

CITY OF IRWINDALE

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



NOTICE AND AGENDA FOR THE AMENDED SPECIAL MEETING OF THE CITY COUNCIL

HOUSING AUTHORITY

October 30, 2024

SPECIAL MEETING – 10:00 AM

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 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. PLEDGE OF ALLEGIANCE****3. INVOCATION****4. ROLL CALL:** Councilmembers: Mark A. Breceda, Manuel R. Garcia, H. Manuel Ortiz; Mayor Pro Tem Larry G. Burrola; Mayor Albert F. Ambriz**5. AB 2449 DISCLOSURES**

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

6. SPONTANEOUS COMMUNICATIONS

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

7. RECESS TO CLOSED SESSION**A. Liability Claims**

Pursuant to Gov. Code Section 54956.95

Claimant: Richard Gomez

Agency claimed against: City of Irwindale, Irwindale Housing Authority

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: ICEA

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

***Agenda amended on Monday, October 28, 2024 at 4:45 p.m. to add Item 7C**

8. RECONVENE IN OPEN SESSION

9. REPORT FROM CLOSED SESSION**10. CONSENT CALENDAR**

- A. Approve a Fee Waiver for the Tournament of Roses, Waiving City Transportation/Oversized Vehicle Fees

Department: Economic Development

Recommendation: That the City Council of the City of Irwindale **adopt Resolution No. 2024-87-3564** entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE RETROACTIVELY APPROVING A FEE WAIVER FOR THE PASADENA TOURNAMENT OF ROSES 501(c)(3) NONPROFIT ORGANIZATION, WAIVING CITY TRANSPORTATION/OVERSIZED VEHICLE FEES OF \$1,024.00."

- B. Claim Rejection - Richard Gomez v. City of Irwindale (Continued from October 23, 2024)

Department: City Clerk

Recommendation: Staff recommends City Council (1) Reject the claim of Richard Gomez vs. City of Irwindale; and (2) Direct staff to send a letter of rejection.

11. PUBLIC HEARINGS

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

- A. Urgency Ordinance No. 789 To Extend for an Additional 10 Months and 15 Days a Temporary Moratorium Prohibiting the Processing of Applications or Approvals For Any and All Billboards

Department: City Attorney

Recommendation: Direct the City Attorney to read the title of the ordinance, waive further reading of the ordinance, and adopt the ordinance as an urgency measure by a roll call vote with a minimum 4/5 vote for **Urgency Ordinance No. 789** entitled "AN URGENCY ORDINANCE OF THE CITY OF IRWINDALE, CALIFORNIA, EXTENDING BY 10 MONTHS AND 15 DAYS THE ORIGINAL 45 DAY MORATORIUM ESTABLISHED BY INTERIM URGENCY ORDINANCE NO 785, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858, PROHIBITING THE PROCESSING OR APPROVAL OF ANY APPLICATIONS FOR BILLBOARDS, NEW CONSTRUCTION OF BILLBOARDS, OR THE REPLACEMENT OR CONVERSION OF STATIC BILLBOARDS TO BILLBOARDS WITH A DIGITAL DISPLAY, AND DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY AND FINDING THE ADOPTION OF THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT".

12. ADJOURNMENT

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused the agenda for the special meeting of the City Council and Housing Authority to be held on October 30, 2024, be posted at the City Hall, Library, and Post Office on **October 25, 2024**.

Laura M. Nieto

Laura M. Nieto, MMC
Chief Deputy City Clerk

Item #10.A.

City of
IRWINDALE
AGENDA REPORT

Date: October 30, 2024

To: Honorable Mayor and Members of the City Council

From: Julian A. Miranda, City Manager

Issue: Approve a Fee Waiver for the Tournament of Roses, Waiving City
Transportation/Oversized Vehicle Fees

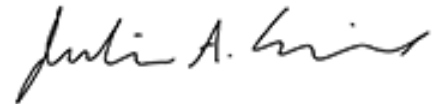
City Manager's Recommendation:

That the City Council of the City of Irwindale **adopt Resolution No. 2024-87-3564** entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE RETROACTIVELY APPROVING A FEE WAIVER FOR THE PASADENA TOURNAMENT OF ROSES 501(c)(3) NONPROFIT ORGANIZATION, WAIVING CITY TRANSPORTATION/OVERSIZED VEHICLE FEES OF \$1,024.00."

Administrative Action:

Submitted by:

Julian Miranda, City Manager



Prepared by:

Iris Espino, Assistant to the City Manager



Reviewed by:

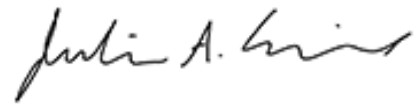
Adrian R. Guerra, City Attorney



Kambiz Borhani, Finance Director / City Treasurer



Approved by:



Julian A. Miranda, City Manager

Background and Analysis:

The City of Irwindale is home to 75% of the Rose Parade float builders, making Irwindale the Rose Float Building Capital. Each year, the rose floats travel through Irwindale en route to the Pasadena Tournament of Roses Parade. The convoy event draws large crowds of spectators to Irwindale, which lines the streets along the path to get a sneak peek at what the world will see on New Year's Day 2025. The floats travel through Irwindale on a scheduled basis, leaving and returning to Irwindale until January 3, 2025. This year, six (6) of the earliest floats left Irwindale on October 17, 2024, and will return on January 3, 2025, thus requiring retroactive approval of the fee waiver.

The Pasadena Tournament of Roses is an established 501(c)(3) non-profit charitable organization requesting a fee waiver for the 2024 float convoy event. The event will require 56 transportation permits plus 8 contingency permits which cover travel to the Rose Parade and the return trip to Irwindale. Each transportation permit costs \$16, totaling \$1,024.00 in fees for the 64 permits, including the .

The City has waived these fees in the past due to the benefits to the community. The benefits include the outstanding partnerships the float builders supply to our residents and businesses. Some benefits include the pre-parade event, during which the city's community can get up close and personal with the rose floats. This consists of the community engagement generated through the pre-parade events that the various float builders host for our community. Additionally, the surrounding businesses benefit from increased revenues due to the large crowds of spectators the event attracts, who visit these businesses the week leading up to and including New Year's Eve.

