



Monday, December 16, 2019

**ROLL CALL:**

Mayor:

Gustavo V. Camacho

Mayor Pro Tempore:

Raul Elias

Councilmembers:

Gregory Salcido

Monica Sanchez

Brent A. Tercero

Special Meeting 4:00 p.m.  
Council Chamber  
6615 Passons Blvd.

**INVOCATION:**

**PLEDGE OF ALLEGIANCE:**

**PUBLIC COMMENTS - IF YOU WOULD LIKE TO SPEAK ON THE LISTED AGENDA ITEMS, PLEASE FILL OUT A GREEN PUBLIC COMMENT REQUEST FORM AND PROVIDE IT TO THE STAFF MEMBER AT THE BACK TABLE BEFORE THE MEETING STARTS. DUE TO CIRCUMSTANCE THAT THIS IS A SPECIAL MEETING OF THE CITY COUNCIL, PUBLIC COMMENTS CAN ONLY BE RECEIVED ON THE ITEMS LISTED ON THE AGENDA.**

When you are called to speak, please come forward and state your name and city of residency for the record. You have three (3) minutes to make your remarks. In accordance with Government Code Section 54954.2, members of the City Council may only: **1)** respond briefly to statements made or questions posed by the public; **2)** ask a question for clarification; **3)** provide a reference to staff or other resources for factual information; **4)** request staff to report to the City Council at a subsequent meeting concerning any matter raised by the public; and **5)** direct staff to place a matter of business on a future agenda. City Council members cannot comment on items that are not listed on a posted agenda.

**PLEASE TURN OFF ALL PAGERS AND/OR PHONES WHILE MEETING IS IN SESSION AND PLEASE REFRAIN FROM TEXTING DURING THE MEETING**

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In compliance with the Americans with Disabilities Act of 1990, the City of Pico Rivera is committed to providing reasonable accommodations for a person with a disability. Please call the City Clerk's office at (562) 801-4389, if special accommodations are necessary and/or if information is needed in an alternative format. Special requests must be made in a reasonable amount of time in order that accommodations can be arranged (within 24 to 48 hours' notice).

City Council:

**1. Appeal of the Planning Commission's Decision to Terminate Nonconforming Structures and Use at 8615 Whittier Boulevard, Pico Rivera, California (Former Whittier Manor Apartment's).**

**Recommendation:**

1. The City Council previously conducted public hearings on this appeal. The hearing has been closed and argument has been received by both the City and the Appellant. This matter is before the City Council for review and deliberation on the appeal. The City Council may:
  - Discuss their position on the matter and provide direction to the City Attorney to prepare a ruling and findings consistent with the City Council's determination;
  - Seek from the parties further information or evidence on this matter;
  - Direct this matter back to staff for further evaluation without making a ruling or findings;
  - Continue this matter to a future date;
  - Take such further action as appropriate.

**2. Adopt a Resolution Approving the Holiday Closure of City Facilities on December 26 and 27, 2019 and January 2 and 3, 2020. (200)**

**Recommendation:**

1. Adopt a resolution approving holiday closure of City facilities on December 26 and 27, 2019 and January 2 and 3, 2020.

Resolution No. \_\_\_\_ A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING HOLIDAY CLOSURE OF CITY FACILITIES ON DECEMBER 26 AND 27, 2019 AND JANUARY 2 AND 3, 2020 FOR THE ENTIRETY OF THE FOUR CALENDAR DAYS

**ADJOURNMENT:**

**AFFIDAVIT OF POSTING**

I, Anna M. Jerome, City Clerk, for the City of Pico Rivera, DO HEREBY CERTIFY, under penalty of perjury under the laws of the State of California, that the foregoing notice was posted at the Pico Rivera City Hall bulletin board, Pico Rivera website [www.pico-rivera.org](http://www.pico-rivera.org), and the Pico Rivera Council Chamber doors which are available for the public to view on this 13<sup>th</sup>, day of December 2019.

