



CITY OF IRWINDALE

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

MARICELA
FRYMARK
CHAIR

ALBERT
ACOSTA
VICE-CHAIR

RICHARD
CHICO
COMMISSIONER

CASEY J.
MIRANDA
COMMISSIONER

JOSEPH V.
RODRIGUEZ II
COMMISSIONER

AGENDA FOR THE REGULAR MEETING OF THE

PLANNING COMMISSION

MARCH 19, 2025

6:30 P.M.

IRWINDALE COUNCIL CHAMBER

Join Webinar at

<https://us02web.zoom.us/j/86349691359>

Webinar ID

863 4969 1359

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.

Submit public comments by email to planning@irwindaleca.gov prior to the start of the meeting. Comments will be read by the Administrative Secretary during public comment. Lengthy public comment may be summarized in the interest of time.

Spontaneous Communications: The public is encouraged to address the Planning Commission on any matter listed on the agenda or on any other matter within its jurisdiction. The Planning Commission will hear public comments on items listed on the agenda during discussion of the matter and prior to a vote. The Planning Commission 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 Planning Commission may request staff to investigate and/or schedule certain matters for consideration at a future Commission or 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 Planning Division Counter, 16102 Arrow Highway or at City Hall, 5050 N. Irwindale Avenue, during regular business hours (8:00 a.m. to 6:00 p.m., Monday through Thursday) by appointment only, and by contacting the Planning Division at 626-430-2208.



Code of Ethics

As City of Irwindale Planning Commissioners, 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 Commissioner.

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

IRWINDALE PLANNING COMMISSION



A. CALL TO ORDER

B. PLEDGE OF ALLEGIANCE

C. INVOCATION

D. ROLL CALL: Commissioners: Richard Chico, Casey J. Miranda, Joseph V. Rodriguez II; Vice-Chair Albert Acosta; Chair Maricela Frymark

E. AB 2449 DISCLOSURES

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

F. ANNOUNCEMENTS

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Commission requests separate action on a specific item. At this time, members of the audience may ask to be heard regarding an item on the Consent Calendar.

A. Minutes

Recommendation: Approve the following minutes:

1. Special meeting held October 28, 2024
2. Regular meeting held January 15, 2025

2. SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on any item not on this agenda that is within the Planning Commission's subject matter jurisdiction. The Planning Commission is an advisory body appointed by the City Council to review and provide recommendations on matters related to land use, planning, and development within the City. Except for very limited circumstances, state law prohibits any Commission discussion or action on items that are not on the agenda.

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. In no event shall the total amount of speaking time exceed 6 minutes per person for the subject under discussion. Organized groups of persons wishing to address the Board on the same subject should select a spokesperson to represent the group, so as to avoid unnecessary repetition.

The Commission may regulate a speaker who is speaking too long or out of order, being unduly repetitious, discussing irrelevancies, or extending to items not within the subject matter jurisdiction of the Commission. 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.

In the hybrid format, both in-person and hybrid audience members will participate in the following order:

Tier 1: In-person attendees

Tier 2: Teleconference attendees

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

3. NEW BUSINESS

4. PUBLIC HEARINGS

5. DISCUSSION ITEMS/PRESENTATIONS

A. Assembly Bill No. 98 Presentation

6. COMMUNITY DEVELOPMENT DIRECTOR REPORT

7. LEGAL COUNSEL COMMENTS

8. COMMISSIONER COMMENTS

9. ADJOURN

AFFIDAVIT OF POSTING

I, Jesus Hernandez, Administrative Secretary, certify that I caused the agenda for the regular meeting of the Irwindale Planning Commission to be held on March 19, 2025 to be posted at the City Hall, Library, and Post Office on March 13, 2025.

Jesus Hernandez

Jesus Hernandez,
Administrative Secretary

**IRWINDALE COUNCIL CHAMBER
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

**October 28, 2024
Wednesday
6:32 P.M.**

The Irwindale **PLANNING COMMISSION** met in a special session at the above time and place.

VICE-CHAIR CHICO	I will now call to order the meeting of October 28 th of the Planning Commission. if we would all please stand for Pledge of Allegiance. Ready, begin.
PLEDGE OF ALLEGIANCE	I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.
VICE-CHAIR CHICO	Who would... Who would like to give the invocation?
ASSISTANT CITY ATTORNEY TRAXLER	Anyone you'd like Vice Chair.
VICE-CHAIR CHICO	Yeah, can... you wanna do it Casey? Wanna do it?
COMMISSIONER MIRANDA	Sure.
VICE-CHAIR CHICO	Go ahead.
INVOCATION COMMISSIONER MIRANDA	Like to bow your heads, please. Father, we thank you and praise you Father for your glory and mercy. Ask you to guide this Father's Day and also keep... keep well our Chair. She's ill today. Help her find strength quickly. And guide us today in our... in our wisdom, Father. Help us stay true to our forefathers, their wishes, Father, and have a real healthy, healthy exchange of ideas. I thank you for all your... your mercy and guidance. In the father's name, Amen.
VICE-CHAIR CHICO	Amen. For those that haven't guessed, our chairperson is ill tonight, so she will not be attending the meeting. So, Jesus, help me along, ok?
ADMINISTRATIVE SECRETARY HERNANDEZ	Got it. Go ahead and do Roll Call.
VICE-CHAIR CHICO	Yes. Let's do roll call.

ROLL CALL:

Present: Commissioners: Albert Acosta; Casey Miranda; Joseph Rodriguez; Richard Chico

Absent: Chair Maricela Frymark

Also present: Julian Miranda, City Manager; Jamie Traxler, Assistant City Attorney; Marilyn Simpson, Community Development Director; Brandi Jones, Senior Planner; Jeffrey Tyler, Interim Associate Planner; Jesus Hernandez, Administrative Secretary; Jarrod Palmer, Community Development Intern

**AB 2449
DISCLOSURES**

VICE-CHAIR CHICO We... we don't have any 2449 disclosures, correct?

ADMINISTRATIVE
SECRETARY
HERNANDEZ Correct.

VICE-CHAIR CHICO Okay, the Consent Calendar.

CONSENT CALENDAR

VICE-CHAIR CHICO There is no minutes, nothing for approval. So, we'll move on to item 2: Spontaneous Communication.

**SPONTANEOUS
COMMUNICATIONS**

VICE-CHAIR CHICO Jesus, I'll let you handle that, if you would?

ADMINISTRATIVE
SECRETARY
HERNANDEZ This is the time set aside for members of the audience to speak on any item not on this agenda that is within the Planning Commission's subject matter jurisdiction. The Planning Commission is an advisory body appointed by the City Council to review and provide recommendations on matters related to land use, planning, and development within the city. Except for very limited circumstances, state law prohibits any Commission discussion or action on items that are not on the agenda. 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 this particular subject for all speakers. In no

event shall the total amount of speaking time exceed 6 minutes per person for the subject under discussion. Organized groups of persons wishing to address the Board on the same subject should select a spokesperson to represent the group, so as to avoid unnecessary repetition. The Commission may regulate a speaker who is speaking too long or out of order, being unduly repetitious, discussing irrelevancies, or extending to items not within the subject matter jurisdiction of the Commission. 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. We are in a hybrid format so we do have both in person and hybrid audience members that will participate in the following order: Tier one, in person attendees; Tier 2, teleconference attendees; and Tier 3, in person and teleconference attendees who have not previously provided comments on the matters being discussed by the legislative body.

VICE-CHAIR CHICO

Okay.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We can go ahead and go to Tier one, which is in-person attendees.

VICE-CHAIR CHICO

We have anyone in the audience wishes to speak on any item not on the agenda? Okay. I guess we go to Tier two.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We'll go to Tier 2, yes: teleconference attendees. It looks like we have no one for Tier 2. And then Tier 3 is in person or teleconference attendees.

VICE-CHAIR CHICO

Anyone in the audience? Last chance, Okay. Thank you. Okay, so, the next item is Public Hearing.

PUBLIC HEARINGS

VICE-CHAIR CHICO

Zone Change 02-2024 and General Plan Amendment No. 03-2024, regarding 5100 Allen Drive (APN: 8417-034-912). Was this one of the ones we were going to hold off? Okay, go ahead, Marilyn, I'm sorry.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you, Chair, and Commissioners, and members of the audience. Staff is requesting a continuance for this item. This was for Zone Change No. 02-2024 to change the zoning from M-2 to R-2: Light Multiple Residential, and General Plan Amendment No. 03-2024, and that was to change the designation from Industrial Business Park to Residential. This is for property over at 5100 Allen Drive. So, Staff is recommending that the Planning Commission continue this item to a

date uncertain. So, the item will be subject to a public hearing at that time, but this will allow for further environmental analysis for the project.

VICE-CHAIR CHICO Any comments from the Commissioners? Okay, we'll entertain a motion to continue.

COMMISSIONER MIRANDA I motion to continue.

COMMISSIONER ACOSTA Second.

ASSISTANT CITY ATTORNEY TRAXLER Vice Chair? Vice Chair?

VICE-CHAIR CHICO Before we vote, I would recommend opening up any public comment on this item.

COMMISSIONER MIRANDA Sure.

VICE-CHAIR CHICO Okay. Are there any comments from anyone in the audience or anyone in the... I don't know, what do you call that thing?

OPEN PUBLIC HEARING At 6:39 p.m., Vice-Chair Chico opened the Public Hearing.

ADMINISTRATIVE SECRETARY HERNANDEZ Teleconference attendees or Zoom.

VICE-CHAIR CHICO Yeah. Regarding this Zone Change matter, is there anyone in the audience wishes come... to comment on it? How about...

ADMINISTRATIVE SECRETARY HERNANDEZ It looks like we have no...

VICE-CHAIR CHICO Nothing, Okay. So. Roll call.

CLOSE PUBLIC HEARING There being no speakers, Vice-Chair Chico closed the Public Hearing at 6:40 p.m.

ADMINISTRATIVE SECRETARY HERNANDEZ So it was motioned by Commissioner Miranda and seconded by Commissioner Rodriguez?

VICE-CHAIR CHICO Acosta.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you. Commissioner Acosta.

COMMISSIONER
ACOSTA Yes

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Miranda.

COMMISSIONER
MIRANDA Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Rodriguez.

COMMISSIONER
RODRIGUEZ Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Vice-Chair Chico.

VICE-CHAIR CHICO Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Thank you.

VICE-CHAIR CHICO Next item is Item B.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON So, thank you, Chair and Commission. Before we get to that, as you mentioned, Chair Frymark is out and was unable to participate remotely for the... this item. So, she has requested that the Public Hearing items be continued to allow for a full Commission to be present. So, she wanted the Commission to be able to consider that for tonight, to allow for a full Commission to be here.

