

CITY OF IRWINDALE

5050 N. IRWINDALE AVE., IRWINDALE CA 91706 • PHONE: (626) 430-2200 • FACSIMILE: 962-4209



NOTICE AND AGENDA FOR THE SPECIAL AND REGULAR MEETING OF THE

CITY COUNCIL

SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY

LARRY G. BURROLA
MAYOR

ALBERT F. AMBRIZ
MAYOR PRO TEM

MARK A. BRECEDA
COUNCILMEMBER

MANUEL R. GARCIA
COUNCILMEMBER

H. MANUEL ORTIZ
COUNCILMEMBER

FEBRUARY 23, 2022

SPECIAL MEETING – 6:00 P.M.

REGULAR MEETING - 6:30 P.M.

IRWINDALE CITY COUNCIL CHAMBER

Limited Public Access

Pursuant to Irwindale Resolution No. Resolution No. 2022-11-3261

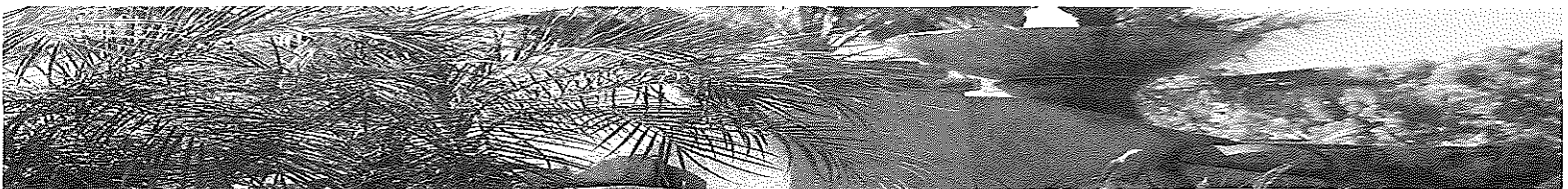
The Irwindale City Council has authorized the conduct of hybrid meetings of the City Council, including all City Commissions and committee meetings, and all regularly scheduled meetings that would normally take place in the City Council Chambers, under the provisions of Government Code Section 54956 § E, as authorized by AB 361.

The public's health and well-being are the top priority for the City, and you are urged to take all appropriate health safety precautions. To facilitate this process, the meeting and opportunities to participate are available through the following:

In-Person at the City Council Chambers (In-Chamber Attendance Limited to nine members of the public with overflow seating available in the Outer Council Chamber)

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

Webinar ID: 871 0459 2389



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

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

Americans with Disabilities Act: In compliance with the ADA, if you need special assistance to participate in a City Council meeting or other services offered by this City, please contact City Hall at (626) 430-2200. Assisted listening devices are available at this meeting. Ask the Chief Deputy City Clerk if you desire to use this device. Upon request, the agenda and documents in the agenda packet can be made available in appropriate alternative formats to persons with disabilities. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the City staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

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

Code of Ethics

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

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

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

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

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

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

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

IRWINDALE CITY COUNCIL



SPECIAL MEETING – 6:00 P.M.

A. CALL TO ORDER

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

SPONTANEOUS COMMUNICATIONS

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

C. RECESS TO CLOSED SESSION

A. Conference with Labor Negotiator

Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: Julian A. Miranda, City Manager; Adrian Guerra,
Legal Counsel; Mary Hull, Human Resources Manager;
Jeanette Duran, Interim Director of Finance/City Treasurer

Employee Organizations: ICEA and IPOA

B. Conference with Real Property Negotiators

Pursuant to Government Code section 54956.8

Property: 16102 E. Arrow Highway, Irwindale

Agency negotiator: City Manager

Negotiating parties: Irwindale Chamber of Commerce and City of Irwindale

Under negotiation: Price and terms of lease amendment

C. Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

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

Case Number: 22STCV01394

D. RECONVENE IN OPEN SESSION

E. REPORT FROM CLOSED SESSION

F. ADJOURNMENT

OPEN SESSION – 6:30 P.M.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. INVOCATION**
- D. ROLL CALL: Councilmembers: Mark A. Breceda, Manuel R. Garcia; H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola**
- E. REPORT FROM CLOSED SESSION**
- F. CHANGES TO THE AGENDA**
- G. COUNCIL MEMBER TRAVEL REPORTS**
- H. COUNCILMEMBER COMMENTS**
- I. INTRODUCTION OF NEW EMPLOYEES/PROMOTIONS**
 - 1. Introduction of City Manager Julian A. Miranda
- J. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS**
 - 1. Chamber of Commerce Business of the Month – Jan's Towing
 - 2. The San Gabriel Valley Energy Champion Awards presentation by So Cal Gas

SPONTANEOUS COMMUNICATIONS

This is the time set aside for members of the audience to speak on items not on this agenda. State law prohibits any Council discussion or action on such communications unless 1) the Council by majority vote finds that a catastrophe or emergency exists; or 2) the Council by at least four votes finds that the matter (and need for action thereon) arose within the last five days. Since the Council cannot (except as stated) participate it is requested that all such communications be made in writing so as to be included on the next agenda for full discussion and action. If a member of the audience feels he or she must proceed tonight, then each speaker will be limited to 3 minutes unless such time limits are extended.