Dated this 13<sup>th</sup>, day of December 2019

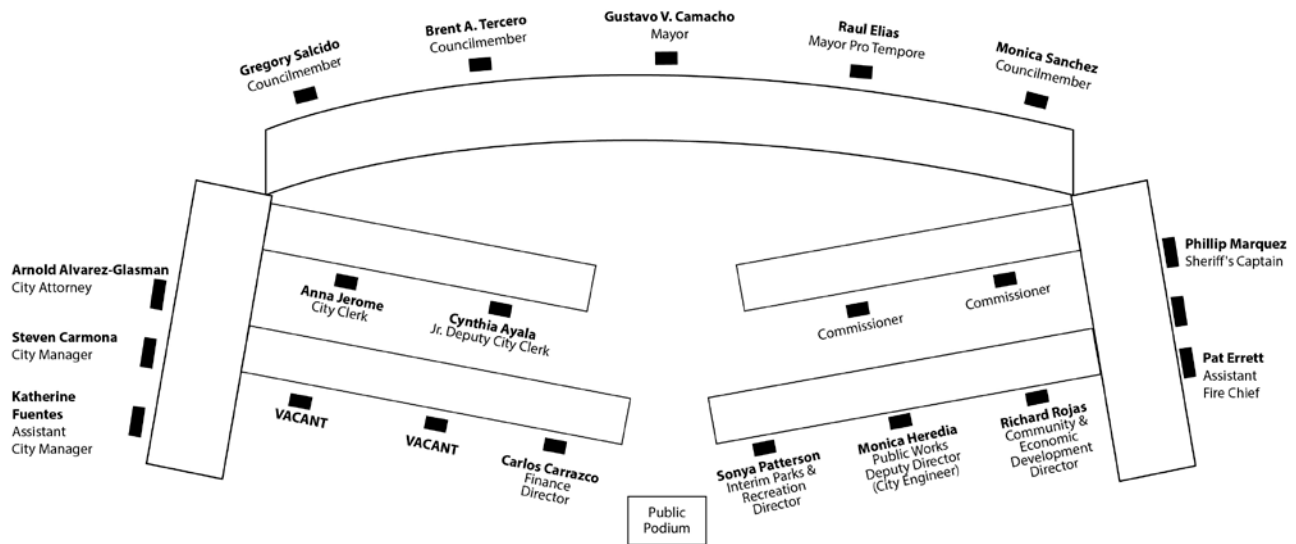


Anna M. Jerome, CMC  
City Clerk

**SB343 NOTICE**

In compliance with and pursuant to the provisions of SB343 any public writing distributed by the City Clerk to at least a majority of the City Council Members regarding any item on this regular meeting agenda will be available on the back table at the entrance of the Council Chamber at the time of the City Council meeting and at the counter of City Hall at 6615 Passons Boulevard, Pico Rivera, California during normal business hours.

## Council Meeting Seating Chart



### STATEMENT REGARDING DECORUM AT CITY COUNCIL MEETINGS

If you wish to speak at the time set aside for public comments, the City Council has established the following standards and Rules of Decorum as allowed by State law.

- Public comment is limited to those portions of the meeting referred to as Public Comments. These portions are intended for members of the public to address the City Council, Successor Agency, Housing Assistance Agency or Water Authority on matters related to agendas or any other items under the subject matter jurisdiction of the City Council or Agencies. Please fill out the desired color-coded card prior to the start of the meeting at 6:00 p.m. Once the meeting has begun, no further cards will be accepted.
- A **yellow** Public Hearing Comment Request card must be completed to speak during a Public Hearing.
- A **green** Public Comment Request – Card is for those wishing to address the Council/Agency on agenda items or any other items under the subject jurisdiction of the City Council/Agency.
- Citizens may address the Council, Successor Agency or Housing Assistance Agency once for a **maximum of three minutes**. After each speaker returns to his/her seat, the Mayor shall determine the time and manner of response, but typically if answers are available, they will be given after all speakers have had an opportunity to address the City Council.
- Members of the audience are asked to refrain from clapping or otherwise speaking from their seats. Those not meeting the standards for decorum may be escorted from the meeting.

