

CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200



AMENDED

NOTICE AND AGENDA FOR THE SPECIAL AND REGULAR MEETING OF THE

CITY COUNCIL

SUCCESSOR AGENCY TO THE
IRWINDALE COMMUNITY REDEVELOPMENT AGENCY

HOUSING AUTHORITY

March 27, 2024

SPECIAL MEETING – 5:30 P.M.

REGULAR MEETING – 6:30 PM

CLOSED SESSION – CONFERENCE ROOM

OPEN SESSION – CITY COUNCIL CHAMBER

ALBERT F. AMBRIZ - Mayor

LARRY G. BURROLA - Mayor Pro Tem

MARK A. BRECEDA - Councilmember

MANUEL R. GARCIA - Councilmember

H. MANUEL ORTIZ - Councilmember

Via Zoom Webinar: <https://us02web.zoom.us/j/87104592389>

In the event that a Zoom broadcast is unavailable, staff will promptly notify the public through its social media platforms. The public meeting will proceed in accordance with The Brown Act.

Listen Over Phone: 1-669-900-6833; Webinar ID: 871-0459-2389

Spontaneous Communications: The public is encouraged to address the City Council on any matter listed on the agenda or on any other matter within its jurisdiction. The City Council will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The City Council will hear public comments on matters not listed on the agenda during the Spontaneous Communications period.

Pursuant to provisions of the **Brown Act**, no action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The City Council may direct staff to investigate and/or schedule certain matters for consideration at a future City Council meeting.

Americans with Disabilities Act: In compliance with the ADA and Government Code section 54953(g), the City Council has adopted a reasonable accommodation policy to swiftly resolve accommodation requests. The policy can be found on the City's website: <https://www.irwindaleca.gov/DocumentCenter/View/8075/AB-2449-Reasonable-Accommodation-Policy>. If you need special assistance to participate in a City Council or Commission meeting or other services offered by this City, including an electronic or printed copy of the City's reasonable accommodation policy, please contact City Hall at (626) 430-2200. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

Note: Staff reports are available for inspection at the office of the Chief Deputy City Clerk, City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday).

Compensation for Board Members: Compensation for the members of the Irwindale City Council is \$750.16 a month. In accordance with Government Code Section 54952.3, Councilmembers will not receive any additional compensation or stipend for the convening of the regular meetings of the Successor Agency to the Irwindale Community Redevelopment Agency. Councilmembers will receive additional compensation of \$50/meeting, not to exceed \$150 per month, for the convening the regular meetings of the Irwindale Housing Authority and an additional compensation of \$300/meeting, not to exceed \$300/month for convening the regular meetings of the Irwindale Reclamation Authority.

Code of Ethics

As City of Irwindale Council Members, our fundamental duty is to serve the public good. We are committed to the principle of an efficient and professional local government. We will be exemplary in obeying the letter and spirit of Local, State and Federal laws and City policies affecting the operation of the government and in our private life. We will be independent and impartial in our judgment and actions.

We will work for the common good of the City of Irwindale community and not for any private or personal interest. We will endeavor to treat all people with respect and civility. We will commit to observe the highest standards of morality and integrity, and to faithfully discharge the duties of our office regardless of personal consideration. We shall refrain from abusive conduct, personal charges or verbal attacks upon the character or motives of others.

We will inform ourselves on public issues, listen attentively to public discussions before the body, and focus on the business at hand. We will base our decisions on the merit and substance of that business. We will be fair and equitable in all actions, claims or transactions. We shall not use our official position to influence government decisions in which we have a financial interest or where we have a personal relationship that could present a conflict of interest, or create a perception of a conflict of interest.

We shall not take advantage of services or opportunities for personal gain by virtue of our public office that are not available to the public in general. We shall refrain from accepting gifts, favors or promises of future benefit that might compromise our independence of judgment or action or give the appearance of being compromised.

We will behave in a manner that does not bring discredit or embarrassment to the City of Irwindale. We will be honest in thought and deed in both our personal and official lives.

Ultimate responsibility for complying with this Code of Ethics rests with the individual elected official. In addition to any other penalty as provided by law, violation of this Code of Ethics may be used as a basis for disciplinary action or censure of a Council Member.

These things we hereby pledge to do in the interest and purposes for which our government has been established.

IRWINDALE CITY COUNCIL



SPECIAL MEETING

1. CALL TO ORDER

2. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia, H. Manuel Ortiz; Mayor Pro Tem Larry G. Burrola; Mayor Albert F. Ambriz

3. AB 2449 DISCLOSURES

Remote participation by a member of the legislative body for just cause or emergency circumstances

4. SPONTANEOUS COMMUNICATIONS

Spontaneous communications are limited to the special meeting agenda items only.

5. CONSENT CALENDAR

A. General Plan Annual Progress Report
Department: Community Development

Recommendation: That the City Council receive and file the 2023 ANNUAL GENERAL PLAN PROGRESS REPORT FOR SUBMITTAL TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)"

6. RECESS TO CLOSED SESSION

A. Conference with Real Property Negotiator
Pursuant to California Government Code Section 54956.8

Property: 16124 Calle de Paseo

Agency Negotiator: Julian A. Miranda, Executive Director

Parties: Valerie R. Sanchez, Leonard B. Aguayo, and Kenneth Aguayo, each as 1/3 as tenants in common

Under Negotiation: Price and terms of payment

*Housing Authority Item

Property: 16154 Arrow Highway (APNS 8417-029-024 and 025)

Agency negotiator: Fernando Lopez, Housing Coordinator

Negotiating parties: Rudolfo A. Dominguez Trustee

Under negotiation: Price and terms of payment

Property: 16249 Arrow Highway

Negotiating Parties: Marta McBride and Julian A. Miranda, City Manager

Under Negotiation: Price and terms of payment

B. Conference with Labor Negotiator

Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: Julian A. Miranda, City Manager; Adrian Guerra, Legal Counsel; Mary Hull, Human Resources Manager

Employee Organizations: IMEA, ICEA, IPOA, and Unrepresented Employees

C. Conference with Legal Counsel - Existing Litigation

Pursuant to Government Code Sections 54954.5(c), 54956.9(d)(1)

Name of Case: Five Points, LP vs. City of Irwindale

Case Number: 22STCV01394

7. RECONVENE IN OPEN SESSION

8. REPORT FROM CLOSED SESSION

9. ADJOURNMENT

****Amended on Tuesday, March 26, 2024 at 4:55 p.m. to add Consent Calendar Item No. 5A***

REGULAR MEETING

10. CALL TO ORDER

11. PLEDGE OF ALLEGIANCE

12. INVOCATION

13. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia, H. Manuel Ortiz; Mayor Pro Tem Larry G. Burrola Mayor Albert F. Ambriz

14. AB 2449 DISCLOSURES

Remote participation by a member of the legislative body for just cause or emergency circumstances

15. CHANGES TO THE AGENDA

16. COUNCIL MEMBER TRAVEL REPORTS

17. COUNCILMEMBER COMMENTS

18. INTRODUCTION OF NEW EMPLOYEES/PROMOTIONS

19. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS

- A. Irwindale Chamber of Commerce Business of the Month - Bonilla Partners
- B. Presentation from Valley County Water District General Manager, Jose Martinez, regarding Monthly Billing and the Water Supply
- C. Proclamation - Red Cross Month

20. CONSENT CALENDAR

- A. Joint City Council / Housing Authority Minutes of the Meeting Held March 4, 2024

Department: City Clerk

Recommendation: Approve

- B. Warrants / Demands / Payroll

Department: Finance

Recommendation: Approve

- C. Approve an Increase in Compensation and Related Change Order to Mobile Modular for the Temporary Lease of Two 24'X40' Offices

Department: Administration

Recommendation: That the City Council of the City of Irwindale Adopt Resolution No. 2024-22-3499 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN INCREASE IN COMPENSATION AND RELATED CHANGE ORDER FOR MOBILE MODULAR FOR THE TEMPORARY LEASE OF TWO 24'X40' OFFICES AND AUTHORIZING THE ASSISTANT CITY MANAGER TO EXECUTE A LEASE AGREEMENT TO REFLECT SAME."

- D. Housing Element Annual Progress Report

Department: Community Development

Recommendation: That the City Council adopt Resolution No. 2024-21-3498 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA RECEIVING AND APPROVING THE ANNUAL HOUSING ELEMENT PROGRESS REPORT AND AUTHORIZING STAFF TO SUBMIT THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR THE 2023 CALENDAR YEAR TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)"

21. SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience speak on items not on this agenda that are within the City Council's subject matter jurisdiction. State law prohibits any Council discussion or action on such communications unless 1) the Council by majority vote finds that a catastrophe or emergency exists; or 2) the Council by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Council cannot participate (except as stated), it is requested that all such communications be made in writing to be included on the next agenda for full discussion and action

All members of the public are asked to observe the City's Rules of Procedure and Public Meeting Decorum. The City's Rules of Procedure and Public Meeting Decorum can be found on the City's website, and Chapter 2.40 of the Irwindale Municipal Code. You may also contact the City Clerk's Office for copies.

Each speaker will be limited to 3 minutes unless such time limits are extended. If a member of the public wishes to donate their time to another speaker, both persons must be physically present and in attendance of the meeting. The Presiding Officer may, in his or her discretion, extend the 3-minute time limitation for the particular subject for all speakers. Organized groups of persons wishing to address the Council on the same subject should select a spokesperson to represent the group, so as to avoid unnecessary repetition. In no event shall the total amount of speaking time for exceed 6 minutes per person for the subject under discussion.

The Council may regulate a speaker who is speaking too long or out of order, being unduly repetitious, discussing irrelevancies, or extending to items not within its subject matter jurisdiction. Please be reminded that discrimination, abusive use of profanity, unruly disruption, and violent or physically threatening conduct is discouraged. Members of the public shall not disrupt the orderly conduct of the meeting. The Presiding Officer will request that a person cease any disruptive conduct, and if not immediately stopped, will direct the person to be removed from the meeting.

Public Comments will be heard in the following order:

1: In-person attendees

2: Teleconference attendees

3: In-person and teleconference attendees who have not previously provided comments on the matter(s) being discussed by the legislative body

22. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

- A. AB 481 Compliance Agenda Report and Ordinance
Department: Police

Recommendation: Adopt by title only, waiving further reading "URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AND ADOPTING INVENTORY UPDATES OF MILITARY EQUIPMENT POLICY AS PART OF THE IRWINDALE POLICE DEPARTMENT POLICY MANUAL IN COMPLIANCE WITH ASSEMBLY BILL 481"

- B. Verbal Update on Irwindale Park Improvements Projects, Phases IV and V
Department: Engineering

23. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

24. CITY MANAGER'S REPORT

25. FUTURE AGENDA ITEMS REQUESTED BY COUNCIL MEMBERS

At this time, the City Council will deliberate and discuss whether these items should be placed on a future agenda. In order for any listed item to be placed on a future agenda for substantive discussion or action, the City Council must act by formal motion to direct the City Manager to place the item on a future agenda.

- A. Request by Mayor Pro Tem Burrola regarding deposits and refunds for City field trips

Department: City Clerk

Recommendation: Discuss

- B. Request by Mayor Pro Tem Burrola related to the block wall at 5138 Irwindale Avenue

Department: City Clerk

Recommendation: Discuss

- C. Request by Mayor Pro Tem Burrola related to block walls; M-1 Zone

Department: City Clerk

Recommendation: Discuss

26. ADJOURN

SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY
REDEVELOPMENT AGENCY

27. AB 2449 DISCLOSURES

Remote participation by a member of the legislative body for just cause or emergency circumstances

28. CONSENT CALENDAR

- A. Warrants / Demands / Payroll

Department: Finance

Recommendation: Approve

29. SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. Spontaneous Communications for the Successor Agency are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

30. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

31. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

32. ADJOURN

HOUSING AUTHORITY

33. AB 2449 DISCLOSURES

Remote participation by a member of the legislative body for just cause or emergency circumstances

34. CONSENT CALENDAR

A. Joint City Council / Housing Authority Minutes of the Meeting Held March 4, 2024

Department: City Clerk

Recommendation: Approve

35. SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda.

Spontaneous Communications for the Housing Authority are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

36. NEW BUSINESS

At this time, members of the audience may ask to be heard regarding an item on New Business.

37. PUBLIC HEARINGS

At this time, members of the audience may ask to be heard regarding an item on Public Hearings.

38. ADJOURN

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused the agenda for the regular meeting of the City Council, Irwindale Successor Agency to the Irwindale Community Redevelopment Agency and Housing Authority, to be held on March 27, 2024, be posted at the City Hall, Library, and Post Office on March 21, 2024.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Item #5.A.

City of
IRWINDALE
AGENDA REPORT

Date: March 27, 2024
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: General Plan Annual Progress Report

City Manager's Recommendation:

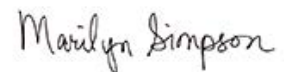
That the City Council receive and file the 2023 ANNUAL GENERAL PLAN PROGRESS REPORT FOR SUBMITTAL TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)"

Administrative Action:

Submitted

by:

Marilyn Simpson, Community Development Director



Reviewed by:

Adrian R. Guerra, City Attorney

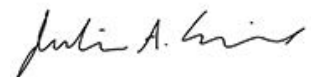


Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

Starting in 2019, State law requires the City to submit a General Plan Annual Progress Report (APR), pursuant to Government Code Section §65400, that Charter and General Law cities submit an Annual Progress Report (APR) on the status of the General Plan, and the progress of its implementation, to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) by April 1 of each year. The purpose of the report is to provide information to help citizens and City officials gauge progress towards achieving the City's stated goals

and objectives.

California State law requires each city and county to adopt a comprehensive, long-term general plan to guide the physical development of the incorporated city. A General Plan is the foundation for local land use planning and provides a vision for a jurisdiction's foreseeable planning period. The general plan translates the community's long-range vision into goals, objectives, and policies for the future distribution of land uses, both public and private. In essence, a city's General Plan serves as the blueprint for future growth and development. As a blueprint for the future, the plan must contain policies and programs designed to provide decision makers for land use related decisions. The General Plan policies govern all city council, planning commission, and administrative decisions regarding zoning, subdivisions, and land use decisions.

This APR satisfies that requirement by providing an overview of the Irwindale General Plan implementation in calendar year 2023. Information regarding City-wide plans and projects are provided in the APR, including the Non-Motorized Active Transportation Plan and Design Guidelines that implements the City's Infrastructure Element and the Comprehensive Zoning Code Update which will implement the City's General Plan and Housing Element policies and programs, as well as facilitate development in accordance with the Community Development Element that guides land use development. The APR also includes information on the adopted specific plans, each of which implement the goals and objectives of the Irwindale General Plan. Each specific plan individually addresses policies related to safety, noise, resource management, and economic development.

The APR also provides a snapshot of the adoption and/or update of each General Plan element. Staff has retained the consultant services of Environmental Science Associates (ESA) to update the Housing Element, Safety Element, and create the new Environmental Justice Element. All other elements will be modified as needed to be consistent with these updated elements. The 2023 Housing Element Annual Progress is being prepared separately, but information regarding the 6th Cycle Regional Housing Needs Allocation (RHNA) has been included for reference in the document.

Staff recommends that the City Council receive and file the 2023 General Plan Annual Progress Report for submittal to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

Fiscal Impact:

There is no fiscal impact associated with this action.

Attachments:

1. 2023 General Plan Annual Progress Report



Community Development Department
5050 N. Irwindale Avenue
Irwindale, CA 91706
626-430-2208

2023 General Plan Annual Progress Report

City of Irwindale

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Introduction

Starting in 2019, State law requires the City to submit a General Plan Annual Progress Report (APR), pursuant to Government Code Section §65400, that Charter and General Law cities submit an Annual Progress Report (APR) on the status of the General Plan, and the progress of its implementation, to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) by April 1 of each year. Irwindale is a Charter city. The purpose of the report is to provide information to help citizens and City officials gauge progress towards achieving the City's stated goals and objectives.

California State law requires each city and county to adopt a comprehensive, long-term General Plan to guide the physical development of the incorporated city and any land outside of the city boundaries that bears a relationship to its planning activities. A General Plan is the foundation for local land use planning and provides a vision for a jurisdiction's foreseeable planning period. The General Plan translates the community's long-range vision into goals, objectives, and policies for the future distribution of land uses, both public and private. In essence, a city's General Plan serves as the blueprint for future growth and development. As a blueprint for the future, the plan must contain policies and programs designed to provide decision makers for land use related decisions. The General Plan is the official statement of policies governing all City Council, Planning Commission, and administrative decisions regarding zoning, subdivisions, and land use decisions.

This APR satisfies that requirement by providing an overview of the Irwindale General Plan implementation in calendar year 2023. The 2023 Housing Element Annual Progress is being prepared separately.

