

CITY COUNCIL
REGULAR MEETING

Agenda

December 21, 2022, 7:00 PM



Mayor
Mayor Pro Tem
Councilmember
Councilmember
Councilmember

Emmanuel J. Estrada
Daniel Damian
Alejandra Avila
Jean M. Ayala
Monica Garcia

Welcome to your City Council Meeting

We welcome your interest and involvement in the City's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city's website and in the Office of the City Clerk.

Please Note: Electronic devices are to be turned off while meetings are in session.

How to watch

The City of Baldwin Park provides two ways to watch a City Council meeting:

In Person



Most City Council meetings take place at City Hall, 14403 E. Pacific Ave., Baldwin Park, CA 91706

Online



Audio streaming will be available at

https://www.youtube.com/channel/UCFLZ0_dDFRjv59rhiDZ13Fq/featured?view_as=subscriber
http://baldwinpark.granicus.com/ViewPublisher.php?view_id=10

Reasonable Accommodations

Individuals with disabilities may request an agenda packet in appropriate alternative formats as required by the Americans with Disability Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Clerk's Office at (626) 960-4011.

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. Speaker cards are available at the podium and by request with the City Clerk.

Public Communication

There is a three-minute speaking time limit. 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] If you wish to comment on agenda items and are unable to physically appear in person, please email your name, place of residence, item number or topic and a phone number where you will be available between the hours of 7:00 PM during City Council Meetings to comments@baldwinpark.com.

Notice Regarding California Environmental Quality Act (CEQA) Determinations

Pursuant to CEQA, a "project" is defined as a "whole action" subject to a public agency's discretionary funding or approval that has the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. "Projects" include discretionary activity by a public agency, a private activity that receives any public funding, or activities that involve the public agency's issuance of a discretionary

approval and is not statutorily or categorically exempt from CEQA. (Pub. Res. Code § 21065.) To the extent that matters listed in this Agenda are considered "projects" under CEQA, their appropriate CEQA determination will be listed below each recommendation. If no CEQA determination is listed, it has been determined that the action does not constitute a "project" under CEQA.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT FROM CLOSED SESSION

ANNOUNCEMENTS

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

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. recommended that the City Council.
2. **Treasurer's Report – October 2022**
Staff recommends that the Board receive and file the Treasurer's Report for October 2022.
3. **Claim Rejection**
It is recommended that the City Council reject the following claims and direct staff to send the appropriate notice of rejection to claimant(s): The Claimant, Palp, In. dba Excel Paving Company and on behalf of it subcontractor California Professional Engineering, Inc., alleges breach of contract. This government claim, 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. **Codification and Implementation of Ballot Measures Approved by Voters at the November 8, 2022, General Election- Measures BP, CB, CN, RM, TL**
It is recommended that the City Council receive and file this report in as much as it is presented for information purposes only.

5. **Accept Completed Improvements and Authorize Close-Out of Project Expenditures for the Serenity Homes Family Bridge Housing Site Project, Consisting of Equipment and Material Procurements, Site Preparation and Construction Work**
It is recommended that the City Council: Approve final expenditures for materials procurement and placement for: Greenshine, Inc. for purchase of portable lighting fixtures in the amount of \$25,706.00 Montondo Trailer, LLC for procurement of trailers in the amount of \$220,000.00; and Boss Homes, LLC for procurement of shelters in the amount of \$415,294.00; and Approve contract services expenditures from: A-Co Temporary Power for installation of a light pole in the amount of \$510.00; and Am Ramp Los Angeles for installation of ADA ramps for accessibility to restrooms and ADA units in the amount of \$15,726.79; and APN Landscaping, Inc. for landscaping services in the amount of \$3,850.00; and Automation Solutions, Inc. for installation of electrical equipment, site connections and HVAC installations in the amount of \$62,080.42; and Brightview Painting Company for building painting services in the amount of \$10,300.00; and ConvergeOne for installation of the camera security surveillance system in the amount of \$27,736.97; and Greg Ruvalo for installation of fencing, site preparation services and garage upgrades in the amount of \$61,025.00; and Home Depot for material procurement for the construction of wooden deck in the amount of \$12,850.00; and On Line Engineering for land surveying services in preparation of the topographic survey map utilized for the design of the site in the amount of \$3,500.00; and Ram Construction & Fencing LLC for construction of Wooden Deck and site improvements related to ADA compliancy in the amount of \$74,844.00; and San Gabriel Valley Habitat for Humanity for construction management services for assembly of the Tiny Homes in the amount of \$4,093.65; and Sewer Pros for plumbing services involving connections to restroom building and laundry facilities and site preparation in the amount of \$25,182.00; and Sign-A-Rama for procurement and installation of a new Serenity Homes sign on the decorative fencing in the amount of \$2,267.49; and Superior Painting for decorative pavement paint services in the amount of \$15,128.00; and Authorize the Director of Finance to appropriate \$47,094.32 to Account No. 270-50-520-58100-55023 for final expenditures related to project close-out costs; and Authorize the Director of Finance to make the necessary budget adjustments and authorize the Director of Public Works to process invoices including reimbursement request made to the SGVRHT for qualified expenditures.
6. **Approve Plans and Specifications and Award of Bid for City Project No. CIP 21-199 Traffic Signal Improvements at Vineland and Merced Avenue**
It is recommended that the City Council Approve project plans and specifications for City Project #CIP 21-199; and Approve and award the contract to Elecnor Belco Electric, Inc., of Chino, CA in the amount of \$504,388; and Authorize the Director of Finance to appropriate Proposition C Fund # 245 in the amount of \$58,000.00, Fund #251 in the amount of \$65,000.00, and SB1 Fund #256 in the amount of \$181,514; and Authorize the Mayor and City Clerk to execute the contract for CIP 21-199 Traffic Signal Improvements at Vineland and Merced Avenue.
7. **Appropriation of Funds for Professional Services Supporting Street Maintenance Operations**
It is recommended that the City Council: Authorize an appropriation of funds in the amount not-to-exceed \$150,000 for Professional Services to support maintenance and operations of the Public Works Street Maintenance Division for the remainder of the current fiscal year FY2022-23; and Authorize the Director of Finance to make the necessary appropriations and budget adjustments.
8. **Approve Final Tract Map No. 83377 to subdivide one (1) lot into seven (7) lots to facilitate the construction of six (6) attached condominium townhome units with one (1) common lot**
It is recommended that the City Council accept the Final Tract Map No. 83377 and authorize the City Clerk and staff to sign the Final Tract Map.