**RULES OF DECORUM CAN BE FOUND IN THE PICO RIVERA MUNICIPAL CODE SECTION 2.08.050 AS ESTABLISHED BY ORDINANCE 783 ADOPTED ON AUGUST 20, 1990 AND AMENDED BY ORDINANCES 822 (SEPTEMBER 21, 1992) AND 1020 (MARCH 21, 2006).**



**To:** Mayor and City Council  
**From:** City Manager  
**Meeting Date:** December 16, 2019  
**Subject:** ADOPT A RESOLUTION APPROVING THE HOLIDAY CLOSURE OF CITY FACILITIES ON DECEMBER 26 AND 27, 2019 AND JANUARY 2 AND 3, 2020

**Recommendation:**

1. Adopt a resolution approving holiday closure of City facilities on December 26 and 27, 2019 and January 2 and 3, 2020.

**Fiscal Impact:**

There will be no fiscal impact related to adoption of the resolution approving closure of City facilities on the aforementioned dates.

**Discussion:**

As part of labor negotiations, management and the City's four (4) employee associations meet and confer on numerous issues. The negotiation process routinely results in comprehensive Memoranda of Understanding (MOUs) that govern compensation, benefits, holidays, leave time, and other related topics. All of the City's employee groups are currently covered by MOUs which cover the period between July 1, 2017 and June 30, 2020.

These MOUs set specific employer-provided holidays, including Memorial Day, Cesar Chavez Day, etc. City facilities are closed on these recognized holidays, and full-time employees receive holiday leave for the 11 holidays approved by the MOU. This upcoming holiday season, Christmas and New Year holidays fall on Wednesdays.

The Service Employees International Union – Local 721 Full-time (SEIU Full-Time) unit proposed management consider closing City facilities on Thursday and Friday of December 26-27, 2019 and Thursday and Friday of January 2-3, 2020 with the understanding that this would not be another officially recognized holiday. Employees would be required to take approved leave time (i.e., vacation leave) or unpaid time off for these hours not worked.

CITY COUNCIL AGENDA REPORT – MEETING OF DECEMBER 16, 2019  
ADOPT A RESOLUTION APPROVING THE HOLIDAY CLOSURE OF CITY  
FACILITIES ON DECEMBER 26 AND 27, 2019 AND JANUARY 2 AND 3, 2020  
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Management engaged in discussions with both SEIU and the Confidential Employees Association (CEA) about potentially closing City facilities on the Thursday and Friday following Christmas and New Year's Day. The groups were amenable to this and management agreed to present their proposal to the City Council. The understanding is that these are not additional, approved holidays. While offices will be closed, employees would need to utilize their own personal leave time or unpaid time off for these four (4) days.

With the City's current "4/10" schedule, allowing for City offices to be opened five (5) days per week, some employees work a Monday – Thursday schedule, while others work Tuesday – Friday. Management is amenable to allowing employees who would normally work on Fridays to "flex" their schedules – if they so choose – and work on Monday, December 23, 2019 or Monday, December 30, 2019. Allowing this "flexing" of schedules would allow those employees with a Tuesday – Friday schedule to not have to use personal leave time, while still working a forty-hour week.

Management has further consulted with their employee labor relations attorney and it is recommended a resolution be approved by the City Council officially closing City offices on the aforementioned designated days. It is in the best interest of all parties to reach an agreement on the proposed changed hours, as well as have the City Council approve the closure, to assure consensus and transparency in the process. Enclosure 2 details the proposed facility hours and closures for the Christmas and New Year holiday season.

If approved, management will work with all employees to ensure mutual understanding of the changed work hours, and emphasizing the opportunity to "flex" work schedules if desired. Proper notification will be made utilizing the various communication resources of the City to notify residents and customers of the changed operating hours, including posting on the City's website, social media outlets, and in printed media.