VICE-CHAIR CHICO So can we do this in one... in one motion to continue to a specific date?

ASSISTANT
CITY ATTORNEY
TRAXLER So regarding Item B, which is the Irwindale Gateway Specific Plan and the attendant entitlements and resolutions: that can be handled in one motion to continue if that's the Commission's desire. But we would need a formal motion.

COMMISSIONER RODRIGUEZ	Mr. Vice Chair and Commission, I would like to move to have Item B to a future date.
VICE-CHAIR CHICO	We need a specific date?
ASSISTANT	Right now, Staff is recommending November 26 th as the date certain. But
CITY ATTORNEY TRAXLER	I would recommend public comment on the motion before the Commission votes.
VICE-CHAIR CHICO	Okay. So, is the November 26 th part of the motion?
COMMISSIONER MIRANDA	Well, we're gonna open it up for people coming on, possibly.
VICE-CHAIR CHICO	Okay. Okay. Do we have anyone in the audience that wishes to make any comment on this agenda item? Step up to the mic please.
JEFF DRITLEY	Thank you, Commissioners. My name is Jeff Dritley. I'm the Chairman of the Kearny Real Estate Company. We're the project owner. I'm happy to be back here. I was here in 1986. I developed 25 acres at the northwest corner of Irwindale Avenue and Arrow Highway where iHealth, the big building is, and then buildings throughout. I was also here in 1990, for what was... what is the Rivergrade Road project where Hughes Market originally was so, this is my third significant project. I hope I can explain the project in... in more detail. I would ask you to not delay this issue. We've been at this for three (3) years. We bought the site three years ago from the Monias. We spend a lot of money every day on our grading operation. And we are under significant pressure to either move the entitlements forward or stop the grading. And you know, we all get sick. And I hope Maricela is... is well now, but I don't know why she couldn't join by Zoom. And you have four (4) of five (5) commissioners. We're going into the holiday season, and I can tell you it's going to be a problem for me if I walk out of this Commission today with nothing other than an advance for another month. We... some of you have been to the pit. We spend a lot of money every day and I am under great pressure to get the entitlements moving forward. So, I ask you not to delay this hearing. Thank you.
TOMMY FAABAE	Good evening, Board, Chair, and fellow Commissioners public today. My name is Tommy Faavae. I represent the IBW Electrical Workers Local 11. We know how important this project is for our members and... and the families that live in Irwindale and the surrounding cities. The app... like the applicant mentioned, you know, we like to see, you know this... the public hearing move forward and be... you know, voted on tonight. You know, like the applicant mentioned, delaying this project, you know, for another month means it delays construction and with, you know, a lot of our electricians that's out of work currently right now, we have over 900 electricians that's out of work; journeymen and

apprentices, and we need to get them back to work. And, you know, the uncertainty of the construction boom, right now it's slow for us. And we, you know, we like to see these types of projects move forward in an expeditious way. By delaying it, it's just... you're delaying the inevitable when it comes to, you know, these construction projects that can be, you know, done on time, on budget. We support this project fully. And that's including the building Trades Council with Los Angeles and Orange County. I'm here also to support the building Trades Council as well. So, we look forward to this being voted on tonight. Thank you.

FRED BARBOSA

Good Evening, Chairman, Commissioners, Staff, Irwindale residents. Right now, the developer's having a problem, and I think we have to show them that we're being progressive, that we are protective of our little City. You know, we want the... they want to be known as developer friendly. Right now, we're in a hiccup right now, but hopefully we can work out of that. I think this Commission should take the initiative. Remember, we've been talking about moving forward. Well, this is a time to... to do something now, you know, because you can see it's putting a stress on a lot of these businesses and that's not called "business friendly". So, if you can work something out on a temporary basis and they have some kind of assurances, they can move forward to protect their own interest, just like we want to protect our own. Thank you.

VICE-CHAIR CHICO

Anyone else in the audience?

MEMBER OF THE
AUDIENCE

Is it that pile on Live Oak and Arrow Highway?

COMMISSIONER
MIRANDA

No, it's a little farther up. By the freeway.

VICE-CHAIR CHICO

Anyone else? How about...

ADMINISTRATIVE
SECRETARY
HERNANDEZ

I have someone on...

VICE-CHAIR CHICO

Okay. Go ahead.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Yes. Ms. Gomez, you are unmuted.

SUZANNE GOMEZ	Good evening. Suzanne Gomez, 16106 Calle de Paseo. The best quality about Irwindale is that we are a collaborative, visionary City, and we have always worked in pure joy and expeditiously with our developers and all... all the residents and businesses in the community. And I think that the Commission, this is our future... This is a vision that they should have a full body, a quorum, and in that full body, and they should continue the matter to the next date available. Thank you.
ADMINISTRATIVE SECRETARY HERNANDEZ	No one else on our Zoom.
VICE-CHAIR CHICO	Okay, thank you. Any comments? Any response from the Commissioners?
COMMISSIONER MIRANDA	I have a comment and questions regarding... for Kearney and even IBW. What are... what are the projects that are being delayed if we don't vote today? Business as usual, or is it at a halt already, or is it going to be a halt?
MEMBER OF THE AUDIENCE	(Inaudible)
COMMISSIONER MIRANDA	Sorry, I wasn't close enough. As far as business... the, the importance of this vote today is... will business stop? Has it been at a halt? Is it going to be at a halt if we don't vote today? I'm not quite sure about that, the clarity. Clarify that for me please.
JEFF DRITLEY	The context is, you know, we bought the property three (3) years ago and started the CEQA process, so it's taken us three (3) years to get to this point. Now, this is the first time the City Staff and you as Commissioners are looking at a battery energy storage project so I... you know, some of the delay, we... we understand, but it's been three years. It's a long time. We decided and we convinced our funding source that we would start the remedial grading before we got entitlements. They didn't want us to. Why would we spend all that money? The City really wants that pit cleaned up. Why would we do that before entitlements? And I convinced them to do it. And it's been tough. I told him it would take two, 2 1/2 years to get through the entitlement process, and now we're at three. There are four Commissioners here. And if I have to go back to them tonight and say they delayed it for a month because the Chairman was sick, I don't know. They may stop the funding. And if they stop the funding, there's 37 pieces of big equipment out there. They got to go somewhere else. They're not just going to sit and when they say "well, when will we restart?" I'm... "hopefully in a month, but I don't know how the Commission will react in a month, so I don't know. It's not my decision." But yeah, we... we... they may say we're going to stop funding until we

get through the entitlement process and if we don't get through the entitlement process, you know, why are we funding all this grading operation? So, does that answer your question?

COMMISSIONER
MIRANDA

Thank you.

JEFF DRITLEY

Okay. The grading operation is a four-year operation to do the entire 52-acre site. So just to put that in context. The Aypa transaction is dependent on us finishing their 16-acre parcel. We're 60 days away from that, so... if your decision is to delay for another month and my funding source delays that, then the... lots of things start to unravel. So...

COMMISSIONER
MIRANDA

Gonna be a change, you're saying?

JEFF DRITLEY

So, I ask you: you have four (4) Commissioners here. I asked that we don't delay this hearing.

VICE-CHAIR CHICO

Any other comments? Well, it is unfortunate that we find ourselves in this position. However, this project, once approved, it's a lifetime project and it's... whatever the benefits or the detriment to Irwindale is, they last a lifetime. We have had to go through volumes of reading, the draft EIR, the final EIR. And it's taken a long time. And there's an assumption being made that might be a false assumption. The assumption is that, even if we had five (5) Commissioners, that the project wouldn't be delayed for more information anyway. But I feel that this project is way too complex, way too important, for... not to have the full Commission vote on it and give their opinion. Mostly give their opinion. I, along with others, are afraid of the... what is it? Anyway, they violate the... the... What am I trying to think of? The...

COMMISSIONER
MIRANDA

Environmental justice? Environmental Justice? Or what?

VICE-CHAIR CHICO

Anyway, violating... communicating and pre-judging the case, is what I'm trying to say.

ASSISTANT
CITY ATTORNEY
TRAXLER

Oh, Brown Act. The Brown Act.

VICE-CHAIR CHICO The Brown Act. That's a very big concern. So, we, we don't even talk. We don't talk. The only way that we know what the other Commissioners are thinking is here and now. So, to assume that, come a project of this complexity was going to get approved in one night, I think it might just be a false assumption. Nevertheless, I personally would like all five Commissioners to express their feeling on this. So, then... do you, do you want to reiterate your, your motion?

COMMISSIONER RODRIGUEZ I agree with Vice Chair. We understand how important this is, and there's a lot of moving parts regarding this project. So, because of that, I would move to continue this... Item B to a future date so that Chairperson Frymark can be available and have an input. And that would be on November 26th.

VICE-CHAIR CHICO Do we have a second?

COMMISSIONER MIRANDA I concur. Second that.

JEFF DRITLEY I'd like to speak one more time. I apologize if I were being presumptuous. I'm an optimist and I apologize if I was being presumptuous. The actions taken by the Commission are very informative to us as to what we're going to do next or not do next. So, it's very important that we understand, you know, the Community and the Planning Commission... and I apologize if I was presumptuous. It feels like the Commission is moving towards a delay. I guess, what I would ask is, why do you have to delay it until November 26th, given we've been at this for three (3) years, given, I mean literally we spend a couple million dollars a day remediating a pit that costs the City, with the Mnoians, a lot of trouble. We took that risk. So, at a minimum, I would ask why does it have to be delayed until November 26th? Can we come back next week? So... thank you.

VICE-CHAIR CHICO Well, the... an initial answer, we're not sure that our Commissioner is going to be well by next week. But November 26th is a date that we can live with, that's available, that the whole staff is available, and the whole Planning Comm... hopefully the whole Planning Commission, that's why that date was picked. It's unfortunate. We don't mean you any harm, we don't intend... I understand your issues with finances. I'm sorry you're in that position. But with due respect, we have to be very careful as to the action that we take. So, can I have roll call?

COMMISSIONER MIRANDA Real quick, in respect to his question, is there any dates quicker than that as alternate? Because we have a regular date, we have a regular meeting. Is a special meeting? Two (2) different meetings?

ADMINISTRATIVE SECRETARY HERNANDEZ The regular meeting will be... November 20th, but unfortunately that does not work for one (1) of our Commissioners.

