

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

MARCH 22, 2023
WEDNESDAY
5:30 P.M.

The Irwindale CITY COUNCIL and SUCCESSOR AGENCY TO THE COMMUNITY
REDEVELOPMENT AGENCY met in special joint session at the above time and place.

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

Absent: Councilmember Mark A. Breceda

Also Present: Julian A. Miranda, City Manager; Adrian Guerra,
City Attorney; and Laura Nieto, Chief Deputy City Clerk

AB 2449 DISCLOSURES None.

**SPONTANEOUS
COMMUNICATIONS** None.

**RECESS TO
CLOSED SESSION** At 5:34 p.m., the City Council met in Closed Session to discuss the
following:

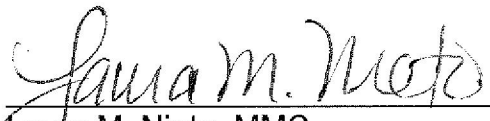
Conference with Legal Counsel – Existing Litigation
Pursuant to California Government Code Section 54956.9

Name of Case: Five Points, LP vs. City of Irwindale
Case Number: 22STCV01394

ACTION: Discussed, update provided; no reportable action

**RECONVENE IN
OPEN SESSION** At 6:30 p.m., the City Council reconvened in Open Session with all
members present.

ADJOURNMENT There being no further business to conduct, the meeting was
adjourned at 6:31 p.m.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held April 12, 2023.

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

**MARCH 22, 2023
WEDNESDAY
6:31 P.M.**

The Irwindale **CITY COUNCIL** met in regular session at the above time and place.

ROLL CALL:

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

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; John Fraijo, Police Captain; Theresa Olivares, Assistant City Manager; Kambiz Borhani, Director of Finance / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, and Laura Nieto, Chief Deputy City Clerk

AB 2449 DISCLOSURES None.

**CHANGES TO THE
AGENDA**

CITY MANAGER
MIRANDA

City Manager Miranda advised that item nos. L9 and L10 would be pulled for a brief report.

**COUNCILMEMBER
TRAVEL REPORT**

None.

**COUNCILMEMBER
COMMENTS**

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz reported on his attendance at a recent Foothill Gold Line meeting and on his efforts to secure funding for the project.

COUNCILMEMBER
BURROLA

Councilmember Burrola reported on his attendance at a recent Council of Governments meeting and on the topics considered.

MAYOR ORTIZ

Mayor Ortiz recognized Azusa Mayor Robert Gonzales and Crystal Lopez from Senator Susan Rubio's Office, who were in attendance.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

BUSINESS OF THE
MONTH – ACERO'S
CATERING

BUSINESS OF THE MONTH – ACERO'S CATERING

The presentation was made.

PRESENTATION BY
THE WATER QUALITY
AUTHORITY

PRESENTATION BY THE WATER QUALITY AUTHORITY

Azusa Mayor Robert Gonzales and Executive Director Randy Schoellerman, P.E., made the presentation.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by Councilmember Burrola, to approve the Consent Calendar, with the exception of Item Nos. L9 and L10, which were pulled for a brief report. The motion was unanimously approved.

ITEM NO. 1
MINUTES

MINUTES

The following minutes were approved:

- A) Regular meeting held February 22, 2023
- B) Regular meeting held March 8, 2023

ITEM NO. 2
WARRANTS

WARRANTS

The warrants were approved.

ITEM NO. 3
SECOND EXTENSION
OF LEASE OF CITY'S
WATER PRODUCTION
RIGHTS

SECOND EXTENSION OF LEASE OF CITY'S WATER
PRODUCTION RIGHTS FOR FY 2022/2023

The proposal from the San Gabriel Valley Water Company was approved and the city's 285.38 acre-feet of water production rights were leased for FY 2022/2023, and the City Manager was authorized to sign the second one-year extension to the lease for the temporary assignments of the city's water production rights.