Background

State law requires that the City's General Plan contain seven elements: Land Use, Circulation, Housing, Safety, Noise, Conservation, and Open Space. State law also allows the City to adopt any additional elements that the City deems necessary. The City Irwindale has adopted a General Plan to provide for comprehensive, long-range policy guidelines for future development that is tailored to the City's vision and complies with State regulations.

The Irwindale General Plan, adopted in 2008, consists of an integrated and internally consistent set of policies and programs that address the seven issue areas that the State requires local General Plans to consider: land use, circulation, housing, noise, safety, conservation, and open space. In addition, the General Plan addresses other issues of concern to the community, including economic development, urban design, and recreation. The Irwindale General Plan consists of six elements that comply with the requirements of California Government Code Section 65300, et. seq.

The elements that comprise the City of Irwindale General Plan include the following:

- The *Community Development Element* designates the general distribution and intensity of land use and development contemplated within the land area governed by the General Plan. This element complies with the State requirements for a land use element. The scope of the element has also been expanded to include issues related to urban design and economic development.
- The *Housing Element* details plans and programs for the rehabilitation of existing housing, and the development of new housing to accommodate future demand.
- The *Infrastructure Element* identifies the location and extent of existing and proposed streets and roadways, intersection improvements, public transit facilities, railroads, transportation terminals, and other transportation facilities. This element complies with the State requirements for a Circulation Element.
- The *Resource Management Element* indicates the City's policies concerning the conservation and preservation of important natural and man-made resources. This element complies with the State requirements for a conservation element and an open space element. The scope of this element has also been expanded to consider issues related to mining and parks and recreation.
- The *Public Safety Element* identifies the City's policy relative to the reduction and mitigation of natural and man-made hazards as a means to improve the safety of its

citizens. This element complies with the state requirements for both a noise element and a safety element.

- The *Implementation Element* details the programs that will be effective in ensuring that the policies and plans contained in the City of Irwindale General Plan become reality.

The General Plan will guide the City's development as the 21st century progresses; a century that promises both new opportunities as well as unforeseen challenges.

- The City is now recognized as an important center of commerce and industry in the San Gabriel Valley.
- The City's history and development patterns have been shaped, in large measure, by the numerous quarries that have historically operated in the City. The primary issue that is addressed in this General Plan is how these areas will be used in the coming decades.
- This General Plan establishes patterns of land use and development that promotes the maintenance of the established residential neighborhoods, while at the same time, accommodating future growth.

Community Development Department Efforts

Community Development Policies: The focus is on the following three major issue areas:

- The City's commitment to comprehensive land use planning;
- The City's commitment in continuing its pursuit of economic development; and,
- The City's continued commitment in promoting quality urban design as a means to make Irwindale a more desirable place to live, work, and invest.

City-wide Plans/Projects:

Non-Motorized Active Transportation Plan and Design Guidelines (Plan)

- Adopted May 2021. The Plan advances Irwindale's vision for a network of walkable neighborhoods and a safe, sustainable, well-maintained circulation system as outlined in the City's General Plan Infrastructure Element that serves as the Circulation Element and other adopted area plans.
- Primary criteria developed for pedestrian and bicycle recommendations include:
 - Provides direct access to key destinations in Irwindale
 - Implements recommendations in adjacent and/or regional pedestrian and bicycle plans
 - Improves safety and access for all
 - Incorporates multi-modal infrastructure in growth areas
 - Connects to regional infrastructure (bicycle criteria only)
 - Connects to bikeways in adjacent jurisdictions (bicycle criteria only)
 - Incorporating best practices in engineering design
 - Expediting the implementation and evaluation of projects to continue to improve the quality and safety of non-motorized infrastructure in Irwindale

Comprehensive Zoning Code Update

- The project consists of a proposed comprehensive update to Title 17, Zoning, of the Irwindale Municipal Code to eliminate constraints to the maintenance, improvement, and development of housing pursuant to Government Code Section 65583(c)(3); implement the City's General Plan and Housing Element policies and programs; incorporate changes to State law and reflect recent case law; better define land uses, regulations, exceptions, and improve usability of the Zoning Code; address zoning districts in accordance with the General Plan Land Use

Element; facilitate development and redevelopment; and remedy imperfect code amendments and map errors.

2023 Development Projects:

Development Agreement No. 01-2022

- A Development Agreement between KBS Holdco LLC and the City of Irwindale for the digital conversion of an existing static billboard at the intersections of the I-210 freeway and the I-605 freeway. The Agreement provided the City with yearly revenue of \$70,000 with a 12.5% increase every 5 years for a total of 30 years. The Agreement also granted the City advertising space on a space available basis for City events and emergency messages. The project complies with the General Plan goals for economic development and implement safety policies.

Minor Modification to the City of Hope Specific Plan

- A Minor Modification to the City of Hope Specific Plan was approved to help improve vehicle circulation and access to facilities on the eastern side of the City of Hope Campus. The Minor Modification revised secondary road standards for Circle Road to allow for the redirection of pedestrian traffic away from utility equipment and widening the road to allow for emergency vehicles to access the campus through the eastern entrance. The project complies with the General Plan goals for improved street and intersection improvements and safety and implements the land use planning regulations in the City of Hope Specific Plan.

901, 905, & 1270 Arrow Highway

- The first three buildings were constructed and finalized at the Park at Live Oak. The former sand and gravel quarry was remediated to develop a 78.3 acre business park with a blend of both industrial and commercial uses. The project complies with the General Plan goals for economic development, infrastructure improvements, public safety, and Resource Management policies.

General Plan Amendments and Updates

Table 1
Irwindale General Plan and California's Mandated Elements

Irwindale General Plan Elements	State of California Mandated Elements						
	Land Use	Housing	Circulation	Open Space	Conservation	Safety	Noise
Community Development	●						
Housing		●					
Infrastructure			●				
Resource Management				●	●		
Public Safety						●	●
Implementation	●	●	●	●	●	●	●

Table 2: General Plan Elements, year of adoption or latest update	
General Plan Element	Year Adopted or Updated
Housing	2013 – Currently being updated.
Community Development Element	2008 – Ensuring consistency with Housing Element update.
Infrastructure Element	2008
Resource Management Element	2008
Public Safety Element	2008 – Concurrent update with the Housing Element.
Implementation Element	2008
Environmental Justice	This new Element is currently being written and included with the Housing and Safety Element updates.

The State has adopted several amendments to Government Code §65302 that has added new statutory requirements to the required Elements of the General Plan or in General Plan APRs as follows:

SB 379 – Adopted 2015

Requires the Safety Element to include a climate change vulnerability assessment, measures to address vulnerability, and comprehensive hazard mitigation and emergency response strategies. The climate change vulnerability assessment will be included in the Safety Element update currently in-progress.

SB 1000 – Adopted 2016

Requires either a separate new Environmental Justice Element (EJ) or related goals, policies, and objectives integrated into other Elements, if the jurisdiction has a disadvantaged community according to the Office of Environmental Health Hazard Assessment's CalEnviroScreen tool. The City of Irwindale has been identified as a designated disadvantaged community and the City is incorporating Environmental Justice related goals, policies, and objectives integrated into the EJ Element and all future General Plan Element updates. The City's currently in-progress Housing Element update includes programs for Affirmatively Furthering Fair Housing and new actions intended to expand housing opportunities for lower-income households, persons with special needs, and other protected classes.

SB 1425 – Adopted 2022

Requires an Open Space Element update by January 1, 2026. This bill requires the Open Space Element to include plans and action programs that address climate resilience, ensuring consistency with the Safety Element. Staff anticipate the updated Open Space Element will be completed by January 1, 2026.

SB 6 – Adopted 2022

Existing law requires that the Housing Element include, among other things, an inventory of land suitable and available for residential development. A suitable sites inventory has been included in the City's proposed Housing Element that is currently in-progress.

Ordinance Amendments

Approved Specific Plans:

1. Reliance II Specific Plan: Adopted by Initiative November 2017 that included an Amendment to the General Plan. The initiative amended Section 2 of the Community Development Element, including Table 2-7, various sub-sections of the Resource Management Element, including Table 5-3, the Mining Plan, the Zoning Code for Improved Consistency & Reclamation Guidance section of the Resource Management Element, including Table 5-3, the Implementation Programs section of the Implementation Element, and select maps of the General Plan. Municipal Code Amendments were also approved, including new Section 17.08.466.

Reliance II Specific Plan implements the Land Use Planning policy of the General Plan with the transition of a former quarry to a business park with commercial and industrial uses to enhance the City's livability and economic base for future generations. This Specific Plan provides for street and intersection improvements in compliance with the Infrastructure Element to meet current and future service demands. It also provides for safe and efficient circulation in the City.

2. City of Hope Specific Plan: Adopted May 2018. The campus is located in two jurisdictions: Irwindale and Duarte. It provides a comprehensive framework for the long-term growth and development of the entire 116-acre medical research campus. The Specific Plan promotes comprehensive development as opposed to piecemeal and incremental planning. The Specific Plan was designed to help City of Hope implement its long-term vision for the site, while meeting the community-wide goals of the Cities of Irwindale and Duarte.
3. Park at Live Oak Specific Plan: Adopted February 2020. The Specific Plan provides a comprehensive framework for the development of the 78.3-acre business park. It is designed to implement a long-term vision for the site to meet the community goals to make productive use of a remediated former sand and gravel quarry, provide jobs, commercial opportunities, and implement the goals of the City's General Plan. This Specific Plan provides for street and intersection improvements, as well as safe and efficient circulation on the City's roadways. The business park has a mix of industrial and commercial uses that will provide jobs and revenue for the community.

Housing Element and Needs

The Irwindale Community Development Department is updating the Housing Element of the General Plan, with anticipated completion and adoption of the General Plan Amendment in 2024. The update will incorporate policies on environmental justice that are being identified in the Environmental Justice Element. This update on the element is additionally focused on housing policies centered on racial and social equity, in addition to state mandated goals of Affirmatively Furthering Fair Housing and ensuring sufficient sites and zoning to meet Regional Housing Needs Allocation (RHNA) requirements.

The 2023 Housing Element Annual Progress Report includes a summary of the City's progress towards meeting its RHNA goal for the calendar year of 2023. The City's annual housing element progress report, prepared using the form provided by HCD, is being submitted separately.

As part of the 2021 and 2029 planning period, the City's required goal is to provide 119 affordable units divided into the following four (4) categories:

- Very-low Income Units: 36
- Low Income Units: 11
- Moderate Income Units: 17
- Above-moderate Income Units: 55

ITEM 19A

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

MARCH 4, 2024
MONDAY
6:00 P.M.

The Irwindale **CITY COUNCIL** and **HOUSING AUTHORITY** met in special joint meeting at the above time and place.

ROLL CALL:

Present: Councilmembers Manuel R. Garcia, H. Manuel Ortiz;
Mayor Pro Tem Larry G. Burrola; Mayor Albert F. Ambriz

Absent: Councilmember Mark A. Breceda

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Fernando Lopez, Housing Coordinator; and Laura Nieto, Chief Deputy City Clerk

AB 2449 DISCLOSURES None.

MAYOR AMBRIZ Mayor Ambriz requested adjourning tonight's meeting in memory of Sal Hernandez.

NEW BUSINESS

ITEM NO. 6A DEVELOPMENT WORKSHOP – 10 ACRE SITE ON ALLEN DRIVE
DEVELOPMENT WORKSHOP –
10 ACRE SITE ON
ALLEN DRIVE

EXECUTIVE DIRECTOR MIRANDA Executive Director Miranda encouraged participation from members of the public and noted that tonight's workshop would focus on potential uses and housing concepts for the 10-acre site on Allen Drive, and that other components related to site development, such as funding mechanisms and housing laws, would be discussed at future workshops. He then declared a potential conflict of interest and exited the Council Chambers at 6:04 p.m.

HOUSING COORDINATOR LOPEZ Housing Coordinator Lopez made a PowerPoint presentation wherein he discussed 6-acres of the subject site as well as the potential for the development of housing and/or public facilities, single/multi-family units, mixed generation, and affordable multi-family units.

FRED BARBOSA Fred Barbosa referenced 8.07 acres of the site which he stated were given to a developer, to which City Attorney Guerra stated that he was unaware of the transfer that Mr. Barbosa mentioned. Mr. Barbosa then stated that, on October 7, 2021, the Council changed the zoning of a 6.93-acre portion of the site on 5174 Vincent Avenue from residential to industrial and stated that the 6 acres should be included in this workshop.

CARMEN ROMAN	Carmen Roman agreed with Mr. Barbosa. She also suggested that the full 10 acres of the Allen Drive site be included for housing, to include green space and walking trails, but excluding government buildings. She stated her opinion that younger generations prefer smaller units or ADU's and oppose rental facilities and mentioned her belief that the 45-year covenants tied to prior housing programs were merely recommendations and not state requirements.
DENA ZEPEDA	Dena Zepeda stated her belief that some younger families prefer larger units, potentially two- and three-bedroom townhouses. She also requested that housing units be developed in phases and not all at once, and that seniors and military veterans do not want to live in multi-family units. She stated her preference that another senior complex, similar to Las Casitas, be built. Additionally, she recommended that single family homes with between 1 and 3 bedrooms be built and that Michael's Super Burgers be given land to accommodate more parking. She also suggested that land be sold to interested individuals so that they could build whichever type of housing they wish.
ANTHONY NARANJO	Anthony Naranjo noted that most wish for the same type of housing developed in prior housing programs but reminded that the state attorney general is suing cities for not meeting their housing density mandates. He asked about the city's Regional Housing Needs Assessment ("RHNA") requirements and stated his belief that the city could comply with mandates and still preserve its small community feel.
CARMEN ROMAN	Carmen Roman requested that the city inform residents on how to submit further comments and suggestions.
DENA ZEPEDA	Dena Zepeda suggested sending a flyer describing various options so that residents can check off their preferences and return them to the city. She also recommended that future housing programs include 20-year covenants instead of 45-year covenants.
VERONICA VANMARCKE	Veronica Vanmarcke agreed that single-family houses or townhouses should be built, and opposed apartments or mixed-use developments, especially along Allen Drive, since it would aggravate traffic conditions. She suggested that housing be kept affordable for future generations and that new developments include a mix of affordable and market-rate units.
ROBERT DIAZ	Robert Diaz suggested avoiding multi-tenant units and requested that single-family homes be developed. He also suggested that ample parking be made available and noted that families will need room for growth.
DENA ZEPEDA	Dena Zepeda stated that seniors prefer cottages.

FRED BARBOSA	Fred Barbosa suggested that housing for low-income households include the same amount of parking space as those for moderate-income households.
VERONICA VANMARCKE	Veronica Vanmarcke suggested that a QR code be provided for individuals to submit comments and suggestions digitally.
JOHNNY LEON	Johnny Leon requested to be informed of the type of housing that would be developed so that he can prepare for it and requested that the same type of housing made available in previous programs be made available in the future.
GARY STROBEHN	Gary Strobehn noted parking concerns along Allen Drive.
DENA ZEPEDA	Dena Zepeda requested double garages.
SUZANNE GOMEZ	Suzanne Gomez suggested developing single-family homes and spoke against mixed commercial/residential developments. She also stated that cities can sue the state in order to keep their autonomy, and that Irwindale can do similarly. She also requested single-family units for seniors and veterans.
FRED BARBOSA	Fred Barbosa stated that mixed use developments could be incorporated at a 26-acre site "next door."
CARMEN ROMAN	Carmen Roman requested that ramps be developed for families with disabilities.
COUNCILMEMBER ORTIZ	Councilmember Ortiz requested additional details regarding RHNA, to which Director Simpson elaborated by advising that the city was assigned 119 units for its 6th cycle, to be divided amongst the various income levels. Staff sent its housing element to HCD which identified 6 acres; 3 of them at 8 units per acre (approximate unit size of 5,000 square feet), and the other 3 at 14 units per acre (approximate unit size of 3,000 square feet). She added that Allen Drive is just one of the sites identified as having potential for the development of housing units. Councilmember Ortiz thanked the members of the community for sharing their input and expressing their interest. He noted that the city will do its best to try to find ways to develop housing.
COUNCILMEMBER GARCIA	Councilmember Garcia noted that 3,000 square feet for housing units is not very large, especially when compared to existing averages of 6,000 square feet, and indicated that the city would try to best address this concern.

MAYOR AMBRIZ Mayor Ambriz stated that he shared the concerns of residents and that he did not desire high density housing either, nor does he want mixed use commercial/housing units at the subject site. He then showed two sketches of 3,500 square foot housing units that may suit the City's housing needs.

HOUSING COORDINATOR LOPEZ Housing Coordinator Lopez indicated that staff would analyze all comments and suggestions made at tonight's meeting and would bring back additional details in the future.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 7:08 p.m., in memory of Sal Hernandez.

