

# AGENDA

## BALDWIN PARK CITY COUNCIL REGULAR VIRTUAL MEETING

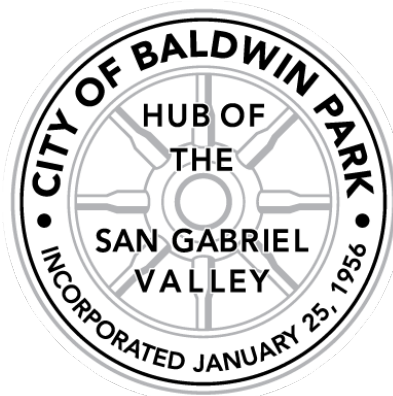
September 2, 2020  
7:00 PM

### **THE COUNCIL CHAMBER IS CLOSED TO THE PUBLIC IN ACCORDANCE WITH HEALTH OFFICIALS RECOMMENDATIONS**

In accordance with the Governor's Declarations of Emergency for the State of California (executive Orders N-25-20 and N-29-20) and the Governor's Stay at Home Order (Executive Order N-33-20), the Baldwin Park City Council Meetings are being conducted via teleconference to limit in-person attendance.

**Audio Streaming will be available at:**

[https://www.youtube.com/channel/UCFLZ0\\_dDFRjy59rhiDZ13Fg/featured?view\\_as=subscriber](https://www.youtube.com/channel/UCFLZ0_dDFRjy59rhiDZ13Fg/featured?view_as=subscriber)  
[http://baldwinpark.granicus.com/ViewPublisher.php?view\\_id=10](http://baldwinpark.granicus.com/ViewPublisher.php?view_id=10)



|                   |                  |
|-------------------|------------------|
| Manuel Lozano     | - Mayor          |
| Paul C. Hernandez | - Mayor Pro Tem  |
| Alejandra Avila   | - Council Member |
| Jean M. Ayala     | - Council Member |
| Monica Garcia     | - Council Member |

PLEASE TURN OFF ALL ELECTRONIC DEVICES DURING THE MEETING.

#### **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. In accordance with Chapter 39 of the Baldwin Park Municipal Code, Speakers must address the Council as a whole and refrain from making impertinent, slanderous, or profane remarks or disrupt the peace of the meeting.*

#### **COMENTARIOS DEL PÚBLICO**

*Se invita al público a dirigirse al Concilio o cualquier 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. De acuerdo con el capítulo 39 del Código Municipal de la Ciudad de Baldwin Park, los comentarios deben ser dirigidos al Concilio como una sola entidad, y no ser impertinentes, difamatorios, o profanos, o interrumpir la paz de la reunión.*

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

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**Council Members: Alejandra Avila, Jean M. Ayala, Monica Garcia,  
Mayor Pro Tem Paul C. Hernandez and Mayor Manuel Lozano**

**REPORT FROM CLOSED SESSION**

**ANNOUNCEMENTS**

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**

**PUBLIC COMMUNICATIONS**

*If you wish to comment, please email your name, City of residence, item number or topic and a phone number where you will be available between the hours of 7:00 PM to 8:00 PM on September 2, 2020 to [comments@baldwinpark.com](mailto:comments@baldwinpark.com). You will be contacted by a staff member and will be granted 3 (three) minutes to speak live during the meeting. In order to provide all with an equal opportunity to voice their concerns, staff needs time to compile and sort speaker cards received. As such, we respectfully request that you email your information between the posting of this agenda and 5:00 PM on September 2,, 2020. If large numbers of persons wishing to speak are gathered (a reduction of the speaking time allotted for each speaker may be announced). A one hour limit may be placed on the time for public communications so that City business can be conducted, after which time, communications can resume.*

**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. City of Baldwin Park's Warrants and Demands**

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

**2. Treasurer's Report – June 2020**

Staff recommends that Council receive and file the Treasurer's Report for June 2020.

### 3. Claim Rejection

Staff recommends that the City Council reject the following claims and direct staff to send the appropriate notice of rejection to claimant(s):

|                  |                                                                |
|------------------|----------------------------------------------------------------|
| Hemenway, Mike   | Claim for damages related to various personnel related actions |
| Findley, Raymond | Claim for damages related to various personnel related actions |
| Kuberry, Chris   | Claim for damages related to various personnel related actions |
| Gallegos, James  | Claim for damages related to various personnel related actions |
| McLean, Steve    | Claim for damages related to various personnel related actions |
| Doe, AA          | Claim for damages related to various personnel related actions |
| Dominguez, Jacob | Claimant alleges bodily injury                                 |
| Molina, Carlos   | Claimant alleges bodily injury                                 |

These government claims, and all government claims, should be considered as potential lawsuits in the future. Thus, it is requested that all City Staff, the Mayor and all Councilmembers refrain from making any statements, whether public or private in nature. It is important that no statements be made so as to not prejudice this claim in any way which can happen if public or private comments are made about this claim by City staff or Councilmembers.