ITEM NO. 4
DESIGNATION OF
AUTHORIZED AGENTS
TO ACT ON BEHALF
OF THE CITY TO
OBTAIN EMERGENCY
FINANCIAL
ASSISTANCE

DESIGNATION OF AUTHORIZED AGENTS TO ACT ON BEHALF
OF THE CITY TO OBTAIN EMERGENCY FINANCIAL ASSISTANCE

RESOLUTION NO.
2023-26-3404
ADOPTED

Resolution No. 2023-26-3404, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE DESIGNATING AUTHORIZED AGENTS TO ACT ON BEHALF OF THE CITY TO OBTAIN STATE AND FEDERAL FINANCIAL ASSISTANCE," was approved, and Cal OES Form 130, "Designation of Applicant's Agent Resolution for Non-State Agencies," was approved.

ITEM NO. 5
APPROVAL OF THE
PEERLESS NETWORK
INC., AGREEMENT /
NETWORK SERVICES
FOR TELEPHONE,
INTERNET, AND
DATA SERVICE

APPROVAL OF THE PEERLESS NETWORK, INC. AGREEMENT /
NETWORK SERVICES FOR TELEPHONE, INTERNET, AND DATA
SERVICE

RESOLUTION NO.
2023-20-3398
ADOPTED

Resolution No. 2023-20-3398, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE APPROVING A TELECOMMUNICATIONS ACCOUNT
AGREEMENT WITH PEERLESS NETWORK, INC. FOR CITYWIDE
TELEPHONE, INTERNET, AND DATA SERVICES," was adopted.

ITEM NO. 6
APPROVE OUT-OF-
STATE TRAVEL TO
THE NATIONAL
ASSOCIATION OF
LATINO ELECTED
AND APPOINTED
OFFICIALS 40TH
ANNUAL CONFERENCE
IN NEW YORK CITY,
NEW YORK, FOR ONE
CITY COUNCILMEMBER

APPROVE OUT-OF-STATE TRAVEL TO THE NATIONAL
ASSOCIATION OF LATINO ELECTED AND APPOINTED
OFFICIALS 40TH ANNUAL CONFERENCE IN NEW YORK CITY,
NEW YORK, FOR ONE CITY COUNCILMEMBER

RESOLUTION NO.
2023-23-3401
ADOPTED

Resolution No. 2023-23-3401, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE APPROVING OUT-OF-STATE TRAVEL FOR THE
MAYOR TO ATTEND THE NATIONAL ASSOCIATION OF LATINO
ELECTED AND APPOINTED OFFICIALS 40TH ANNUAL
CONFERENCE TO BE HELD FROM JULY 11-13, 2023, IN NEW
YORK CITY, NEW YORK," was adopted.

ITEM NO. 7
SECOND READING OF
ORDINANCE -
AMENDMENT TO
TITLE 5 OF THE
IRWINDALE
MUNICIPAL CODE

SECOND READING OF ORDINANCE NO. 767 PERTAINING TO
AMENDMENT OF SECTIONS 5.04.50, 5.04.060, 5.04.070,
5.04.270, 5.04.410, AND 4.04.420 OF CHAPTER 5.04 OF TITLE 5
OF THE IRWINDALE MUNICIPAL CODE RELATED TO THE
DISPUTE OF BUSINESS TAXES, LICENSES AND REGULATIONS

ORDINANCE NO. 767
ADOPTED ON
SECOND READING

Ordinance No. 767, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE AMENDING SECTIONS 5.04.050, 5.04.060, 5.04.070,

5.04.210, 5.04.270, 5.04.410, AND 4.04.420 OF CHAPTER 5.04 ("GENERAL REGULATIONS") OF TITLE 5 ("BUSINESS TAXES, LICENSES AND REGULATIONS") OF THE IRWINDALE MUNICIPAL CODE RELATED TO THE DISPUTE OF BUSINESS TAXES, LICENSES AND REGULATIONS," was passed, approved, and adopted, reading by title only and waiving further reading thereof.

