rosemead Boulevard due to street repair.

In response to speaker Sanchez' concerns, City Manager Carmona stated that City staff is considering three different options: 1) redo entire street from Mines Avenue to Gallatin Road; 2) a temporary fix; or 3) hire a geotechnical consultant. Councilmember Salcido asked that City staff provided a definitive solution and Mayor Pro Tem Camacho directed staff to provide a solution to City Council at the next City Council meeting.

City Council:

1. Minutes:

- Approved City Council meeting of October 8, 2019

2. Approved 6th Warrant Register of the 2019-2020 Fiscal Year. (700)

Check Numbers: 283630-283674; 283675-283770

Special Check Numbers: None

3. Second Reading and Adoption of Ordinance No. 1135 – Regulation of Taxicabs. (900)

1. Waived second reading and adopted Ordinance No. 1135 relating to the regulation of taxicabs for local governments required by Assembly Bill No. 1069.

Ordinance No. 1135 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, TO REPEAL AND REPLACE IN ITS ENTIRETY CHAPTER 5.70 OF TITLE 5 OF THE PICO RIVERA MUNICIPAL CODE RELATING TO REGULATION OF TAXICABS
(SECOND READING AND ADOPTION)

4. Approve Resolutions Establishing the Specifications and Monthly Salary Schedule for the Case Worker Position. (200)

1. Approved Resolution No. 7036 rescinding Resolution No. 6360 and establishing specifications for the position of Case Worker; and
2. Approved Resolution No. 7037 establishing the monthly salary schedule for the Case Worker classification.

Resolution No. 7036 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING THE POSITION CLASSIFICATION PLAN INDEX AS ADOPTED BY RESOLUTION NO. 6362 BY ADDING SPECIFICATION AND JOB DESCRIPTION FOR THE POSITION OF CASE WORKER

Resolution No. 7037 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING RESOLUTION NO. 6363 BY ADOPTING HERewith THE SALARY SCHEDULE FOR REPRESENTED NON-SUPERVISORY EMPLOYEES IN ACCORDANCE WITH THE 2017-2020 MEMORANDUM OF UNDERSTANDING

5. **Approve a Resolution to Amend the Fiscal Year 2019-20 Adopted Budget for the Recreation and Education Accelerating Children’s Hopes (REACH) Program.** (700)

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

6. **Review Modified Cost Recovery Study and Approve a Resolution Establishing User Fee Schedule for Adoption of Modified Fees.** (700)

1. Reviewed user fee schedule modified from City Council meeting September 10, 2019; and
2. Approved Resolution No. 7039 establishing the new modified user fee schedule.

Resolution No. 7039 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REVISING AND ESTABLISHING USER FEES AND CHARGES FOR ALL CITY DEPARTMENTS

7. **Fiscal Year 2019-20 California Public Employees’ Retirement System (CALPERS) Actuarial Valuation Report as of June 30, 2018.** (700)

1. Received and filed the California Public Employees’ Retirement System (CalPERS) Actuarial Valuation Report as of June 30, 2018, which represents required contributions and projected employer contributions for future fiscal years.

8. **Approve Amendment No. 1 and Exhibit B (Revised) to Contractual Services Agreement No. 19-1876 with Tanko Lighting, Inc.** (500)

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

9. **Award Maintenance Agreement for Janitorial Services.** (500)

1. Awarded a Maintenance Services Agreement to General Building Management, Co. (GBM) for janitorial services for an annual not-to-exceed amount of \$87,784, for a three (3) year term with an option to renew for an additional two (2) years; and
2. Authorized the City Manager to execute an agreement in a form approved by the City Attorney.

Agreement No. 19-1915

10. **Water Replenishment District of Southern California – Dedication Agreement.** (500)

1. Authorized the Mayor to execute an agreement with the Water Replenishment District of Southern California (WRD) for the acceptance of

an Irrevocable Offer of Dedication related to an easement for public sidewalk and parkway along San Gabriel River Parkway.

Agreement No. 19-1916

In regard to Item No. 4, Councilmember Salcido asked for clarification pertaining to new positions being brought to City Council for approval. City Manager Carmona stated that new positions would be provided in the budget for approval but also brought separately to City Council for approval of job classification and salary. Mayor Tercero stated that he would like to see language that explicitly states that all additional job positions are brought to City Council for approval and not just slipped into the budget. City Attorney Alvarez-Glasman stated that he believes that language already exists and that he will provide that documentation to City Council. He further stated that if the language does not exist, a resolution with that explicit language would be brought to City Council for approval. Pertaining to Item No. 6, Councilmember Salcido asked for clarification purposes if the user fee schedule fees are based on services to which City Manager Carmona responded in the affirmative.