According to the City of Irwindale's Fee Adjustment Policy, the applicant's request to waive transportation permit fees meets the criteria for consideration of a fee waiver.

The City's Fee Adjustment Policy provides cost reductions for non-profit organization applicants who are taking action to invest in community events. The Policy encourages investment in community events, which create civic and community enjoyment and benefit the surrounding businesses from increased revenues due to the large crowds of spectators.

This event qualifies for, and Staff recommends that the City Council grant a transportation/oversized vehicle fee waiver for \$1,024.00 according to the approved "City of Irwindale Fee Adjustment Policy" section II(2)(a) insofar as it provides a benefit of investment in the community.

Fiscal Impact:

If this item is approved, it will result in a fee waiver of \$1,024.00 retroactive to October 17, 2024. This fee would have otherwise been collected as revenue for the General Fund.

Attachments:

1. Resolution No. 2024-87-3564 Tournament of Roses Fee Waiver(1027662.1)
2. 2025 Rose Parade Permit List
3. Fee Waiver Form

RESOLUTION NO. 2024-87-3564

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
RETROACTIVELY APPROVING A FEE WAIVER FOR THE PASADENA
TOURNAMENT OF ROSES 501(c)(3) NONPROFIT ORGANIZATION, WAIVING CITY
TRANSPORTATION/OVERSIZED VEHICLE FEES OF \$1,024.00**

WHEREAS, the City of Irwindale is home to 75% of the Rose Parade float builders, making Irwindale the Rose Float Building Capital; and

WHEREAS, each year, the rose floats travel through Irwindale on route to the Pasadena Tournament of Roses Parade; and

WHEREAS, this convoy event draws large crowds of spectators to Irwindale, which line the streets along the route to get a sneak peek at what the world will see on New Year's Day 2024; and

WHEREAS, the Pasadena Tournament of Roses is an established 501(c)(3) non-profit charitable organization and is requesting a fee waiver for the 2024 float convoy event that will require up to 64 transportation permits, which covers both travel to the Rose Parade and the return trip to Irwindale. Each transportation permit costs \$16, totaling \$1,024 in fees; and

WHEREAS, this year, six (6) of the earliest floats left Irwindale on October 17, 2024, and will return on January 3, 2025, thus requiring retroactive approval of the fee waiver; and

WHEREAS, the City's Fee Adjustment Policy provides cost reduction for those non-profit organization applicants who are taking action to invest in community events; and

WHEREAS, the City's Fee Adjustment Policy encourages investment in community events, and this procession creates civic and community enjoyment as well as benefits to the surrounding businesses from increased revenues due to the large crowds of spectators; and

WHEREAS, this event qualifies for, and the City Council desires to grant a transportation/oversized vehicle fee waiver according to the approved "City of Irwindale Fee Adjustment Policy" section II(2)(a) insofar as it provides a benefit of investment in the community.

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

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

SECTION 2. The City Council finds that waiving the fee of \$1,024.00 for 64 transportation permits, covering travel to the Rose Parade and return trip to Irwindale, serves the valid public purposes described in the above recitals as incorporated herein.

SECTION 3. Based on the above finding, the City Council hereby approves the Pasadena Tournament of Roses' Application for Fee Adjustment by waiving the Transportation/Oversized vehicle fee for 64 transportation permits in a total amount of \$1,024.00.

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

PASSED, APPROVED and ADOPTED this 30th day of October 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. 2024-87-3564, as duly adopted by the City Council of the City of Irwindale, at a regular meeting held on the 30th day of October 2024, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

2025 ROSE PARADE

Transportation Permits

	FLOAT	LEAVING IRWINDALE	RETURNING TO IRWINDALE
1	San Diego Zoo	10/17/2024	1/3/2025
2	The UPS Store	10/17/2024	1/3/2025
3	Boys & Girls Club	10/17/2024	1/3/2025
4	One Legacy	10/17/2024	1/3/2025
5	City of Torrance	10/17/2024	1/3/2025
6	Explore Louisiana	10/17/2024	1/3/2025
7	Aids Healthcare Foundation	TBD	1/3/2025
8	Hill's - Pasadena Humane	TBD	1/3/2025
9	Love 2 You	TBD	1/3/2025
10	Visit Mississippi	TBD	1/3/2025
11	TBD	TBD	1/3/2025
12	TBD	TBD	1/3/2025
13	TBD	TBD	1/3/2025
14	Cal Poly Universities	TBD	1/3/2025
15	Lions Club International	12/31/2024	1/3/2025
16	Western Asset	12/31/2024	1/3/2025
17	Elks USA	12/31/2024	1/3/2025
18	Odd Fellows & Rebekahs	12/31/2024	1/3/2025
19	Rotary International	12/31/2024	1/3/2025
20	Kiwanis International	12/31/2024	1/3/2025
21	City of Hope	12/31/2024	1/3/2025
22	City of Alhambra	12/31/2024	1/3/2025
23	Shriners Children's	12/31/2024	1/3/2025
24	Lutheran Hour Ministries	12/31/2024	1/3/2025
25	Trader Joe's	12/31/2024	1/3/2025
26	Coding for Veterans	12/31/2024	1/3/2025
27	Core Kidney Foundation	12/31/2024	1/3/2025
28	City of Downey	12/31/2024	1/3/2025
29	Contingency Permit	TBD	1/3/2025
30	Contingency Permit	TBD	1/3/2025
31	Contingency Permit	TBD	1/3/2025
32	Contingency Permit	TBD	1/3/2025

City of Irwindale

Application for Fee Adjustment

Property Owner City of Irwindale

Address Irwindale City Streets

Phone _____

Location of property to be improved/developed: Irwindale Ave to Arrow Hwy to Live Oak Ave.

Request is to move floats to/from Pasadena for 2024 Rose Parade on streets of Irwindale

Name and description of organization (if applicable):

Pasadena Tournament of Roses (TofR) - A non-profit 501(c) organization with all proceeds supporting
higher education and other related charities. TofR maintains float building operations in Irwindale where
over 75% of the floats are constructed.