Laura M. Nieto, MMC
Chief Deputy City Clerk

ITEM 19B

Accounts Payable

Checks by Date - Summary by Check Number

User: imarin
Printed: 3/21/2024 12:17 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
101125	CALIFO56	California State Disbursement Unit	03/07/2024	604.15
101126	CALIFO57	California State Disbursement Unit	03/07/2024	143.07
101127	FRANC06	Franchise Tax Board	03/07/2024	467.40
101128	ALLIAN02	Alliant Insurance Services, Inc.- Irvine Mai	03/07/2024	842.00
101129	Ayala01	Leonor Ayala	03/07/2024	520.00
101130	BARA01	Frank Barajas	03/07/2024	300.00
101131	BARBOS04	Dolores Barbosa	03/07/2024	300.00
101132	CALIFO01	California Contract Cities	03/07/2024	1,750.00
101133	CMRTA01	CMRTA	03/07/2024	40.00
101134	FLORE01	Karla Flores	03/07/2024	910.00
101135	GUZM02	Marisol Guzman	03/07/2024	40.00
101136	HERRER01	Rebecca Herrera	03/07/2024	300.00
101137	JIME01	Abel Jimenez	03/07/2024	40.00
101138	LOPEZJ01	Jade Lopez	03/07/2024	57.26
101139	MEDI10	Lorraine Medina	03/07/2024	40.00
101140	MIRAND25	Blanche V. Miranda	03/07/2024	520.00
101141	MORA03	Aileen Morales	03/07/2024	10.00
101142	OBRE02	Sonia Obregon	03/07/2024	40.00
101143	OFFICE03	ODP Business Solutions, LLC	03/07/2024	154.54
101144	OPTUM01	OptumRx, Inc.	03/07/2024	33,176.60
101145	RAMONA02	Ramona Bowl	03/07/2024	1,319.00
101146	RODRIG09	Yolanda Rodriguez	03/07/2024	300.00
101147	RUBIO01	Jessica Rubio	03/07/2024	110.00
101148	SOUTHE04	Southern CA Assoc Of Governmts	03/07/2024	400.00
101149	STROBE03	Gary Strobehn	03/07/2024	326.00
101150	TOTALCOM	Total Compensation Systems Inc	03/07/2024	2,475.00
101151	VASQ03	Patricia Vasquez	03/07/2024	20.00
101152	verizonw	Verizon Wireless	03/07/2024	831.01
101153	VISION01	Vision Service Plan - (CA)	03/07/2024	3,120.23
101154	WAGONER	Pamela Wagoner	03/07/2024	845.00
101155	YUN01	Hyerim Yun	03/07/2024	20.00
Report Total (31 checks):				50,021.26

Accounts Payable

Checks by Date - Summary by Check Number

User: imarin
Printed: 3/21/2024 12:23 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
101157	ACUNA03	Luana Acuna	03/14/2024	54.72
101158	ALLIAN02	Alliant Insurance Services, Inc.- Irvine Mai	03/14/2024	1,217.00
101159	AMAZON1	Amazon Capital Services, Inc.	03/14/2024	375.88
101160	AT&T02	AT & T	03/14/2024	35.50
101161	AT&T06	AT & T	03/14/2024	1,828.75
101162	AZUSALW	Azusa Light & Water	03/14/2024	93.00
101163	BELTRA	Eloise Beltran	03/14/2024	116.56
101164	CALIFO02	California American Water	03/14/2024	382.31
101165	GALLARDC	Claudia Carlos	03/14/2024	1,000.00
101166	CHARTE01	Charter Communications	03/14/2024	308.95
101167	CONCE01	Concentra	03/14/2024	57.00
101168	CPS01	CPS HR Consulting	03/14/2024	844.75
101169	FAMI10	Nicole Familiari	03/14/2024	290.00
101170	FRAI10	Sammuel Fraijo	03/14/2024	300.00
101171	FRONT01	Frontier Communications	03/14/2024	584.44
101172	SOUTHE17	Golden State Water Company	03/14/2024	2,004.62
101173	HERNAN18	Joan Hernandez	03/14/2024	29.08
101174	HOFFOR01	Christopher Hofford	03/14/2024	68.00
101175	HOYEN	Noelle Hoyer	03/14/2024	910.00
101176	JIME04	Teresa Jimenez	03/14/2024	75.00
101177	LAMIRA01	La Mirada Theatre for the Performing Arts	03/14/2024	1,429.87
101178	LOPEZJ01	Jade Lopez	03/14/2024	393.45
101179	LUNA02	Manuel Luna	03/14/2024	2,367.12
101180	NAVARR04	Humberto Navarro Jr.	03/14/2024	200.00
101181	NOLA02	Diana Nolasco	03/14/2024	75.00
101182	OFFICE03	ODP Business Solutions, LLC	03/14/2024	37.37
101183	OSEG02	Melissa Osegura	03/14/2024	75.00
101184	PAIK01	Sumako Paik	03/14/2024	300.00
101185	PURCHA	Purchase Power	03/14/2024	2,030.00
101186	RUGG02	Mary Dolores Ruggio	03/14/2024	900.00
101187	TAPIA11	Sylvia Tapia	03/14/2024	1,000.00
101188	TPX 01	TPX Communications	03/14/2024	2,613.73
101189	VALLEY01	Valley County Water District	03/14/2024	5,609.02
101190	VALLEY09	Valley View Mutual Water Co.	03/14/2024	84.04
101191	verizonw	Verizon Wireless	03/14/2024	2,457.85
101192	WILL01	April Williams	03/14/2024	1,440.00
101193	WOOT02	Jordan Wooten	03/14/2024	300.00
101194	TITA01	72 Spirits Incorporated	03/27/2024	350.00
101195	AWE01	Advanced Worksations In Education	03/27/2024	8,634.44
101196	ALLCI01	All City Management Services, Inc	03/27/2024	898.29
101197	ALLIAN02	Alliant Insurance Services, Inc.- Irvine Mai	03/27/2024	408.00
101198	AMAZON1	Amazon Capital Services, Inc.	03/27/2024	852.04
101199	ASCAP01	ASCAP	03/27/2024	13.56
101200	B&BTIR	B & B Tires Service	03/27/2024	1,586.14
101201	BAKER01	Baker & Taylor Books	03/27/2024	986.79
101202	MIJACA	Balcon Holdings, Inc.	03/27/2024	54.00
101203	BILLST	Bill's Truck Repair, Inc.	03/27/2024	175.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
101204	CALI12	California Consulting Inc.	03/27/2024	4,500.00
101205	CALIFO39	California State University, Sacramento	03/27/2024	370.00
101206	CDW01	CDW Government	03/27/2024	2,546.95
101207	CHANDL	Chandler's Air Conditioning &	03/27/2024	1,024.31
101208	CHRISN01	Chris Nelson & Associates, Inc.	03/27/2024	3,172.50
101209	CINTAS	Cintas Corporation #693	03/27/2024	303.70
101210	BALDWI02	City of Baldwin Park	03/27/2024	700.00
101211	COSTA01	Costar Realty Information, Inc.	03/27/2024	420.00
101212	LOSANG33	County of Los Angeles	03/27/2024	83,222.99
101213	CWA01	CWA AIA, Inc	03/27/2024	114,074.70
101214	CWE01	CWE	03/27/2024	62,136.07
101215	ECORP01	ECORP Consulting, Inc.	03/27/2024	3,102.50
101216	BATE01	Elior Inc.	03/27/2024	3,805.45
101217	FAST02	Fast Response On-Site Testing	03/27/2024	2,625.00
101218	FEDEX	FedEx	03/27/2024	33.21
101219	FILLG01	Fill Good Landscaping	03/27/2024	400.00
101220	GEOLOG	Geologic Associates	03/27/2024	4,114.10
101221	HINDER	Hinderliter, De Llamas & Assoc	03/27/2024	3,881.90
101222	IMEG01	IMEG Consultants Corp.	03/27/2024	38,125.00
101223	INTER01	Interwest Consulting Group	03/27/2024	8,106.25
101224	IRWIND04	Irwindale Chamber Of Commerce	03/27/2024	7,625.00
101225	IRWIND21	Irwindale Hand Wash & Auto Detail	03/27/2024	152.94
101226	ITERIS	Iteris, Inc.	03/27/2024	10,374.50
101227	JCSPLU	JC's Plumbing & Backflow Svc	03/27/2024	1,580.00
101228	JONES03	Richard D Jones, A Professional Law Corp	03/27/2024	196.27
101229	COORYE	Samir M. Khoury	03/27/2024	8,014.00
101230	KIML01	Kimley-Horn and Associates, Inc.	03/27/2024	22,187.50
101231	LANCES	Lance, Soll & Lunghard LLP	03/27/2024	6,045.00
101232	LEWISE	Lewis Engraving, Inc.	03/27/2024	28.67
101233	LEXISN	LexisNexis Risk Solutions	03/27/2024	151.50
101234	LSA01	LSA Associates, Inc.	03/27/2024	9,455.00
101235	MIDAS	Manuel C Muratalla	03/27/2024	116.44
101236	MARIPO	Mariposa Landscapes, Inc.	03/27/2024	9,411.73
101237	MARXBR	Marx Bros Fire Extinguisher Co	03/27/2024	2,564.94
101238	MAVE01	Maverick Networks, Inc	03/27/2024	2,121.00
101239	NOVA01	Nova Geotechnical & Inspection Services -	03/27/2024	5,162.50
101240	OFFICE03	ODP Business Solutions, LLC	03/27/2024	1,428.22
101241	ORKINP	Orkin	03/27/2024	122.99
101242	PHASEII	PARS	03/27/2024	1,750.00
101243	PATTON	Patton Sales Corp (Arrow Pipe)	03/27/2024	194.04
101244	PLUM01	Plump Engineering, Inc.	03/27/2024	630.00
101245	RICOH01	Ricoh USA, Inc	03/27/2024	1,391.86
101246	RICOH02	Ricoh USA, Inc	03/27/2024	1,749.03
101247	ROSENO	RSG Inc.	03/27/2024	2,566.25
101248	SEAL01	SealMaster of Southern California	03/27/2024	1,249.54
101249	SIERRA01	Sierra Chevrolet	03/27/2024	896.78
101250	SIMG01	Simgel Co. Inc	03/27/2024	378,387.61
101251	CONTRO02	State Controller's Office	03/27/2024	3,431.40
101252	STATEO01	State Of California	03/27/2024	198.00
101253	STEVEN05	Steven A. Ormenyi & Assoc.	03/27/2024	22,572.03
101254	SWANA	SWANA	03/27/2024	275.00
101255	WATER10	Waterline Technologies	03/27/2024	79,515.00
101256	WESTCO05	West Coast Arborists, Inc.	03/27/2024	945.00
101257	HDSUP01	WHITE CAP, L.P.	03/27/2024	210.17
101258	Z&K01	Z&K Consultants, Inc.	03/27/2024	81,402.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
Report Total (102 checks):				1,046,612.81

Item #19.C.

City of
IRWINDALE
AGENDA REPORT

Date: March 27, 2024
To: Honorable Mayor and Members of the City Council
From: Theresa Olivares, Assistant City Manager
Issue: Approve an Increase in Compensation and Related Change Order to Mobile Modular for the Temporary Lease of Two 24'X40' Offices

City Manager's Recommendation:

That the City Council of the City of Irwindale Adopt Resolution No. 2024-22-3499 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN INCREASE IN COMPENSATION AND RELATED CHANGE ORDER FOR MOBILE MODULAR FOR THE TEMPORARY LEASE OF TWO 24'X40' OFFICES AND AUTHORIZING THE ASSISTANT CITY MANAGER TO EXECUTE A LEASE AGREEMENT TO REFLECT SAME."

Administrative Action:

Submitted by:

Theresa Olivares, Assistant City Manager



Prepared by:

Theresa Olivares, Assistant City Manager



Reviewed by:

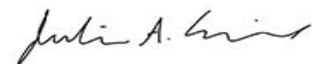
Adrian R. Guerra, City Attorney



Kambiz Borhani, Finance Director / City Treasurer

Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On February 28, 2024, the City Council approved Resolution No. 2024-18-3495, authorizing the Assistant City Manager to execute a lease agreement with Mobile Modular for the temporary lease of two 24' x 40' offices. The initial price stated in the agreement with Mobile Modular included the first month's rent and the charges due upon delivery of the units, totaling \$50,123.34 (1st Month's Rent \$11,679.89 + Delivery Charges \$38,443.44). The total requested did not include the lease amount for the 2nd & 3rd months and return service charges, which combined, is an additional \$49,111.78, for a grand total of \$99,235.11. Staff has since renegotiated the agreement with Mobile Modular resulting in a total overall reduction of \$14,282.15 bringing the new total cost to \$84,952.96 for a 3-month term (including delivery and return service fees). Staff is requesting an authorization to issue a change order to Purchase Order (PO) No. 0000007334 for an additional amount of \$34,829.62 (\$84,952.96 - \$50,123.34).

Staff is also requesting the Irwindale City Council to authorize the Assistant City Manager to execute a Revised Agreement with Mobile Modular for a total 3-month term at a contract price of \$84,952.96. Mobile Modular was awarded contract #120822-MMR from Sourcewell, a cooperative purchasing agreement, based off a formal bid procedure. The lease of these two modular office units are eligible under this contract and Mobile Modular is offering the City of Irwindale the same lease rate offered to a multi-year contract price under the agreement. This bidding procedure and cost break are available for the City to utilize per Municipal Code 3.88.080(E) which states that bidding may be dispensed when through cooperative purchasing with the state, the county, and other public agencies, the advantage of large-scale buying may be obtained. The City Council previously waived the bidding process to allow for cooperative purchasing in Resolution No. 2024-18-3495.

The initial resolution also included a lease payment for the vacant lot on Calle de Paseo of \$4,000 per month. There is no change to this request as the total lease amount for the 3-month term remains at \$12,000 as previously reported.

Fiscal Impact:

The Dan Diaz Recreation Center Reroofing Project P-1063 has been budgeted in the FY 2023-2024 adopted budget under the Recreation/Library Building Improvements (CIP No. 8228). The total cost for the lease of the two modular units for a 3-month term is \$84,952.96, and with adoption of Resolution No. 2024-22-3499, and additional change order in the amount of \$34,829.62 will be made to PO No. 0000007334 using the appropriated funds available under CIP No. 8228. No additional funding is being requested.

Attachments:

1. Resolution 2024-22-3499
2. Exhibit "A" to Resolution No. 2024-22-3499

RESOLUTION NO. 2024-22-3499

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
APPROVING AN INCREASE IN COMPENSATION AND RELATED CHANGE ORDER
FOR MOBILE MODULAR FOR THE TEMPORARY LEASE OF TWO 24'X40'
OFFICES AND AUTHORIZING THE ASSISTANT CITY MANAGER TO EXECUTE A
LEASE AGREEMENT TO REFLECT SAME**

WHEREAS, on February 28, 2024, the City Council of the City of Irwindale adopted Resolution No. 2024-18-3495, waived the formal bidding process, approved a cooperative purchase through Sourcewell, and authorized the Assistant City Manager to execute a lease agreement with Mobile Modular for the temporary lease of two 24' x 40' offices, and authorizing payment for the 1st month's rent and delivery charges totaling \$50,123.34. The initial request by staff did not include the lease for the remaining term and the return service fee, for a grand total of \$99,235.11; and

WHEREAS, staff has renegotiated the terms of the agreement and under the amended terms the total amount due for the 3-month term (including the delivery and the return service fees for \$84,952.96, requiring an additional encumbrance of \$34,829.63 in funding; and

WHEREAS, staff proposes to amend the agreement with Mobile Modular to lease two 24' x 40' modular units utilizing the cooperative purchase agreement through the Sourcewell contract # 120822-MMR; and

WHEREAS, the City Council now desires to authorize the issuance of a change order to Purchase Order No. 0000007334, and execution of a lease agreement with Mobile Modular dated March 14, 2024, to lease two 24' x 40' modular units.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, HEREBY RESOLVES, DETERMINES, AND ORDERS AS FOLLOWS:

SECTION 1. The City Council hereby finds the Recitals above true and correct and incorporates them herein by this reference.

SECTION 2. The City Council of the City of Irwindale hereby authorizes the Assistant City Manager to enter into a lease agreement with Mobile Modular, in the amount of \$84,952.96, subject to final approval by the City Attorney's office as to form, attached hereto as **Exhibit "A"**.

SECTION 3. It is the intent of the City Council that Resolution No. 2024-18-3495 remain in effect except that Section 3 therein is hereby amended by Section 2 of this Resolution by approving an increase in the approved amount from \$50,123.34 to \$84,952.96.

SECTION 4. The Chief Deputy City Clerk shall certify the adoption of this Resolution which shall, in turn, have immediate effect.

PASSED, APPROVED and ADOPTED this 27th day of March 2024.