COMMISSIONER MIRANDA	Okay. 26 th it is. You wanna go ahead and ask again?
VICE-CHAIR CHICO	Roll Call.
COMMISSIONER MIRANDA	Um... yes.
ASSISTANT CITY ATTORNEY TRAXLER	Jesus, Roll Call.
ADMINISTRATIVE SECRETARY HERNANDEZ	You don't need to do anything with the public hearing?
ASSISTANT CITY ATTORNEY TRAXLER	No.
ADMINISTRATIVE SECRETARY HERNANDEZ	We don't need to open it?
ASSISTANT CITY ATTORNEY TRAXLER	It's... there's motion pending with the second, so we have to take Roll Call.
ADMINISTRATIVE SECRETARY HERNANDEZ	Okay. Commissioner Acosta.
COMMISSIONER ACOSTA	Yes
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Miranda.
COMMISSIONER MIRANDA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Rodriguez.
COMMISSIONER RODRIGUEZ	Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Vice-Chair Chico.

VICE-CHAIR CHICO Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Frymark is absent. Thank you.

VICE-CHAIR CHICO So now... so we go to item C. Yes. Wow. Go ahead, Marilyn.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Okay. Thank you, Chair and Commission and members of the public. For this public hearing item, it was the same thing. That Chair Frymark had requested that this public hearing item also be continued to allow for a full Commission to be present. So that's for your consideration tonight as well. And again, this would be to continue it to November 26th.

COMMISSIONER
MIRANDA It makes sense, Vice Chair, in respect to Chairman Frymark, that we follow suit with the same. Wait till she's back. This is a really... large discussion, we need the full dais would be appreciated and she asked for this. So out of respect to her, I would want to have that continued as well.

VICE-CHAIR CHICO Alright. Do I ask for comments again?

ASSISTANT
CITY ATTORNEY
TRAXLER Yes, yes.

VICE-CHAIR CHICO Do we have any comments from anyone in the audience on item C, Site Plan and Design Review? At the Athens location.

ANTHONY BERTRAND Good evening, Vice Chair, commissioners. Anthony Bertrand here on behalf of Arakelian Enterprises, Athens Services. Just in terms of this project itself, it is simply a... addition of a maintenance bay and a wash bay to our current recycling plant that's under construction today. It's not... at least in my opinion, it's not a very large item. It's a pretty small project, about 5,000 square feet, plus or minus, but it's important for us to get this project heard because it's tied to the actual recycling plant itself. It gets delayed another month; it'll extend the completion date for the recycling plant. So currently we're projecting to be ready about May of 2025 to open the plant. Once we do that, we can start accepting waste into the plant and of course, the City enjoys the benefit of the host fee for every ton that comes to the facility. So, if we do delay this project, it will unfortunately delay the start of the work and, and push the completion date out on the project itself. So, I do ask if you would

	please consider hearing it tonight and, and we're here to answer any questions. Thank you.
COMMISSIONER MIRANDA	I have a question for our staff. Marilyn, there any... any particular issues that staff found with this current plan or... this is...
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission. But I guess maybe a little bit more information about your question.
COMMISSIONER MIRANDA	Sorry. As far as the... Athens is... wants to build one of the things, is... correct.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	What their request is... the only thing that I would mention, you know, before we do have the hearing is that this item was also... it was noticed as both a Site Plan and Design Review and an amendment number one to the development agreement. So, tonight, you're only hearing the Site Plan Design Review. The amendment to the Development Agreement will be at some future date. Okay. So, and that amendment, it's separate from the Site Plan Design Review, so... it's...
VICE-CHAIR CHICO	Does that approval of this allow them to go ahead with the construction?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes, it will.
VICE-CHAIR CHICO	Okay, that's what I...
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	It still needs to go to the City Council because Site Plan Design Review, so...
VICE-CHAIR CHICO	Right. What do you guys think?
COMMISSIONER RODRIGUEZ	I was... I understand continuing the item B because of the complexity of it. It's something that I do feel that we need all five (5) commissioners here for, but this I believe... I would like to hear it.
COMMISSIONER MIRANDA	Yeah, I was thinking the same thing. It was... we were going to go with the whole thing, just the one project. We can review that only. I would be... impression it was going the whole Site Plan.

COMMISSIONER ACOSTA	Yeah, I think it's a good idea. I think we should hear the project.
COMMISSIONER MIRANDA	It's on the agenda... for questions.
VICE-CHAIR CHICO	Do we accept comments on this? This isn't a hearing, is it?
ASSISTANT CITY ATTORNEY TRAXLER	Two things, Vice Chair. I apologize for my movement across the room. So, I would recommend that the gentleman who's here for public comment speak, and then I would recommend we take about a 5-minute recess, so I can address the Commission regarding next steps.
VICE-CHAIR CHICO	We'll take a 5-minute recess.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	We're recessed, right?
VICE-CHAIR CHICO	Yes.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you.
RECESS	Vice-Chair Chico recessed the meeting at 7:02 p.m.
RECONVENED	Vice-Chair Chico reconvened the meeting at 7:06 p.m.
VICE-CHAIR CHICO	Okay, we're just, we're on Item C, Site Plan Design Review No. 01-2024 for 20... address or the location at 2200 Arrow Highway, which is the Athens Services location. Does it... do any of the Commissioners have... does everybody visit the site? Do you have any disclosures regarding your visits?
COMMISSIONER MIRANDA	I did had a chance to visit the site. A tour of it. Quite impressive, and I was able to even see the location where the site was going to be built this... in question.
VICE-CHAIR CHICO	How about you guys?
COMMISSIONER ACOSTA	Yes, I also visited the tour... the site. Took the tour, learned about the facility and how it's going to operate.

COMMISSIONER RODRIGUEZ	Yes, I as well toured the site. Was able to see exactly where this wash bay was going to be, and maintenance bay, was going to be built, and they walked us around the facility and how the project is going... coming along and it... it seems to be moving along well.
VICE-CHAIR CHICO	And likewise, I visited the site today. It is quite impressive. It's quite large. Quite... it is quite a operation. It will be quite an operation. It's unbelievable what those people do. And yes, I'm familiar with the location where the... the wash bay will be, so. At this point, open for public hearing?
ASSISTANT CITY ATTORNEY TRAXLER	Correct, Chair. If the Commission by consensus wants to continue with the Public Hearing, then I would recommend that you open the Public Hearing.
VICE-CHAIR CHICO	This time I'd like to open the public hearing. Do we have anyone in the audience that wishes to speak? Go ahead.
OPEN PUBLIC HEARING	At 7:08 p.m., Vice-Chair Chico opened the Public Hearing.
WILLIAM GONZALES	Look, like I say before, my name is William Gonzales. I only live 100 yards away from there, so this is... I was here... what was it? Five, six years ago when we had the first meeting. And then, it was postponed. It wasn't postponed. It was... you guys made another meeting. And the next meeting, I couldn't make it. So, you guys decided, I guess, to build, you know, their facility over there and which I was against it. But you know, it doesn't matter anymore because since their construction already and... I don't know. I guess nothing can be done about it anymore. But you know, I'm one of the guys that was concerned because my family's going to live there forever. You guys live in Irwindale. I live in Baldwin Park, but I only live 100 yards away from there. So, the chemicals that they're going to be using over there, you know, I do not know what they're going to be, but, you know, they might harm my family. They're not going to harm your families. Your families are going be safe. Same as the guy who was here, you know, six (6) years ago. One of the, you know, head honchos over there. You know, he lives in Orange County. And they're building their facility on my backyard. So, I don't know if you guys could do anything, you know, to delay it or to stop the project or anything because I'm just a little guy, you know. Doesn't matter. And I receive this notice in the mail so I, you know, I said maybe there were going to be people over here as it was two (2) meetings before, but I guess they gave up. I should have done the same thing. Thank you.
VICE-CHAIR CHICO	Anyone else? How about?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We do have someone on our teleconference attendees. Ms. Gomez, you are unmuted.

SUZANNE GOMEZ

Good evening, again. The gentleman from Baldwin Park has valid concerns. He's our neighbor. He's a resident. And so, in the benefit the safety of the community, I hope the Commission strongly considers it. Thank you.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

We have no one else in our Zoom audience.

VICE-CHAIR CHICO

By... any... no one else in the audience? If not, we'll close the Public Hearing.

ASSISTANT
CITY ATTORNEY
TRAXLER

Vice Chair? I believe you still need your presentation from Director Simpson.

VICE-CHAIR CHICO

I thought we kinda had it. I'm sorry. That's why I'm not the chairperson.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

I just thought you were tired of hearing me talk so thank you, Chair, Commissioners, and members of the public. So, before I begin the presentation regarding the project, I want to point out a few changes. So again, you know I mentioned that when this was publicly noticed, it was noticed as both a Site Plan and Design Review and amendment number one to the development agreement. So, terms of the amendment are being worked on with our legal team, staff, and Athens, and that'll be brought to the Planning Commission at a future date. So...also there were sheets that were set on the dais with revised conditions of approval in the resolution. So, I just want to bring those to your attention. So, Condition No. 2 has been modified, and you'll see it, those are in italics, and I believe, underlined, that it's Condition No. 2 has been modified to reflect that this is an amendment to the original Site Plan and Design Review entitlement. And that Conditions of Approval be "Community Development Department Conditions No. 4 and 5". Those have been deleted because the actions that would be taken tonight do not trigger Development Impact Fees or linkage fees. And then, Condition No. 7 has additional language for clarification on the operations. And then, Condition of Approval, it's in Section E "Public Services Condition No. 6" has been deleted because Condition No. 5 addresses the... the approval and permits that are needed. OK. And then two (2) more in here, on page, believe it's 147 in the staff report, it refers to the project plans as "Exhibit C". We had some last-minute changes, and it should read "Exhibit B". OK. And then on page 155 of the resolution, that D4 refers to "Exhibit B", and again this should read as "Exhibit A". That's the Resolution. Ok. Those are all the changes so far. So, the project