ITEM NO. 8
REJECTION OF CLAIM:
FERNANDO GUARDADO
VS. CITY OF
IRWINDALE

REJECTION OF CLAIM: FERNANDO GUARDADO VS. CITY OF IRWINDALE

The claim of Fernando Guardado vs. City of Irwindale was rejected and staff was directed to send a letter of rejection.

ITEM NO. 11
UPDATE REGARDING
THE IRWINDALE
COMMUNITY
FOUNDATION'S
APPROVAL TO
REDIRECT THE USE
OF THE IRWINDALE
COMMUNITY
FOUNDATION'S
FY 22/23
CONTRIBUTION TO
THE RECREATION
DEPARTMENT

UPDATE REGARDING THE IRWINDALE COMMUNITY FOUNDATION'S APPROVAL TO REDIRECT THE USE OF THE IRWINDALE COMMUNITY FOUNDATION'S FY 2022-2023 CONTRIBUTION TO THE RECREATION DEPARTMENT

The update regarding the Irwindale Community Foundation's (ICF) approval of the City's request to redirect \$5,000 of the ICF's FY 2022-2023 Contribution to be reallocated to the Irwindale Recreation Department for a youth skateboarding event, was received and filed.

END OF CONSENT CALENDAR

ITEM NO. 9
APPROVE OUT-OF-
STATE TRAVEL TO
THE 2023
INTERNATIONAL
COUNCIL OF
SHOPPING CENTERS
CONFERENCE IN
LAS VEGAS, NEVADA,
FOR CITY COUNCIL
AND CITY STAFF

APPROVE OUT-OF-STATE TRAVEL TO THE 2023 INTERNATIONAL COUNCIL OF SHOPPING CENTERS CONFERENCE IN LAS VEGAS, NEVADA FOR CITY COUNCIL AND CITY STAFF

CITY MANAGER
MIRANDA

City Manager Miranda presented the staff report.

VERONICA BARBOSA

Responding to a question by Veronica Barbosa, City Manager Miranda advised that Councilmembers Breceda, Burrola, and Garcia would be the Councilmembers authorized to travel for the conference.

RESOLUTION NO.
2023-25-3403
ADOPTED

Resolution No. 2023-25-3403, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING THE OUT-OF-STATE TRAVEL TO THE 2023 INTERNATIONAL COUNCIL OF SHOPPING CENTERS CONFERENCE IN LAS VEGAS, NEVADA, FOR TWO CITY COUNCIL MEMBERS AND THREE STAFF REPRESENTATIVES," was passed, approved, and adopted, on the motion of Councilmember Breceda, seconded by Councilmember Burrola, and unanimously approved.

ITEM NO. 10
AWARD OF
CONTRACTS FOR
CONSTRUCTION AND
CIVIL ENGINEERING
CONSULTANT
SERVICES FOR THE
2022-2023
RESURFACING
PROGRAM;
RESIDENTIAL
RESURFACING
PROJECT – PHASE II;
P-1043

AWARD OF CONTRACTS FOR CONSTRUCTION AND CIVIL ENGINEERING CONSULTANT SERVICES FOR THE 2022-2023 RESURFACING PROGRAM; RESIDENTIAL RESURFACING PROJECT – PHASE II; P-1043

ASSISTANT CITY
MANAGER OLIVARES
AND CITY MANAGER
MIRANDA

Assistant City Manager Olivares and City Manager Miranda each indicated conflicts of interest with this item and exited the Council Chambers.

CITY ATTORNEY
GUERRA

City Attorney Guerra noted that several Councilmembers have conflicts of interest with this item, and indicated that they would draw straws to determine who would be permitted to discuss the item.

After drawing straws, it was determined that Councilmembers Garcia and Burrola would recuse themselves from participating in discussing the matter. At this point, Councilmembers Garcia and Burrola exited the Council Chambers.

City Attorney Guerra then presented the staff report and noted a correction to staff's recommendation and the fiscal impact section of the report.

