



Tuesday, August 10, 2021

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 Elias called the regular meeting to order at 6:00 p.m. on behalf of the City Council and Water Authority.

PRESENT: Camacho, Lara, Lutz, Sanchez, Elias

ABSENT: None

INVOCATION: Delivered by Mayor Pro Tem Dr. Sanchez

PLEDGE OF ALLEGIANCE: Led by Councilmember Camacho

Recessed to Closed Session at 6:03 p.m.

ALL COUNCIL MEMBERS WERE PRESENT

Reconvened from Closed Session at 6:31 p.m.

ALL COUNCIL MEMBERS WERE PRESENT

CLOSED SESSION(S):

City Council:

a. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

Agency Designated Representative: Steve Carmona, City Manager

Consideration of Initiation of Litigation – One Matter

City Attorney Alvarez-Glasman reported that City Council authorized on a 5-0 vote to retain Cossich Sumich Parsiola & Taylor, LLC Attorneys at Law and further authorized the City Manager to execute the proposed legal service agreements after minor adjustments to the agreement by the City Attorney's office.

SPECIAL PRESENTATION(S):

- Certificate of Proclamation provided to Yvette Shahinian
- Certificate of Recognition provided to Pico Rivera Dons Football Head Coach, Paul Camacho
- Los Angeles County Sheriff's Department – Homeless Services Team

Deputy Ben Sahile provided an overview of the Pico Rivera Homeless Services Team including their mission, responsibilities, approaches taken, geographical factors, the challenges faced, City statistics, homeless count, working partnerships, and information sharing agency list.

City Council discussed the increase of homeless persons in areas of the City and the need for an additional resource deputy.

PUBLIC HEARING(S):

City Council:

- 1. Public Hearing – Approval of a Proposed Resolution Determining that the Public Interest and Necessity Require the Acquisition of Streetlights Owned by Southern California Edison Located Within the City of Pico Rivera by Eminent Domain.** (1100)

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

Mayor Elias continued the public hearing to August 24, 2021.

Motion by Councilmember Camacho, seconded by Mayor Pro Tem Dr. Sanchez to continue the public hearing to the next City Council meeting. Motion carries by the following roll call vote:

AYES: Camacho, Lara, Lutz, Sanchez, Elias
NOES: None

- 2. Public Hearing – Approval of a Proposed Resolution Amending Customer Power Generation Rate Schedule for Pico Rivera Innovative Municipal Energy (PRIME).** (1100)

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

Mayor Elias closed the public hearing.

Motion by Councilmember Camacho, seconded by Mayor Pro Tem Dr. Sanchez to approve Resolution No. 7144 amending the customer power generation rate schedule for Pico Rivera Innovative Municipal Energy (PRIME). Motion carries by the following roll call vote:

Resolution No. 7144 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 (PRIME) COMMUNITY CHOICE AGGREGATION PROGRAM

AYES: Camacho, Lara, Lutz, Sanchez, Elias
NOES: None

3. Public Hearing – Approval of a Proposed Resolution Authorizing the City Manager Limited Administrative Authority to Adjust Pico Rivera Innovative Municipal Energy (PRIME) Rates. (1100)

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

Mayor Elias closed the public hearing.

Motion by Councilmember Camacho, seconded by Councilmember Lutz to approve Resolution No. 7145 authorizing the City Manager to make certain limited adjustments to customer power generation rates for Pico Rivera Innovative Municipal Energy (PRIME). Motion carries by the following roll call vote:

Resolution No. 7145 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO MAKE CERTAIN LIMITED ADJUSTMENTS TO CUSTOMER POWER GENERATION RATES FOR PICO RIVERA INNOVATIVE MUNICIPAL ENERGY

AYES: Camacho, Lara, Lutz, Sanchez, Elias
NOES: None

PUBLIC COMMENTS:

Written communications were received by the following:

Jose Sanchez:

- Addressed the City Council in support of Item No. 22 Term Limits for City Council; commented on Item No. 24 American Rescue Plan funds; and commented on southbound lanes on Rosemead Boulevard regarding raised asphalt and trench botched repair.

