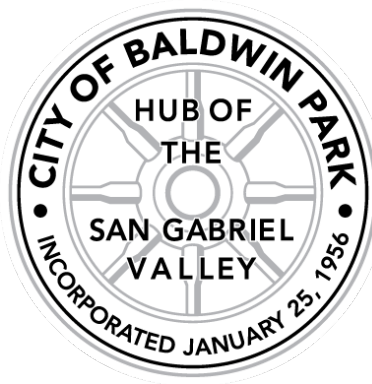


AGENDA

BALDWIN PARK CITY COUNCIL REGULAR MEETING

MARCH 20, 2019
7:00 PM

COUNCIL CHAMBER
14403 E. Pacific Avenue
Baldwin Park, CA 91706
(626) 960-4011



Manuel Lozano	-	Mayor
Monica Garcia	-	Mayor Pro Tem
Alejandra Avila	-	Council Member
Paul C. Hernandez	-	Council Member
Ricardo Pacheco	-	Council Member

PLEASE TURN OFF CELL PHONES AND PAGERS WHILE MEETING IS IN PROCESS
POR FAVOR DE APAGAR SUS TELEFONOS CELULARES Y BEEPERS DURANTE LA JUNTA

PUBLIC COMMENTS

*The public is encouraged to address the City Council or any of its Agencies listed on this agenda on any matter posted on the agenda or on any other matter within its jurisdiction. If you wish to address the City Council or any of its Agencies, you may do so during the **PUBLIC COMMUNICATIONS** period noted on the agenda. Each person is allowed three (3) minutes speaking time. A Spanish speaking interpreter is available for your convenience.*

COMENTARIOS DEL PUBLICO

*Se invita al público a dirigirse al Concilio o cualquiera otra de sus Agencias nombradas en esta agenda, para hablar sobre cualquier asunto publicado en la agenda o cualquier tema que esté bajo su jurisdicción. Si usted desea la oportunidad de dirigirse al Concilio o alguna de sus Agencias, podrá hacerlo durante el período de **Comentarios del Público (Public Communications)** anunciado en la agenda. A cada persona se le permite hablar por tres (3) minutos. Hay un intérprete para su conveniencia.*

Any written public record relating to an agenda item for an open session of a regular meeting of the City Council that is distributed to the City Council less than 72 hours prior to that meeting will be available for public inspection at City Hall in the City Clerk's office at 14403 E. Pacific Avenue, 3rd Floor during normal business hours (Monday - Thursday, 7:30 a.m. - 6:00 p.m.)

**CITY COUNCIL
REGULAR MEETING – 7:00 PM**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members: Alejandra Avila, Paul C. Hernandez, Ricardo Pacheco, Mayor Pro Tem Monica Garcia and Mayor Manuel Lozano

REPORT FROM CLOSED SESSION

ANNOUNCEMENTS

This is to announce, as required by Government Code section 54952.3, members of the City Council are also members of the Board of Directors of the Housing Authority and Finance Authority, which are concurrently convening with the City Council this evening and each Council Member is paid an additional stipend of \$30 for attending the Housing Authority meeting and \$50 for attending the Finance Authority meeting.

PROCLAMATIONS, COMMENDATIONS & PRESENTATIONS

- Proclamation Recognizing DMV Donate for Life Month
- Proclamation Recognizing March as Red Cross Month
- Certificates Recognizing Sierra Vista High School Soccer Team CIF & State Titles
- Choice Aggregation Energy Implementation Plan & Statement of Intent Presentation
- California Consulting, Inc. Presentation

PUBLIC COMMUNICATIONS

Three (3) minute speaking time limit
Tres (3) minutos será el limite para hablar

THIS IS THE TIME SET ASIDE TO ADDRESS THE CITY COUNCIL

PLEASE NOTIFY THE CITY CLERK IF YOU REQUIRE THE SERVICES OF AN INTERPRETER

No action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The legislative body or its staff may: 1) Briefly respond to statements made or questions asked by persons; or 2) Direct staff to investigate and/or schedule matters for consideration at a future meeting. [Government Code §54954.2]

ESTE ES EL PERIODO DESIGNADO PARA DIRIGIRSE AL CONCILIO

FAVOR DE NOTIFICAR A LA SECRETARIA SI REQUIERE LOS SERVICIOS DEL INTERPRETE

No se podra tome acción en algún asunto a menos que sea incluido en la agenda, o a menos que exista alguna emergencia o circunstancia especial. El cuerpo legislativo y su personal podran: 1) Responder brevemente a declaraciones o preguntas hechas por personas; o 2) Dirigir personal a investigar y/o fijar asuntos para tomar en consideración en juntas proximas. [Codigo de Gobierno §54954.2]

CONSENT CALENDAR

All items listed are considered to be routine business by the City Council and will be approved with one motion. There will be no separate discussion of these items unless a City Councilmember so requests, in which case, the item will be removed from the general order of business and considered in its normal sequence on the agenda.

1. Warrants and Demands

Staff recommends that Council ratify the attached Warrants and Demands Register.