before you tonight, it's a request for Site Plan and Design Review. It's Discretionary Application No. 01-2024. The applicant is Anthony Bertrand, on behalf of Athens Services. Project location is 2200 Arrow Highway. So, I wanted to give a little bit of a history because some of you may not have been living through the entitlements, the previous things. So, project entitlements actually began in 2016. But project discussion about this began many years before that. So, the Materials Recovery Facility and "MRF", which is called a MRF, and the TS is for Transfer Station. We refer to it as a MRF, you know, but just in case you didn't know what it stood for. The project was approved by the City Council in February of 2021. Then the Zone Ordinance Amendments for the project were adopted in March of 2021. This was to even allow a MRF in our Zoning Code. So that's what that was for. And just so you know, the maintenance area in the wash bay facility, they were part of the original entitlements for that, and then they did have... an EIR was prepared for this, and the final EIR was certified in February of 2021, and it serves as the Environmental Review document for this project. So... does... I guess I'm going to ask this before I do it. Does anyone on the Commission, do you have a question about, actually, what is a MRF? No. Okay. I was really pleased to hear that you did site visits because we encourage that, you know, that you see the site. One thing to see it, you know, two-dimensional, it's another to see it when you're walking through it. So anyway, so the project request is a Site Plan Design Review. It's a ± 5,522 square foot maintenance and wash bay canopy facility. The purpose for this is for preventative fleet maintenance and washing of fleet vehicles. So, it won't be outside vehicles, it'll just be Athens vehicles to be serviced. So, they will do minor repair and maintenance at this location, which was always envisioned with the entitlements. So, these minor repairs are oil changes, tune ups, inspections, tire rotation, and tire repair. So, they will use cleaning fluids. They'll use degreasers and glass cleaners for the project, but no toxic or hazardous waste material... waste material would be used in there. So, this... just to show you, kind of scale, it's an old photo in here. And you see the location at 2200 Arrow Highway in here. So, this is where it was proposed. We have Live Oak on here, then just orientation... 605 freeway. So, this is the Site Plan that's showing the location... proposed location of the maintenance canopy and the wash bay so that it does have design features that match the proposed MRF building so that what they're using is similar materials, where they're using the same color palette for that. And they're proposing for this as being open on both ends. Now the Irwindale Municipal Code, it does require that the repair of fleet vehicles to be done within an enclosed building or to be screened from public view. So, what the applicant is proposing here is to have screening that was included in the original entitlement of an 8-foot-high masonry wall. What's being added to this is that they're adding some additional vertical landscaping of trees to help buffer the... any visual impacts. Okay. So, let's see. So, the only thing I hadn't mentioned, the maintenance and wash bay, now

approximately 19-feet high for that, so it's lower than the actual MRF building, which is just over 50 feet over there. So, this is showing north and south elevations. And here you'll see... this is the wash bay and maintenance facility. And again, this is showing it being in scale with the building. Again, a little close up. And then, this was a line of sight that they provided us. We requested to show from the closest public view, so what you'll see, they'll see a corner of the parapet in here. But it will have the 8-foot-high wall and then it'll have the vertical landscaping. So, this is one of the original renderings that would show when it's upon completion in here, so you have the towers... here the power lines, so it would be the maintenance and wash bay would be at this end of that. These were some of the renderings, you know, from the first entitlement. Nothing is being proposed to change any of these. The look of these in here. So, with the main entrance. Then, this was just showing a little bit of an elevated view of actual MRF building. So, and again, you know the maintenance and wash bays... you know, for their, you know, functional use. It's going to look very similar, you know, they're incorporating the color palette, the kind of similar kind of parapet look to... in building. So, one of the things I do want to mention is that the... the MRF is a 24/7 operation. So, we have included Conditions of Approval to address potential noise from the maintenance and wash bay use and so we're limiting... there was a Condition of Approval that was put in that limits the use of any excessive noise-producing equipment during the hours of 10:00 PM to 7:00 AM and that they otherwise... they abide by the City's noise ordinance. So, this project, you know, as I mentioned, there was a final EIR and the EIR serves to be the environmental document for this and we're stating that on the basis of the evidence contained within the whole record that no additional environmental review is necessary 'cause there were no significant changes to the... respect to the overall scope of the project. So, the recommendation is that the Planning Commission take the following action: to adopt Resolution No. 840(24) recommending to the City Council their approval of Site Plan and Design Review(DA) No. 02-2024. But I want to correct that. It's not 02, it's 01-2024, subject to the Conditions and approval of, or recommending that the final EIR serve as environmental review document for the project. With that, that concludes my presentation. We do have members from Athens that are here that... but I'm available for questions.

COMMISSIONER
MIRANDA

Question Marilyn. Thank you for that. Appreciate that, that was great. Regarding the.... environment, it's going to serve as the finding, is no longer... sorry. The Environment Quality Act, we're not going to go ahead and... ever? It's just this one (1) project... just this little... or the whole MRF... is going to be the... this Maintenance building or is going to be the whole MRF... no longer subject to any further impact reports?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	If they were proposing something that was significantly different, we would have to look at that and potentially, that'd have to do an addendum to the EIR, but the maintenance...maintenance facility wash bay, they were always envisioned with the project. They were analyzed environmentally. This is just a... a different location for that, but everything else was examined.
COMMISSIONER MIRANDA	Thank you.
VICE-CHAIR CHICO	Questions?
COMMISSIONER ACOSTA	Marilyn, I have a question on the wash bay, the maintenance of... port. It's not going to be completely enclosed, it's a drive through, is that correct?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Yes, that's correct.
COMMISSIONER ACOSTA	Okay. Is there any requirement that it should be closed or is it just that it's the, the view is obstructed?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	So the way the Irwindale Municipal Code reads is that... you know, it can be either-or, that if it should be fully enclosed or it can be screened from public view. So, if the applicant is proposing is the screening, you know, via the 8-foot-high wall and the other landscaping, we do have a Condition of Approval in there that... I know things can change over the years with landscaping so we said that if anything happens, you know, if trees, you know, should get cut down and things like that, that they be replaced.
COMMISSIONER MIRANDA	Marilyn, I had a question regarding the gentleman, and I'm sorry, he's gone, I think, now, regarding chemicals and even smells. I know if you've even visited the one on Gladstone and Irwindale Avenue, I've been by many times and there's quite a bit of odor sometimes, and the doors are open. They have doors but they're open almost always. So is there... I know we did a tour, and they talked about different fragrances to combat that, but is there a reason why they can't have doors completely, or just want the site completely... as far as the odor or any chemicals escaping that area?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Well, with the maintenance bay and the wash bay, I don't think it's really that anyone envisioned that there would be the smells. The primary concern that everyone had when the EIR was being done was actually smells from the processing of the materials, so they have all sorts of things in place, you know, to, you know, they can speak probably more directly about whatever reverse air conditioning... things like that...
COMMISSIONER MIRANDA	Oh no, it was quite impressive. I saw that, questioned how that worked. Was very impressive. I was just wondering about that because, I'm not sure if they have the same kind of technology, but if you pass by that facility on Gladstone and Irwindale, it is quite smelly. So, I'm wondering if that's a concern as well.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Well, and I think that's because of the actual MRF operations and because that is an older facility...
COMMISSIONER MIRANDA	Sure.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	This one is to be more state of the art.
COMMISSIONER MIRANDA	Of course.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	And even since entitlements were approved for this project, I think that there has been so much more improvement in technology of just sorting things that you just don't have some of the same problems, you know, with the smell. But anticipating for the...the maintenance bay and the wash bay, it's like a typical...I guess it would be a typical drive-thru car wash, if you will, larger scale, you know, with that. Maintenance, you know, it would be your typical things of oil change, and things like that, you know, that... that you really don't, those smells don't tend to escape too far that... yeah. But there wouldn't be any kind of processing of any hazardous materials in there, so, that would be, I guess, MRF recycling materials in that location.
COMMISSIONER MIRANDA	Perhaps Athens can speak to that a little bit.
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	You want the technical talk. Ha ha ha ha.

COMMISSIONER
MIRANDA Ha ha. Thank you, Marilyn. Appreciate you.

ANTHONY BERTRAND Hello, yeah, I'll do my best. So, I'll break it up into two (2) categories. We have... we have the main recycling plant, which if you're referring to the facility on Gladstone, that's where we're doing the bulk of our process, and I think if you had a chance to go out there you saw the equipment that's going in there. I'll say this, this facility is going to be the flagship facility for Athens services. We are... we have designed this meticulously over the last ten (10) years, this process has been going on, and we've included all the latest technology, not only in MRF processing in itself, so the equipment that we're going in is more automated. It uses optical sorters; it uses this new type of technology to really do a good job of separating out what's recoverable from the way stream. But secondly, for the building itself, it has a... what's called a negative air pressure system. So, no air goes outside of the building. So, it has a negative air pressure that means anything that's outside pulls itself inside. So, it's not new to MRF's, however, I will tell you that that technology has changed over the years. We also have this type of negative air pressure system at our... the other facilities in Southern California that we built and operate, it works very well. The... this site will have multiple government agencies with oversight responsibilities. Not only for... just the day-to-day operations but to deal with odors, to deal with noise, to deal with traffic, to deal with vector control. All of those things we have a permit from the State of California that handles that, we have a permit from the state water board, we have a permit from the air district, so we have a plethora of different types of permits that we're going to be operating under this, and each one of those has certain conditions that we have to abide by. The second thing too, at all of our facilities, including here, we will... we work very closely with our neighbors. It's very important that we're a good neighbor. We'll have 1-800 numbers, we're more than glad to meet with anybody in the community that has any issues. We're glad to give tours, glad to... highlight what we're doing to show that we're running the... the best state of the art plant. So, all of those things we're open to. We're very transparent with our operation. And that's why we've been successful in this business, because we put the right technology to it. So negative air pressure does great. On the wash bays, we're washing our transfer trucks, so part of our operation is, we will have the big rigs with the 53-foot trailers that you see on the road, those are the... those are the long-haul trailers and trucks that we use to haul trash and other things out of the facility. When those come back off the road, we gotta keep them clean. It's a part of what we do to make sure that our equipment is the best and represents us in the City in the best light. We keep it clean. So, it comes in. We'll keep those clean. It's, you know, washing tires, washing the side of it, so it really is a wash bay. And then on the maintenance side, it's... you know, I call it similar to like a Jiffy Lube. We have oil changes that we do, fix flat tires, fix tail lights, those types of things that happen when you have a big rig up on the road, traveling on

the highway, something may cause some damage to it, we have a very robust inspection process that we go through with our maintenance folks and when we catch things that are broken, that's what this bay does. We get in there, we get things fixed, so when that truck leaves that facility, it's 100% in good operating condition and it looks terrific. So... hopefully that helps answer some the...

COMMISSIONER
MIRANDA It does. I did have two questions regarding the... regarding negative air pressure. Is that going to be involved in this maintenance facility?

ANTHONY BERTRAND Not the maintenance facility. That would be for the MRF. So, where the MRF is, where the main processing is going...

COMMISSIONER
MIRANDA Yeah, that's very impressive. I saw the whole... it was a great, great tour. Regarding that, then, the trucks you mentioned, the long haul, is there any trash trucks gonna be the ones that haul the garbage, they gonna be washed there at all?