Congresswoman Christina Garcia:

- Addressed the City Council in support of Item No. 22 term limits for City Council.

Mario Rosas:

- Addressed the City Council expressing concerns with the Beverly Boulevard and Rosemead Boulevard construction and its impact to local businesses.

CONSENT CALENDAR ITEMS:

City Council:

4. Minutes:

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

- 5. Approved 2nd Warrant Register of the 2021-2022 Fiscal Year.** (700)
Check Numbers: 287664-287689; 287690-287713; 287714-287745; 287746-287754; 287755-287755; 287756-287806
Special Check Numbers: None

- 6. Resolution Authorizing the Execution of Agreements and Acceptance of a Grant Award from the California Department of Transportation Sustainable Transportation Planning Grant Program for the Historic Whittier Boulevard Multi-Modal Revitalization Plan.** (700)

1. Approved Resolution No. 7146 authorizing the execution of agreements with the California Department of Transportation (Caltrans);
2. Accepted the Grant Award in the amount of \$332,000 from the Caltrans Sustainable Transportation Planning Grant Program for the Historic Whittier Boulevard Multi-Modal Revitalization Plan;
3. Amended the fiscal year (FY) 2021-22 Budget to appropriate \$332,000 from the Caltrans Sustainable Transportation Planning Grant Program for the Historic Whittier Boulevard Multi-Modal Revitalization Plan within the Miscellaneous State Grants (Fund 299), Account No. 699.11.1110-54500-NonCIP4687; and
4. Amended the FY 2021-2022 Budget to appropriate \$25,015 from Measure R Local Return (Fund 299), Account No. 207.20.11.1110-54500-NonCIP4687.

Resolution No. 7146 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, AUTHORIZING THE EXECUTION OF AGREEMENTS WITH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION FOR THE CITY OF PICO RIVERA HISTORIC WHITTIER BOULEVARD MULTI-MODAL REVITALIZATION PLAN

- 7. Resolution Authorizing the Applications, Acceptance of Funds and Administration for Measure A Grant Funds.** (700)

1. Approved Resolution No. 7147 authorizing the filing of applications, acceptance of funds and administration of Measure A grant funding for park, recreation, open space programs, and projects and their maintenance; and
2. Authorized the City Manager to execute all related grant documents.

Resolution No. 7147 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING THE ACCEPTANCE OF MEASURE A FUNDS FROM THE LOS ANGELES COUNTY SAFE, CLEAN NEIGHBORHOOD PARKS AND BEACHES MEASURE OF 2016

8. Approve Amendment No. 2 to Agreement No. 15-1615 to Renew the Tyler Technologies (New World Systems Software License, Maintenance and Services) Agreement for the City of Pico Rivera Financial System. (500)

1. Authorized the City Manager to execute the renewal maintenance and support agreement with Tyler Technologies, the parent company of New World Systems, Inc. for the support and maintenance of the existing City of Pico Rivera financial system, for an amount not-to-exceed \$84,000 for fiscal year 2021-22 by executing Amendment No. 2 to the original software license and service Agreement No. 15-1615, dated August 10, 2015.

Agreement No. 15-1615-2

9. Contract for Tree Maintenance Services with West Coast Arborists, Inc. (500)

1. Approved a three-year contract with two one-year renewal options with West Coast Arborists, Inc., for Tree Trimming Services as follows:
 - a. Annual trimming of trees on a three-year cycle in the amount of \$250,000 per year;
 - b. Established a contingency task budget of \$150,000 per year to utilize at the City's discretion for special tree trimming requests, tree removals or tree replacements;
2. Authorized the City Manager to execute the contract in a form approved by the City Attorney.

Agreement No. 21-2018

10. Amendment No. 2 to Tree Maintenance Services Contract with West Coast Arborists, Inc. (500)

1. Approved completion of tree trimming backlog of 470 trees; and
2. Authorized the City Manager to execute contract Amendment No. 2 to Agreement No. 19-1928 in a form approved by the City Attorney.