2. Treasurer's Report – January 2019

Staff recommends that Council receive and file the Treasurer's Report for January 2019.

3. Meeting Minutes

Staff recommends that Council receive and file the following Meeting Minutes:

- A. Meeting Minutes of the Special City Council Meeting held on March 6, 2019.
- B. Meeting Minutes of the Regular City Council Meeting held on March 6, 2019.

4. Approval of Design-Build Contract with Merge Conceptual Design, LLC. for Professional Services for an Art in Public Space Project, Including Artwork, Design, Fabrication and Installation of Signs, Structures and Digital Displays

Staff recommends City Council to authorize the Mayor to execute a Design-Build Agreement with Merge Conceptual Design, LLC. to complete the design, fabrication and installation the Public Art Project, including signs and digital marquee display in the amount not-to-exceed \$616,360.

5. Accept and Authorize the Filing of a Notice of Completion – City Project No. 2018-0266 – Brooks Drive and Springs Street Reconstruction Project

It is recommended that the City Council:

- 1. Accept the construction improvements by All American Asphalt, Inc. and authorize the recordation of a Notice of Completion; and
- 2. Authorize the payment of \$13,740.61 in retention funds to All American Asphalt, Inc. upon the expiration of the 35-day notice period.

6. Award of Bids for City Project No. 2018-0273, CIP No. 19-113- Walnut Creek Nature Park Improvements Phase III

It is recommended that the City Council:

- 1. Approve and award the contract to CEM Construction Corp. of Downey, CA in the amount of \$893,010.00; and
- 2. Authorize the Mayor and City Clerk to execute the contract for Walnut Creek Nature Park (WCNP) Improvements, Phase III Project; and
- 3. Authorize the Director of Finance to appropriate \$80,000.00 from Measure M fund 255 to Account # 255-50-58100-16185.

7. Approval of Design Services Agreement (DSA) with Southern California Regional Rail Authority (SCRRA) for Rail Safety Crossing and Quiet Zone Ready Improvements at MacDevitt Street, Merced Avenue and Foster Avenue

It is recommended that the City Council:

1. Approve the Design Services Agreement with SCRRA for railroad design services for highway-rail grade crossing warning and signalization including Quiet Zone improvements at the MacDevitt Street, Merced Avenue and Foster Avenue crossings and authorize the Mayor to execute the DSA agreement in an amount not-to-exceed \$470,800; and
2. Authorize the Director of Finance to draw-down from the Measure M Revenue Bond proceeds held by U.S. Bank to cover the DSA costs; and
3. Authorize the Director of Finance to reduce the approved budget from Acct. #255-50-520-58100-15550 in the amount of \$658,252 to be re-appropriated to other projects and to make the necessary budget adjustments.

8. A Resolution of the City Council of the City of Baldwin Park Approving the Agreement and Election to Prefund Other Post-Employment Benefits (OPEB) with the California Employer's Retirement Benefit Trust Fund (CERBT) Administered through the California Public Employees Retirement System (CalPERS) and Approve the Delegation of Authority to Request Disbursements

Staff recommends that the City Council:

1. Approve the agreement with CalPERS to join the CERBT program; adopt Resolution NO. 19-006 delegating authority to request disbursements from the Trust; and authorize the execution of necessary documents with CalPERS for fund and maintain participation in the Trust; and
2. Authorize the Director of Finance to deposit up to 50% of the General Fund surplus, if any, to the CERBT account each fiscal year after the audit is completed. The amount of deposit may be adjusted year-to-year with the City Council's direction.

9. Award of Contract for the 4th of July Pyrotechnic Show with Pyro Spectacular, Inc.

It is recommended the City Council:

1. Authorize the Director of Finance to allocate funding for the event; and
2. Award contract with Pyro Spectaculars Inc., for professional pyrotechnic services; and
3. Authorize the Director or Recreation & Community Services to execute the agreement with Pyro Spectaculars, Inc.

10. Resolution Electing to Join Other Communities in LA County in Opting Out of the Requirements of the Congestion Management Program Established in 1990 by Proposition 111

Staff recommends that the City Council adopt the attached Resolution 2019-005 electing to be exempt from the Congestion Management Program (CMP) in accordance with the CMP State Statute.

11. Introduction of Ordinance No. 1439, Establishing Baldwin Park Community Choice Aggregation Program and Other Related Actions

Staff recommends that Council:

1. Introduce Ordinance No. 1439 Entitled: " AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK, CALIFORNIA, ESTABLISHING A COMMUNITY CHOICE AGGREGATION PROGRAM PURSUANT TO THE PUBLIC UTILITIES CODE"; and
2. Approve and direct staff to post the Community Choice Aggregation Bond in the amount of \$100,000 with the California Public Utilities Commission; and
3. Authorize and direct staff to enter in to a CCA Service Agreement with Southern California Edison; and
4. Approve agreement with California Choice Energy Authority for CCA Implementation Services in the amount of \$160,000; and
5. Approve a loan from the General Fund for the startup expenses related to the Baldwin Park Community Choice Aggregation program, and direct staff to prepare a promissory note for repayment over seven years fixed rate of 3%.