9. **Approve Resolution No. 2022-066 of the City of Baldwin Park adopting an inventory report of excess, exempt, and non-exempt surplus land pursuant to government code section 50569.**
It is recommended that the City Council accept the Inventory Report of excess, exempt and non-exempt surplus lands, pursuant to Government Code 54221, and authorize staff to submit a report to the California State Department of Housing and Community Development pursuant to Government Code 54230(a)(1).
10. **Approval of Resolution No's. 2022-067, 2022-068, and Agreement with State of California Department of Tax and Fee Administration for Administration of City of Baldwin Park Measure BP Sales Tax (Transactions and Use Tax)**
It is recommended that the City Council take the following actions: 1. Approve Resolution No. 2022-067, a resolution of the City Council of the City of Baldwin Park, authorizing the Chief Executive Officer to execute agreements with the California Department of Tax and Fee Administration for implementation of a local transactions and use tax; and 2. Approve Resolution No. 2022-068, a resolution of the City Council of the City of Baldwin Park, authorizing officers, employees, and representatives of the City of Baldwin Park to examine confidential sales or transactions and use tax records of the Department pertaining to transactions and use taxes collected by the Department for the District pursuant to that contract; and 3. Approve the Agreement for Preparation to Administer and Operate the City of Baldwin Park's Transaction and Use Tax ordinance; and 4. Approve the Agreement for State Administration of City of Baldwin Park's Transaction and Use Tax; and 5. Authorize the Chief Executive Officer to execute the necessary documents, in a form approved by the City Attorney.
11. **Authorize the Award of Construction Contract to Stance Construction Company, for City Project No. CIP 22-040, Calino Avenue Street Improvements**
It is Staff's recommendation that the City Council: Approve and award the construction contract to Stance Construction Company of Chino, CA in the amount of \$649,726.51; and Authorize the Mayor and City Clerk to execute the contract with Stance Construction Company; and Authorize the Director of Finance to appropriate \$715,000 from the APRA fund and make necessary budget adjustment.
12. **Authorize Purchase Orders and Expenditures at The Home Depot, Inc. from Approved Fiscal Year 2022-23 Funds for Materials and Supplies in Various Maintenance and Operations Cost Centers Within the Department of Public Works**
It is recommended that the City Council: Authorize the expenditure of approved funds in the amount not-to-exceed \$35,000 for purchase of materials and supplies from The Home Depot, Inc. through June 30, 2023; and Authorize the Director of Finance to make the necessary budget transfers and adjustments; and Authorize the Public Works Director to prepare and process the necessary purchase order requisitions.
13. **Approval of Construction and Maintenance Agreement (C&M Agreement) with Southern California Regional Rail Authority (SCRRA) Covering the Rail Grade Crossing Improvements at Pacific Avenue and Bogart Avenue**
Staff recommends that City Council approve the Construction & Maintenance Agreement with SCRRA covering the cost for construction of railroad improvements on Pacific Avenue between Bogart and Downing Avenue in amount of \$3,643,508.00; and Authorize the Mayor and City Clerk to execute the agreement.