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

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

CONSENT CALENDAR ITEMS PULLED FOR FURTHER DISCUSSION:

- 5. Approve a Resolution to Amend the Fiscal Year 2019-20 Adopted Budget for the Recreation and Education Accelerating Children's Hopes (REACH) Program. (700)**

Mayor Tercero asked for clarification on how these funds are spent. City Manager Carmona stated that the funds offset the minimum wage increase.

Motion by Mayor Tercero, seconded by Councilmember Salcido to approve Resolution No. 7038 to amend the Fiscal Year 2019-20 Adopted Budget for REACH Fund 690 by appropriating an additional \$95,726 to expenditure Account No. 690.80.8105 and increase revenues in Account No. 690.00.0000-4500 by \$83,728. Motion carries by the following roll call vote:

Resolution No. 7038 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AMENDING THE ADOPTED BUDGET FOR 2019-20 FISCAL YEAR BY APPROPRIATING ADDITIONAL FUNDS TO THE EXPENDITURE AND REVENUE ACCOUNTS FOR THE RECREATION AND EDUCATION ACCELERATING CHILDREN'S HOPES PROGRAM FUND 690

AYES: Camacho, Elias, Salcido, Tercero

NOES: None

8. Approve Amendment No. 1 and Exhibit B (Revised) to Contractual Services Agreement No. 19-1876 with Tanko Lighting, Inc. (500)

Mayor Tercero asked for an explanation to the change in the contract. Assistant City Manager Fuentes stated that the change is to the fixed fee for street light maintenance hourly schedule for services not included in the initial services warranty. She further stated that Tanko updated the cost schedule to lower the hourly rate and increase the fixed cost that would provide a savings in the first year outside the warranty services. Mayor Tercero asked Assistant City Manager Fuentes if the City believes this change would be a more efficient way to cut cost. Assistant City Manager Fuentes responded in the affirmative and added that the City could revert back to the original agreement if there is not a cost savings as provided for in the agreement.

Motion by Mayor Tercero, seconded by Councilmember Salcido to approve Amendment No. 1 and Exhibit B (revised) to Contractual Services Agreement No. 19-1876 with Tanko Lighting, Inc. for Ongoing Operation and Maintenance services for the City of Pico Rivera's streetlight assets. Motion carries by the following roll call vote:

Agreement No. 19-1876-1

AYES: Camacho, Elias, Salcido, Tercero

NOES: None

REGULAR AGENDA:

City Council:

11. Municipal Code Text Amendment to Repeal and Replace Chapter 9.40 – “Medical Marijuana and Cultivation” – with a New Chapter 9.40 to be Titled “Commercial Cannabis Activity Prohibition.” (1300)

City Manager Carmona provided a brief summarization of the proposed ordinances.

Motion by Councilmember Salcido, seconded by Mayor Tercero to: 1) Introduce and waive first reading of the ordinance prohibiting all commercial cannabis activities and enacting regulations regarding personal indoor cultivation; and 2) Adopt by four-fifths (4/5) vote the urgency ordinance prohibiting all commercial cannabis activities and enacting regulations regarding personal indoor cultivation. Motion carries by the following roll call vote:

Ordinance No. 1137 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REPEALING AND REPLACING CHAPTER 9.40 OF THE PICO RIVERA MUNICIPAL CODE TO BE ENTITLED “COMMERCIAL CANNABIS ACTIVITY PROHIBITION,” TO PROHIBIT ALL COMMERCIAL CANNABIS ACTIVITIES” **(FIRST READING AND INTRODUCTION)**

Ordinance No. 1136 AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, REPEALING AND REPLACING CHAPTER 9.40 OF THE PICO RIVERA MUNICIPAL CODE TO BE ENTITLED "COMMERCIAL CANNABIS ACTIVITY PROHIBITION," TO PROHIBIT ALL COMMERCIAL CANNABIS ACTIVITIES"

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

12. Establish a Community Collaborative to Explore Issues Concerning Homelessness. (900)

City Manager Carmona provided a brief explanation for establishing a Community Collaborative with the various stakeholders to explore issues concerning homelessness as taking a regional leadership role on this shared crisis.

Motion by Mayor Tercero, seconded by Councilmember Salcido to provide direction to staff on establishing a community collaborative to explore issues concerning homelessness impacting the City and its local and regional partners. Motion carries by the following roll call vote:

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

13. Water, Sewer and Storm Drain Master Plans (Project No. 50023) – Award Professional Services Agreement. (500)

City Manager Carmona explained that this plan provides the responsibilities of the County as well as the City and will help validate County infrastructure improvements and track City assets. Mayor Pro Tem Camacho asked staff to hold the County accountable to the plan.