Agreement No. 19-1928-2

11. Pico Rivera Regional Bikeway Project (CIP No. 21280), Federal Project No. ATPL-5351 (032) – Amendment No. 3 to Professional Services Agreement No. 18-1844 with BKF Engineers. (500)

1. Authorized the City Manager to execute Amendment No. 3 to Professional Services Agreement No. 18-1844 with BKF Engineers for a fee not-to-exceed \$225,037.

Agreement No. 18-1844-3

12. Annual Sidewalk Improvement Project (CIP No. 50038) – Authorization to Advertise for Construction. (500)

1. Approved Plans, Specifications and Estimate (PS&E) for the Annual Sidewalk Improvement Project (CIP No. 50038) and authorized the City Clerk to publish the Notice Inviting Bids;
2. Approved the Notice of Exemptions (NOE) for the subject project and authorized the City Clerk to file the NOE with the County Recorder, in accordance with the California environmental Quality Act (CEQA); and
3. Approved the Total Project Budget.

13. Approve the Proposed Second Early Retirement Incentive Program Side Letters for Service Employees International Union Local 721 Full-Time Unit and Pico Rivera Mid-Managers, Professionals and Confidential Employee Association. (500)

1. Approved the proposed side letters with the City employee groups establishing a Second Early Retirement Incentive Program (ERIP II).

14. Fiscal Year 2020-2021 Fourth Quarter Treasurer’s Report, June 30, 2021. (700)

1. Received and filed the Treasurer’s Report for the quarter ending June 30, 2021, which represents balances and activities for the fourth quarter (April through June) of the 2020-21 fiscal year.

Water Authority:

15. Minutes:

- Approved Water Authority regular meeting of July 13, 2021

16. PFAS Treatment System Project (CIP No. 50042) – Amendment No. 2 to Professional Services Agreements for PFAS Pre-Filters. (500)

1. Approved Amendment No. 2 to the Professional Services Agreement No. 21-51 with Aqueous Vets to provide pre-filters and associated services for the PFAS Treatment System Project, CIP 50042, for an added not-to-exceed amount of \$28,003.50, and authorized the Executive Director to execute the agreement in a form approved by the General Counsel.

Agreement No. 21-51-2

17. PFAS Treatment System Project (CIP No. 50042) – Award Professional Services Agreement for Ion Exchange Resin for PFAS Treatment System.

(500)

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

18. PFAS Treatment System Project (CIP No. 50042) – Award Professional Services Agreement for Butterfly Valves for PFAS Treatment System. (500)

This item was continued to the City Council meeting of August 24, 2021.

19. Approve Purchase Orders with Automated Water Treatment and Ferguson Water Works for Fiscal Year 2021-22. (700)

1. Approved a purchase order in the amount of \$90,000 for the purchase of chlorine disinfection supplies from Automated Water Treatment; and
2. Approved a purchase order in the amount of \$90,000 for the purchase of Automatic Meter Reading (AMR/AMI) water meters and AMR/AMI registers from Ferguson Water Works.

Motion by Mayor Pro Tem/Vice President Dr. Sanchez, seconded by Councilmember/Commissioner Lara to approve Consent Calendar Items No. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 19. Motion carries by the following roll call vote:

AYES: Camacho, Lara, Lutz, Sanchez, Elias

NOES: None

CONSENT CALENDAR ITEMS PULLED FOR FURTHER CLARIFICATION:

City Council:

4. Minutes:

- Approve City Council regular meeting of July 13, 2021

Councilmember Lara asked to amend Item No. 7 of the minutes to reflect that Columbia Capital representative Mike Williams did not score Cabrera Capital as the number one choice for the Underwriter Selection for the Proposed Tax Allocation Refunding Bonds, Series 2021 and Pension Obligation Bonds, Series 2021 as stated in the agenda staff report.