Improvement or development to the property:

N/A

Fee(s) requesting to be waived:

\$1,024.00

Public purpose served by improvement or development (attach documents that establish the benefit to the community or the promotion of the public health, safety, and welfare, or the public service that will be provided):

This convoy event draws large crowds of spectators to Irwindale and increases business activity for the
surrounding businesses.

City of
IRWINDALE
AGENDA REPORT

Date: October 30, 2024

To: Honorable Mayor and Members of the City Council

From: Julian A. Miranda, City Manager

Issue: Claim Rejection - Richard Gomez v. City of Irwindale (Continued from October 23, 2024)

City Manager's Recommendation:

Staff recommends City Council (1) Reject the claim of Richard Gomez vs. City of Irwindale; and (2) Direct staff to send a letter of rejection.

Administrative Action:

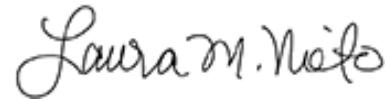
Submitted by:

Theresa Olivares, Assistant City Manager



Prepared by:

Laura Nieto, Chief Deputy City Clerk



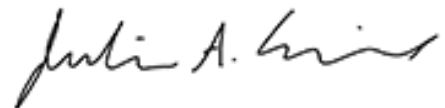
Reviewed by:

Adrian R. Guerra, City Attorney



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On September 30, 2024, the City received a claim for damages from claimant Richard Gomez. Claimant Gomez alleges sprinkler system damage to his property due to root invasive tree.

The claim was reviewed by the City's claims adjuster, Carl Warren & Co., who has recommended rejection of the claim. Their recommendation is made on the basis that the claimant signed a Declaration of Covenants, Conditions and Restrictions, and Reservation of Easements for Irwindale Walk 1A A Single-Family Residential Phase II. As the property owner who signed the document, Mr. Gomez agreed to maintain the landscaping on the property along with maintenance of irrigation and water. Accordingly, staff is recommending that the City Council reject the claim and direct staff to send a standard letter of rejection. Alternatively, the City Council may direct the City Manager to negotiate resolution of the claim.

Fiscal Impact:

None

Attachments:

1. Recommendation to Reject Claim
2. Claim - Gomez Richard

10/7/2024

TO: City of Irwindale

ATTENTION: Laura Nieto

RECOMMENDATION TO REJECT

RE:	Claimant:	Richard Gomez
	Our Client:	City of Irwindale
	Date of Loss:	07-28-2024
	Our File Number:	CJP-3052493

Please allow this correspondence to acknowledge receipt of the captioned claim. Please take the following action:

- **CLAIM REJECTION:** Send a standard rejection letter to the claimant.

Please include proof of mailing with your rejection notice to the claimant. Please provide us with a copy of the Notice of Rejection and a copy of the Proof of Mailing. If you have any questions, feel free to contact the assigned adjuster or the undersigned claims specialist.

Very Truly Yours,

Janice Baluyut

Janice Baluyut
Claims Examiner

Carl Warren & Company, LLC | **A Venbrook Company**

Direct: 657.622.4326

Email: JBaluyut@CarlWarren.com



CITY OF IRWINDALE

CLAIM FOR DAMAGES TO PERSON OR PROPERTY

RECEIVED

SEP 30 2024

**CITY OF IRWINDALE
CITY CLERKS DEPT.**

Clerk's Official
Filing Stamp

INSTRUCTIONS

1. Claims for death, injury to person or to personal property must be filed not later than 6 months after the occurrence.
2. Claims for damages to real property must be filed not later than 1 year after occurrence.
3. Read entire claim before filing.
4. See page 2 for diagram upon which to locate place of accident.
5. This claim for must be signed on page 2 at bottom.
6. Attach separate sheets if necessary to give full details. Sign each sheet.
7. File with City Clerk, 5050 N. Irwindale Ave., Irwindale, CA 91706

To: City of Irwindale		Claimant's Date of Birth [REDACTED]
Name of Claimant Richard Gomez		Claimant's Occupation Customer Service
Home Address of Claimant [REDACTED]		Home Telephone Number [REDACTED]
Business Address of Claimant [REDACTED]		Business Telephone Number [REDACTED]
Name and address to which you desire notices or communications to be sent regarding this claim: [REDACTED]		
When did DAMAGE or INJURY occur? Date: 7/28/24 Time: 11:00 AM If claim is for Equitable Indemnity, give date claimant served with complaint: _____	Names of any City employees involved in INJURY or DAMAGE	
Where did DAMAGE or INJURY occur? Describe in full detail and locate on diagram on page 2. Where appropriate, give street names, addresses, and measurements from landmarks: 7/28/24 SPRINKLER DAMAGE TO MY SPRINKLER SYSTEM DUE TO ROOT INVASIVE TREE.		
Describe in detail how the DAMAGE or INJURY occurred. DAMAGED OCCURED DUE TO ROOT INVASIVE TREE.		
Why do you claim the City of Irwindale is responsible? WHEN MY HOME WAS BUILT ROOT INVASIVE TREES WERE PLANTED BY THE CONTRACTOR.		
What DAMAGE or INJURIES do you claim resulted? Give full extent of injuries or damage claimed. DAMAGE TO THE SPRINKLER SYSTEM. I AM ASKING FOR A REFUND PAID TO OUR GARDENER IN THE AMOUNT OF 250.00 (PLEASE SEE ATTACHED RECEIPT)		

Claimant's Name:

Richard Gomez

State the amount which you are claiming as of the date of presentation of this claim. Give basis of computation.

\$250.00

Give estimated amount of future losses due to INJURY or DAMAGE:

AT THIS TIME NO OTHER DAMAGE IS PRESENT.