Albert F. Ambriz, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2024-22-3499 was duly and regularly passed and adopted by the City Council of the City of Irwindale at its special meeting held on the 27th day of March 2024, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk



Mobile Modular Management Corporation
a Division of McGrath RentCorp
 11450 Mission Blvd.
 Mira Loma, CA 91752
 Phone: (951) 360-6600 Fax: (951) 360-6622
www.mobilemodular.com

Lease Agreement

Lease Contract: 220040911.1
Lease Term: 3 Months
 Date Printed: 03/14/2024
 Estimated Delivery Date: 03/21/2024

MOBILE MODULAR SOURCEWELL CONTRACT ID# 120822-MMR

Lessee Name & Billing Address	Site Location	Mobile Modular Management Corporation a Division of McGrath RentCorp ("Lessor")
City Of Irwindale ("Lessee") 5050 N Irwindale Ave Irwindale, CA 91706 Theresa Olivares tolivares@irwindaleca.gov	City Of Irwindale APN: 8417-031-029 Calle De Paseo Irwindale, CA 91706 Theresa Olivares tolivares@irwindaleca.gov Customer PO/Reference: 0000007334 Exp: // By:	Questions? Please Contact: Mario Duran Mario.Duran@MobileModular.com Direct Phone: (651) 360-6600 All other inquiries: (951) 360-6600

Equipment and Accessories:	Qty	Monthly Rent	Extended Monthly Rent	Taxable
Office, 24x40 HCD (Item1597W) <i>2 Offices with Handicap Accessible Restroom. Size excludes 3' towbar. Vinyl wrap panel interior.</i>	1	\$2,745.00	\$2,745.00	Y
Sourcewell Modular classroom restroom 24x44 unit Monthly Rental Rate is \$3,600.00 (-) minus MM discount \$855.00=\$2,745.00				
RNT, Holding Tank (Non-Potable Water)	1	\$127.50	\$127.50	Y
RNT, Holding Tank (Waste)	1	\$574.00	\$574.00	Y
Office, 24x40 HCD (Item1597W) <i>2 Offices with Handicap Accessible Restroom. Size excludes 3' towbar. Vinyl wrap panel interior.</i>	1	\$2,745.00	\$2,745.00	Y
Sourcewell Modular classroom restroom 24x44 unit Monthly Rental Rate is \$3,600.00 (-) minus MM discount \$855.00=\$2,745.00				
RNT, Holding Tank (Non-Potable Water)	1	\$127.50	\$127.50	Y
RNT, Holding Tank (Waste)	1	\$574.00	\$574.00	Y
RNT, Ramp	1	\$622.50	\$622.50	Y
Delivery-related Services:	Qty	Charge Each	Total One Time	Taxable
Office, 24x40 HCD (Item1597W)				
Additional Labor, Rolling On Deliver(PW) <i>Prevailing Wage Cert. Payroll</i>	2	\$265.00	\$530.00	N
Block and Level Building (A5) (PW) <i>Prevailing Wage Cert. Payroll</i>	1	\$4,583.00	\$4,583.00	N
Delivery Haulage 12 wide	2	\$737.00	\$1,474.00	N
Delivery Haulage Fuel 12 Wide	2	\$111.00	\$222.00	N
Delivery Haulage Permit 12 wide	2	\$221.00	\$442.00	N
Delivery Haulage Pilot 12 wide	2	\$529.00	\$1,058.00	N
Essential Material Handling Fee	2	\$75.00	\$150.00	N
Installation, Skirting, Wood (PW) <i>Prevailing Wage Cert. Payroll</i>	128	\$25.00	\$3,200.00	Y
Install Foundation, Tiedown (Blvl) (PW) <i>Prevailing Wage Cert. Payroll</i>	24	\$124.00	\$2,976.00	Y
Removal, Towbar/Hitch (PW) <i>Prevailing Wage Cert. Payroll</i>	2	\$177.00	\$354.00	N
RNT, Holding Tank Install	2	\$650.00	\$1,300.00	N
			\$16,289.00	
Office, 24x40 HCD (Item1597W)				
Additional Labor, Rolling On Deliver(PW) <i>Prevailing Wage Cert. Payroll</i>	2	\$265.00	\$530.00	N
Block and Level Building (A5) (PW) <i>Prevailing Wage Cert. Payroll</i>	1	\$4,582.36	\$4,582.36	N
Delivery Haulage 12 wide	2	\$737.00	\$1,474.00	N
Delivery Haulage Fuel 12 Wide	2	\$111.00	\$222.00	N
Delivery Haulage Permit 12 wide	2	\$221.00	\$442.00	N
Delivery Haulage Pilot 12 wide	2	\$529.00	\$1,058.00	N
Essential Material Handling Fee	2	\$75.00	\$150.00	N
Installation, Skirting, Wood (PW) <i>Prevailing Wage Cert. Payroll</i>	128	\$25.00	\$3,200.00	Y



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Lease Agreement

Lease Contract: 220040911.1

Lease Term: 3 Months

Date Printed: 03/14/2024

Estimated Delivery Date: 03/21/2024

Install Foundation, Tiedown (Blvl) (PW) <i>Prevailing Wage Cert. Payroll</i>	24	\$124.00	\$2,976.00	Y
Removal, Towbar/Hitch (PW) <i>Prevailing Wage Cert. Payroll</i>	2	\$177.00	\$354.00	N
RNT, Holding Tank Install	2	\$650.00	\$1,300.00	N
RNT, Ramp Install (PW)	1	\$2,550.00	\$2,550.00	N
			\$18,838.36	

Subtotal of Monthly Rent:	\$7,515.50
Monthly Personal Property Expense (PPE):	\$0.00
Taxes on Monthly Charges:	\$770.34
Total Monthly Charges (incl Taxes & PPE):	\$8,285.84
Subtotal of One-Time Charges upon Delivery :	\$35,127.36
Taxes On One Time Charges:	\$1,266.08
Security Deposit:	\$0.00
Est. Initial Invoice:	\$44,679.28

Estimated Return-related Services:	Qty	Charge Each	Total One Time Taxable	
Office, 24x40 HCD (Item1597W)				
Additional Labor, Rolling On Removal (PW)	2	\$221.00	\$442.00	N
Cleaning Fee	2	\$450.00	\$900.00	N
Installation, Towbar/Hitch (PW)	2	\$177.00	\$354.00	N
Prepare Equipment For Removal (A5) (PW)	1	\$2,644.00	\$2,644.00	N
Removal, Skirting, Wood (Dispose) (PW)	128	\$6.00	\$768.00	N
Removal, Tiedown (PW)	24	\$53.00	\$1,272.00	N
Return Haulage 12 wide	2	\$737.00	\$1,474.00	N
Return Haulage Fuel 12 Wide	2	\$111.00	\$222.00	N
Return Haulage Permit 12 wide	2	\$221.00	\$442.00	N
Return Haulage Pilot 12 wide	2	\$529.00	\$1,058.00	N
RNT, Holding Tank Removal	2	\$500.00	\$1,000.00	N
			\$10,576.00	

Office, 24x40 HCD (Item1597W)				
Additional Labor, Rolling On Removal (PW)	2	\$221.00	\$442.00	N
Cleaning Fee	2	\$450.00	\$900.00	N
Installation, Towbar/Hitch (PW)	2	\$177.00	\$354.00	N
Prepare Equipment For Removal (A5) (PW)	1	\$2,644.00	\$2,644.00	N
Removal, Skirting, Wood (Dispose) (PW)	128	\$6.00	\$768.00	N
Removal, Tiedown (PW)	24	\$53.00	\$1,272.00	N
Return Haulage 12 wide	2	\$737.00	\$1,474.00	N
Return Haulage Fuel 12 Wide	2	\$111.00	\$222.00	N
Return Haulage Permit 12 wide	2	\$221.00	\$442.00	N
Return Haulage Pilot 12 wide	2	\$529.00	\$1,058.00	N
RNT, Holding Tank Removal	2	\$500.00	\$1,000.00	N
RNT, Ramp Removal (PW)	1	\$2,550.00	\$2,550.00	N
			\$13,126.00	

Special Notes

Additional Note: Mobile Modular **Sourcewell** Contract#1208220-MMR. (2) 24'x40' Modular classroom restroom building rental rate using standard Sourcewell pricing. All one-time charges including delivery, installation, tiedowns, skirting, return, etc. are priced using vendor or self-performed pricing to remain at or below the Sourcewell approved not to exceed RSMeans plus 17% Markup.

The Estimated Equipment Value is listed below. Lessee is solely responsible for complying with all insurance requirements set forth in the Lease Terms and Conditions attached hereto.

Item & Description	Qty	Item Code	Estimated Equipment Value
Office, 24x40 HCD (Item1597W)	1	1597	\$50,850.00
Office, 24x40 HCD (Item1597W)	1	1597	\$50,850.00



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MOBILE MODULAR SOURCEWELL CONTRACT ID# 120822-MMR

This Lease Agreement is entered into by and between Lessor and Lessee effective as of the date signed by Lessee. This Lease Agreement includes the terms and conditions set forth in the following two documents (collectively, the "Agreement"), each of which is incorporated herein by this reference:

1. **Lease Terms and Conditions** attached hereto; and

2. **Supplemental Lease Terms and Conditions** located at (<https://www.mobilemodular.com/contractterms>), as the same may be updated from time to time in the sole and absolute discretion of Lessor.

IN THE EVENT THE LESSOR AND LESSEE HAVE ENTERED INTO A MASTER LEASE AGREEMENT, THE TERMS OF SUCH MASTER LEASE AGREEMENT ARE INCORPORATED HEREIN BY THIS REFERENCE, ARE DEEMED A PART OF THIS AGREEMENT, AND TAKE PRECEDENCE OVER ANY CONFLICTING TERMS IN THIS AGREEMENT.

By signing below, Lessee: (1) acknowledges and agrees that it has received, read and understands the terms of this Agreement and agrees to be bound by the terms of this Agreement, including prices and specifications, and (2) instructs Lessor to make appropriate arrangements for the preparation and delivery of the Equipment identified herein. This Agreement may be executed in one or more counterparts (including through the use of electronic signatures), each of which shall be deemed an original and all of which shall constitute one and the same Agreement.

No document provided by Lessee, including, without limitation, Lessee's purchase orders, work orders, bills of lading, or forms for receipt or acknowledgment or authorization ("**Lessee Forms**"), nor the terms and conditions associated with such Lessee Forms, shall amend, modify, supplement, waive, or release any term or condition of this Agreement (or the Master Lease Agreement, as applicable) even if such Lessee Forms are signed by an agent or representative of Lessor. The terms and conditions of this Agreement (or the Master Lease Agreement, as applicable) shall prevail over any Lessee Forms, and any inconsistent or additional terms and conditions in Lessee Forms shall be deemed void ab initio and of no force or effect.

The individuals signing this Agreement affirm that they are duly authorized to execute this Agreement by and on behalf of the parties hereto.

LESSOR: Mobile Modular Management Corporation a Division of McGrath RentCorp Signature: Name: Title: Date:	LESSEE: City Of Irwindale Signature: Name: Title: Date:
---	---

LEASE TERMS AND CONDITIONS

1. **LEASE.** Lessor agrees to lease to Lessee, and Lessee agrees to lease from Lessor, the Equipment (as defined below). The lease of any Equipment is governed by the terms of this Agreement. The Equipment is and shall remain the personal property of Seller.

2. **TERMS.** All capitalized terms used and not otherwise defined herein, will have the meanings set forth in this Agreement. As used in this Agreement, the following definitions shall apply: "**Accessories**" shall mean any additions, attachments, or accessories to the modular buildings, or ancillary services, provided by Lessor to Lessee and identified in this Agreement; "**Equipment**" shall mean the modular buildings, Accessories, and/or Services identified in this Agreement, together with any replacements, repairs, additions, attachments or accessories hereafter rented to Lessee under this Agreement.

3. **PAYMENTS AND PRICE ADJUSTMENTS.** Lessee agrees to pay to Lessor each payment specified herein on a net invoice basis. Payment terms are net due upon receipt unless otherwise agreed upon in writing. All payments due from Lessee pursuant to this Agreement shall be made by Lessee without any abatement or setoff of any kind whatsoever arising from any cause whatsoever. Prices will be increased by Lessor for unknown circumstances or conditions, including, but not limited to, driver waiting time, special transport permits, difficult site conditions and/or increases in fuel prices.

4. **LEASE TERM; EARLY TERMINATION.** The Lease Term and Monthly Rent, each of which are specified in this Agreement, shall commence on the date the Equipment is delivered to the Site ("the Start Rent Date"), unless a different date is mutually agreed upon in writing, and shall continue thereafter for the number of months specified in this Agreement as the Lease Term. Lessee agrees to pay the Total Monthly Charges specified in this Agreement (as may be adjusted pursuant to Section 5 below) for each month during the Lease Term and any extensions thereof. A month is defined as thirty (30) calendar days; rent will be billed monthly unless otherwise specified in this Agreement (but rent shall



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be due and owing even in the absence of actual receipt by Lessee of an invoice or bill). In the event that Lessee terminates this Agreement prior to the expiration of the Lease Term, Lessor shall be entitled to charge an early termination fee, even if such termination occurs prior to delivery of the Equipment. Such fee shall be determined by Lessor, in its sole discretion, following the receipt of the termination request. Such early termination fee may include, but shall not be limited to, charges related to the preparation of the Equipment for delivery and/or the rental value of this Agreement. In no event shall any such early termination fee exceed the total value of this Agreement. Lessor shall not be liable to Lessee for any failure or delay in obtaining, delivering or setting up the Equipment. If Lessee delays delivery of the Equipment for any reason for thirty (30) days or longer from the original delivery date mutually agreed upon between both parties, Lessor may, in Lessor's sole discretion, charge Lessee a monthly storage fee equal to the Monthly Rent starting on the original delivery date, and/or terminate this Agreement, subject to the early termination provisions set forth above.

5. EXTENSION OF LEASE TERM. Upon expiration of the initial Lease Term set forth in this Agreement, the lease of the Equipment shall automatically be extended on a month-to-month basis until the Equipment is returned to Lessor. This Agreement does not expire and the terms and conditions hereof shall remain in full force and effect for any extension of the Lease Term, unless otherwise agreed upon by Lessor and Lessee in writing. Lessor may periodically revise the Total Monthly Charges from those reflected in this Agreement if the lease of the Equipment is extended beyond the initial Lease Term. If the lease of the Equipment is extended beyond the initial Lease Term, Lessor may revise the charges for the Estimated Return-Related Services from those specified in this Agreement to reflect Lessor's then-current market rates for such services.

6. PREPARATION FOR REMOVAL OF THE EQUIPMENT. Prior to the scheduled removal of the Equipment, Lessee shall, at a minimum: (a) provide clear access to the Equipment for Lessor to dismantle and remove the Equipment from the Site by industry-standard trucking methods; (b) disconnect all utilities; (c) remove all personal property of Lessee's from the Equipment; and (d) in the case of Equipment that includes plumbing, flush the plumbing lines clean and ensure that no foreign matter remains in any fixtures. Plumbing must be properly disconnected by Lessee at its sole cost and expense. Lessee will be responsible for costs of repair required by improper plumbing disconnection to the extent that the Equipment is damaged. Any components, parts or accessories supplied by Lessor must be returned with the Equipment. In the event that Lessee fails to meet the requirements herein, additional charges may be incurred by Lessee for additional labor, waiting time, or dry-runs in the event that Lessor is unable to return the Equipment as scheduled.

7. RETURN OF EQUIPMENT. Lessee must provide a minimum of thirty (30) days prior, written notice to Lessor when requesting to return the Equipment. Lessee is responsible for complying with the requirements set forth in the "Preparation for Removal of the Equipment" section of these Lease Terms and Conditions. Unless otherwise agreed upon by Lessor in writing, Lessee shall continue to be responsible for payment of the Total Monthly Charges set forth in this Agreement (as may be adjusted pursuant to Section 5 hereto) until return of the Equipment to Lessor is completed. The Total Monthly Charges will be prorated in one-half (1/2) month increments only. If the Equipment is returned within the first fifteen (15) days of the billing period, Lessee shall be responsible for paying half of the Total Monthly Charges; if Equipment is returned between the sixteenth (16th) and thirtieth (30th) days of the billing period, Lessee shall be responsible for paying the entire amount of the Total Monthly Charges. The charges reflected in this Agreement for Estimated Return-Related Services will be adjusted for any Lease Term longer than twelve (12) months or if the Lease is extended beyond the initial Lease Term, pursuant to Section 5.