### 4. Authorize the Award of Bid for City Project Nos. CIP 20-24, 20-128, and 20-160, Collectively Known as the Baldwin Park Downtown Beautification Project Including First Mile Last Mile Connections to the Baldwin Park Transit Center

It is Staff's recommendation that the City Council:

1. Approve and award the contract to PALP, Inc. DBA Excel Paving out of Long Beach, CA in the amount of \$2,705,373.80; and
2. Authorize the Director of Finance to appropriate LLMD Fund #251 in the amount of \$55,816.80 and Prop C Fund #245 in the amount of \$175,000.00 from future Local Return allocations for a total amount of \$230,816.80; and
3. Authorize the Mayor and City Clerk to execute the contract for the Baldwin Park Downtown Beautification project including First Mile Last Mile Connections to the Baldwin Park Transit Center.

**5. Approval of a Freeway Maintenance Agreement with the State of California Department of Transportation (Caltrans) Covering Maintenance of City-Side Frontage Roads Along the I-10 Freeway from the I-605 Freeway to the East City Limit**

It is recommended that the City Council approve the Freeway Maintenance Agreement (FMA) with the State of California Department of Transportation (Caltrans) and authorize the Mayor to execute the agreement.

**6. Approve Final Tract Map No. 82503 to Subdivide One (1) lot into Six (6) Lots to Facilitate the Construction of Five (5) Detached Condominium Units with One (1) Common Lot**

It is recommended that the City Council accept the Final Tract Map No. 82503 and authorize the City Clerk and staff to sign the Final Tract Map.

**7. Approve Final Parcel Map No. 1439 to Subdivide One (1) Lot into Two (2) Lots**

It is recommended that the City Council accept the Final Parcel Map No.1439 and authorize the City Clerk and Staff to sign the Final Map.

**8. Approve Memorandum of Understanding with the Los Angeles County Metropolitan Transportation Authority (LACMTA) to Receive National Transit Database Reporting Funds for Transit Services for Years 2017 and 2018**

It is recommended that the City Council approve the Memorandum of Understanding (MOU) with the Los Angeles County MTA and authorize the Mayor to execute said agreements.

**9. Accept Completed Improvements and Authorize the Filing of a Notice of Completion for City Project No. CIP 20-22 – Maine Avenue Complete Street Improvements Ph.1B between Arrow Highway and Olive Street**

Staff recommends that the City Council:

1. Accept the construction improvements by Gentry Brothers, Inc. and authorize the recordation of a Notice of Completion for City Project No. CIP 20-022; and
2. Authorize the Director of Finance to appropriate \$20,500.43 from fund 256 to Account No. 256-50-520-58100-15698 for Consultant Services cost related for federal project close-out; and
3. Authorize the release of retention funds in the amount of \$76,995.61 to Gentry Brothers, Inc. upon the expiration of 35-day notice period.

**10. Update on the State Controllers Report Action Items**

Staff recommends that the City Council receive and file this informational report.

**11. Adopt Resolution Approving the Baldwin Park Resident Owned Utility District Integrated Resource Plan**

Staff recommends that Council adopt Resolution No. 2020-043 Entitled: "RESOLUTION OF THE CITY OF BALDWIN PARK, CALIFORNIA, APPROVING THE BALDWIN PARK RESIDENT OWNED UTILITY DISTRICT INTEGRATED RESOURCE PLAN."

## **12. Business Rewards MasterCard with Bank of the West (BOW)**

It is recommended that the City Council:

1. Approve the new Business Rewards MasterCard offered by Bank of the West and close the business credit card accounts with Bank of America; and
2. Authorize the Director of Finance to complete the Business Reward MasterCard application in the amount of \$50,000. Limits on each credit card to be assigned at the discretion of the Chief Executive Officer and Director of Finance; and
3. Authorize Chief Executive Officer to sign off on the documents including the application from Bank of the West on behalf of the City.

## **13. Biennial Review of the City's Conflict of Interest Code**

Staff recommends that the City Council approve and adopt Resolution No. 2020-042 entitled, "A Resolution of the City Council of the City of Baldwin Park, Adopting the City's Conflict of Interest Code".

## **14. A Request for Consideration of a Settlement Agreement with Rukli, Inc.**

It is recommended that the City Council approve the settlement agreement, directing the City Attorney to complete it and the Mayor to execute it; and direct staff to proceed with amended Development Agreements approved as to form by the City Attorney which will allow for additional distribution permits and revenue to the City of Baldwin Park.

## **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 – June 2020**

Staff recommends that the Board receive and file the Treasurer's Report for June 2020.

## **REPORTS OF OFFICERS**

### **15. Consideration of Amendment to Ordinance No. 1447 Rent Stabilization Ordinance of the City of Baldwin Park to Clarify Certain Provisions**

Staff recommends that the City introduce for first reading, by title only, the amended Ordinance No. 1447, entitled, "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK, CALIFORNIA, ADDING CHAPTER 11, SECTION 129 TO THE BALDWIN PARK MUNICIPAL CODE".

### **16. Approve and Adopt Resolution No. 2020-041 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 City for the San Gabriel Valley Water Association, Independent Cities Lease Finance Authority, and the Foothill Transit Zone**

Staff recommends that the City Council rescind Resolution 2020-037 and complete the review and appointment of delegate and alternate to the San Gabriel Valley Water Association, Independent Cities Lease Finance Authority, and the Foothill Transit Zone in Resolution No. 2020-041, 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 & COMMUNICATION**

**Request by Council Member Garcia for discussion and consideration:**

Council Member Garcia requested letter to congress explaining how we've used the Care Act funding.

**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 27<sup>th</sup> day of August, 2020.



Lourdes Morales,  
Chief Deputy City Clerk

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](mailto: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)