Was damage and/or injury investigated by the police? N/A If yes, what City? N/A

Were paramedics or ambulance called? N/A If yes, name City or ambulance N/A

If injured, give name and address of your doctor and the date and time of your first visit:

Doctors and Hospitals:

Doctor N/A Address N/A Date Hospitalized N/A

Hospital N/A Address N/A Date Hospitalized N/A

Hospital N/A Address N/A Date Hospitalized N/A

Witnesses to DAMAGE or INJURY: List all persons and addresses of persons known to have information:

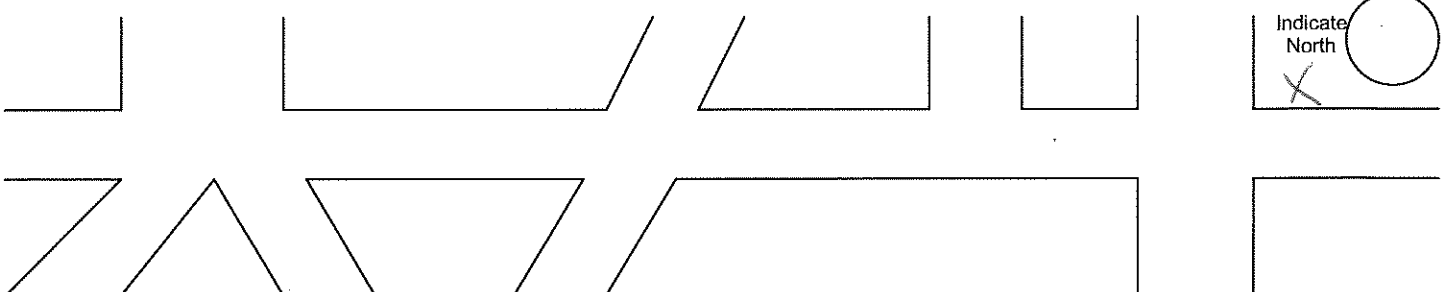
Name José Hernandez Address [REDACTED] Phone [REDACTED]

Name _____ Address _____ Phone _____

READ CAREFULLY

For all accident claims, indicate on the diagram street names, including North, East, South, and West. Indicate place of accident with an "X". Indicate house numbers or distances to street corners.

If a City vehicle was involved, designate with an "A" the location of the City vehicle when you first saw it, and with "B" the location of yourself or your vehicle when you first saw the City vehicle. Indicate location of City vehicle at the time of accident by "A-1" and location of yourself or your vehicle at the time of the accident by "B-1". Mark the point of impact with an "X". Note: If diagram below does not fit the situation, attach a proper diagram signed by claimant.



Signature of Claimant (if other than claimant, indicate relationship)

Typed Name

Date

Richard Gomez

9/25/24

Note: Claims must be filed with the City Clerk. Presentation of a false claim is a felony (Penal Code Section 72)

INVOICE

DATE 7-28 2024

NAME &
ADDRESS

Maria Gomez



LAWN SERVICE FULL YES ☐ NO ☐
MOW, EDGE, AND CLEAN WEEKLY ☐ OTHER ☐

GARDEN SERVICE

PRUNE AND TRIM

CLEAN-UP

FERTILIZER

SEED & TOPPING

PLANTS & COLOR

IRRIGATION SPRINKLERS

PLANTER WORK

SPRAY

*3 Sprinklers replaced
we repaired
that were broken by
that we had
to remove*

PAID 7/30/24

TOTAL

250.00

GARDENER

Julio Hernandez

STAR GARDEN SUPPLY, INC.

Item #11.A.

City of
IRWINDALE
AGENDA REPORT

Date: October 30, 2024

To: Honorable Mayor and Members of the City Council

From: Adrian Guerra, City Attorney

Issue: Urgency Ordinance No. 789 To Extend for an Additional 10 Months and 15 Days a Temporary Moratorium Prohibiting the Processing of Applications or Approvals For Any and All Billboards

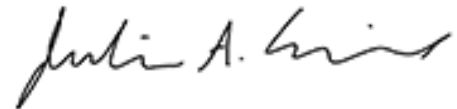
City Manager's Recommendation:

Direct the City Attorney to read the title of the ordinance, waive further reading of the ordinance, and adopt the ordinance as an urgency measure by a roll call vote with a minimum 4/5 vote for **Urgency Ordinance No. 789** entitled "AN URGENCY ORDINANCE OF THE CITY OF IRWINDALE, CALIFORNIA, EXTENDING BY 10 MONTHS AND 15 DAYS THE ORIGINAL 45 DAY MORATORIUM ESTABLISHED BY INTERIM URGENCY ORDINANCE NO 785, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858, PROHIBITING THE PROCESSING OR APPROVAL OF ANY APPLICATIONS FOR BILLBOARDS, NEW CONSTRUCTION OF BILLBOARDS, OR THE REPLACEMENT OR CONVERSION OF STATIC BILLBOARDS TO BILLBOARDS WITH A DIGITAL DISPLAY, AND DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY AND FINDING THE ADOPTION OF THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT".

Administrative Action:

Submitted / Prepared by:

Julian A. Miranda, City Manager



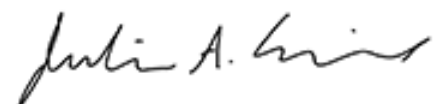
Reviewed by:

Adrian R. Guerra, City Attorney



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On September 25, 2024, the City Council unanimously adopted Urgency Ordinance No. 785. Urgency Ordinance No. 785 established a temporary moratorium on the processing and approval of applications for any and all billboards, new construction of billboards (both static and with a digital display), and the replacement or conversion of static billboards to billboards with a digital display (the "Temporary Moratorium"). During the Temporary Moratorium, staff was directed to study and develop as necessary City laws, rules, procedures, and fees related to the replacement or conversion of static billboards to billboards with a digital displays and the applications for new construction and establishment of billboards. Pursuant to Government Code section 65858, the moratorium remains in effect for forty-five (45) days, expiring on November 9, 2024. Thereafter, state law allows the City Council to extend the ordinance for ten (10) months and fifteen (15) days and, if necessary, to adopt a second extension for an additional year.