8. WARRANTIES; DISCLAIMER. Lessor warrants to Lessee that the Equipment, when delivered and set up and under normal use and regular service and maintenance by Lessee, shall be free from major defects in materials and workmanship that prevent any normal use and operation. Accessories supplied by Lessor pursuant to this Agreement but not owned by Lessor shall not be subject to the foregoing warranty, but shall carry the applicable warranty of the Accessory owner, which Lessor hereby assigns to Lessee to the extent transferable. Lessor's liability under this warranty shall be limited to the replacement or repair of the defective Equipment (during Lessor's normal working hours), at Lessor's option; provided, however, that Lessee shall provide written notice of any failure or defect to Lessor within four (4) days after discovery, and within the applicable warranty period, and failure to provide such notice in a timely manner may result in a limitation of this warranty at Lessor's sole option. If Lessee does not grant clear, unobstructed access for any such repairs between 8:00 a.m. and 5:00 p.m., Monday through Friday, Lessee shall bear the cost of repair rates for labor at the applicable overtime rates. This warranty does not extend to any Equipment subjected to improper application, damaged by accident or abuse, or repaired or altered outside of Lessor's facilities without prior written authorization from Lessor. **THE EXPRESS WARRANTIES CONTAINED IN THIS AGREEMENT ARE LESSOR'S SOLE AND EXCLUSIVE WARRANTIES WITH RESPECT TO THE EQUIPMENT AND SERVICES, AND ARE IN LIEU OF AND EXCLUDE ALL OTHER WARRANTIES, GUARANTEES, PROMISES, AFFIRMATION OR REPRESENTATIONS OF ANY KIND, EXPRESSED OR IMPLIED, WHICH MAY BE DEEMED APPLICABLE TO THE EQUIPMENT OR SERVICES, INCLUDING WITHOUT LIMITATION, THE CONDITION OF THE EQUIPMENT, ITS MERCHANTABILITY OR ITS FITNESS FOR ANY PARTICULAR PURPOSE, ANY WARRANTY AGAINST INFRINGEMENT OR AS TO TITLE, WARRANTIES ARISING FROM COURSE OF DEALING OR USAGE OR TRADE OR ANY OTHER MATTER. EXCEPT AS EXPRESSLY SET FORTH IN THIS SECTION, ALL EQUIPMENT AND SERVICES ARE BEING PROVIDED "AS IS", "WHERE IS, WITH ALL FAULTS". LESSOR SPECIFICALLY DISCLAIMS ANY WARRANTY, GUARANTY OR REPRESENTATION, ORAL OR WRITTEN, PAST OR PRESENT, THERETO. LESSEE HAS SELECTED ALL EQUIPMENT FOR LESSEE'S INTENDED USE AND RECOGNIZES THAT LESSOR IS NOT A DESIGNER OR MANUFACTURER OF ANY EQUIPMENT.**

9. TAXES. Lessee agrees to be responsible for all charges, fees and taxes (local, state and federal) levied or assessed upon Lessee or Lessor relating to the ownership, leasing, rental, sale, possession, use or operation of the Equipment (including, without limitation, sales, use and personal property taxes); provided, however, that the foregoing obligation shall not apply to any local, state or federal income tax assessed against the Lessor as a result of this Agreement which shall continue to be the obligation of Lessor. Lessee shall pay all such taxes for which it is responsible to the appropriate taxing authorities or, if directed or invoiced by Lessor, pay such amounts to Lessor for remittance by Lessor to the appropriate taxing authorities.



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MOBILE MODULAR SOURCEWELL CONTRACT ID# 120822-MMR

10. LOSS OR DAMAGE. Upon delivery and until the Equipment is removed from the Site by Lessor or its authorized agent, Lessee assumes all risk of loss or damage to the Equipment. Should any Equipment damaged be capable of repair, the Equipment shall be repaired and restored to its condition existing prior to such damage, at Lessee's sole cost and expense. In the event any of the Equipment is damaged beyond repair or is lost, stolen or wholly destroyed, this Agreement shall cease and terminate as to such Equipment as of the date of the event, accident or occurrence causing such loss or destruction, and Lessee shall pay Lessor within forty-five (45) days thereafter, an amount equal to the full replacement value of the Equipment, which payment obligation shall survive the termination of this Agreement.

11. INSURANCE. Lessee shall procure and maintain, at its sole expense (including all premiums, deductibles and self-insured retentions), (i) property insurance covering the loss, theft, destruction, or damage to the Equipment in an amount not less than the full replacement value thereof (and with a deductible no higher than \$25,000), naming Lessor as loss payee of the proceeds, and (ii) commercial general liability insurance (minimum of \$1,000,000 per occurrence and \$2,000,000 in the aggregate) (and with a deductible no higher than \$25,000), naming Lessor and its designees as additional named insureds. Lessee's insurance shall be primary and non-contributory to any insurance maintained by Lessor or any other additional insureds or additional named insureds. The liability insurance policy shall contain coverage for all contractual indemnity obligations of Lessee set forth in this Agreement, cross-liability and waiver of subrogation provisions in favor of Lessor and any other additional insureds. All evidence of all required insurance shall be in a form reasonably acceptable to Lessor and with a company having an A.M. Best rating of A- (VII) or better, and shall not be subject to cancellation without thirty (30) days' prior written notice to Lessor. Lessee shall provide to Lessor insurance certificates and endorsements (including without limitation, additional insured and loss payee endorsements) evidencing compliance with the insurance requirements of this Agreement (including without limitation, the deductible amounts and waiver of subrogation) prior to delivery of the Equipment and shall maintain all required insurance coverage until the Equipment is returned to Lessee. Lessor will not and does not provide insurance for any of Lessee's personal property that may be in or on any Equipment.

12. INDEMNIFICATION AND LIMITATION OF LIABILITY.

(a) **LESSEE ON BEHALF OF ITSELF, ITS SUCCESSORS, ASSIGNS, PARENTS, SUBSIDIARIES, VENDORS, SUBCONTRACTORS, AND AFFILIATES, AND THEIR RESPECTIVE REPRESENTATIVES, DIRECTORS, OFFICERS, MANAGERS, VENDORS, MEMBERS, SHAREHOLDERS, PARTNERS, CONTRACTORS, EMPLOYEES, AGENTS, AND ASSIGNS (EACH, A "LESSEE PARTY," AND COLLECTIVELY, THE "LESSEE PARTIES") SHALL INDEMNIFY, DEFEND, RELEASE, AND HOLD HARMLESS LESSOR, ITS SUCCESSORS, ASSIGNS, PARENTS, SUBSIDIARIES, VENDORS, CONTRACTORS, AND AFFILIATES, AND THEIR RESPECTIVE REPRESENTATIVES, DIRECTORS, OFFICERS, MANAGERS, VENDORS, MEMBERS, SHAREHOLDERS, PARTNERS, CONTRACTORS, EMPLOYEES, AGENTS, AND ASSIGNS (EACH A "LESSOR INDEMNIFIED PARTY," AND COLLECTIVELY, THE "LESSOR INDEMNIFIED PARTIES") FROM AND AGAINST ANY AND ALL LOSSES, FEES, COSTS, EXPENSES, CLAIMS, LIABILITIES, DAMAGES, PENALTIES, FINES, FORFEITURES, AND SUITS (INCLUDING COSTS OF DEFENSE, SETTLEMENT AND REASONABLE ATTORNEYS' FEES, ENVIRONMENTAL CONSULTANTS AND EXPERT WITNESS FEES AT TRIAL AND ON APPEAL) (COLLECTIVELY, "LOSSES") RELATING TO, ARISING OUT OF OR IN CONNECTION WITH: (1) ANY BREACH OR NON-FULFILLMENT OF ANY COVENANT, AGREEMENT, OR OBLIGATION TO BE PERFORMED BY LESSEE PURSUANT TO THIS AGREEMENT, OR ANY INACCURACY IN OR BREACH OF ANY OF THE REPRESENTATIONS OF LESSEE SET FORTH IN THIS AGREEMENT; (2) THE OCCURRENCE OF ANY EVENT SET FORTH IN SECTION 13; (3) THE SELECTION, USE, POSSESSION, DELIVERY, RENTING, LEASING, SUBLEASING, OPERATION, TRANSPORT, MAINTENANCE, CONDITION, REPAIR, REPLACEMENT, REPOSSESSION, RETURN OR STORAGE OF ANY EQUIPMENT OR ANY SERVICES; (4) ANY FAILURE BY ANY LESSEE PARTY TO COMPLY WITH ANY APPLICABLE LAW IN CONNECTION WITH ANY EQUIPMENT OR THE SERVICES OR THIS AGREEMENT; (5) ANY DEATH OR BODILY INJURY TO ANY PERSON OR DESTRUCTION OR DAMAGE TO ANY PROPERTY TO WHICH THE ACTS OR OMISSIONS OF A LESSEE PARTY CONTRIBUTED; OR (6) ANY NEGLIGENT OR INTENTIONAL ACT OR OMISSION OF ANY LESSEE PARTY FOR ANY ACTION RELATED TO OR ANY USE OF ANY EQUIPMENT. THIS INDEMNITY SHALL APPLY EVEN IF SAID LOSSES ARE OCCASIONED, BROUGHT ABOUT OR CAUSED BY THE CONCURRENT NEGLIGENCE OF ANY LESSOR INDEMNIFIED PARTY, UNLESS A COURT OF COMPETENT JURISDICTION SHOULD DETERMINE THAT THE LOSSES WERE PROXIMATELY CAUSED BY THE SOLE NEGLIGENCE OR WILLFUL ACTS OR OMISSIONS OF A LESSOR INDEMNIFIED PARTY. IF THE FOREGOING OBLIGATIONS ARE NOT ENFORCEABLE AGAINST LESSEE UNDER APPLICABLE LAW, LESSEE AGREES TO INDEMNIFY, DEFEND, RELEASE AND HOLD HARMLESS LESSOR INDEMNIFIED PARTIES FROM AND AGAINST ANY AND ALL LOSSES TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, INCLUDING, WITHOUT LIMITATION, TO THE EXTENT OF THE ACTS OR OMISSIONS OF THE LESSEE PARTIES' NEGLIGENT OR WORSE CONDUCT. THIS INDEMNIFICATION SHALL SURVIVE THE EXPIRATION OR EARLIER TERMINATION OF THIS AGREEMENT.**

(b) **TO THE FULLEST EXTENT NOT PROHIBITED BY LAW, LESSOR'S LIABILITY, IF ANY, SHALL BE LIMITED TO THE VALUE OF RENTAL FEES AND ALL OTHER AMOUNTS PAID BY LESSEE AND RECEIVED BY LESSOR UNDER THIS AGREEMENT FOR THE EQUIPMENT AND/OR SERVICES, AND LESSOR SHALL HAVE NO LIABILITY TO LESSEE OR ANY THIRD-PARTY FOR ANY INDIRECT, SPECIAL, INCIDENTAL OR CONSEQUENTIAL DAMAGES WHETHER BASED ON CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY OR OTHERWISE.**

13. EVENTS OF DEFAULT; REMEDIES. Each of the following shall constitute an "Event of Default": (1) failure by Lessee to make any payment within ten (10) days after its due date; (2) failure by Lessee to perform any other obligation under this Agreement, and the continuance of such default for ten (10) days after written notice thereof by Lessor to Lessee; (3) any material misrepresentation or false statement of fact by Lessee; (4) the loss, theft, damage, destruction or the attempted sale or encumbrance by Lessee of any of the Equipment; or (5) Lessee's dissolution, termination of existence, discontinuance of business, insolvency, or the commencement of any bankruptcy proceedings by or against, Lessee. Lessee acknowledges that any Event of Default will substantially impair the lease value of the Equipment hereof. Upon the occurrence of any Event of Default, Lessor may, without notice, exercise one or more of the following remedies: (1) declare



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all unpaid payments under this Agreement to be immediately due and payable; (2) terminate this Agreement as to any or all items of the Equipment; (3) take possession of the Equipment wherever found, and for this purpose enter upon any premises of Lessee and remove the Equipment, without any liability to Lessee; (4) direct Lessee at its expense to promptly prepare the Equipment for pickup by Lessor; (5) proceed by appropriate action either in law or in equity to enforce performance by Lessee of the terms of this Agreement or to recover damages for the breach hereof, including attorneys' fees and any other expenses paid or incurred by Lessor in connection with the repossession of the Equipment; (6) apply the security deposit specified in this Agreement ("Security Deposit") to payment of Lessor's costs, expenses and attorney fees in enforcing the terms of this Agreement and to indemnify Lessor against any damages sustained by Lessor; and/or (7) recover the replacement cost of any Equipment which Lessor is unable to repossess. Lessor's waiver of any Event of Default shall not constitute a waiver of any other Event of Default or of any term or condition of this Agreement. No right or remedy referred to herein is intended to be exclusive and each may be exercised concurrently or separately and from time to time. In the event of repossession, Lessee waives any bond posting requirement.

Lease Terms and Conditions, Rev. 07/01/2022

MOBILE MODULAR SOURCEWELL CONTRACT ID# 120822-MMR

Item #19.D.

City of
IRWINDALE
AGENDA REPORT

Date: March 27, 2024
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Housing Element Annual Progress Report

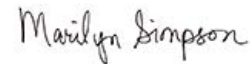
City Manager's Recommendation:

That the City Council adopt Resolution No. 2024-21-3498 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA RECEIVING AND APPROVING THE ANNUAL HOUSING ELEMENT PROGRESS REPORT AND AUTHORIZING STAFF TO SUBMIT THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR THE 2023 CALENDAR YEAR TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)"

Administrative Action:

Submitted by:

Marilyn Simpson, Community Development Director



Prepared by:

Martin Romero, Planning Technician



Reviewed by:

Adrian R. Guerra, City Attorney

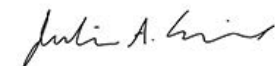


Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

Pursuant to Government Code Section 65400(a)(2)(B), the City is required to submit a Housing Element Annual Progress Report to the Governor's Office of Planning and Research (OPR) and the California Department of Housing and Community Development (HCD) each year, to provide a summary of the City's progress towards meeting its Regional Housing Needs Allocation (RHNA) goal and implementing its General Plan's Housing Element. In addition to the Housing Element Annual Progress Report, the City is required to submit a General Plan Annual Progress Report to the OPR and HCD. The General Plan Annual Progress Report will be submitted to City Council as a separate report.

State law requires that all General Plans include a Housing Element which provides a plan for accommodating future housing production needs. The Housing Element must include the City's plan for meeting its share of RHNA. As part of RHNA, the California Department of Housing and Community Development (HCD) determines the total number of new homes that the local region needs to build and the necessary number of units needed at various levels of affordability to meet the housing needs of people at all income levels.

The 2023 Housing Element Annual Progress Report includes a summary of the City's progress towards meeting its RHNA goal for the calendar year of 2023. Attached with this staff report is the City's annual housing element progress report, prepared using the form provided by HCD.

In addition, pursuant to SB 35, HCD will use the information provided in the City's Housing Element Annual Progress report to determine if the City is making progress towards reaching its RHNA goal. As part of the 2021 and 2029 planning period, the City's required goal is to provide 119 affordable units divided into the following four (4) categories:

- Very-low Income Units: 36
- Low Income Units: 11
- Moderate Income Units: 17
- Above-moderate Income Units: 55

As previously discussed with the City Council, staff has retained consultant Environmental Science Associates (ESA) to update the City's General Plan and Housing Element to incorporate the 6th Cycle RHNA required goal for our City. At this time, the City is awaiting comments from HCD regarding the draft Housing Element for the 6th cycle, which includes proposed housing programs and a list of sites for by-right housing. The annual progress report shows the proposed programs and any new building permits from 2023.

Staff recommends that the City Council approve the Annual Housing Element Progress Report and authorize staff to submit the final 2023 Housing Element Plan Annual Progress Report to the Governor's Office of Planning and Research (OPR) and the State Department of Housing and Community Development (HCD).

Fiscal Impact:

There is no fiscal impact associated with this action.

Attachments:

1. Resolution No. 2024-21-3498
2. Irwindale 2023 Housing Element Annual Progress Report

RESOLUTION NO. 2024-21-3498

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA RECEIVING AND APPROVING THE ANNUAL HOUSING ELEMENT PROGRESS REPORT AND AUTHORIZING STAFF TO SUBMIT THE HOUSING ELEMENT ANNUAL PROGRESS REPORT FOR THE 2023 CALENDAR YEAR TO THE GOVERNOR'S OFFICE OF PLANNING AND RESEARCH (OPR) AND THE STATE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)

WHEREAS, California Government Code Section 65400(a)(2) requires each California planning agency provide an annual progress report to the City Council, the State Office of Planning and Research, and the California Department of Housing and Community Development (HCD) regarding progress toward implementation of the housing element of the general plan; and

WHEREAS, an annual progress report for the 2023 calendar year has been prepared by the City of Irwindale, utilizing prescribed forms and instructions provided by HCD; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA DOES HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

Section 1. The City Council finds the above recitals true and correct and they are hereby incorporated herein by this reference.