MOTION

A motion was made by Councilmember Breceda, seconded by Mayor Pro Tem Ambriz, to: 1) authorize the Interim Director of Engineering / Building Official to enter into an agreement with Vance Corporation in the amount of \$394,774.10 for the 2022-2023 Resurfacing Program: Residential Resurfacing Project – Phase II; 2) approve a 20% project contingency in the amount of \$78,954.00 to cover any

unforeseeable conditions that may arise during construction; 3) authorize the Interim Director of Engineering / Building Official to enter into an agreement with FCG Consultants in the amount of \$86,238.03 for civil engineering consultant services; and 4) approve a 20% project contingency for construction management in the amount of \$17,247.00 to cover any unforeseeable conditions that may arise during construction. The motion was unanimously approved; Councilmembers Burrola and Garcia absent.

Councilmembers Burrola, Garcia, Assistant City Manager Olivares, and City Manager Miranda then returned to the Council Chambers.

**SPONTANEOUS
COMMUNICATIONS**

VERONICA LARA

Veronica Lara stated her disappointment that the Housing Authority would not hold a meeting tonight and stated that matters such as homelessness and senior housing are pressing issues.

NEW BUSINESS

ITEM NO. N1
RESIDENT
IDENTIFICATION
CARD POLICY REVIEW

RESIDENT IDENTIFICATION CARD POLICY OVERVIEW

CITY MANAGER
MIRANDA

City Manager Miranda presented the staff report.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz stated that the policy was amended in 2021 to make it easier for everyone who deserved a card to receive one. He stated that he did not realize that the program policy did not allow for residents to sign affidavits for individuals that they are related to, either through blood or marriage, in order to vouch for their bonafide residency. He suggested that this restriction be eliminated.

COUNCILMEMBER
BURROLA

Responding to a question by Councilmember Burrola, City Manager Miranda advised that the Council may either receive and file the report or recommend changes to the policy for consideration at a future meeting.

PRISCILLA ZEPEDA

Priscilla Zepeda suggested that the Council consider allowing custodial children of residents to be able to obtain Resident ID cards, to which Mayor Pro Tem Ambriz concurred.

MAYOR ORTIZ

Responding to a question by Mayor Ortiz, City Attorney Guerra advised that it would be difficult to determine bonafide residency of children that live with separated parents. He suggested that the Council direct staff to revise the policy and return for further consideration at another meeting

BENEFITS
ADMINISTRATOR
NOCOM

Benefits Administrator Nocom advised that said children may obtain Resident ID cards as long as one of the parents is an Irwindale resident.

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Breceda, to direct staff to revise the existing program policy to remove the prohibition of Irwindale residents signing resident affidavits for those that they are related to through either blood or marriage and return the draft for consideration at a future Council meeting. The motion was unanimously approved.

ITEM NO. N2
INTRODUCTION AND
FIRST READING OF
ORDINANCE NO. 768

INTRODUCTION AND FIRST READING OF ORDINANCE NO. 768 ENTITLED: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE REPEALING ORDINANCE NO. 747 IN ITS ENTIRETY, AMENDING TITLE 15.12 OF THE IRWINDALE MUNICIPAL CODE, ADOPTING BY REFERENCE THE LOS ANGELES COUNTY FIRE CODE (2023 EDITION), AND ADOPTING COUNTY AND CITY AMENDMENTS THERETO, PURSUANT TO GOVERNMENT CODE SECTION 50022.2 ET SEQ."

INTERIM DIRECTOR
TAM

Interim Director Tam presented the staff report.

ORDINANCE NO. 768
INTRODUCED FOR
FIRST READING

Ordinance No. 768, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE REPEALING ORDINANCE NO. 747 IN ITS ENTIRETY, AMENDING TITLE 15.12 OF THE IRWINDALE MUNICIPAL CODE, ADOPTING BY REFERENCE THE LOS ANGELES COUNTY FIRE CODE (2023 EDITION), AND ADOPTING COUNTY AND CITY AMENDMENTS THERETO, PURSUANT TO GOVERNMENT CODE SECTION 50022.2 ET SEQ," was introduced for first reading, reading by title only and waiving further reading thereof, on the motion of Councilmember Garcia, seconded by Councilmember Breceda, and unanimously approved.