ANTHONY BERTRAND No, no, so...

COMMISSIONER
MIRANDA That's the concern.

ANTHONY BERTRAND So, there's two (2) different types of trucks. First of all, there's the trucks that come to the curbside to pick up the trash. Those are not being washed here. We have a separate facility where we park those trucks. Those trucks come in, they come into the MRF, they dump their load, whether it's recyclable or trash, whatever it may be, and then they leave, and they go to another yard we have where they get washed and they go through the same robust process that we have for our facility. What's gonna get washed on the site are the big rigs, cause the big rigs are parked on site and those are the ones that'll leave the site and come back. And then we do have some heavy equipment inside the building, so we have loaders and material handlers, small forklifts, things like that that we use inside. So those'll be the types of vehicles that would get serviced by...

COMMISSIONER
MIRANDA Fantastic, thank you.

VICE-CHAIR CHICO Question. The oil changes and so forth, all the oil, used oil, petroleum products, I would imagine they're trapped somehow inside the building.

- ANTHONY BERTRAND Yeah, so, we have, again, one of our permits, we have a CUPA permit with the fire department, we have to have spill management programs, we have to have proper secondary containment for all the oils that we use, hydraulic oil, fuel, those types of things. We have all of that. It's gonna be part of... it's gonna be in the maintenance bay, it's gonna be isolated. That's another one of the things that we also have inspection requirements on, and the... someone could come out from the fire department, do their inspection, and if we're doing something wrong, they could let us know and we fix it, so there's a lot... layers of inspection opportunity here in case... with multiple jurisdictions that would help make sure everything runs as planned.
- VICE-CHAIR CHICO One of the questions, this has nothing to do with the wash bay itself, what kind of production do you expect out of the... out of this MRF?
- ANTHONY BERTRAND Well, I will tell you it's designed for 70 tons per hour, so its... it's... some of our other MRF's are around the 50-ton range, so this is a very, very robust system we're putting in. So, 70 tons an hour... it's... about 1,000 tons a day of recycle volume that we could just run across that line...
- VICE-CHAIR CHICO What's the weight of a bundle?
- MEMBER OF THE PUBLIC (Inaudible)
- ANTHONY BERTRAND Excuse me?
- VICE-CHAIR CHICO The weight of a bundle? You know...
- ANTHONY BERTRAND Oh, uh, the bales.
- VICE-CHAIR CHICO The bales.
- ANTHONY BERTRAND Those are about 1,200 pounds. So, about a half a ton.
- VICE-CHAIR CHICO Yeah. Curious about that. Any other questions?
- ANTHONY BERTRAND Okay, thank you.
- VICE-CHAIR CHICO Thank you very much.
- FRED BARBOSA Good evening chairman, residents, developers; my name is Fred Barbosa, 16164 Calle de Paseo. I'm glad to hear that you're not going to be washing all the trash trucks there, but my question to you is... what's gonna happen to the water that's being washed away? Do you ship it away? Do you neutralize it? What happens to it? To me, that's pretty nasty stuff. So, to me, the aesthetics of the building isn't as important as how are you going to handle that hazardous water.

VICE-CHAIR CHICO	Good question.
ANTHONY BERTRAND	Yes, excuse me, so part of what we have is a clarifying system. So, any water goes into a clarifier. The clarifier completely separates out all the oils and greases and then it goes into the LA County stormwater system or sewer system. So, we have a clarifier like you would see at most of these facilities, captures everything. So, we're not going to have any water... no water will leave the site, it all gets captured on site; is treated through the clarifiers. If it's storm water from rain on the site that goes into these underground storage chambers that we have where it gets treated and as part of that process, so we won't have any off-site water where we'll have to haul, as an example, we have to pump and haul it somewhere. It's all treated on site through the clarifiers.
MEMBER OF THE PUBLIC	(Inaudible)
VICE-CHAIR CHICO	Question, gentleman? Any other speakers that would wish to address this... speak on this issue? How about... Zoom?
ADMINISTRATIVE SECRETARY HERNANDEZ	No one on Zoom.
VICE-CHAIR CHICO	If not, now I'll close the Public Hearing.
ASSISTANT CITY ATTORNEY TRAXLER	Correct. Yes.
CLOSE PUBLIC HEARING	There being no speakers, Vice-Chair Chico closed the Public Hearing at 7:36 p.m.
VICE-CHAIR CHICO	Okay. Any comments or... do I have... do I have a motion from any one of the commissioners?
COMMISSIONER MIRANDA	Well... actually I have a quick question. I mean, thank you Marilyn, you explained it very well, why we're moving forward with your recommendation for this cause we had the EIR report back in the 21 st of... February 21 st . So, to be clear, you're recommending to go forward, so they're not going to be subject to any kind of EIR report going forward with this project, unless there's major changes on the Site Plan, is that correct?

COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	That's correct. They would still have to abide with all the Mitigation Measures. There's a Mitigation Monitoring Reporting Program for that. So, that would still stay in place, with that. And, again, a maintenance facility and wash bay was always considered, you know, for this, and it was assessed environmentally.
COMMISSIONER MIRANDA	Can we vote on the maintenance bay and not vote on this subject... wait til our Chairman gets back, regarding your recommendation of moving forward with the impact report staying in place? Can we do that? Jamie?
ASSISTANT CITY ATTORNEY TRAXLER	Right now it's proposed as one and the same. So, if you recommend approval of the Site Plan Design Review you would also need to make a CEQA recommendation as well.
COMMISSIONER MIRANDA	Do you feel comfortable, Commissioners, going forward?
VICTOR DE LA CRUZ COMMISSIONER MIRANDA	Chair, that'd be great. Thank you.
VICTOR DE LA CRUZ	Publicly address some of the CEQA concerns that you have. So, one of the things that the City might tell you about is that they did have a consultant... oh, I'm sorry, I'm Victor De La Cruz with Manatt Phelps and Phillips. I am counsel to Athens. And so, so... Jeff Harvey with Harvey Consulting, which worked on the initial EIR from the very beginning basically got hired by the City to go do a consistency analysis for this project. So, it's not like the CEQA wasn't factored into this at all. So he went through the EIR, took a look at the project, and for each of the different impact areas, he was looking to see if, for example, in connection with noise, and you know, hydrology, traffic, whether there would be any material changes to the underlying EIR. So, I think that... hopefully that answers your concern that CEQA wasn't just thrown out the window. They just want to make sure that the EIR was consistent.
COMMISSIONER MIRANDA	Is Mr. Harvey, your client... you're hired...
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	Thank you Chair and Commission. So, Jeff Harvey, it's... it's H... J... Harvey Consulting Group, HCG. They were the consultant that was hired by the City, so they work on the City's behalf. The EIR is always the City's document. It's not an applicant or a developer's document, that is the City's document. We do have Jeff Harvey participating via Zoom if you want some additional clarification. But we did hire him to evaluate this and see for consistency.

COMMISSIONER MIRANDA	That was my concern, for that. Thank you... for answering it, yeah.
VICE-CHAIR CHICO	Alright. Any other questions? Okay. I'll entertain a motion.
COMMISSIONER MIRANDA	Chair?
COMMISSIONER RODRIGUEZ	I would motion to approve the Site Plan... review... for this.
COMMISSIONER MIRANDA	I second that.
VICE-CHAIR CHICO	We need any restating?
ASSISTANT CITY ATTORNEY TRAXLER	Yes, I'll read the Resolution into the record for the Commission. Jesus, are you ready? Okay. So, this is Resolution No. 840(24) "A Resolution of the Planning Commission of the City of Irwindale recommending that the City Council approve Site Plan and Design Review (DA) No. 01-2024 for the construction a ± 5,520 square foot maintenance and wash bay canopy for the property located at 2200 Arrow Highway, Irwindale, CA 91706 (APN: 8535-001-039) in the M-2 (Heavy Manufacturing) Zone subject to conditions as stated herein, finding the project exempt from the California Environmental Quality Act pursuant to CEQA guidelines Section 15162, and making certain findings of fact."
VICE-CHAIR CHICO	That is 01-2024, correct?
COMMUNITY DEVELOPMENT DIRECTOR SIMPSON	That's correct.
VICE-CHAIR CHICO	Okay. Alright. Roll call.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Acosta.
COMMISSIONER ACOSTA	Yes
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Miranda.
COMMISSIONER MIRANDA	Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Commissioner Rodriguez.

COMMISSIONER
RODRIGUEZ Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Vice-Chair Chico.

VICE-CHAIR CHICO Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ Chair Frymark is absent. Thank you.

VICE-CHAIR CHICO Okay. Item 5, items for Discussion/Presentations?

**DISCUSSION ITEMS/
PRESENTATIONS**

ADMINISTRATIVE
SECRETARY
HERNANDEZ No items to discuss.

VICE-CHAIR CHICO 6: Community Development Director Report.

**COMMUNITY
DEVELOPMENT
DIRECTOR REPORT**

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON Thank you, Chair and Commission. I have nothing to report tonight.

COMMISSIONER
MIRANDA What? (laughter)

VICE-CHAIR CHICO Okay. Next: Legal Counsel, do we have any?

**LEGAL COUNSEL
COMMENTS**

ASSISTANT
CITY ATTORNEY
TRAXLER Yes, Vice Chair, I just wanted to remind the Commission that the City Attorney will be taking my seat at the next Planning Commission meeting.

VICE-CHAIR CHICO And any Commissioner Comments?

**COMMISSIONER
COMMENTS**

COMMISSIONER
MIRANDA I wish Chairman Frymark a speedy recovery.

VICE-CHAIR CHICO Hearing none, then, meeting's adjourned.

ADJOURNMENT There being no further business to conduct, the meeting was
adjourned at 7:47 p.m.

Attest:

Maricela Frymark, Planning Commission Chair

Jesus Hernandez, Administrative Secretary

**IRWINDALE COUNCIL CHAMBER
5050 N. IRWINDALE AVENUE
IRWINDALE, CALIFORNIA 91706**

**January 15, 2025
Wednesday
6:30 P.M.**

The Irwindale **PLANNING COMMISSION** met in a regular session at the above time and place.

CHAIR FRYMARK Good evening everyone. I would like to call the Planning Commission to order of January 15, 2025 at 6:30 P.M. Let's please, if able, rise for the Pledge of Allegiance. Ready Begin.