Section 2. The City Council hereby receives, accepts, and approves the 2023 Annual Progress Report on the Housing Element (Housing Element Annual Progress Report Form 2023) ("Report") prepared by the City, attached hereto as Exhibit "A".

Section 3. The City Council hereby directs that the Report be forwarded to the State Office of Planning and Research and the State Department of Housing and Community Development (HCD) pursuant to California Government Code Section 65400(a)(2).

Section 4. The Chief Deputy City Clerk shall certify the adoption of this Resolution which shall take effect immediately.

PASSED, APPROVED and ADOPTED this 27th day of March, 2024

Albert F. Ambriz, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2024-21-3498 duly adopted by the City Council of the City of the City of Irwindale, at a regular meeting held on the 27th day of March 2024, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers

Laura M. Nieto, MMC
Chief Deputy City Clerk

Please Start Here

General Information	
Jurisdiction Name	Irwindale
Reporting Calendar Year	2023
Contact Information	
First Name	Marilyn
Last Name	Simpson
Title	Community Development Director
Email	msimpson@irwindaleca.gov
Phone	6264302208
Mailing Address	
Street Address	550 Iriwindale Avenue
City	Irwindale
Zipcode	91706

Optional: Click here to import last year's data. This is best used when the workbook is new and empty. You will be prompted to pick an old workbook to import from. Project and program data will be copied exactly how it was entered in last year's form and must be updated. If a project is no longer has any reportable activity, you may delete the project by selecting a cell in the row and typing ctrl + d.

[Click here to download APR Instructions](#)

Click here to add rows to a table. If you add too many rows, you may select a cell in the row you wish to remove and type ctrl + d.

v_2_15_24

Optional: This runs a macro which checks to ensure all required fields are filled out. The macro will create two files saved in the same directory this APR file is saved in. One file will be a copy of the APR with highlighted cells which require information. The other file will be list of the problematic cells, along with a description of the nature of the error.

Optional: Save before running. This copies data on Table A2, and creates another workbook with the table split across 4 tabs, each of which can fit onto a single page for easier printing. Running this macro will remove the comments on the column headers, which contain the instructions. Do not save the APR file after running in order to preserve comments once it is reopened.

Optional: This macro identifies dates entered that occurred outside of the reporting year. RHNA credit is only given for building permits issued during the reporting year.

Link to the online system: <https://apr.hcd.ca.gov/APR/login.do>

Toggles formatting that turns cells green/yellow/red based on data validation rules.

Submittal Instructions

Please save your file as Jurisdictionname2023 (no spaces). Example: the city of San Luis Obispo would save their file as SanLuisObispo2023

Housing Element Annual Progress Reports (APRs) forms and tables must be submitted to HCD and the Governor's Office of Planning and Research (OPR) on or before April 1 of each year for the prior calendar year; submit separate reports directly to both HCD and OPR pursuant to Government Code section 65400. There are two options for submitting APRs:

1. Online Annual Progress Reporting System - Please see the link to the online system to the left. This allows you to upload the completed APR form into directly into HCD's database limiting the risk of errors. If you would like to use the online system, email APR@hcd.ca.gov and HCD will send you the login information for your jurisdiction. *Please note: Using the online system only provides the information to HCD. The APR must still be submitted to OPR. Their email address is opr.apr@opr.ca.gov.*

2. Email - If you prefer to submit via email, you can complete the excel Annual Progress Report forms and submit to HCD at APR@hcd.ca.gov and to OPR at opr.apr@opr.ca.gov. Please send the Excel workbook, not a scanned or PDF copy of the tables.

Jurisdiction	Irwindale	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Housing Element Planning Period	6th Cycle	10/15/2021 - 10/15/2029

Building Permits Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		0

Note: Units serving extremely low-income households are included in the very low-income permitted units totals

Units by Structure Type	Entitled	Permitted	Completed
Single-family Attached	0	0	0
Single-family Detached	0	0	0
2 to 4 units per structure	0	0	0
5+ units per structure	0	0	0
Accessory Dwelling Unit	0	0	0
Mobile/Manufactured Home	0	0	0
Total	0	0	0

Infill Housing Developments and Infill Units Permitted	# of Projects	Units
Indicated as Infill	0	0
Not Indicated as Infill	0	0

Housing Applications Summary	
Total Housing Applications Submitted:	0
Number of Proposed Units in All Applications Received:	0
Total Housing Units Approved:	0
Total Housing Units Disapproved:	0

Use of SB 35 Streamlining Provisions - Applications	
Number of SB 35 Streamlining Applications	0
Number of SB 35 Streamlining Applications Approved	0

Units Constructed - SB 35 Streamlining Permits			
Income	Rental	Ownership	Total
Very Low	0	0	0
Low	0	0	0

Moderate	0	0	0
Above Moderate	0	0	0
Total	0	0	0

Streamlining Provisions Used - Permitted Units	# of Projects	Units
SB 9 (2021) - Duplex in SF Zone	0	0
SB 9 (2021) - Residential Lot Split	0	0
AB 2011 (2022)	0	0
SB 6 (2022)	0	0
SB 35 (2017)	0	0

Ministerial and Discretionary Applications	Applications	Units
Ministerial	0	0
Discretionary	0	0

Density Bonus Applications and Units Permitted	
Number of Applications Submitted Requesting a Density Bonus	0
Number of Units in Applications Submitted Requesting a Density Bonus	0
Number of Projects Permitted with a Density Bonus	0
Number of Units in Projects Permitted with a Density Bonus	0

Housing Element Programs Implemented and Sites Rezoned	Count
Programs Implemented	50
Sites Rezoned to Accommodate the RHNA	0

Jurisdiction	Irwindale	
Reporting Year	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

This table is auto-populated once you enter your jurisdiction name and current year data. Past year information comes from previous APRs.
Please contact HCD if your data is different than the material supplied here

Table B														
Regional Housing Needs Allocation Progress														
Permitted Units Issued by Affordability														
		1		2									3	4
Income Level		RHNA Allocation by Income Level	Projection Period - 06/30/2021- 10/14/2021	2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date (all years)	Total Remaining RHNA by Income Level
Very Low	Deed Restricted	36	-	-	-	-	-	-	-	-	-	-	-	-
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	36
Low	Deed Restricted	11	-	-	-	-	-	-	-	-	-	-	-	11
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Moderate	Deed Restricted	17	-	-	-	-	-	-	-	-	-	-	-	17
	Non-Deed Restricted		-	-	-	-	-	-	-	-	-	-	-	
Above Moderate		55	-	-	1	-	-	-	-	-	-	-	1	54
Total RHNA		119												
Total Units			-	-	1	-	-	-	-	-	-	-	1	118
Progress toward extremely low-income housing need, as determined pursuant to Government Code 65583(a)(1).														
		5											6	7
		Extremely low-Income Need		2021	2022	2023	2024	2025	2026	2027	2028	2029	Total Units to Date	Total Units Remaining
Extremely Low-Income Units*		18	-	-	-	-	-	-	-	-	-	-	-	18

*Extremely low-income housing need determined pursuant to Government Code 65583(a)(1). Value in Section 5 is default value, assumed to be half of the very low-income RHNA. May be overwritten.

Please Note: Table B does not currently contain data from Table F or Table F2 for prior years. You may login to the APR system to see Table B that contains this data.

Note: units serving extremely low-income households are included in the very low-income RHNA progress and must be reported as very low-income units in section 7 of Table A2. They must also be reported in the extremely low-income category (section 13) in Table A2 to be counted as progress toward meeting the extremely low-income housing need determined pursuant to Government Code 65583(a)(1).

Please note: For the last year of the 5th cycle, Table B will only include units that were permitted during the portion of the year that was in the 5th cycle. For the first year of the 6th cycle, Table B will only include units that were permitted since the start of the planning period. Projection Period units are in a separate column.

Please note: The APR form can only display data for one planning period. To view progress for a different planning period, you may login to HCD's online APR system, or contact

HCD staff at apr@hcd.ca.gov.

VLI Deed Restricted

VLI Non Deed Restricted

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Jurisdiction		Irwindale	
Reporting Year		2023 (Jan. 1 - Dec. 31)	
Table D			
Program Implementation Status pursuant to GC Section 65583			
Housing Programs Progress Report Describe progress of all programs including local efforts to remove governmental constraints to the maintenance, improvement, and development of housing as identified in the housing element.			
1	2	3	4
Name of Program	Objective	Timeframe in H.E	Status of Program Implementation
5th Cycle Program 1: Housing Grants for Extremely and Very Low-Income (Grants)	7 grants between 2014-2021 (3 Extremely Low-Income; 2 very low-income; 2 moderate-income)	2015-2021	This program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 2: Deferred Housing Improvement Loan Program (SR Loans)	7 grants between 2014-2021 (3 Extremely Low-Income; 2 Very Low-Income; 2 Moderate-Income)	2015-2021	This program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 3: Substantial Rehabilitation Housing Improvement Loan Program (SR Loans)	7 additional loans processed between 2014-2021 (3 Extremely Low-Income; 2 Very Low-Income; 2 Moderate-Income)	2015-2021	This program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 4: Below Market-Rate Loans for Tenant Occupied Units	1 additional loan processed between 2014-2021	2015-2021	This program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 5: Substantial Rehabilitation Below Market Rate Loans for Tenant Occupied Units	1 additional loan processed between 2014-2021	2015-2021	This program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 6: Zoning Program	Planned Development Overlay - up to 63 units	Fall 2014	The completion of the comprehensive Zoning Code Update was delayed due to staffing issues and COVID 19 pandemic. Anticipated to be completed by Spring 2024.

5th Cycle Program 7: In-Fill Housing Program	8 net new units	4th Quarter, 2014	In 2021, 7 new deed restricted housing units were completed and 1 building permit was issued to sustiantially rehabilitate and deed restrict
5th Cycle Program 8: Promotion of Second Unit Ordinance and Second Unit Deferred Loan Program	Average of 1 new second unit per year (total of 6 units - 4 Very Low-Income; 2 Low-Income)	2015-2021	There have been no requests received for this program. The Second Unit Deferred Loan Program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 9: Promotion of Energy and Water Conservation to Existing Residents and in City Sponsored Housing Projects	5 new retrofitted units per year (total of 25 units)	Ongoing	The new housing units developed with the assistance of the Irwindale Housing Authority are green point rated and include energy and water conservation elements.
5th Cycle Program 10: Proposed Green Building Grant Program	4 grants between 2015-2021	2015-2021	This program no longer exists due to the dissolution of the ICRA.
5th Cycle Program 11: Mountain Avenue and Shrode Street Residential Development	development of 8 units	Ongoing	In 2020, 7 building permits were issued to develop 4 very low and 3 low income housing units at the Mountain and Shrode Avenue site (Now named Ambriz St). Reduced to 7 from 8 due to accomodation of the street.
5th Cycle Program 12: Priority for Water and Sewer (SB 1087)	N/A	Upon adoption of H.E.	Copy of the adopted H.E. sent to water and sewer service providers (Valley County Water District; Cal-American Water Company; L.A. County Sanitation District No. 22); priority for water and sewer connections to affordable housing projects.
5th Cycle Program 13: Annual Review of General Plan Land Use and Conservation Elements (AB 162)	N/A	Upon adoption of H.E.	Review as needed
5th Cycle Program 14: Provision of Land Zoned for Multiple-Family Housing	Up to 63 dwelling units	Upon Rezoning of Manning Pit	The 10-acre portion of the Manning Pit has been recently reclaimed and rezoning is anticipated late 2024.
5th Cycle Program 15: Housing for Extremely Low-Income Households	New Housing for extremely low-income households in support of RHNA requirements	Annual outreach to developers & prioritize local funding twice during planning period	in 2023, no extremely low income homes were developed.
5th Cycle Program 16: Fair Housing Program	Referrals at resident request	Ongoing	This information is provided when requested by residents.

5th Cycle Program 16a: Reasonable Accomodation	Referrals at resident request	Ongoing	This information is provided when requested by residents.
5th Cycle Program 17: Units at Risk of Converting to Market Rate	Ensure tenants of Las Casitas meet affordable income restrictions	Annual recertification	In 2023, one unit was converted to market rate.
5th Cycle Program 18: Provision of Land Zoned for Multiple-Family Housing	N/A	Land survey within 5 yrs of H.E. adoption	Stakeholder interviews and surveys that identified existing and potential land uses were performed in late 2020 in coordination with the preparation of the comprehensive Zoning Code update. Information from the 2017 land use survey was provided to the consultant preparing the zoning code update. .
Proposed 6th Cycle Program 1: Proactive residential Code Enforcement	Modify the IMC to provide minimal standards for residential health and safety via regular upkeep. Monitor housing conditions; respond to complaints. Provide referrals to available rehabilitation programs through the County and State.	Modify IMC by December 2024; ongoing 2021-2029	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 2: Create a local housing rehabilitation loan fund to assist lower- and moderate-income households. (Incorporates 5th Cycle Program 1)	Monitor availability of funds as State NOFAs are released for rehabilitation project funding. Refer lower- and moderate-income property owners to housing rehab programs for assistance in bringing their units into compliance. Assist six lower-income households with rehabilitating their units.	Monitor NOFAs annually and apply for funding whenever Irwindale is eligible; work with eligible households on an ongoing basis	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 3: CEQA Exemptions for Infill Projects	Continue to utilize categorical CEQA exemptions where appropriate, on a case-by-case basis.	On-going	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 4: Facilitate adaptive reuse of commercial and industrial properties within 1/2 mile of transit to residential in compliance with new state law. (New; incorporates 5th Cycle Program 7)	Promote adaptive reuse to property owners and interested developers at least one time during the Planning Period. Remove potential constraints for adaptive reuses such as streamline review/approval process and reducing parking standards for sites within ½ mile of high-quality transit	Amend IMC by December, 2024 and conduct outreach to non-residential property owners by December, 2025.	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 5: Efficient Project review – permit streamlining program	Modify IMC to enable more by right/ministerial approvals and thus remove governmental restraints to housing production.	Amend IMC by December, 2024	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 6: Zoning Code Amendments. Complete Zoning Code Amendments to address governmental constraints identified in the Housing Needs Assessment (New): (a) The Density Bonus regulations have not been updated to comply with AB 2345, which went into effect in 2021, which requires that local jurisdictions allow for density bonuses of up to 50 percent for affordable housing projects and relaxes standards for granting additional concessions and incentives to facilitate affordable housing projects. Review and align the City’s density bonus provisions with State law. (b) The Zoning Code does not include provisions for transitional	(a) Review and align the city’s density bonus provisions with State law (b) Amend the zoning code to conform to these requirements, including provide permit streamlining for permanent supportive housing consistent with GC Section 65650 et. seq. (c) Amend the IMC to include a section for low barrier navigation centers and identify a zone(s) (d) Create objective design standards (e) Update City website to provide accessible links on Housing (f) Amend the IMC parking requirements to facilitate emergency shelters	Amend IMC to remedy governmental constraints by December, 2024	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 7: Mixed-Use Development. Create new standards and add to IMC, providing for ministerial approval. (Affirmatively Furthering Fair Housing)	Revise IMC to develop objective design standards that allow for ministerial approvals for mixed-use residential projects.	Adopt mixed-use zoning with objective design standards by December, 2024	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 8: Rezone Targeted Housing Sites. Apply an affordable housing overlay on sites identified in the Housing Sites Inventory and provide for by-right approval for projects with at least 20% affordable units. (Affirmatively Furthering Fair Housing) (Incorporates 5th Cycle Programs 6, 14, and 18).	Modify IMC to make more by right/ministerial approvals and remove governmental restraints to housing production. Ensure adequate sites to accommodate 6 th Cycle RHNA with at least a 25% overall buffer.	Adopt affordable housing overlay zoning to fully accommodate the 6 th Cycle RHNA by December, 2024	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 9: Monitor Housing Sites for No Net Loss	On an ongoing basis, monitor development of housing element sites to support meeting the RHNA. Performance evaluation to fully accommodate the RHNA. If deficit, then initiate program to provide for additional sites to fully accommodate the remaining RHNA within six months.	Ongoing	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 10: Arrow Hwy Commercial Corridor Specific Plan. Adopt new Specific Plan with potential mixed use and/or housing development.	Create a Specific Plan to include 20% affordable housing units.	Complete Specific Plan by 2028	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 11: General Plan Consistency (Incorporates 5th Cycle Program 13)	Amend zoning and general plan designations to be consistent with each other, decrease non-conformity, and allow residents to take advantage of housing legislation to increase housing stock in the city.	Complete General Plan Amendments by July, 2025; On-going	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 12: Facilitate housing development on large sites	Engage the owner of the Reliance II site in discussions about the best location within the site for a residential overlay and work with the owner to process a subdivision or lot-line adjustment to establish a parcel smaller than ten acres in size that will facilitate affordable housing development. Encourage the owner to pursue affordable housing development by facilitating conversations with potential affordable housing developers.	Engage owner within six months of Housing Element Certification; process subdivision or lot line adjustment to create site smaller than 10 acres by December, 2025; facilitate entitlements and encourage housing development by December 2027.	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 13: Leverage Allen Street Site for Affordable Housing Resources	Secure a development partner for Allen Street site and direct disposition proceeds to Affordable Housing Fund	Issue RFP for developer by January, 2025; execute development and disposition agreement by December, 2026.	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 14: Create an affordable housing linkage fee program to generate local funds to support affordable housing, including, but not limited to down payment assistance	Provide an assistance fund for qualified affordable housing participants; Affordable Housing Fund monies to assist at least one affordable housing project with at least eight units affordable to lower-income households during the Planning Period.	Adopted commercial linkage fee program November, 2023; collect linkage fees on an ongoing basis; issue NOFAs for use of linkage fee money bi-annually	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 15: Tenant-based Rental Assistance Programs for Extremely Low Income Households. Include SFR and ADUs with vouchers. (Affirmatively Furthering Fair Housing) (Incorporates 5th Cycle Program 15)	Create outreach information to provide owners regarding renting to Section 8 recipients. Include explanation on what Section 8 is. Create interest list. Create waiting list for Section 8 vouchers.	Conduct outreach to residential property owners by June, 2025 and establish owner interest list and prospective tenant interest lists by June, 2025; maintain up-to-date lists on an ongoing basis. Provide technical assistance on an as-requested basis.	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 16: Affordable ADU Incentive Program (Affirmatively Furthering Fair Housing) (Incorporates 5th Cycle Program 8)	Utilize Affordable Housing Fund monies to create reduced fee program to incentivize creation of at least four ADUs affordable to very low- or low-income households. Link back to Program 15.	Amend ADU Ordinance within six months of Housing Element Adoption	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 17: Create ADU Templates and Track and Monitor Accessory Dwelling Units (Affirmatively Furthering Fair Housing)	Streamline and facilitate the development of ADUs by creating preapproved templates for ADU plans. Community outreach once template and application streamline are in place.	Adopt pre-approved ADU templates by December, 2025; ongoing review and monitoring of ADUs; conduct outreach to Irwindale homeowners to inform them of the program by July, 2026.	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 18: State Action Ordinances	Create new IMC chapter that references and incorporates future updates to State requirements, to streamline Municipal Code modifications	Adopt new IMC chapter by June, 2025	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 19: Senior Housing opportunities	Actively pursue senior housing opportunities to create at least six new housing units for lower-income seniors, including developer partnership to provide funding for a senior housing.	Create one new senior housing project by the end of the Planning Period	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 20: Housing Opportunities for Persons Living with Disabilities. Ensure equitable housing in the community (Affirmatively Further Fair Housing)	Coordinate with relevant organizations to publicize information on resources. Pursue Private/County/State funds for supportive housing in affordable housing projects. Amend the Code regarding reasonable accommodations.	Coordinate with relevant organizations by December, 2024; amend Code by June, 2025; pursue funds annually or as NOFAs are released	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 21: Fair Housing Program/Outreach (Affirmatively Furthering Fair Housing) (Incorporates 5th Cycle Program 16)	Conduct outreach campaigns two times during the Planning Period by mailing multilingual flyers to all Irwindale residential addresses and in conjunction with business license renewals, encourage businesses to distribute flyers to employees	Conduct outreach campaigns in 2024 and 2027	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 22: Provide a variety of housing types per SB 330 and SB 35 for streamlined ministerial approval process.	Establish objective development standards and a preliminary application process for qualifying affordable housing projects	Establish objective development standards by December, 2024	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 23: Workforce Housing Development	Create a definition for Workforce Housing and income level. Through Government bonds, acquire at least eight market-rate apartments to convert to affordable units for middle income households earning 80% to 120% AMI. Join CSDA	Update IMC to define workforce housing by December 2025; apply deed restrictions to one multifamily property by end of planning period	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 24: Affordable Housing Development Assistance and Implementation Guide	Create a pamphlet and webpage including resources available and general information about affordable housing assistance and its implementation.	Create pamphlet and webpage by December 2024; update on an ongoing basis	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 25: Provide housing and reasonable accommodations for seniors and persons with disabilities (Affirmatively Furthering Fair Housing) (Incorporates 5th Cycle Program 16a)	Subsidize at least eight units of senior housing during the Planning Period. Update four units for ADA compliance. Provide reasonable accommodations on an ongoing basis.	On-going; apply for grants annually or as NOFAs become available.	Pending Housing Element Adoption/Certification