Pursuant to Government Code section 65858, the City Council was required to issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the Temporary Moratorium at least ten (10) days prior to its expiration. At its regular meeting on October 23, 2024, the City Council adopted and issued a written report, which described the measures taken by staff. As discussed in the 10-Day Report, staff has performed the following tasks and analyses:

1. Since September 25, 2024, City staff has generated an inventory of existing billboards, including static billboards and billboards with a digital display, within the City.
2. Studied the location of the existing billboards and analyzed the impacts associated with the increase of billboards in particular in the areas where they are installed.
3. Conducted an initial review regarding the regulations applicable for the regulation of billboards.

During the remaining period of the moratorium, including any extension period if enacted, City staff will continue to perform the following tasks and analyses:

1. Study the annual development fee and determine the need for an increase in order to mitigate impacts from the increase of billboards, including the replacement or conversion of static billboards to billboard with digital displays and the applications for new construction and establishment of billboards.
2. Study the potential impacts of billboards within the City on the public safety, health and welfare.
3. Gather factual data regarding such adverse impacts of billboards.
4. Research how other cities regulate billboards and the development standards necessary to ensure such signs do not have a negative impact on the community.
5. Determine what zone(s) may be appropriate to permit billboards.
6. Consider amendments to the Billboards Ordinance to incorporate any new development

standards or applicable regulations, and determine the need to adopt additional appropriate regulations. The development standards and regulations will seek to further implement the goals of the City, while also taking into consideration the interests of local businesses in advertising their location, and the ability of patrons to easily find their way to these businesses.

In accordance with state law, staff is requesting that the City Council extend the moratorium for an additional ten (10) months and fifteen (15) days so that staff can continue the review and analysis directed by the City Council, which remains on-going.

Analysis:

Government Code section 65858(a) provides that “[w]ithout following the procedures otherwise required prior to the adoption of a zoning ordinance, the legislative body of a county, city, including a charter city, or city and county, to protect the public safety, health, and welfare, may adopt as an urgency measure an interim ordinance prohibiting any uses that may be in conflict with a contemplated general plan, specific plan, or zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study within a reasonable time.” Additionally, Government Code section 65858(c) requires that, “[t]he legislative body shall not adopt or extend any interim ordinance pursuant to this section unless the ordinance contains legislative findings that there is a current and immediate threat to the public health, safety, or welfare, and that the approval of additional subdivisions, use permits, variances, building permits, or any other applicable entitlement for use which is required in order to comply with a zoning ordinance would result in that threat to public health, safety, or welfare.” Pursuant to Sections 36934, 36937(b), and 65858 of the California Government Code, to protect the public safety, health, and welfare, the City Council may, by a four-fifths vote, adopt as an urgency measure an interim ordinance prohibiting land uses that the City is studying, or intends to study, within a reasonable time.

In order to review and potentially update regulations applicable to billboards, it is necessary for the City to first study (1) any implications or challenges associated with the increase of billboards and the potential impacts such land uses the billboards may have on the public safety, health, and welfare of the City, (2) the need for an increase in the annual development fee specified in the development agreement to mitigate impacts from billboards, (3) and the regulations applicable to billboards and the need to further adopt additional appropriate regulations. City staff believes that a the extension of the moratorium is necessary to ensure that new and converted billboards will be subject to potentially updated regulations. More importantly, without the moratorium, the overconcentration of billboards may continue to operate and intensify the impacts to the community.

Staff is further recommending that the City Council adopt the ordinance as an urgency measure to take effect immediately. Enacting the ordinance as an urgency measure is necessary to protect public safety, health, and welfare, because any new application for the construction of billboards or the replacement or conversion of static billboards to billboards with a digital display would continue or intensify impacts to the community.

Since the City Council’s August 8, 2012 adoption of Ordinance No. 659, which adopted the current Chapter 17.72 “Billboards” of the Irwindale Municipal Code, the City has recognized that technological

advancements related to billboards, particularly the rise of digital displays of billboards, have significantly transformed the landscape of advertising and signage. There are currently 42 billboards located within the City of Irwindale. Additionally, City staff is currently processing billboard-related applications which were on file with the Community Development Department prior to the City Council's adoption of the moratorium, which adds to the current inventory of billboards. Of the 42 billboards, 36 are currently static with the potential to be converted to digital display, which would require appropriate and up to date development regulations by the City in order to promote orderly, planned development, public safety, aesthetics, and prevent the overconcentration of billboards and advertising displays. Adoption of the ordinance as an urgency measure, which requires a four-fifths vote of the City Council, is therefore necessary for the immediate preservation of the public safety, health, and welfare.

If adopted, the moratorium would read as follows: "During the effective period of this Ordinance, including any extension period, no application for a billboard shall be processed or approved, no consideration of any application for a billboard shall be made, and no replacement or conversion of static billboards to billboards with a digital display shall be approved."

If the proposed Ordinance is adopted, the Ordinance shall be effective for an additional ten (10) months and fifteen (15) days (until September 4 2024) unless extended in accordance with the provisions set forth in Government Code Section 65858. Note, not later than ten (10) days prior to the expiration of the extension, the City Council is required to adopt and issue another written report.

Environmental Impact:

Pursuant to Section 15001 of the California Environmental Quality Act ("CEQA") Guidelines, this interim urgency Ordinance is exempt from CEQA based on the following:

1. This Ordinance is not a project within the meaning of Sections 15060(c)(3) and 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, either directly or indirectly.
2. Alternatively, this Ordinance is also exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since the proposed ordinance involves a temporary moratorium on the processing of applications or approvals for any and all billboards and it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment.

Fiscal Impact:

None

Attachments:

1. Urgency Ordinance No. 789 - Billboards Moratorium Extension
2. 10-Day Report

ORDINANCE NO. 789

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, EXTENDING BY 10 MONTHS AND 15 DAYS THE ORIGINAL 45 DAY MORATORIUM ESTABLISHED BY INTERIM URGENCY ORDINANCE NO 785, PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 65858, PROHIBITING THE PROCESSING OR APPROVAL OF ANY APPLICATIONS FOR BILLBOARDS, NEW CONSTRUCTION OF BILLBOARDS, OR THE REPLACEMENT OR CONVERSION OF STATIC BILLBOARDS TO BILLBOARDS WITH A DIGITAL DISPLAY, AND DECLARING THE URGENCY THEREOF AND THAT IT SHALL TAKE EFFECT IMMEDIATELY AND FINDING THE ADOPTION OF THE ORDINANCE EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF IRWINDALE DOES ORDAIN AS FOLLOWS:

SECTION 1. AUTHORITY AND EFFECT.