PUBLIC HEARINGS

ITEM NO. O1
ECONOMIC
DEVELOPMENT
SUBSIDY REPORT
AND OPERATING
COVENANT
AGREEMENT

A PUBLIC HEARING REGARDING AN ECONOMIC DEVELOPMENT SUBSIDY REPORT AND OPERATING COVENANT AGREEMENT BETWEEN THE CITY OF IRWINDALE AND HOME DEPOT U.S.A., INC., PURSUANT TO GOVERNMENT CODE SECTION 53083.1; AND CONSIDERATION OF A RESOLUTION ACCEPTING THE ECONOMIC DEVELOPMENT SUBSIDY REPORT, APPROVING THE OPERATING COVENANT AGREEMENT AND MARKED RELATED FINDINGS

ASSISTANT TO THE
CITY MANAGER
ESPINO

Assistant to the City Manager Espino introduced the staff report.

DIRECTOR BORHANI	Director Borhani presented additional details.
OPEN PUBLIC HEARING	At 7:46 p.m., Mayor Ortiz opened the public hearing.
CLOSE PUBLIC HEARING	There being no speakers, Mayor Ortiz closed the public hearing at 7:46 p.m.
MOTION	A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Breceda, to adopt Resolution No. 2023-24-3402, entitled: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, APPROVING AN OPERATING COVENANT AGREEMENT WITH HOME DEPOT U.S.A., INC., AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT, AND APPROVING AND ORDERING THE PUBLICATION OF AN ECONOMIC DEVELOPMENT SUBSIDY REPORT IN ACCORDANCE WITH GOVERNMENT CODE SECTION 53083.1”.
COUNCILMEMBER GARCIA	In reply to a question by Councilmember Garcia, Director Borhani advised that the 35% rebate amount was derived directly from the Council-approved policy, and indicated that it is fair per industry standards.
ROLL CALL	The above-mentioned motion was unanimously approved.
<u>CITY MANAGER'S REPORT</u>	
CITY MANAGER MIRANDA	City Manager Miranda reported the following: 1) He provided an update on upcoming activities within the Library, Public Works, and Recreation departments. 2) A presentation will be made to the Council on April 12 concerning the hanging of clothes on fences in areas that are visible to the public. 3) City staff has contacted Durham Transportation Services on Cypress, who have indicated that the bus depot has opened parking spaces within their site for their employees to park their vehicles. Code Enforcement continues monitoring the area.
COUNCILMEMBER BURROLA	Councilmember Burrola requested bins for trash and recyclables at the park, to which City Manager Miranda advised that staff would look into the request.

**REQUESTS BY
COUNCILMEMBERS
FOR FUTURE AGENDA
ITEMS**

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:58 p.m.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held April 12, 2023.

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

MARCH 22, 2023
WEDNESDAY
7:58 P.M.

The Irwindale **SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY** met in regular session at the above time and place.

ROLL CALL:

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

Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Robert Castro, Interim Chief of Police; Theresa Olivares, Assistant City Manager; Kambiz Borhani, Director of Finance / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; and Laura Nieto, Chief Deputy City Clerk

AB 2449 DISCLOSURES None.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by Councilmember Burrola, to approve the Consent Calendar, with the exception of Item No. 5, which was continued to a future meeting. The motion was unanimously approved.

ITEM NO. A1
MINUTES

MINUTES

The following minutes were approved:

- A) Regular meeting held February 22, 2023
- B) Regular meeting held March 8, 2023

ITEM NO. A2
WARRANTS

WARRANTS

The warrants were approved.

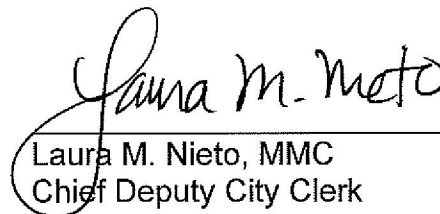
END OF CONSENT CALENDAR

SPONTANEOUS
COMMUNICATIONS

There were no speakers.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:59 p.m.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held April 12, 2023.