Proposed 6th Cycle Program 26: Homeless Service Strategy	Implement City's Homeless Plan. Coordinate with the SGVCOG and LAHSA. Assist at least four persons during the Housing Element Planning Period.	On-going	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 27: Arrow Highway Specific Plan	Encourage mixed-use development and provide opportunities to develop emergency shelters by-right in a zoning district that also allows residential development.	Complete specific Plan by July, 2026.	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 28: Grants for Green appliances, solar, sustainability/ Energy Conservation (Incorporates 5th Cycle Programs 9 and 10)	Assist 5 lower- income households.	Establish grant program by December 2025; On-going	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 28: Promote sustainable community design and reduced dependence on vehicles to create an inclusive community that strives to meet the needs of residents of all ages, income levels, occupations, family types, and lifestyles	Provide City's adopted Active Transportation Plan to developers and require new developments to provide for the use of alternative modes of transit. 100 percent of new developments will comply with provisions of Active Transportation Plan.	On-going	Pending Housing Element Adoption/Certification
Proposed 6th Cycle Program 30: Bi-annual trash and hazardous item pick-up (motor oil, paint, cleaners with acid/lye, household batteries)	Coordinate with local trash purveyor/LA County Sanitation District for bi-annual pickup	By December 2025	Pending Housing Element Adoption/Certification

Jurisdiction	Irwindale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Note: "+" indicates an optional field

Cells in grey contain auto-calculation formulas

Table F									
Units Rehabilitated, Preserved and Acquired for Alternative Adequate Sites pursuant to Government Code section 65583.1(c)									
Please note this table is optional: The jurisdiction can use this table to report units that have been substantially rehabilitated, converted from non-affordable to affordable by acquisition, and preserved, including mobilehome park preservation, consistent with the standards set forth in Government Code section 65583.1, subdivision (c). Please note, motel, hotel, hostel rooms or other structures that are converted from non-residential to residential units pursuant to Government Code section 65583.1(c)(1)(D) are considered net-new housing units and must be reported in Table A2 and not reported in Table F.									
Activity Type	Units that Do Not Count Towards RHNA ⁺ Listed for Informational Purposes Only				Units that Count Towards RHNA ⁺ Note - Because the statutory requirements severely limit what can be counted, please contact HCD at apr@hcd.ca.gov and we will unlock the form which enable you to populate these fields.				The description should adequately document how each unit complies with subsection (c) of Government Code Section 65583.1 ⁺ . For detailed reporting requirements, see the chcklist here :
	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	Extremely Low-Income ⁺	Very Low-Income ⁺	Low-Income ⁺	TOTAL UNITS ⁺	
Rehabilitation Activity									
Preservation of Units At-Risk									
Acquisition of Units									
Mobilehome Park Preservation									
Total Units by Income									

Jurisdiction	Irwindale	NOTE: This table must contain an inventory of ALL surplus/excess lands the reporting jurisdiction owns	Note: "+" indicates an optional field Cells in grey contain auto-calculation formulas
Reporting Period	2023		

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

For Los Angeles County jurisdictions, please format the APN's as follows:9999-999-999

[illegible]

Jurisdiction	Irwindale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

NOTE: STUDENT HOUSING WITH DENSITY BONUS ONLY. This table only needs to be completed if there were student housing projects WITH a density bonus approved pursuant to Government Code 65915(b)(1)(F)

ANNUAL ELEMENT PROGRESS REPORT

Housing Element Implementation

Not
Cells in g

Table J												
Student housing development for lower income students for which was granted a density bonus pursuant to subparagraph (F) of paragraph (1) of subdivision (b) of Section 65915												
Project Identifier				Project Type	Date	Units (Beds/Student Capacity) Approved						
1				2	3	4						
APN	Street Address	Project Name*	Local Jurisdiction Tracking ID*	Unit Category (SH - Student Housing)	Date	Very Low- Income Deed Restricted	Very Low- Income Non Deed Restricted	Low- Income Deed Restricted	Low- Income Non Deed Restricted	Moderate- Income Deed Restricted	Moderate- Income Non Deed Restricted	Above Moderate- Income
Summary Row: Start Data Entry Below												

Jurisdiction	Irwindale	
Reporting Period	2023	(Jan. 1 - Dec. 31)
Planning Period	6th Cycle	10/15/2021 - 10/15/2029

ANNUAL ELEMENT PROGRESS REPORT

Table K
Tenent Preference Policy

Local governments are required to inform HCD about any local tenant preference ordinance the local government maintains when the jurisdiction submits their annual progress report on housing approvals and production, per Government Code 7061 (SB 649, 2022, Cortese). Effective January 1, 2023, local governments adopting a tenant preference are required to create a webpage on their internet website containing authorizing local ordinance and supporting materials, no more than 90 days after the ordinance becomes operational.

Does the Jurisdiction have a local tenant preference policy?	No	
If the jurisdiction has a local tenant preference policy, provide a link to the jurisdiction's webpage on their internet website containing authorizing local ordinance and supporting materials.		N/A
Notes		N/A

[illegible]

Completed Entitlement Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate		0
Total Units		0

Certificate of Occupancy Issued by Affordability Summary		
Income Level		Current Year
Very Low	Deed Restricted	0
	Non-Deed Restricted	0
Low	Deed Restricted	0
	Non-Deed Restricted	0
Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Above Moderate	Deed Restricted	0
	Non-Deed Restricted	0
Total Units		0

Item #21.A.

City of
IRWINDALE
AGENDA REPORT

Date: March 27, 2024
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: AB 481 Compliance Agenda Report and Ordinance

City Manager's Recommendation:

Adopt by title only, waiving further reading "URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AND ADOPTING INVENTORY UPDATES OF MILITARY EQUIPMENT POLICY AS PART OF THE IRWINDALE POLICE DEPARTMENT POLICY MANUAL IN COMPLIANCE WITH ASSEMBLY BILL 481"

Administrative Action:

Submitted by:

Chris Hofford, Police Chief



Prepared by:

John Fraijo, Police Captain



Reviewed by:

Adrian R. Guerra, City Attorney

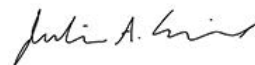


Kambiz Borhani, Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

Assembly Bill 481 (AB 481), codified at Government Code sections 7070 through 7075 requires a law enforcement agency (“LEA”) to obtain approval from the applicable governing body, via adoption of a “military equipment” use policy by ordinance, prior to the LEA funding, acquiring, or using military equipment. The Irwindale Police Department seeks City Council adoption of the attached Military Equipment Use Policy – IPD Manual Policy 705 (Exhibit A), to allow IPD to continue to use the vital equipment specified therein.

Items deemed to be “military equipment” by AB 481 are used as a component of overall best practices for LEAs throughout the country. These tools have been tested in the field, and are used by LEAs to enhance citizen and officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the IPD.

The term “military equipment”, as used in AB 481, in fact does not necessarily indicate equipment that has been used by the military. Pursuant to AB 481, items deemed to be “military equipment” include, but are not limited to, unmanned aerial or ground vehicles, armored vehicles, command and control vehicles (Command Post RV), pepper balls, less lethal shotguns, less lethal 40mm projectile launchers, and flashbangs.

Other items deemed to be “military equipment” via AB 481 include foundational equipment such as rifles. These rifles allow peace officers to address lethal threats from a greater distance and with greater precision.

IPD is committed to using the most up to date tools and equipment to safeguard the citizens of Irwindale. Many of items deemed to be “military equipment” by AB 481 are in fact employed by LEA’s across the country, in order to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter. To that end, the items at issue in this report, and accompanying Military Equipment Use Policy §705, also provide IPD’s peace officers with vital tools that facilitate compliance with its stringent use of force policy.

The proposed urgency ordinance seeks to approve the IPD’s Military Equipment Policy §705, which constitutes IPD’s Military Equipment Use outlines each item identified in Government Code section 7070, that is currently owned by the City. These particular items, and their stated uses, have been in place prior to the implementation of AB 481. Future acquisitions of any item deemed to be “military equipment” will require a further public meeting, policy update, and council approval.

Fiscal Impact:

There will be no fiscal impact to the General Fund.

Attachments:

1. IPD_Military_Equipment_Policy Rev. 01-18-24
2. Ordinance 766 Military Equipment 2024 Review

Military Equipment

705.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the approval, acquisition, and reporting requirements of military equipment (Government Code § 7070; Government Code § 7071; Government Code § 7072).

705.1.1 DEFINITIONS

Definitions related to this policy include (Government Code § 7070):

Governing body – The elected or appointed body that oversees the Department.

Military equipment – Includes but is not limited to the following:

- Unmanned, remotely piloted, powered aerial or ground vehicles.
- Mine-resistant ambush-protected (MRAP) vehicles or armored personnel carriers.
- High mobility multipurpose wheeled vehicles (HMMWV), two-and-one-half-ton trucks, five-ton trucks, or wheeled vehicles that have a breaching or entry apparatus attached.
- Tracked armored vehicles that provide ballistic protection to their occupants.
- Command and control vehicles that are either built or modified to facilitate the operational control and direction of public safety units.
- Weaponized aircraft, vessels, or vehicles of any kind.
- Battering rams, slugs, and breaching apparatuses that are explosive in nature. This does not include a handheld, one-person ram.
- Firearms and ammunition of .50 caliber or greater, excluding standard-issue shotguns and standard-issue shotgun ammunition.
- Specialized firearms and ammunition of less than .50 caliber, including firearms and accessories identified as assault weapons in Penal Code § 30510 and Penal Code § 30515, with the exception of standard-issue firearms.
- Any firearm or firearm accessory that is designed to launch explosive projectiles.
- Noise-flash diversionary devices and explosive breaching tools.
- Munitions containing tear gas or OC, excluding standard, service-issued handheld pepper spray.
- TASER® Shockwave, microwave weapons, water cannons, and long-range acoustic devices (LRADs).
- Kinetic energy weapons and munitions.
- Any other equipment as determined by a governing body or a state agency to require additional oversight.

Irwindale Police Department

Irwindale PD Policy Manual

Military Equipment

705.2 POLICY

It is the policy of the Irwindale Police Department that members of this department comply with the provisions of Government Code § 7071 with respect to military equipment.

705.3 MILITARY EQUIPMENT COORDINATOR

The Chief of Police should designate a member of this department to act as the military equipment coordinator. The responsibilities of the military equipment coordinator include but are not limited to:

- (a) Acting as liaison to the governing body for matters related to the requirements of this policy.
- (b) Identifying department equipment that qualifies as military equipment in the current possession of the Department, or the equipment the Department intends to acquire that requires approval by the governing body.
- (c) Conducting an inventory of all military equipment at least annually.
- (d) Collaborating with any allied agency that may use military equipment within the jurisdiction of Irwindale Police Department (Government Code § 7071).
- (e) Preparing for, scheduling, and coordinating the annual community engagement meeting to include:
 - 1. Publicizing the details of the meeting.
 - 2. Preparing for public questions regarding the department's funding, acquisition, and use of equipment.
- (f) Preparing the annual military equipment report for submission to the Chief of Police and ensuring that the report is made available on the department website (Government Code § 7072).
- (g) Establishing the procedure for a person to register a complaint or concern, or how that person may submit a question about the use of a type of military equipment, and how the Department will respond in a timely manner.

705.4 MILITARY EQUIPMENT INVENTORY

The following constitutes a list of qualifying equipment for the Department

Rifles:

- (2) - Colt M4 Commando.556 Rifles
- (6) - Bushmaster XM15-E2S.223 Rifles
- (11) - Colt M4 Carbine.223 Rifles
- (12) - Colt M4LE.223 Rifles
- (1) - Remington 870 Door Breaching Shotgun
- (5) - Daniel Defense DDM 4.556 Rifles

Military Equipment

Launchers:

- (6) - Defense Technology 40mm Launcher
- (1) - Federal Laboratory Inc. 37mm Launcher
- (1) - Cobray 37mm Launcher
- (1) - Pepperball Launcher

Less Lethal Munitions:

- (25) - Direct Impact 40mm OC sponge rounds
- (150) - eXact iMPact 40mm sponge rounds
- (150) - Drag Specialized 12ga. Point of Aim, Point of Impact beanbag rounds
- (11) - Defense Technology Noise-Flash diversionary devices
- (180) - Pepperball rounds

Breacher Munitions:

- (24) - 12ga. Clayvon rounds
- (20) - 12ga. Black Cap rounds
- (24) - 12ga. Flash Bang rounds

Unmanned Ground Systems:

- (1) - iRobot 210 Negotiator
- (1) - Recon Robotics Recon Scout

Unmanned Aerial Systems:

- (2) - DJI Matrice 30T

705.5 APPROVAL

The Chief of Police or the authorized designee shall obtain approval from the governing body by way of an ordinance adopting the military equipment policy. As part of the approval process, the Chief of Police or the authorized designee shall ensure the proposed military equipment policy is submitted to the governing body and is available on the department website at least 30 days prior to any public hearing concerning the military equipment at issue (Government Code § 7071). The military equipment policy must be approved by the governing body prior to engaging in any of the following (Government Code § 7071):

- (a) Requesting military equipment made available pursuant to 10 USC § 2576a.