A. The State Planning and Zoning Law (Cal. Gov't Code Sections 65000, *et seq.*) broadly empowers the City of Irwindale (the "City") to plan for and regulate the use of land in order to provide for orderly development, the public safety, health, and welfare, and a balancing of property rights and the desires of the community and how its citizens envision their city.

B. This interim urgency Ordinance is enacted pursuant to the authority conferred upon the City Council of the City of Irwindale (the "City Council") by Government Code Section 65858 and shall be in full force and effect immediately upon its adoption by a four-fifths (4/5) vote of the City Council.

SECTION 2. FINDINGS.

The City Council of the City of Irwindale hereby finds, determines, and declares that:

A. On August 8, 2012, the City Council of the City adopted Ordinance No. 659 which repealed and amended Chapter 17.72 of the Irwindale Municipal Code (the "Code"), entitled "Billboards."

B. Since August 8, 2012, the City has recognized that technological advancements related to billboards, particularly the rise of digital displays of billboards, have significantly transformed the landscape of advertising and signage.

C. There are currently 42 billboards located within the City of Irwindale. Additionally, City staff is currently processing billboard-related applications which were on file with the Community Development Department prior to the City Council's adoption of the moratorium, which adds to the current inventory of billboards. Of the 42 billboards, 36 are currently static with the potential to be converted to digital display. Thus, the City has seen an increase in the establishment of billboards with a digital display and the replacement or conversion of existing static billboards to billboards with a digital display.

D. The City has a significant interest in preserving the public safety, health, and welfare of the City, especially when the overconcentration of billboards and the technological advancements regarding billboards with a digital display that could present challenges that potentially undermine the City's efforts to promote orderly, planned development, public safety, aesthetics, and prevent the overconcentration of billboards and advertising displays.

E. The City wishes to conduct a study of the potential impacts caused by the overconcentration of billboards and rise in billboards with digital displays.

F. The City believes it is necessary to conduct a comprehensive review of the existing regulations regarding billboards, explore best practices from other jurisdictions, and develop a revised framework consistent with applicable laws and regulations to address potential harmful impacts caused by the overconcentration of billboards and the rise in billboards with digital displays.

G. California Government Code section 65864, et seq., authorizes the City to enter into binding development agreements with persons having a legal or equitable interest in real property for the development of such property, all for the purposes of strengthening the public planning purposes, encouraging private participation and comprehensive planning and identifying the economic costs of such development.

H. The City intends to explore whether amounts specified within the development agreement are current and accurately reflect the cost to the City to mitigate the impact of conversion or installment of the digital billboard structures.

I. Pursuant to Sections 36934 and 65858 of the California Government Code, to protect the public safety, health, and welfare, the City Council may, by a four-fifths vote, adopt as an urgency measure an interim ordinance prohibiting land uses that the City is studying, or intends to study, within a reasonable time.

J. This moratorium will provide the City with time to study (1) any implications or challenges associated with the increase of billboards and the potential impacts such land uses the billboards may have on the public safety, health, and welfare of the City, (2) the need for an increase in the annual development fee specified in the development agreement to mitigate impacts from billboards, (3) and the regulations applicable to billboards and the need to further adopt additional appropriate regulations.

K. To allow time for the City to consider, study, revise, and enact regulations for billboards, it is necessary to temporarily suspend the processing and approval of applications for any and all billboards, new construction of billboards (both static and with a digital display), and prohibit the replacement or conversion of static billboards to billboards with a digital display, as such uses may be in conflict with the development standards and implementation regulations that the City will ultimately impose after the City has considered and studied this issue, which shall be accomplished within a reasonable time.

L. For the reasons stated above, there is a current and immediate threat to the public safety, health, and welfare of the City and its community, thereby necessitating the immediate enactment of this moratorium as an urgency ordinance in order to ensure that the processing, approval, establishment, replacement or conversion of billboards are regulated adequately. The approval of additional permits for the new construction of any billboards or replacement or conversion of static billboards would result in that threat to public health, safety, and welfare. Imposition of a moratorium will allow the City sufficient time to conduct a comprehensive review of the regulations applicable for the regulation of billboards and further develop and adopt additional appropriate regulations.

M. The City Council intends that its provisions have neither the purpose nor effect of imposing a limitation or restriction on the content of any communication or communicative materials that are protected by the First Amendment to the United States Constitution and Article 1, Section 2 of the California State Constitution.

N. The City Council further finds that this is a matter of citywide importance and is not directed towards any particular parcel of property or proposed use.

O. On September 25, 2024, the City Council enacted Ordinance No. 785, an urgency ordinance imposing a moratorium on the processing or approval of any applications for billboards, new construction of billboards, or the replacement or conversion of static billboards to billboards with a digital display. During the moratorium, staff was directed to study and develop as necessary City laws, rules, procedures and fees related to the replacement or conversion of static billboards to billboard with digital displays and the applications for new construction and establishment of billboards.

P. On October 23, 2024, the City Council timely adopted and issued a written report describing the measures taken to alleviate the conditions which led to the adoption of the ordinance in accordance with Government Code section 65858.

Q. Ordinance No. 785 expires on November 9, 2024.

R. The City Council now desires to adopt as an urgency measure an ordinance to extend the moratorium for an additional ten (10) months and fifteen (15) days so that staff can continue to review and analysis directed by the City Council, which remains on-going. The moratorium will further ensure that the public safety, health, and welfare are protected from land uses that will continue or intensify impacts to the community during staff's review.

SECTION 3. MORATORIUM.