12. Approval of an Exclusive Franchise for Official Police Tow Service Franchisee, Royal Coaches

Staff recommends that the City Council:

1. Award an exclusive Franchise Agreement to Royal Coaches; and
2. Authorize the Mayor to execute an Amended Franchise Agreement for Official Police Tow Services with Royal Coaches Autobody and Towing approved as to form by the City Attorney.

CITY COUNCIL ACTING AS SUCCESSOR AGENCY OF THE DISSOLVED COMMUNITY DEVELOPMENT COMMISSION **CONSENT CALENDAR**

All items listed are considered to be routine business by the City Council and will be approved with one motion. There will be no separate discussion of these items unless a City Councilmember so requests, in which case, the item will be removed from the general order of business and considered in its normal sequence on the agenda.

SA-1 Successor Agency to the Dissolved Community Development Commission of the City of Baldwin Park Treasurer's Report – January 2019

Staff recommends that Council receive and file the Treasurer's Report.

SA-2 Successor Agency to the Dissolved Community Development Commission of the City of Baldwin Park Warrants and Demands

Staff recommends that the Board ratify the attached Warrants and Demands Registers.

PUBLIC HEARING

13. A Request to the City Council from the Planning Commission on an Amendment to the Development Agreement 18-03 to Grant a Manufacturing License in Order to Repackage Product for Cultivators and Manufactures of Cannabis within the IC, Industrial Commercial Zone Pursuant to Ordinance 1408. (Location: 4150 Puente Avenue; Applicant: Rukli, Inc.; Case Number: DA-18-03)

Staff recommends that the City hold a Public Hearing and Introduce for first reading, by title only, Ordinance No. 1438, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK TO ENTER INTO A DEVELOPMENT AGREEMENT WITH RUKLI INC. FOR THE DISTRIBUTION OF CANNABIS AT THE REAL PROPERTY LOCATED AT 4150 PUENTE AVENUE (APN 8437-014-014) WITHIN THE CITY OF BALDWIN PARK".

14. Public Hearing Regarding Fiscal Year 2019-2020 Community Development Block Grant (CDBG) and HOME Investment Partnership Fund (HOME) Annual Action Plan

Staff recommends the City Council conduct the public hearing and following the public hearing approve the allocations for the FY 2019-2020 CDBG public service programs by selecting one of the following options:

OPTION 1: Approve funding as recommended; or

OPTION 2: Revise allocations as the City Council deems appropriate.

REPORTS OF OFFICERS

15. Review of Commission Applicants and Consideration of Appointments/Reappointments to Fill the Scheduled Vacancies for the Housing, Planning, and Recreation Commissions

Staff recommends the City Council review all commission applications and make respective appointments and adopt Resolution No. 2019-007.

16. Approve and Adopt Resolution No. 2019-008 Entitled, “A Resolution of the City Council of the City of Baldwin Park, California, Appointing Representatives and Alternates as Official Representatives of the City”; and Review and Appoint Members to the Established Committees, as Appropriate

Staff recommends City Council rescind Resolution 2019-001 and complete the review and appointment of members to the positions of delegates and alternates of the established committees and organizations presented in Resolution No. 2019-008, entitled: “A Resolution of the City Council of the City of Baldwin Park, California, Appointing Representatives and Alternates as Official Representatives of the City”.

CITY COUNCIL / CITY CLERK / CITY TREASURER / STAFF REQUESTS & COMMUNICATIONS

Request by Councilmember Ricardo Pacheco for City Council discussion and direction to staff on the following:

- Councilmember Pacheco is requesting discussion on the needs of the community concerning affordable housing, and that direction be provided to staff to reconvene during a workshop study session with solutions to the affordable housing crisis and to further assess properties around the downtown area (specifically adjacent to and across the street from the Civic Center) as possible options and explore Fair Community Housing Initiatives.

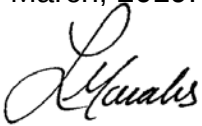
Request by Recreation staff for City Council direction on the following:

- Recreation and Community Services Director is seeking direction from the City Council on the selection to the various roles each member will assume during the State of the City Address Program.

ADJOURNMENT

CERTIFICATION

I, Lourdes Morales, Chief Deputy City Clerk of the City of Baldwin Park hereby certify that, under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 14th day of March, 2019.



Lourdes Morales,
Chief Deputy City Clerk

PLEASE NOTE: Copies of staff reports and supporting documentation pertaining to each item on this agenda are available for public viewing and inspection at City Hall, 2nd Floor Lobby Area or at the Los Angeles County Public Library in the City of Baldwin Park. For further information regarding agenda items, please contact the office of the City Clerk at (626) 960-4011 ext. 466 or via e-mail at lmorales@baldwinpark.com.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Works Department or Risk Management at (626) 960-4011. Notification 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 34.102.104 ADA TITLE II)