PLEDGE OF
ALLEGIANCE I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

INVOCATION
CHAIR FRYMARK Dear Heavenly Father, we come before you tonight, Lord, with nothing but Gratitude and grace for being here tonight. We have had a rocky start to 2025, but we ask that you please be with the families that have been infected by the fires, and those that have been indirectly affected by the fires. That you be with them that you provide comfort in their heart and that you let them know and have trust in you that everything is going to be okay. We ask you, Lord, that you continue to bless this community, bless everyone here at this dais, and at this meeting, and our first responders that are working so hard to take care of not only this community, but everyone in the state. All this Lord, in Jesus name we Pray, Amen.

CHAIR FRYMARK Roll Call, please.

ROLL CALL: Present: Commissioners: Albert Acosta; Casey Miranda; Joseph Rodriguez; Richard Chico; Maricela Frymark

Also present: Julian Miranda, City Manager; Theresa Olivares, Assistant City Manager; Jamie Traxler, Assistant City Attorney; Marilyn Simpson, Community Development Director; Eddie Chan, Director of Engineering; Brandi Jones, Senior Planner; Luis Pimentel, Associate Engineer; Jarrod Palmer, Assistant Planner; Jesus Hernandez, Administrative Secretary

AB 2449
DISCLOSURES

CHAIR FRYMARK Moving on to item E, AB 2449 Disclosures. But we are all here, so we're going to go ahead and continue. Item F, the Reorganization of the Planning Commission.

REORGANIZATION OF PLANNING COMMISSION

ADMINISTRATIVE SECRETARY HERNANDEZ	Okay Item F, Reorganization of the Planning Commission. At this time, it is appropriate to reorganize the Planning Commission, including the selection of a Chair and Vice Chair. Any Commissioner may nominate another Commissioner or themselves, and no second to the nomination is required. I will start off with opening the nominations for Office of Chair. After receiving all nominations, I will close the nominations and conduct the election of Roll Call vote for Chair in the nominated order. Do we have any nominations for Office of Chair?
VICE-CHAIR CHICO	Yes, I would like to nominate Chair Frymark to be our Chairperson for the coming year.
COMMISSIONER MIRANDA	I second that.
ADMINISTRATIVE SECRETARY HERNANDEZ	Chair Frymark do you accept or decline?
CHAIR FRYMARK	I accept. Thank you.
ADMINISTRATIVE SECRETARY HERNANDEZ	Thank you. Do we have any other nominations for Office of Chair? Thank you. We'll go ahead and do Roll Call for Office of Chair. Commissioner Acosta.
COMMISSIONER ACOSTA	Yes
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Miranda.
COMMISSIONER MIRANDA	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Commissioner Rodriguez.
COMMISSIONER RODRIGUEZ	Yes.
ADMINISTRATIVE SECRETARY HERNANDEZ	Vice-Chair Chico.
VICE-CHAIR CHICO	Yes.

PLANNING COMMISSION MINUTES
REGULAR MEETING

January 15, 2025
PAGE 3

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Chair Frymark.

CHAIR FRYMARK
ADMINISTRATIVE
SECRETARY
HERNANDEZ

Yes.
Thank you and welcome.

CHAIR FRYMARK

Thank you guys for your trust. I appreciate it, thank you.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Chair Frymark, would you like to open up the nominations for Vice-Chair?

CHAIR FRYMARK

Yes, please.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

And would anybody like to nominate someone for Vice-Chair?

VICE-CHAIR CHICO

I would like to nominate Commissioner Acosta as our Vice-Chair.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Commissioner Acosta do you accept or decline?

COMMISSIONER
ACOSTA

Yes, I accept.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Thank you. Do we have any other nominations? Thank you. We can go ahead and do Roll Call for Vice-Chair. Commissioner Acosta.

COMMISSIONER
ACOSTA

Yes

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Commissioner Miranda.

COMMISSIONER
MIRANDA

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Commissioner Rodriguez.

PLANNING COMMISSION MINUTES
REGULAR MEETING

January 15, 2025
PAGE 4

COMMISSIONER
RODRIGUEZ

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Vice-Chair Chico.

VICE-CHAIR CHICO

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

And Chair Frymark.

CHAIR FRYMARK

Yes.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Awesome. Welcome, Vice-Chair Acosta.

CHAIR FRYMARK

Welcome. Okay. We will go ahead and move on to Item G, unless there's any further action that needs to take place for Item F.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Would you like to reorganize or we can do that after?

CHAIR FRYMARK

You want to get up and move, or can we just do that later?

COMMISSIONER
CHICO

Do we have to?

CHAIR FRYMARK

I think let's just continue. Let's continue as is.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Okay, perfect.

CHAIR FRYMARK

That way we don't have to move all our papers, and our waters, and all the things.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

Okay.

CHAIR FRYMARK

We're nice and cozy. So, then we'll go ahead and continue. We have completed Item F; we'll move on to Item G.

ANNOUNCEMENTS

CHAIR FRYMARK Are there any announcements?

ADMINISTRATIVE
SECRETARY
HERNANDEZ No announcements from Staff.

CHAIR FRYMARK Any announcements from any of our fellow Commissioners? Okay. So, we'll go ahead and move on to Item 1, Consent Calendar, but not we're... Let me start that again. We'll move on to Item 1 Consent Calendar.

CONSENT CALENDAR

CHAIR FRYMARK We do not have any minutes for approval so, we'll go ahead and move forward to Item 2, Spontaneous Communications.

**SPONTANEOUS
COMMUNICATIONS**

ADMINISTRATIVE
SECRETARY
HERNANDEZ This is the time set aside for members of the audience to speak on any item not on this agenda that is within the Planning Commission's subject matter jurisdiction. The Planning Commission is an advisory body appointed by the City Council to review and provide recommendations on matters related to land use, planning, and development within the city. Except for very limited circumstances, state law prohibits any Commission discussion or action on items that are not on the agenda. 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. In no event shall the total amount of speaking time exceed 6 minutes per person for the subject under discussion. Organized groups of persons wishing to address the Board on the same subject should select a spokesperson to represent the group, so as to avoid unnecessary repetition. The Commission may regulate a speaker who is speaking too long or out of order, being unduly repetitious, discussing irrelevancies, or extending to items not within the subject matter jurisdiction of the Commission. 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. We are in a hybrid format so we do have both in person and hybrid audience members and they will participate in the following order: Tier one, in person attendees; Tier 2, teleconference attendees; and Tier 3, in person and teleconference attendees who have not previously provided comments on the matters being discussed by the legislative body.

CHAIR FRYMARK

Thank you. So, we will go ahead and move into... Well, first we're going to open the Spontaneous Communication and we will hear anyone that is present that would like to speak under this item. Do we have anyone here that would like to come forward and speak? You can come and speak if you want. Okay, Okay. Just Checking. Teleconference attendees. Do we have anybody in Tier 2?

ADMINISTRATIVE
SECRETARY
HERNANDEZ

It does not look like we have anybody for Tier 2.

CHAIR FRYMARK

Okay, and we're going to move on to Tier 3. In person or otherwise.

ADMINISTRATIVE
SECRETARY
HERNANDEZ

No one for Tier 3.

CHAIR FRYMARK

Okay. So, we will go ahead and move on. Thank you, Jesus. Moving on to Item Number 3, New Business.

NEW BUSINESS

CHAIR FRYMARK

Not seeing any New Business, we're going to continue onto the Public Hearing.

PUBLIC HEARINGS

CHAIR FRYMARK

We have no item under discussion under the Public Hearing, so we're going to move on to Item 5.

DISCUSSION ITEMS/ PRESENTATIONS

CHAIR FRYMARK

Looks like we have a presentation.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Yes. Thank you, Chair and Commission. The presentation tonight will be given by our Assistant City Attorney Jamie Traxler.

ASSISTANT
CITY ATTORNEY
TRAXLER

I want to make sure I have a clicker before I start, or is it just the...Just the keyboard? Okay. Does this pull out? Oh, perfect. Okay. Let me see if that...There you go. Okay. Good evening, Chair and Commission. Happy New Year. It is very nice to see you all. Today I'm going to be giving you all a presentation on the Public Meeting Rules of Procedure and Decorum. Basically, this presentation is meant to cover...Basically, how a public meeting is supposed to run from a procedural aspect, not necessarily from a Brown Act aspect. And so, as I go through this, I want to stress and iterate that these are guidelines and objectives for us to hit and just so you know, general guiding principles. But they are not as strict as the Brown Act, in the sense that if we violate these rules we will not be punished. As long as we're complying with the Brown Act, we should be okay. But these are just general guiding principles and rules of decorum that we should be following. So on your...on the dais, for each of you, you should have received a copy of the Council Procedures that have been adopted by the City Council. This is the City Council 's governing document, meaning this is how the City Council expects itself to run and how it expects all of the Commission's to run. A lot of it focuses on the City Council, obviously, but it also applies equally to the Planning Commission. So, this is your copy to read with it, do with it what you will. A lot of it covers Brown Act requirements as well, so it is a good refresher. I'm not going to go into this in so much detail, but we will pick up a lot of it in our presentation. And additionally, the City Council operates under Robert 's Rules of Order. So, whatever isn't covered in the Council Procedures is covered in Robert 's Rules of Order. It is a very lengthy thick book. I will say that it's very archaic. You could sit here and parse rules of procedure all day long. This is the Council's copy, so if there's ever a situation in which we need to look up the Rules of Procedure, it is here, in the chambers. I can't say I've ever seen it, actually opened. But it is here just so you're all aware. So today I'm going to be going over the Council Procedures, the way that meetings are supposed to be run, the order of business, the role of the Presiding Officer, the Rules of Decorum in order that we're supposed to be following, certain motions and how to make them, how to count votes, and then just general Code of Conduct and ethics requirements. And if you have any questions, please interrupt as I go. So just as a refresher, all of our meetings are subject to the Brown Act meeting a majority of the Commission cannot meet except in the public business. So, all of our regular meetings are scheduled for the third Wednesday of every month. As you're all aware. So, that's the general meeting time and then there are certain other meetings that we can have. So, we can have an adjourned meeting, in a situation where we don't finish all of the agenda. In that case, we adjourn the meeting and we hold it on a different time. But that needs to occur before the next regular meeting, so we always have to finish an agenda before we have another meeting. We also have special meetings from time to time, as you're aware those just require twenty-four hours' notice in advance, as long as we have a quorum. It's just any meeting that is held not within the regular meeting times. And then we also have emergency meetings.