Military Equipment

- (b) Seeking funds for military equipment, including but not limited to applying for a grant, soliciting or accepting private, local, state, or federal funds, in-kind donations, or other donations or transfers.
- (c) Acquiring military equipment either permanently or temporarily, including by borrowing or leasing.
- (d) Collaborating with another law enforcement agency in the deployment or other use of military equipment within the jurisdiction of this department.
- (e) Using any new or existing military equipment for a purpose, in a manner, or by a person not previously approved by the governing body.
- (f) Soliciting or responding to a proposal for, or entering into an agreement with, any other person or entity to seek funds for, apply to receive, acquire, use, or collaborate in the use of military equipment.
- (g) Acquiring military equipment through any means not provided above.

705.6 COORDINATION WITH OTHER JURISDICTIONS

Military equipment should not be used by any other law enforcement agency or member in this jurisdiction unless the military equipment is approved for use in accordance with this policy.

705.7 ANNUAL REPORT

Upon approval of a military equipment policy, the Chief of Police or the authorized designee should submit a military equipment report to the governing body for each type of military equipment approved within one year of approval, and annually thereafter for as long as the military equipment is available for use (Government Code § 7072).

The Chief of Police or the authorized designee should also make each annual military equipment report publicly available on the department website for as long as the military equipment is available for use. The report shall include all information required by Government Code § 7072 for the preceding calendar year for each type of military equipment in department inventory.

705.8 COMMUNITY ENGAGEMENT

Within 30 days of submitting and publicly releasing the annual report, the Department shall hold at least one well-publicized and conveniently located community engagement meeting, at which the Department should discuss the report and respond to public questions regarding the funding, acquisition, or use of military equipment.

ORDINANCE NO. 766

URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AND ADOPTING INVENTORY UPDATES OF MILITARY EQUIPMENT POLICY AS PART OF THE IRWINDALE POLICE DEPARTMENT POLICY MANUAL IN COMPLIANCE WITH ASSEMBLY BILL 481

WHEREAS, on September 30, 2021, Governor Gavin Newsom signed into law Assembly Bill 481 relating to the use of military equipment by California law enforcement agencies; and

WHEREAS, Assembly Bill 481 seeks to provide transparency, oversight, and an opportunity for meaningful public input on decisions regarding whether and how military equipment is funded, acquired, or used by law enforcement agencies; and

WHEREAS, Assembly Bill 481, codified at California Government Code section 7070, et. seq., requires law enforcement agencies to obtain approval of the applicable governing body, by an ordinance adopting a “military equipment” use policy, at a regular meeting held pursuant to open meeting laws, prior to taking certain actions relating to the funding, acquisition, or use of military equipment. The term “military equipment” is defined in California Government Code section 7070 subdivision (c); and

WHEREAS, the Irwindale Police Department is in possession of certain items of equipment that may qualify as “military equipment” under Assembly Bill 481. Items deemed to be “military equipment” by AB 481 does not necessarily indicate that the items are only used by the military. Items deemed “military equipment” are used as a component of overall best practices for law enforcement agencies throughout the country. These tools have been tested in the field and are used by agencies to enhance citizen and officer safety. Loss of these items would jeopardize the welfare of citizens and peace officers within the City of Irwindale and surrounding communities; and

WHEREAS, many of the items deemed to be “military equipment” by AB 481 are in fact employed by Irwindale Police Department, and law enforcement agencies across the country, in order to specifically reduce risk to community members. These items provide peace officers with the ability to safely resolve volatile situations which otherwise might rise to the level of a lethal force encounter. To that end, the items at issue in this report, and accompanying Military Equipment Use Policy, also provide Irwindale Police Department with vital tools that facilitate compliance with its stringent use of force policy; and

WHEREAS, Assembly Bill 481 requires that a law enforcement agency possessing and using such qualifying equipment prepare a publicly released, written, military equipment use policy. The policy must be a document covering the inventory, description, purpose, use, acquisition, maintenance, fiscal impacts, procedures, training, oversight, and complaint process, applicable to the Department’s use of such equipment; and

WHEREAS, Assembly Bill 481 allows the governing body of a city to approve the military equipment use policy for continued or future funding, acquisition, or use of military

equipment within its jurisdiction only if it makes the determinations specified in Government Code Section 7071 subdivision (d); and

WHEREAS, the military equipment use policy and supporting information must, upon adoption by ordinance, thereafter be approved by the City Council by ordinance and reviewed annually; and

WHEREAS, the proposed military equipment use policy, including military equipment inventory, was prepared by the Irwindale Police Department and identified as “IPD Policy 705 – Military Equipment Policy” (“Policy 705”); and

WHEREAS, the updated Irwindale Police Department’s Policy 705 was published on the Irwindale Police Department’s internet website at the following address: [Department Policies | Irwindale, CA - Official Website \(irwindaleca.gov\)](https://www.irwindaleca.gov/Department-Policies) on January 18, 2024 in compliance with Government Code Section 7071 subdivision (b); and

WHEREAS, the Irwindale Police Department’s Policy was presented to City Council on March 27, 2024; and

WHEREAS, the Irwindale Police Department’s Policy meets the requirements of California Government Code Section 7070 subdivision (d); and

WHEREAS, the City of Irwindale City Council, having received the information required under Assembly Bill 481 regarding the Irwindale Police Department’s use of military equipment as defined in said law, and making the specified determinations required under Government Code Section 7071 subdivision (d), desires to deem it in the best interest of the City to approve the Irwindale Police Department’s Military Equipment Use Policy as set forth herein.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. The Recitals above are true and correct and incorporated herein by reference.

SECTION 2. The Irwindale Police Department “IPD Policy 705 – Military Equipment Use Policy,” and this Ordinance were noticed in accordance with the Ralph M. Brown Act, considered by the City Council as an agenda item in an open session of a regular meeting, and at which time public comment was permitted.

SECTION 3. This Ordinance was adopted pursuant to the provisions set forth in Government Code Section 36937(b) and took effect March 27, 2024 for the preservation of the public peace, health, and safety. The City Council of the City of Irwindale finds that there is a significant public interest in ensuring that law enforcement continues to have access to equipment that will provide peace officers as many options as possible to safeguard lives, ensure safety, and protect civil liberties. Loss of these items would pose an immediate threat to the public health, safety, and welfare because there is an immediate need to protect the welfare of citizens and peace officers within the City of Irwindale and surrounding communities. The use of the tools/equipment identified in the

Equipment Use Policy are vital to Irwindale Police Department's mission and will continue to be strictly regulated through internal processes and oversight. The policy ensures that there are safeguards, including transparency, oversight, and accountability measures in place.

SECTION 4. The Irwindale Police Department "IPD Policy 705 – Military Equipment Use Policy," attached hereto as **Exhibit "A,"** is approved, adopted, and hereby deemed renewed. Based on the findings and recitals above as incorporated herein, in addition to information and public testimony provided to the City Council at the public meeting, the City Council determines as follows:

1. The Irwindale Police Department's Military Equipment Use Policy is necessary because there are no reasonable alternatives that can achieve the same objectives of officer and civilian safety.

2. The Irwindale Police Department's Military Equipment Use Policy will safeguard the public's welfare, safety, civil rights, and civil liberties, as set forth above.

3. The military equipment identified in the Irwindale Police Department's Military Equipment Use Policy is reasonably cost effective compared to available alternatives that can achieve the same objectives of officer and civilian safety.

4. Prior military equipment use by the Irwindale Police Department complied with the Military Equipment Use Policy although it was not yet in effect at the time, or if prior uses did not comply with the accompanying military equipment use policy, corrective action has been taken to remedy nonconforming uses and ensure future compliance.

5. The Irwindale Police Department's Military Equipment Use Policy, Policy 705, setting forth the City's military equipment use policy is approved and adopted, as may be amended from time to time subject to the following future compliance requirements:

- a. The Policy shall be made publicly available on the Police Department's website for as long as the military equipment is available for use.
- b. The Irwindale Police Department shall submit an annual military equipment report to the City Council, containing the information required in Government Code Section 7072, and the City Council shall determine whether each type of military equipment identified in that report has complied with the standards for approval set forth in (1)-(4) above.
- c. The City Council shall review this ordinance, and vote on whether to renew it, on an annual basis at a regular meeting, in accordance with Government Code Section 7071(e)(2).

SECTION 5. The City Manager is hereby authorized to execute all documents and to perform all other acts necessary to implement this Ordinance.

SECTION 6. The City Council of the City of Irwindale hereby finds that all legal prerequisites to the adoption of this Urgency Ordinance have occurred. If any section,

subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each of every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

SECTION 7. This Urgency Ordinance shall take effect immediately.

SECTION 8. The Chief Deputy City Clerk shall certify the passage of this Urgency Ordinance and shall cause the same to be posted in accordance with law.

PASSED, APPROVED AND ADOPTED this 14th day of February, 2024

Albert F. Ambriz, Mayor

ATTEST:

Laura Nieto
Chief Deputy City Clerk

STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, California, do hereby certify the renewal of Ordinance No. 766 was duly approved at a regular City Council meeting held on the 27th day of March, 2024, by the following roll call vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

ATTEST:

Laura Nieto
Chief Deputy City Clerk

ITEM 27A

Accounts Payable

Checks by Date - Summary by Check Number

**City of Irwindale as Successor Agency to the
Irwindale Community Redevelopment Agency**



Check No	Vendor No	Vendor Name	Check Date	Check Amount
101156	ROSENO	RSG Inc.	03/14/2024	1,057.50
Report Total (1 checks):				1,057.50

ITEM 33A

IRWINDALE CITY COUNCIL CHAMBERS
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706

MARCH 4, 2024
MONDAY
6:00 P.M.

The Irwindale **CITY COUNCIL** and **HOUSING AUTHORITY** met in special joint meeting at the above time and place.

ROLL CALL:

Present: Councilmembers Manuel R. Garcia, H. Manuel Ortiz;
Mayor Pro Tem Larry G. Burrola; Mayor Albert F. Ambriz

Absent: Councilmember Mark A. Breceda

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Marilyn Simpson, Community Development Director; Fernando Lopez, Housing Coordinator; and Laura Nieto, Chief Deputy City Clerk

AB 2449 DISCLOSURES None.

MAYOR AMBRIZ Mayor Ambriz requested adjourning tonight's meeting in memory of Sal Hernandez.

NEW BUSINESS

ITEM NO. 6A
DEVELOPMENT
WORKSHOP –
10 ACRE SITE ON
ALLEN DRIVE

DEVELOPMENT WORKSHOP – 10 ACRE SITE ON ALLEN DRIVE

EXECUTIVE DIRECTOR MIRANDA Executive Director Miranda encouraged participation from members of the public and noted that tonight's workshop would focus on potential uses and housing concepts for the 10-acre site on Allen Drive, and that other components related to site development, such as funding mechanisms and housing laws, would be discussed at future workshops. He then declared a potential conflict of interest and exited the Council Chambers at 6:04 p.m.

HOUSING COORDINATOR LOPEZ Housing Coordinator Lopez made a PowerPoint presentation wherein he discussed 6-acres of the subject site as well as the potential for the development of housing and/or public facilities, single/multi-family units, mixed generation, and affordable multi-family units.

FRED BARBOSA Fred Barbosa referenced 8.07 acres of the site which he stated were given to a developer, to which City Attorney Guerra stated that he was unaware of the transfer that Mr. Barbosa mentioned. Mr. Barbosa then stated that, on October 7, 2021, the Council changed the zoning of a 6.93-acre portion of the site on 5174 Vincent Avenue from residential to industrial and stated that the 6 acres should be included in this workshop.

CARMEN ROMAN	Carmen Roman agreed with Mr. Barbosa. She also suggested that the full 10 acres of the Allen Drive site be included for housing, to include green space and walking trails, but excluding government buildings. She stated her opinion that younger generations prefer smaller units or ADU's and oppose rental facilities and mentioned her belief that the 45-year covenants tied to prior housing programs were merely recommendations and not state requirements.
DENA ZEPEDA	Dena Zepeda stated her belief that some younger families prefer larger units, potentially two- and three-bedroom townhouses. She also requested that housing units be developed in phases and not all at once, and that seniors and military veterans do not want to live in multi-family units. She stated her preference that another senior complex, similar to Las Casitas, be built. Additionally, she recommended that single family homes with between 1 and 3 bedrooms be built and that Michael's Super Burgers be given land to accommodate more parking. She also suggested that land be sold to interested individuals so that they could build whichever type of housing they wish.
ANTHONY NARANJO	Anthony Naranjo noted that most wish for the same type of housing developed in prior housing programs but reminded that the state attorney general is suing cities for not meeting their housing density mandates. He asked about the city's Regional Housing Needs Assessment ("RHNA") requirements and stated his belief that the city could comply with mandates and still preserve its small community feel.
CARMEN ROMAN	Carmen Roman requested that the city inform residents on how to submit further comments and suggestions.
DENA ZEPEDA	Dena Zepeda suggested sending a flyer describing various options so that residents can check off their preferences and return them to the city. She also recommended that future housing programs include 20-year covenants instead of 45-year covenants.
VERONICA VANMARCKE	Veronica Vanmarcke agreed that single-family houses or townhouses should be built, and opposed apartments or mixed-use developments, especially along Allen Drive, since it would aggravate traffic conditions. She suggested that housing be kept affordable for future generations and that new developments include a mix of affordable and market-rate units.
ROBERT DIAZ	Robert Diaz suggested avoiding multi-tenant units and requested that single-family homes be developed. He also suggested that ample parking be made available and noted that families will need room for growth.
DENA ZEPEDA	Dena Zepeda stated that seniors prefer cottages.

FRED BARBOSA	Fred Barbosa suggested that housing for low-income households include the same amount of parking space as those for moderate-income households.
VERONICA VANMARCKE	Veronica Vanmarcke suggested that a QR code be provided for individuals to submit comments and suggestions digitally.
JOHNNY LEON	Johnny Leon requested to be informed of the type of housing that would be developed so that he can prepare for it and requested that the same type of housing made available in previous programs be made available in the future.
GARY STROBEHN	Gary Strobehn noted parking concerns along Allen Drive.
DENA ZEPEDA	Dena Zepeda requested double garages.
SUZANNE GOMEZ	Suzanne Gomez suggested developing single-family homes and spoke against mixed commercial/residential developments. She also stated that cities can sue the state in order to keep their autonomy, and that Irwindale can do similarly. She also requested single-family units for seniors and veterans.
FRED BARBOSA	Fred Barbosa stated that mixed use developments could be incorporated at a 26-acre site "next door."
CARMEN ROMAN	Carmen Roman requested that ramps be developed for families with disabilities.
COUNCILMEMBER ORTIZ	Councilmember Ortiz requested additional details regarding RHNA, to which Director Simpson elaborated by advising that the city was assigned 119 units for its 6th cycle, to be divided amongst the various income levels. Staff sent its housing element to HCD which identified 6 acres; 3 of them at 8 units per acre (approximate unit size of 5,000 square feet), and the other 3 at 14 units per acre (approximate unit size of 3,000 square feet). She added that Allen Drive is just one of the sites identified as having potential for the development of housing units. Councilmember Ortiz thanked the members of the community for sharing their input and expressing their interest. He noted that the city will do its best to try to find ways to develop housing.
COUNCILMEMBER GARCIA	Councilmember Garcia noted that 3,000 square feet for housing units is not very large, especially when compared to existing averages of 6,000 square feet, and indicated that the city would try to best address this concern.

MAYOR AMBRIZ Mayor Ambriz stated that he shared the concerns of residents and that he did not desire high density housing either, nor does he want mixed use commercial/housing units at the subject site. He then showed two sketches of 3,500 square foot housing units that may suit the City's housing needs.

HOUSING COORDINATOR LOPEZ Housing Coordinator Lopez indicated that staff would analyze all comments and suggestions made at tonight's meeting and would bring back additional details in the future.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 7:08 p.m., in memory of Sal Hernandez.

Laura M. Nieto, MMC
Chief Deputy City Clerk