14. **Consider and Approve Amendment No. 4 to the Transit Services Agreement with Southland Transit, Inc. for Bus Operations and Maintenance Related to the City's Dial-A-Ride and Fixed Route Transit Program**
It is Staff's recommendation that the City Council: Approve Amendment No. 4 to the Transit Services Agreement with Southland Transit, Inc., and, Authorize the Mayor and City Clerk to execute the Amendment; and, Authorize payment in the prorated amount of \$157,812.76 for retroactive costs between August 18, 2022, and November 2022; and, Authorize the Director of Public Works to execute necessary documentation to allow program changes and solicit requests for qualifications prior to the expiration of the term; and, Authorize the Director of Finance to make necessary budget adjustments.
15. **Request for Authorization to Purchase eight (8) Motorola Solutions Apex 8000 P25 complaint portable radios**
It is recommended that the City Council 1. Waive the formal bidding process for this purchase; and 2. Authorize the Police Department to purchase the requested eight (8) Motorola radios and accessories; and 3. Authorize the Director of Finance to appropriate \$67,518.00 from the State Homeland Security Program Grant to account 271-30-310-58110-17215, \$3,105.27 from Federal Asset Forfeiture to account 205-30-310-58110-00000 and book the reimbursement to account 271-30-000-41312-17215; and 4. Authorize the Chief of Police, or his designee, to complete all appropriate documentation to complete the purchase.
16. **Update on New Service Provider (City Net) for the Esperanza Villa Tiny Homes Year Two (2).**
It is recommended that the City Council receive and file.

REPORTS OF OFFICERS

17. **Reorganization of the City Council – Selection of Mayor Pro Tempore**
It is recommended that the City Council complete the reorganization of the City Council and follow procedures as suggested for the selection of Mayor Pro Tempore as follows: 1. The City Clerk opens the nominations for the office of Mayor Pro Tempore. Any Councilmember may nominate and no second to the nomination is required; and 2. After receiving nominations, the City Clerk closes the nominations; and 3. The City Clerk then conducts the election of the Mayor Pro Tempore by roll call vote. If there is more than one nomination, a roll call vote is conducted in the order in which nominations are received until a Mayor Pro Tempore is elected by majority vote.
18. **Consider Approval of Professional Service Agreement with EcoTech Services, Inc. and The Home Depot, Inc. for the High Efficiency Toilet & Shower Head Replacement Program.**
It is Staff's recommendation that the City Council: Approve a Professional Service Agreement to EcoTech Services, Inc. of Azusa, CA, and The Home Depot, Inc. of Baldwin Park, CA, for the High Efficiency Toilet & Shower Head Replacement Program; and Authorize the Director of Finance Department to appropriate \$800,000 from ARPA Funds to Account # 275-50-755-58100-55026.
19. **Approval of Employment Agreement with Ana Karina Rueda for the Position of Human Resources/Risk Manager**
Staff recommends that the City Council approve the Agreement with Ana Karina Rueda for the position of Human Resources/Risk Manager and authorize the Mayor and City Clerk to execute it.
20. **Approval of Employment Agreement with Fabiola Zelaya Melicher for the Position of City Planner**
It is recommended that the City Council approve the Agreement with Fabiola Melicher for the position of City Planner and direct the Mayor and City Clerk to execute it.

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

SA 1. 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 Register.

SA 2. Treasurer's Report – October 2022

Staff recommends that the Board receive and file the Treasurer's Report for October 2022.

SA 3. APPROVAL OF THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS 23-24) FOR THE PERIOD FROM JULY 1, 2023 TO JUNE 30, 2024 AND ADMINISTRATIVE BUDGET

It is recommended that the City Council as governing body of the SA:

1. Approve the estimated ROPS 23-24 for the period of July 1, 2023 through June 30, 2024 and replace the final ROPS 23-24 once the State DOF fixes its website for the ROPS template; and,
2. Adopt the Successor Agency Administrative Budget for Fiscal Year 2023-24; and,
3. Adopt Resolution N0. 2022-020
4. Direct staff to proceed with submitting the final ROPS 23-24 to the LA County First District Consolidated Oversight Board for approval no later than January 9, 2023; and,
5. Send the approved ROPS 23-24 to the County Executive Office, County Auditor Controller, the State Controller, and DOF by February 1, 2023; and,
6. Instruct staff to post the approved ROPS 23-24 on the City's website

**CITY COUNCIL / CITY CLERK / CITY TREASURER / STAFF REQUESTS &
COMMUNICATION**

Request by Mayor Emmanuel J. Estrada

- Mayor Estrada requests a Letter of Support for the Animal Shelter sent to Supervisor Hilda Solis, and would like to request funding from the State to help build a New Shelter

ADJOURNMENT

CERTIFICATION

I, Christopher Saenz, 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 15th day of December 2022.



Christopher Saenz
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 kroman@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)