During the effective period of this Ordinance, including any extension period, no application for a billboard shall be processed or approved, no consideration of any application for a billboard shall be made, and no replacement or conversion of static billboards to billboards with a digital display shall be approved. Notwithstanding the foregoing, this Ordinance and Moratorium shall not apply to any billboard related application on file with the Community Development Department as of the effective date of this Ordinance.

SECTION 4. REVIEW AND STUDY.

During the period of this Ordinance, including any extension period, the City shall study and develop as necessary City laws, rules, procedures and fees related to the replacement or conversion of static billboards to billboard with digital displays and the applications for new construction and establishment of billboards to enable the City to adequately and appropriately preserve the public safety, health, and welfare of the community.

SECTION 5. DEFINITIONS.

As used herein the following definitions shall apply:

- A. "Billboard" means a sign soliciting public support or directing public attention to the sale, lease, hiring or use of any objects, products or service. For purposes of this Ordinance, a billboard shall not include a sign solely advertising the business located on the premises where such sign is erected and maintained.
- B. "Digital display" means the face of a billboard that is comprised of a digital or electronic face with intermittent messages.
- C. "Static display" means the face of a billboard that has a fixed, printed face; is not digital and does not have a variable message display.
- D. "New construction" means the construction of a new billboard (static or digital display) including the sign face and support structure.
- E. "Replacement" or "Conversion" means the complete replacement or conversion of a static billboard (face and support structure as needed) with a digital display.

SECTION 6. URGENCY MEASURE.

Based on the findings set forth in Section 2 above and incorporated herein, the City Council declares that this Ordinance is necessary as an urgency measure to preserve and address existing and immediate threats to the public safety, health, and welfare. To enact the Ordinance after giving notice, holding a public hearing, and two (2) readings thereof, and thereafter wait thirty (30) days for said Ordinance to become effective, will be detrimental to the public safety, health, and welfare, in that during the interim period new applications for billboards may be processed, approved, or established without the benefit of the implementation of proper use regulations and, as a result, such a development will continue or intensify impacts to the community. It is therefore necessary that this Ordinance go into effect immediately upon adoption. This Ordinance, therefore, is adopted pursuant to the provisions of Sections 36934, 36937(b), and 65858 of the California Government Code, shall be adopted by a four-fifths vote of the City Council, shall take effect immediately upon its adoption pursuant to Section 36937(b) of the California Government Code, and extend Interim Ordinance No. 785 for an additional ten (10) months and fifteen (15) days until September 4, 2025, subject to extensions as provided by law.

SECTION 7. SEVERABILITY.

The City Council hereby declares, if any provision, section, subsection, paragraph, sentence, phrase or word of this Ordinance is rendered or declared invalid or unconstitutional by any final action in a court of competent jurisdiction or by reason of any preemptive legislation, then the City Council would have independently adopted the remaining provisions, sections, subsections, paragraphs, sentences, phrases or words of this Ordinance and as such they shall remain in full force and effect.

SECTION 8. CEQA COMPLIANCE.

Pursuant to Section 15001 of the California Environmental Quality Act ("CEQA") Guidelines, this interim urgency Ordinance is exempt from CEQA based on the following:

(a) This Ordinance is not a project within the meaning of Sections 15060(c)(3) and 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, either directly or indirectly.

(b) Alternatively, this Ordinance is also exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, since the proposed ordinance involves a temporary moratorium on the processing of applications or approvals for any and all billboards and it can be seen with certainty that there is no possibility that the Ordinance may have a significant impact on the environment.

Staff is directed to file a Notice of Exemption with the Los Angeles County Clerk's office within five (5) working days of the adoption of this Ordinance.

SECTION 9. PUBLICATION.

The Chief Deputy City Clerk shall certify as to the passage and adoption of this Urgency Ordinance and shall cause the same to be published in a manner prescribed by law.

SECTION 10. EFFECTIVENESS OF ORDINANCE.

This Ordinance shall take effect immediately, pursuant to the authority conferred upon the City Council by Government Code sections 36934, 36937(b), and 65858. This Ordinance shall be of no further force and effect ten (10) months and fifteen (15) days following the date of its adoption (until September 4, 2025) unless extended in accordance with the provisions set forth in Government Code Section 65858. Not later than ten (10) days prior to the expiration of this interim urgency Ordinance, the City Council shall issue a written report as required by applicable state law.

PASSED, APPROVED AND ADOPTED this 30th day of October, 2024.

Albert F. Ambriz, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, California do hereby certify that the foregoing Urgency Ordinance No. 789 was adopted at a special meeting of the City Council of the City of Irwindale held on the 30th day of October 2024 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused a copy of Urgency Ordinance No. 789, adopted by the City Council of the City of Irwindale at its special meeting held _____ to be posted at the City Hall, Library, and Post Office on _____.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Dated:

City of
IRWINDALE
AGENDA REPORT

Date: October 23, 2024

To: Honorable Mayor and Members of the City Council

From: Adrian R. Guerra, City Attorney

Issue: Written Report Describing The Measures Taken To Alleviate The Conditions Which Led To The Adoption Of Ordinance No. 785 Which Imposed A Temporary Moratorium Prohibiting the Processing of Applications or Approvals For Any and All Billboards

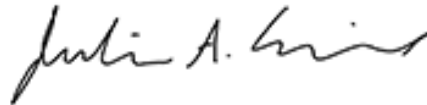
City Manager's Recommendation:

Adopt and Issue the Written Report on Ordinance No. 785 entitled, "REPORT OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ON URGENCY ORDINANCE NO. 785 IMPOSING A MORATORIUM ON THE PROCESSING OR APPROVAL OF ANY APPLICATIONS FOR BILLBOARDS, NEW CONSTRUCTION OF BILLBOARDS, OR THE REPLACEMENT OR CONVERSION OF STATIC BILLBOARDS TO BILLBOARDS WITH A DIGITAL DISPLAY, AS REQUIRED BY GOVERNMENT CODE SECTION 65858" for Public Inspection

Administrative Action:

Submitted and Prepared by:

Julian A. Miranda, City Manager



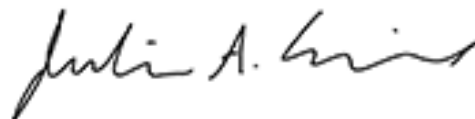
Reviewed by:

Adrian R. Guerra, City Attorney



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On September 25, 2024, the City Council enacted Ordinance No. 785, an urgency imposing a temporary moratorium on the processing and approval of applications for any and all billboards, new construction of billboards (both static and with a digital display), and the replacement or conversion of static

billboards to billboards with a digital display (the “Temporary Moratorium”). During the Temporary Moratorium, staff was directed to study and develop as necessary City laws, rules, procedures, and fees related to the replacement or conversion of static billboards to billboards with a digital displays and the applications for new construction and establishment of billboards. Pursuant to Government Code section 65858, the moratorium remains in effect for forty-five (45) days, expiring on November 9, 2024. Thereafter, state law allows the City Council to extend the ordinance for ten (10) months and fifteen (15) days and, if necessary, to adopt a second extension for an additional year.

Pursuant to Government Code section 65858, the City Council is required to issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the Ordinance. The report is required to be issued at least ten (10) days prior to the expiration of the urgency ordinance. City staff has prepared the report, attached herein, in satisfaction of the requirements of Government Code section 65858 for City Council consideration, adoption, and issuance for public inspection.

Analysis:

On September 25, 2024, Ordinance No. 785 established a Temporary Moratorium, exempting billboard related applications on file with the Community Development Department as of the effective date of the Ordinance.

Pursuant to Government Code section 65858, the moratorium remains in effect for forty-five (45) days, expiring on November 9, 2024. In accordance with Government Code section 65858, the City staff has prepared the written report describing the measures taken to alleviate the conditions which led to the adoption of the Ordinance. A copy of the report is attached.

The report provides that if City staff is not able to conclude its research, City staff will propose an extension of the moratorium for City Council consideration. If adopted, the moratorium would be extended for an additional ten (10) months and fifteen (15) days to permit City staff to complete its research and to provide sufficient time for City staff to formulate appropriate recommendations in light of that research.

Environmental Impact:

Pursuant to Section 15001 of the California Environmental Quality Act ("CEQA") Guidelines, the adoption and issuance of the 10-day report is exempt from CEQA based on the following:

1. The report is not a project within the meaning of Sections 15060(c)(3) and 15378 of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, either directly or indirectly.
2. Alternatively, the report is also exempt pursuant to Section 15061(b)(3) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it is clear that there is no possibility that the report may have a significant impact on the environment.

Fiscal Impact:

None

Attachments:

1. 10-Day Report Regarding Billboards

**REPORT OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ON URGENCY
ORDINANCE NO. 785 IMPOSING A MORATORIUM ON THE PROCESSING OR
APPROVAL OF ANY APPLICATIONS FOR BILLBOARDS, NEW CONSTRUCTION OF
BILLBOARDS, OR THE REPLACEMENT OR CONVERSION OF STATIC
BILLBOARDS TO BILLBOARDS WITH A DIGITAL DISPLAY, AS REQUIRED BY
GOVERNMENT CODE SECTION 65858**

I. Background to the Adoption of the Urgency Ordinance No. 785.

On September 25, 2024, the City Council (the “**City Council**”) of the City of Irwindale (the “**City**”) enacted Ordinance No. 785, an urgency ordinance imposing a moratorium on the processing or approval of any applications for billboards, new construction of billboards, or the replacement or conversion of static billboards to billboards with a digital display¹. Pursuant to Government Code section 65858, the interim urgency ordinance remains in effect for forty-five (45) days. Thereafter, state law allows the City Council to extend the ordinance for ten (10) months and fifteen (15) days and, if necessary, to adopt a second extension for an additional year.

Ten days prior to the expiration of the urgency ordinance, the City Council must issue a written report describing the measures taken to alleviate the conditions which led to the adoption of the ordinance. The City has prepared this report in satisfaction of the requirements of Government Code section 65858.

II. Measures Taken To Alleviate the Conditions that Led to the Adoption of the Urgency Ordinance No. 785.

As the City Council’s findings demonstrate, the interim urgency ordinance was enacted in response to potential new applications for billboards, new construction of billboards, or the replacement or conversion of static billboards to billboards with a digital display and present a threat to the public safety, health and welfare by continuing or intensifying impacts to the community.

To alleviate the conditions that led to the adoption of the interim urgency, City staff has performed the following tasks and analyses:

- 1.** Since September 25, 2024, City staff has generated an inventory of existing billboards, including static billboards and billboards with a digital display, within the City.
- 2.** Studied the location of the existing billboards and analyzed the impacts associated with the increase of billboards in particular in the areas where they are installed.
- 3.** Conducted an initial review regarding the regulations applicable for the regulation of billboards.

During the remaining period of the moratorium, including any extension period if enacted, City staff will continue to perform the following tasks and analyses:

¹ Billboard related applications on file with the Community Development Department as of the effective date of Ordinance No. 785 are exempt from the moratorium.

1. Study the annual development fee and determine the need for an increase in order to mitigate impacts from the increase of billboards, including the replacement or conversion of static billboards to billboard with digital displays and the applications for new construction and establishment of billboards.
2. Study the potential impacts of billboards within the City on the public safety, health and welfare.
3. Gather factual data regarding such adverse impacts of billboards.
4. Research how other cities regulate billboards and the development standards necessary to ensure such signs do not have a negative impact on the community.
5. Determine what zone(s) may be appropriate to permit billboards.
6. Consider amendments to the Billboards Ordinance to incorporate any new development standards or applicable regulations, and determine the need to adopt additional appropriate regulations. The development standards and regulations will seek to further implement the goals of the City, while also taking into consideration the interests of local businesses in advertising their location, and the ability of patrons to easily find their way to these businesses.

If City staff has not concluded its research, City Staff will recommend an extension of this urgency ordinance moratorium, currently set to expire on November 9, 2024, for an additional ten (10) months and fifteen (15) days to permit City staff to complete its research and to provide sufficient time for City staff to formulate appropriate recommendations in light of that research.