Steve Carmona

SC:JF

Enclosure: 1) Resolution  
2) Holiday Hours 2019-2020

**RESOLUTION NO. \_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING HOLIDAY CLOSURE OF CITY FACILITIES ON DECEMBER 26-27, 2019 AND JANUARY 2-3, 2020 FOR THE ENTIRETY OF THE FOUR CALENDAR DAYS**

**WHEREAS**, the City of Pico Rivera (“City”) is a general law city, incorporated under the laws of the State of California, who has an interest in fostering good labor relations and morale among its personnel;

**WHEREAS**, the City has already decided to close City Hall and other City facilities for the entirety of the calendar days of Wednesday, December 25, 2019 and Wednesday, January 1, 2020, given that these are recognized public holidays as memorialized in the various Memoranda of Understanding existing between the Cities’ represented employees and management;

**WHEREAS**, the City has received proposals from union representatives of represented City employees requesting that the City close City Hall and other City facilities for the entirety of the calendar days of Thursday, December 26, 2019; Friday, December 27, 2019; Thursday, January 2, 2020; and Friday, January 3, 2020;

**WHEREAS**, this proposal recommends that the City permit employees to utilize their own accrued, approved leave time, inclusive of but not limited to vacation leave, administrative leave, compensatory time, furlough hours and/or holiday hours to take these calendar days off work, based on the employees’ regular work schedule;

**WHEREAS**, this proposal would affect both represented City employees and un-represented employees, working at City Hall or other identified City facilities; and,

**WHEREAS**, the City has completed the meet and confer process with union representatives for each bargaining unit, containing City employees affected by this proposal.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pico Rivera as follows:

**SECTION 1: CLOSURE OF CITY HALL AND OTHER CITY FACILITIES.** The City shall close City Hall and other identified City facilities for the entirety of the calendar days on Thursday, December 26, 2019; Friday, December 27, 2019; Thursday, January 2, 2020; and Friday, January 3, 2020.

**SECTION 2: USE OF EMPLOYEES PESONAL ACCRUED LEAVE TIME.** This Resolution shall not be interpreted or enforced to deny affected City employees of the choice to use approved, accrued leaves of absence to cover these calendar days.

**SECTION 3: TERM.** This resolution is intended, and shall be enforced, to close City Hall and other City facilities for four specific days, Thursday, December 26, 2019; Friday, December 27, 2019; Thursday, January 2, 2020; and Friday, January 3, 2020. This resolution shall not be interpreted or enforced so as to create an expectation that

City Hall and/or other City facilities will be similarly closed in the future.

**SECTION 4: IMPLEMENTATION.** Management shall develop guidelines to implement these closure days and will distribute accordingly to all employees.

**SECTION 5:** The City Clerk shall attest and certify to the passage and adoption of this resolution, and it shall become effective immediately upon this approval.

**APPROVED AND PASSED this 16<sup>th</sup> day of December, 2019.**

\_\_\_\_\_  
Gustavo V. Camacho, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Anna M. Jerome, City Clerk

\_\_\_\_\_  
Arnold M. Alvarez-Glasman, City Attorney

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**



**City of Pico Rivera - Holiday Hours 2019/2020**

<b>Facility</b>	<b>12/26/2019</b>	<b>12/27/2019</b>	<b>1/2/2020</b>	<b>1/3/2020</b>
City Hall	Closed	Closed	Closed	Closed
City Hall - West	Closed	Closed	Closed	Closed
City Yard	Closed	Closed	Closed	Closed
Parks and Recreation Office	Closed	Closed	Closed	Closed
Senior Center	8am-2pm	8am-2pm	8am-2pm	8am-2pm
Smith Park	Closed	Closed	Closed	Closed
Rivera Park	3pm-8pm	3pm-6pm	3pm-8pm	3pm-6pm
Pico Park	3pm-8pm	3pm-6pm	3pm-8pm	3pm-6pm
Pico Park – Day Camp	7am-6pm	7am-6pm	7am-6pm	7am-6pm
Rio Hondo Park	Closed	Closed	Closed	Closed
Youth Center	2pm-8pm	2pm-6pm	2pm-8pm	2pm-6pm