Motion by Councilmember Salcido, seconded by Mayor Tercero to: 1) Award a Professional Services Agreement to IMEG Corporation (IMEG) to conduct updates to the City's Water, Sewer and Storm Drain Master Plans (Project No. 50023) for an amount not-to-exceed \$797,344 and execute an agreement in a form approved by the City Attorney; 2) Amend the Fiscal Year (FY) 2019-20 adopted budget by appropriating \$300,000 in Water Fund (Fund 550.70.7300.54500) \$300,000 in Measure M (Fund 208.70.7300.54500) \$51,000 in Sewer Fund (Fund 225.70.7300.54500) and \$97,344 in Sewer Fund (Fund 225.70.7300-54500) to Project No. 50023; and 3) Amend the FY 2019-20 adopted budget by appropriating an additional \$50,000 in Measure M (Fund 208) to Account No. 208.70.7300.54500-50023 for the planning, coordination and engineering staff time costs incurred toward implementing this eligible project. Motion carries by the following roll call vote:

Agreement No. 19-1917

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

14. Geographic Information System (GIS) Master Plan and Enterprise Data Management Plan (Project No. 50024) – Award Professional Services Agreement. (500)

Mayor Tercero spoke in favor of the progress and the leverage that could be utilized by the City through the use of this plan.

Motion by Mayor Tercero, seconded by Councilmember Salcido to: 1) Award a Professional Services Agreement to Geographic Technologies Group, Inc. (GTG) to develop and implement an Enterprise Geographic Information System (GIS) Master Plan and an Enterprise Data Management Plan (Project No. 50024) for an amount not-to-exceed \$98,880 and authorize the Mayor to execute an agreement in a form approved by the City Attorney; 2) Amend the Fiscal Year 2019-20 (FY) adopted budget by appropriating \$32,960 in Water Fund (Fund 550.70.7300.54500) \$32,960 in Measure M (Fund 208.70.7300.54500) and \$32,960 in General Fund (Fund 100.70.7300.54500) to Project No. 50024; and 3) Amend the FY 2019-20 adopted budget by appropriating an additional \$20,000 in Measure M (Fund 208) to Account No. 208.70.7300.54500-50024 for the planning, coordination and engineering staff time costs incurred toward implementing this eligible project. Motion carries by the following roll call vote:

Agreement No. 19-1918

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

15. Fiscal Year 2019-20 City of Pico Rivera First Quarterly Budget Report as of September 30, 2019. (700)

Interim Finance Director Carrazco provided a brief PowerPoint presentation highlighting CalPERS Valuation, Revenue, Expenditures and Vacancy Savings Rate.

Councilmember Elias inquired about the utilization of the Golf Course as an expenditure and if it makes sense to keep the operation. City Attorney Alvarez-Glasman stated that this particular topic could be discussed at a future meeting once it has been properly noticed and placed on the agenda.

Motion by Mayor Tercero, seconded by Councilmember Salcido to review and file the Quarterly Budget Report ending September 30, 2019, which represents the balances and activity for the first quarter (July – September) of the 2019-20 fiscal year. Motion carries by the following roll call vote:

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

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

Councilmember Elias commented on the Youth Workshop in which he had the opportunity to instruct an 8th grade class on economics, the Halloween Trick or Treat event having the largest amount of volunteers so far (176 volunteers majority of them being students) and suggested establishing a Volunteer Program for students as an avenue to provide community service.

In regard to Item No. 7 CalPERS Actuarial Valuation Report, Mayor Tercero commented on the continuing unfunded liability rate increases with CalPERS and suggested that City staff look into a full interest rate loan to pay-off the unfunded liabilities as some other cities are doing. City Manager Carmona stated that staff is currently looking into the pros and cons of a full interest rate loan and will bring back their findings to City Council for direction. Mayor Tercero also stated that he has scheduled a meeting with Mayor Vinatieri of Whittier to discuss a suitable site for the homeless project. He further suggested that he would like to serve on a formal panel along with one of his colleagues to discuss the homeless issues and was open to two of his colleagues, other than himself, serving on the panel as well who may have an interest.

Recessed into Closed Session at 7:50 p.m.

THREE COUNCIL MEMBERS WERE PRESENT (MAYOR TERCERO PARTICIPATED VIA TELECONFERENCE)

Reconvened from Closed Session at 8:35 p.m.

THREE COUNCIL MEMBERS WERE PRESENT (MAYOR TERCERO PARTICIPATED VIA TELECONFERENCE)

CLOSED SESSION(S):

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

One matter

City Attorney Alvarez-Glasman reported that there was no final action taken and that there was nothing further to report.

ADJOURNMENT:

Mayor Pro Tem Camacho adjourned the City Council meeting at 8:35 p.m. in memory of Richard Robledo who served as a Crossing Guard for 30 years and is a Pico Rivera resident. There being no objection it was so ordered.

AYES: Camacho, Elias, Salcido

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 October 22, 2019 and approved by the City Council on November 12, 2019.

Anna M. Jerome, City Clerk