Those can occur without even complying with the twenty-four-hour notice requirement, but it does require a four/fifths vote of the Commission to have an emergency meeting. I can't think of a reason that the Planning Commission would be holding emergency meetings, but it is, you know, an option and there is a mechanism for us to be holding emergency meetings. So, you all are probably at this point pretty familiar with the order of the agenda and how items are supposed to be discussed. I'll go over this very briefly. The Chair announces the agenda item, the subject or whatever item we're discussing. And the Chair invites Staff to report on that item, including a recommendation. Staff gives a recommendation, usually. After Staff gives their presentation, the Chair should ask Members of the Commission if they have any technical questions or clarifying questions. After that, the Chair invites the public to speak. And then only after the public speaks, should the Chair invite a discussion by the Commission. After that, after discussion, the Chair invites a motion and then invites a second. And once we have a motion on the floor, technically, debate is closed to stop and we focus on the motion. It's obviously way more fluid than that. But technically debate stops and we vote on the motion. And here in Irwindale, we do Roll Call voting and that is something specific that the Council requires. There is a way that you can do, all in favor say aye, all opposed say nay. I do that in some of my other jurisdictions. But here in Irwindale, we specifically do Roll Call voting. And then after whatever the outcome of the vote is, that gets announced just so the public is aware. So, we also need three (3) members of the Commission to conduct any business. If a majority is absent, then the Secretary essentially... There's two (2) adjourns, but in this case the Secretary basically continues the meeting to a specific day and time that occurs before the regular meeting. And we can't discuss any business if we don't have a quorum, so nothing happens. So, the Chair is the Presiding Officer, and the Chair basically runs all of the Commission meetings. The Chair has the same rights and duties and obligations as any other Commissioner. So, the Chair can make motions, they can second motions they can debate from the Chair as if they're just a regular Commissioner. They are just in charge of the actual running of the meeting. The Vice-Chair presides and the Chair's absence, and if both are absent, then the rest of the Commission would pick one of your peers to run the meeting in their absence. The minute the Chair or the Vice-Chair returned, they would run the meeting instead. So, the Chair is also responsible for stating each motion before the vote, and then the Secretary announces whether the vote has passed or failed. If needed, the Secretary can also summarize the action for clarity, because the Secretary is also taking notes and minutes at the same time. The Presiding Officer also signs all of the documents approved by the Commission, or if absent the Vice-Chair or the Presiding Officer, if chosen amongst peers, would be the signator unless by state law, it's required to be the Chair. In very few circumstances at the Planning Commission level, that would be the case. It would usually be something that would be required to be signed

by the Mayor. In that case, someone else wouldn't be able to sign on behalf of the Mayor. But again, the Presiding Officer always maintains order and decorum in the meeting. And only recognized individuals may speak. All remarks are supposed to be directed to the Chair or the Planning Commission. There are not supposed to be any side conversations. Or really any discussion other than to the full body. Again, Commissioners must be recognized by the Chair before speaking. Sometimes if it's a hot debate, you know, there can be dispute about who is recognized to speak, in that situation, someone would say point of order. And then it would be the Chair's determination as to who gets to speak first. If someone disagrees with that, then they can say "shall the decision of the Chair be sustained?", and that's basically an appeal to the whole Commission. And the Commission gets to, excuse me, decide if the Chair's decision stands, or if they want to do something else. So usually the Chair's decision settles it. But there is a way to appeal that to a majority vote. And there's no discussion on points of order. There's no real debate. It's just point of order who, is speaking first. The Chair decides so that way things can move along, and we don't get into an argument or a discussion about who was speaking. Just to facilitate, you know, actually conducting the business.

COMMISSIONER
CHICO

Question.

ASSISTANT
CITY ATTORNEY
TRAXLER

Yes.

COMMISSIONER
CHICO

However, the person who didn't speak first still gets to speak afterwards?

ASSISTANT
CITY ATTORNEY
TRAXLER

Correct. Yes. It's just to determine order, yes. Again, the Chair has the right to participate in any debate, but as a courtesy, you may let your colleagues speak first. Not required, but generally procedurally acceptable. Commissioners, when they are speaking, they must be recognized by the Chair first. So that applies to the Commissioners as well. And if you have any questions of Staff that's typically directed to the City Manager or the City Attorney...Here we also direct to Marylin, the Planning Director, which is totally fine, but it should be directed to the head of the department or the head of whoever is in charge. If a Commissioner is called to order, then they must immediately stop speaking and comply with the Chair's directive as to who is speaking, when. Additionally, any Commissioner can motion for the Chair to follow the rules, if they are not being followed. Again, that's not a debatable motion, but it does require a majority vote to do so. So, if the Chair, for whatever reason, decides we are not going to follow procedure today, someone can make a motion to force the Chair essentially to follow the procedure. The same rules apply to City Staff. City Staff observe all

Rules of Procedure and Decorum as Commissioners, and the City Manager is charged with ensuring that Staff complies with all Rules of Decorum. Again, Staff must be recognized by the Chair to speak and have to speak to either the Chair or the full Commission. They cannot speak to individual Commissioners or to the public. Same thing applies to the public. The public cannot speak until being recognized for the Chair. They can state their name and address for the record, that's something that's very common here in Irwindale, but they're not required to do so. Can make their comments without even identifying a name. They are limited to three (3) minutes. Here in Irwindale time can be donated, so as long as both participants are here in person, one (1) person can donate their time to another. That's up to a max of six (6) minutes. After that there is no more donating time. The Presiding Officer, in his or her discretion, can extend that time limit and can allow people to speak beyond that. It's totally at the discretion of the Chair, and you can, if you're getting really irrelevant speech or something like that, you can also cut off the time. Jesus and Jarrod do a wonderful job reading that very lengthy statement in the beginning of Spontaneous Communications about disorderly conduct. Essentially, it just is a reminder to the public, that we expect to carry ourselves in a professional and courteous environment that goes for the public as well. And if it gets too disruptive, meaning there's threats of violence, things of that nature, we do have a Sergeant at Arms that can remove someone who's immediate threat, or if they're just, you know, yelling, being very loud, clapping, disrupting the meeting, we do have a procedure where we instruct that person to comply with the Rules of Procedure, please stop that conduct, comply with the direction of the Chair. And if that doesn't happen, then the Chair can order the removal of that person, and that person can be let back in at the Commission's discretion.

CHAIR FRYMARK

Jamie, would it be the removal for just the duration of that meeting or is it also subsequent meetings after?

ASSISTANT
CITY ATTORNEY
TRAXLER

For the duration of that meeting.

CHAIR FRYMARK

Okay.

ASSISTANT
CITY ATTORNEY
TRAXLER

So, again this is a technicality. Commissioners may only...When you guys are having a debate, Commissioners are technically only supposed to speak once until the rest of the Commission has spoken, and then you can open up the floor again. Asking questions or making clarifications is not considered speaking, it's more about the debate. It's more about to allow your colleagues to also have an opportunity to speak. So, we recommend that each person speak once until everyone has had a chance to speak, then the floor is open. Anytime you disagree with the decision or want to protest a decision, you can make

those remarks and they will be noted on the record. Again, though, unless you vote “no” they will just be noted on the record. Again, Robert's Rules of Order apply unless they conflict with the Council Rules. The Council Rules are basically like a very simplified version of Robert's Rules. If there's a discrepancy in that, the Council Rules will apply just for simplicity's sake, but in any other circumstance in which the Council Rules are silent, or just don't address whatever situation, like voting can get super complicated, Robert's Rules of Order would apply. Then myself, as the Assistant City Attorney, and Adrian as the City Attorney, we are the parliamentarians. We are the ones that guide and advise on the rules, and we can suggest a course of action. But ultimately, it really is the Chair's decision on the course of action to take. Okay, motions. This can get very complicated, so I don't want to over complicate it, but basically there are a lot of different motions that can be made. The simplest one and the lowest ranking one is the main motion, and that requires a motion and a second and at least a majority vote. The main motion is really any motion that the Planning Commission would make, like I move approval of XYZ. That would be the main motion. In order to make a motion, you should be recognized by the Chair though. The Chair should be the one that invites someone to make a motion after discussion. A subsidiary motion is a motion to delay or postpone action on the first motion, on the main motion. So, if you have a situation where someone says, “I move to approve this Site Plan and Design Review” and another Commissioner can say, “you know what, I actually think that we should spend more time on this. I move that we postpone this discussion until the next meeting.” That would be a subsidiary motion. And in that instance, the subsidiary motion is voted on first. It does require a second, but that one is voted on first and then if it fails, it fails. Then we go back to the main motion. A substitute motion is basically the same thing, but it would be a situation in which someone says, “I move to approve XYZ” and another Commissioner says, “well, I move, that we deny it.” So, in that case it would be the substitute motion that also requires a second, and that also gets voted on first. So, the last motion essentially usually always gets voted on first. Incidental motions are motions that a commissioner would make to basically enforce the Rules of Procedure, “I move that we have the Chair open the Public Hearing’ or you know, something to that effect. Those don't require a second. Don't have any debate. You just make the motion, and that can be decided immediately by the Commission. A motion to amend. These happen quite frequently. These are probably the ones that you'll deal with the most other than the main motion, and that's a situation in which someone says, “I want to approve XYZ” and then someone else says, “well, I want to approve it with this added condition.” And That typically doesn't require a second. If you all can agree that that's going to be the main motion. It's called a friendly amendment. You want to do the same thing, but you want to add something. So in that case, you don't really need like a vote on top of a vote. It's just can we get to a place where we can agree that this is the main motion, and we can just vote on that motion. And then a motion