Motion by Councilmember Lara, seconded by Councilmember Lutz to delay approval of the minutes for clarification purposes, refer the minutes back to staff to review the video of the meeting for verification and present findings to City Council at the meeting of August 24, 2021. Motion carries by the following roll call vote:

AYES: Camacho, Lara, Lutz, Elias

NOES: Sanchez

Water Authority:

17. PFAS Treatment System Project (CIP No. 50042) – Award Professional Services Agreement for Ion Exchange Resin for PFAS Treatment System.

(500)

Commissioner Lara expressed his support for the approval of this item due to the savings the residents will receive annually and stated his concerns with the manufacture DuPont as it pertains to PFAS.

Rich Nagel representative from Jacobs Engineering stated that by approving the vendor Calgon Carbon Corporation the residents will be saving approximately \$400,000 annually and that the Ion exchange resin related to the PFAS treatment system will last approximately two and a half years.

Motion by Commissioner Camacho, seconded by Commissioner Lara to award a Professional Services Agreement in the amount of \$2,494,477 to Calgon Carbon Corporation for the procurement of Ion Exchange (IX) resin for treatment of per- and polyfluoroalkyl substances (PFAS) for the PFAS Treatment System Project (CIP No. 50042) and authorize the Executive Director to execute the agreement in a form approved by the General Counsel. Motion carries by the following roll call vote:

Agreement No. 21-57

AYES: Camacho, Lara, Lutz, Sanchez, Elias

NOES: None

REGULAR AGENDA:

20. Approval of a Proposed Resolution Authorizing Participation in the Institute for Local Government's Beacon Program.

(500)

City Manager Carmona stated that by participating in the Local Government Beacon program the City will be given the opportunity to be awarded the Beacon Vanguard/Spotlight Award and thus provide the City the ability to apply for more grant funding.

Motion by Councilmember Camacho, seconded by Councilmember Lara to: 1) Approve Resolution No. 7148 supporting the City of Pico Rivera's participation in the Institute for Local Government's Beacon Program; and 2) Authorize the City Manager or his/her authorized designee to accept any recognition or honor awards granted through the program. Motion carries by the following roll call vote:

Resolution No. 7148 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PICO RIVERA, CALIFORNIA, APPROVING PARTICIPATION IN THE INSTITUTE FOR LOCAL GOVERNMENT'S RECOGNITION PROGRAM, THE BEACON PROGRAM

AYES: Camacho, Lara, Lutz, Sanchez, Elias
NOES: None

21. Discussion Item – Amend the Zoning Code to Allow for the Conversion of Garages. (1300)

Councilmember Lara requested to continue the item to a future City Council meeting for further discussion and review with staff.

Motion by Councilmember Lara, seconded by Councilmember Camacho to continue item to a future City Council meeting. Motion carries by the following roll call vote:

AYES: Camacho, Lara, Lutz, Sanchez, Elias
NOES: None

22. Term Limits for City Council. (100)

City Attorney Alvarez-Glasman stated that if the item is approved, it would require voter approval; therefore, any action would have to go through an Initiative set by City Council approval and adopted by the voters as early as November 2022. He further stated that if approved by the voters, it would be implemented prospectively and not retroactively.

City Council members considered all options before them and requested to proceed with option number one drafting an initiative and ordinance to be presented to the voters to establish term limits for members of the City Council.

Motion by Councilmember Camacho, seconded by Councilmember Lutz to proceed with option number one to draft an initiative and ordinance to be presented to the voters to establish term limits for members of the City Council. Motion carries by the following roll call vote:

AYES: Camacho, Lara, Lutz, Sanchez, Elias
NOES: None

23. Smith Park Aquatic Center Pool Project Status Update. (800)

Parks and Recreation Director Yugar provided a brief presentation on the status of the Smith Park pool renovation project including staff concerns, pool and equipment assessments, project funding and that a contractor analysis report will come before the City Council at a future meeting.

City Council discussed a monthly pool update report by the Community Services Ad Hoc, a donations policy, phase I and II of the project, community involvement, community outreach, the estimated re-opening of the pool and the City Council survey.

It was also asked if staff could reach out to the 2028 Olympics committee as a potential funding source and if staff could place a copy of the City Council survey on the dais at the next City Council meeting.

24. American Rescue Plan Act Initial Funding and Interim Reporting. (700)

Administrative Services Director Garcia provided a brief presentation overview of the guidance available and the spending perimeters for the American Rescue Plan (ARP) including the background on the ARP Act, COVID-19 City accomplishments, ARP allocations, permissible uses and restrictions, City Council priorities, unfunded needs reporting requirements, quarterly reporting, the City's General Fund five-year forecast and the City's next steps and timeline.

Council members discussed pushing the study session sooner, concerns for lack of staff resources and high grant funding deadlines, list of department priority projects, and temporary staffing.

CITY MANAGER/STAFF REPORTS:

City Manager Carmona commented on the success of the Pico Rivera Community Bike Ride and Assistant to the City Manager Hernandez provided a brief video of the event.

Human Resources Director Hudson provided a COVID-19/safety protocol update covering staff protocols, the City Council Chambers protocols, and three COVID prevention vaccine options: Status Quo, Vaccine Mandate with PCR Testing, and Vaccine Mandate as requirements for staff.

City Council discussed the three options provided and a final decision will be made in collaboration between City staff and the Health Ad Hoc Committee.

NEW BUSINESS:

Councilmember Camacho asked to agendaize an item on allocating funds for local businesses, seconded by Councilmember Lutz and a discussion item on a temporary repair for Rosemead Boulevard relating to Mr. Sanchez' concern, seconded by Mayor Elias. He also mentioned the City hosting a 5K Walk/Run event and a second Community Bike Ride event.

Councilmember Lara asked to agendaize an item on updating the Pico Rivera Municipal Code to allow the selling of fireworks beginning June 28th, seconded by Councilmember Camacho and a discussion item on a City Manager recruitment policy for the next City Council meeting, seconded by Mayor Elias. Referred mini-pitch fields at Ruben Salazar School to the Community Services Ad Hoc Committee.

Councilmember Lutz asked for staff to look into the lighting, beautification and upgrade of the City's welcome signs, seconded by Councilmember Lara; to agendaize a moratorium regarding smoke shops and tobacco policies, seconded by Mayor Pro Tem Dr. Sanchez; agendaize an item on ordinances relating to shopping carts and vacant lots for a future meeting, seconded by Councilmember Lara; and asked staff to look into a welcome home event for Cristian and Alex Roldan in conjunction with the opening of the mini-pitch fields.

Mayor Elias asked staff to agendize the Code of Ethics policy for review, seconded by Councilmember Lara; to update procedures for City Manager evaluation and process; gather a list of City funding priorities to provide to Washington D.C.; mentioned the termination of the Montebello Bus Line No. 60; and asked City Manager Carmona to meet with the Pico Rivera Sports Arena vendor to discuss the roads.

OLD BUSINESS:

Mayor Pro Tem Dr. Sanchez mentioned a meeting with the Mayor of Chapala, Mexico and an upcoming Community Services Ad Hoc meeting. Mayor Pro Tem Dr. Sanchez and Councilmember Lutz commented on the successful National Night Out event held by the Los Angeles County Sheriff's Department.

INTERGOVERNMENTAL AGENCY MEETINGS, AB 1234 REPORTS: None

ADJOURNMENT:

Mayor/President Elias adjourned the City Council meeting at 9:34 p.m. in memory of David Michael Smith, Fernando Martinez, Rebecca Salcido, Karen Lamere, Irene Beechler, Guadalupe Campillo, Rosie Garcia, and Manuel Bejarrano. There being no objection it was so ordered.

AYES: Camacho, Lara, Lutz, Sanchez, Elias

NOES: None

Raul Elias, 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/Water Authority regular meeting dated August 10, 2021 and approved by the City Council on August 24, 2021.

Anna M. Jerome, City Clerk/Authority Secretary