for reconsideration, which you all should be experts at, at this point. Is when someone in the majority on the original motion moves to reconsider that action. It basically means we're going to do away with that and we're going to reopen debate and we're going to do something else. It has to be at the same meeting that the item was first voted on or the next meeting. Typically, it happens at the same meeting, but it does require a second and a majority vote. When a motion is made and seconded, it needs to be restated by the Chair or sometimes the Secretary. It cannot be withdrawn without consent from the second, the person who seconded the motion, and Commission consensus essentially to withdraw the motion. If there's a lot of things going on in one motion, we can separate that. I typically recommend when we have a lot of entitlements that we go one by one, just so we have a very clean record of what was voted on instead of approving everything in bulk. It's always more difficult to do it that way. Again, the last motion is voted on first and after a motion is made, like I said, there's really no debate and there shouldn't really be anyone addressing the Commission. I do from time to time to clarify what the motion is or to provide a recommendation to the motion. But that's not permitted unless I'm given permission by the Chair. Okay, counting votes. It can get very complicated, but there is typically three ways that you can vote. You need a simple majority, meaning you need a majority of a quorum. So, a quorum for the Commission is three. So, you need two out of three for a simple majority. If you need two thirds on something, that means you need four out of five. And if you ever have a tie vote then the motion fails. So, there's two steps. First, is the California law on voting. There are certain statutes, certain requirements, that require affirmative votes. The Commission typically deals in resolutions, and California law requires that any adoption of a resolution be by three affirmative votes. So, we need a majority. And that can be done in many different ways, as long as we have the three (3). That can be three (3) vote, "yes," zero vote, "no," and two (2) "abstain." That can be three (3) vote "yes," two vote "no," zero "abstain," but as long as we have the three (3). And then we have the rules of the body, which can be slightly different, and in Irwindale they are a little bit different, especially with regarding to abstentions. So, there's a difference between Commissioners present and Commissioners voting. The rule is you count all votes that are present in voting. Meaning if you have a vote, if you call a vote, and a Commissioner abstains from the vote, they're basically saying I'm not going to vote on this motion. If that's the case, they are counted towards the quorum, so you have the required three, but they are not counted in the majority for approval. Abstentions basically, don't count towards the outcome of the vote. If a vote requires an affirmative three (3) votes, an affirmative four/fifths votes. We need yes, "votes." So, abstentions wouldn't get you over the mark. There is one situation in which an abstention counts as a "yes," and that's in a simple majority situation. Something like a Consent Calendar would probably be very common, where you have two Commissioners voting, "yes," one "abstaining," one voting, "no," the motion would technically

pass because all you needed was a simple majority. Two (2) out of the three (3), and the abstention basically counts as an acquiescence or a consent to whatever the majority did. It's very nuanced, but for all intents and purposes, most of the time, if you need an affirmative vote, an abstention is basically a no. Again, here motions are adopted by Roll Call vote and results are entered into the minutes. Resolutions require three (3) affirmative votes and other Commission actions would just require a majority of the Commissioners present. So, the City Council requires Commissioners to vote unless they are disqualified due to a conflict of interest. We have had abstentions, and that's fine. That that is a way to proceed, but it is generally directed that everyone vote. Tied votes are lost motions and may be reconsidered. That's in a situation in which there's really no action taken and it gets considered at the next meeting. Reconsiderations, as you are aware, may be made at the same or the next regular meeting. But it has to be... The motion has to be made by a Commissioner who was in the majority. So, if you had a three-two split, it can't be someone who was the two (2) that voted "no" that says, "I want to reconsider this." It has to be someone that was in the majority. Yeah, I think I've covered the rest of it. A motion that fails and there's no action taken can be reconsidered at the next meeting. But typically, if a motion fails, the Chair will entertain another motion. Or if we can't get a motion done, then things can be continued until the next meeting to make a decision. And lastly, the City Council has adopted a Code of Conduct and a Code of Ethics. It basically requires that all of the appointed officials and City Council members... Appointed and Elected Officials, within the City to follow these established Rules of Procedure, to follow the Code of Conduct, and follow the Code of Ethics. Most importantly for our purposes, is reading and reviewing the agenda. Speaking to everyone in a courteous manner. Making sure that you are not entering into biased decisions and that you're being a fair and impartial judge, because that is what is required and expected of you, and then avoiding using your office for personal gain, things of that sort. You all are tasked with a personal responsibility for adhering to this code. Okay, so Rules of Courtesy, really quickly. It's important that only one person have the floor at a time. If multiple people are talking, it makes it difficult for Jesus to take proper minutes. And we do take verbatim minutes at the Planning Commission level. So that's always recommended is that the Chair be in charge of recognizing who's speaking and only one person speak at a time. Debate and discussion should be open and free there's no problems with that, but it should be focused on the topic at hand. Members of the Commission should not interrupt any speaker unless they want to ask a point of information, such as, asking or responding to a question. That's totally fine to ask. IT is technically called a point of information, but to ask a question. If they have a point of privilege, that means you can't hear something, your mic's not working, something the room's too hot, you need a bathroom break, something like that, that's a point of privilege. You can bring that with the Chair, and we can take a recess or, you know, do whatever we need to do to handle that. A point of order again relates to appropriate

conduct at the meeting. Appeals. If the Chair makes a decision, the Commission, one of the Commissioners, can appeal that decision to the full board. Again, the proper procedure is shall the decision of the Chair be upheld, it can be reversed, and then the Commission can figure out a different order or different determination. And that passes by a simple majority vote. Then a call for order or return to the agenda. There's no vote necessarily required. It can just be something that's raised. And again, the purpose of all of this is to really keep the public informed for what we are doing and having an orderly conduct of meetings. Main point is to tell the public what we'll be doing, keep the public informed while we're doing it, and then once we've acted, let them know what we've decided. So that's really it, unless you have any questions or comments. Again, these rules are required to be general guiding guidelines and principles. They're not, you know, hard and fast requirements. These rules are very black and white in a very gray setting. So as long as we can generally adhere to these principles, we should be all right, which we all do. I think a really good job adhering to them anyway. But I am here to answer any questions if you have any.

CHAIR FRYMARK

Thank you, Jamie.

COMMISSIONER
MIRANDA

Yeah, thank you.

CHAIR FRYMARK

That was really thorough and I'm picking up on a few things.

COMMISSIONER
CHICO

Informative, yes. New way to interrupt. New was to create chaos.

CHAIR FRYMARK

Do any of our fellow Commissioners have any thoughts, questions for Jamie? No. Thank you for your time and putting this together. Really appreciate it.

ASSISTANT
CITY ATTORNEY
TRAXLER

Thank you very much.

CHAIR FRYMARK

That'll take us to Item Number 6, Community Development Director Report.

COMMUNITY
DEVELOPMENT
DIRECTOR REPORT

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

Thank you, Chair and Commission. I'll be on my best behavior from that. So, first thing, you have a flyer that was placed on there. I know at the last meeting there was some things that were mentioned about AB 98, kind of the warehousing. So, we will be giving a presentation in the future. I just wanted to kind of give this to you that, you know, it's on our radar. You know for that. And so, you get to hear Assistant City Attorney Jamie Traxler again explain all the details of AB 98. So, the next thing is that we've had a couple of vacancies in Planning. So, we've got them filled and so I would like to introduce a familiar face and a new face. So, Jarrod Palmer is now our Assistant Planner here. Jarrod has a bachelor's degree from Cal Poly Pomona. Previously he was our Intern. And of course, you've seen him, and he is just jumped in to help, you know, wherever necessary. I want you to welcome Jarrod. If you have a few words you can say.

ASSISTANT PLANNER
PALMER

Commissioners just want to say thank you for having me, and I'll continue to serve you well.

CHAIR FRYMARK

Thank you, Jarrod. Welcome. We're happy to have you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

And then we did have a vacancy with our Associate Planner. So now I'd like to introduce Mario Arellano. Mario has a bachelor's degree from Cal Poly Pomona in Urban and Regional Planning, and then he has master's degree as well in Public Administration from Cal Poly or from Cal State LA from that. So, I won't do it. His work history reminded me of a song, and I told him I was going to break out into a song. But after Jamie's presentation, I will observe decorum. But just in your minds think Johnny Cash, I've been everywhere. So, he's worked in City of Alhambra, Santa Ana, Rosemead, Baldwin Park, and in Rancho Palos Verdes. And then he did some contract planning. So, he was here in that. But it's kind of like Goldilocks finding the right place. He found Irwindale. So, he's here. So, I'd like to welcome, Mario.

ASSOCIATE PLANNER
ARELLANO

Good evening, Commissioner. So, as Marilyn mentioned, I've been everywhere. So I, you know, I hope to bring my knowledge and also learn as I start this new role. I'm excited to be here and I look forward to many meetings with you guys' and yeah. yeah. I am excited so.

CHAIR FRYMARK

Wonderful. Well, thank you for joining us here at the City of Irwindale. We're excited to have you, Mr. Arellano, and we look forward to hearing all your expertise from all the different cities that you've worked in and helping us continue to build and make Irwindale such a beautiful city. Thank you.

COMMUNITY
DEVELOPMENT
DIRECTOR
SIMPSON

The only other thing is Happy New Year to you and congratulations to the reorganization but that is it. Thank you.

CHAIR FRYMARK

Thank you, Marilyn. Thank you. Moving on to Item Number 7, Legal Counsel Comments.

**LEGAL COUNSEL
COMMENTS**

CHAIR FRYMARK

Jamie, was there anything else that you would like to share with us tonight?

ASSISTANT
CITY ATTORNEY
TRAXLER

No, I think you've heard enough from me tonight. Thank you.

CHAIR FRYMARK

You all good things, Jamie. Thank you. Moving on Item 8, Commissioner Comments.

**COMMISSIONER
COMMENTS**

CHAIR FRYMARK

Do we have any of our fellow Commissioners that would like to make any comments at this time?

COMMISSIONER
MIRANDA

I would love to.

CHAIR FRYMARK

Commissioner Miranda.

COMMISSIONER
MIRANDA

These fires... So, thank you for addressing... As you've seen, some people been affected terribly. As you know may or may not known, I have some postings on my Facebook and Instagram account. My cousin who, her father was Edward Diaz, had the Diaz liquor for many years, had a house in Altadena. Her and her husband and family had displaced and lost their home. And I have some GoFundMes on my page. If you could help in some ways, you can look at my stuff. It's Caseyjcray on Instagram or Facebook it's Casey J. Miranda. But anyway help in anyway you can, but it's very sad. They're persevering though. He's a great builder and he's already resolute, has plans for his new home already. And he's going to build his whole neighborhood, because he is so resolute, it's amazing. His resolve. But I just want to mentioned that in case.

CHAIR FRYMARK Commissioner Miranda, our hearts go out to them and the family, and we hope that we have no doubt that they're going to rebuild better and stronger.

COMMISSIONER
MIRANDA Thank you.

CHAIR FRYMARK Any other comments from the Commission? Just want to say happy New Year to everyone. I look forward to continuously working with this body of wonderful residents and fellow Commissioners. Thank you for entrusting me to be your Chair. I look forward to doing some very meaningful and probably difficult work in this next year. We have a lot of things coming our way. But I have no doubt that we're going to dig in and lean into the work and make sure that we are doing it to the best of our abilities, but also for the sake of our business and our residential community. So, I look forward to it. Alright, so if there are no further comments from any Commissioners, then I will go ahead and move on to Item Number 9, which is adjourning this meeting. I will go ahead and adjourn this Planning Commission meeting tonight at 7:13 P.M. Thank you, everybody. Have a good night.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:13 p.m.

Maricela Frymark, Planning Commission Chair

Attest:

Jesus Hernandez, Administrative Secretary