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 attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

Tier 4: Teleconference attendees who have not previously provide comments on the matter(s) being discussed by the legislative body

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the City Council 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

Department: Administration / City Clerk

Recommendation: Approve the following minutes:

1. Special meeting held January 26, 2022
2. Regular meeting held January 26, 2022

B. Warrants/Demands/Payroll

Department: Finance

Recommendation: Approve

C. Development Impact Fee Compliance Report

Department: Finance

Recommendation: Receive and file the report in accordance with Government Code Section 66006.

D. Declaration of Surplus Equipment, Electronics and Miscellaneous Items

Department: Public Services

Recommendation: **Adopt Resolution No. 2022-17-3267** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, DECLARING CERTAIN PROPERTY SURPLUS AND AUTHORIZING THE CITY MANAGER TO PROVIDE FOR THE DISPOSITION OF SAID PROPERTY".

E. Declaration of Surplus Equipment

Department: Police

Recommendation: **Adopt Resolution No. 2022-16-3266** entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE DECLARING VEHICLES AS SURPLUS AND AUTHORIZING DISPOSITION OF THE SURPLUS VEHICLES"

- F. Resolution No. 2022-18-3268 – Appointing City Manager Julian A. Miranda as City Clerk
Department: Administration / City Clerk

Recommendation: **Adopt Resolution No. 2022-18-3268** entitled, “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPOINTING CITY MANAGER JULIAN A. MIRANDA AS CITY CLERK AND RESCINDING RESOLUTION NO. 2018-19-3013” reading by title only and waiving further reading thereof.

- G. Approval of Cooperative Agreement with City of Baldwin Park for Resurfacing of Ramona Boulevard from San Gabriel River Bridge to Syracuse Avenue

Department: Engineering

Recommendation: Approve the cooperative agreement with the City of Baldwin Park for resurfacing of the Irwindale portion of Ramona Boulevard from City Limits to Syracuse Avenue, and authorize the City Manager to execute the same upon approval as to form by the City Attorney.

2. NEW BUSINESS

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

- A. 4th of July Community Events

Department: Public Services

Recommendation: Review and approve the 4th of July Community Events as recommended by the Parks & Recreation Commission.

- B. Curfew Policy

Department: Administration

Recommendation: Receive and file or provide direction.

3. PUBLIC HEARINGS

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

4. CITY MANAGER'S REPORT

5. AGENDA ITEMS REQUESTED BY COUNCIL MEMBERS

- A. Update on Noise Policy / Ordinance (Requested by Councilmember Ortiz)

- B. Temporary homeless housing discussion (Requested by Mayor Pro Tem Ambriz)

6. ADJOURN

**SUCCESSOR AGENCY TO THE IRWINDALE
COMMUNITY REDEVELOPMENT AGENCY****SPONTANEOUS COMMUNICATIONS**

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

1. CONSENT CALENDARA. Minutes

Department: Administration / City Clerk

Recommendation: Approve the following minutes:

1. Special meeting held January 26, 2022
2. Regular meeting held January 26, 2022

B. Warrants

Department: Finance

Recommendation: Approve

2. NEW BUSINESS

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

3. PUBLIC HEARINGS

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

4. ADJOURN

AFFIDAVIT OF POSTING

I, Laura M. Nieto, Chief Deputy City Clerk, certify that I caused the agenda for the regular meeting of the City Council and Irwindale Successor Agency to the Irwindale Community Redevelopment Agency, to be held on February 23, 2022, be posted at the City Hall, Library, and Post Office on February 17, 2022.

Laura M. Nieto, MMC

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

**JANUARY 26, 2022
WEDNESDAY
5:30 P.M.**

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

ROLL CALL:

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

Absent: Councilmember Mark A. Breceda

Also Present: William Tam, City Manager; Adrian Guerra, City Attorney; Mary Hull, Human Resources Manager; Jeanette Duran, Interim Director of Finance / City Treasurer

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

**RECESS TO
CLOSED SESSION**

At 5:46 p.m., the City Council met in Closed Session to discuss the following:

Conference with Labor Negotiator

Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: William Tam, City Manager; Adrian Guerra, Legal Counsel; Mary Hull, Human Resources Manager; Jeanette Duran, Interim Director of Finance / City Treasurer
Employee Organizations: ICEA and IPOA

ACTION: Discussed; direction provided, no reportable action taken

Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

Case Name: City of Baldwin Park vs. City of Irwindale, et. al.
Case Number: Los Angeles County Superior Court Case BS163400 (Lead Case) (Consolidated with BS171622) (Related to BS163450 and BS171509)

ACTION: Discussed; update provided; no reportable action taken

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

ACTION: Discussed; update provided; no reportable action taken

Public Employee Performance Evaluation

Pursuant to California Government Code Section 54957

Title: City Attorney

ACTION: City Manager Tam reported that discussion was held, no reportable action was taken

Public Employee Appointment

Pursuant to California Government Code Section 54957

Title: City Manager

ACTION: Discussed; no action taken

**RECONVENE IN
OPEN SESSION**

At 6:42 p.m., the City Council reconvened in Open Session with all members present.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 6:43 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

**JANUARY 26, 2022
WEDNESDAY
6:30 P.M.**

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

ROLL CALL:

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

Absent: Councilmember Mark A. Breceda

Present: William Tam, City Manager; Theresa Olivares, Assistant City Manager; Adrian Guerra, City Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Jeanette Duran, Interim Finance Director / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager; Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Laura Nieto, Chief Deputy City Clerk

**CHANGES TO THE
AGENDA**

CITY MANAGER TAM

City Manager Tam indicated that Item No. 1H would be removed from the agenda for future consideration.

**COUNCILMEMBER
TRAVEL REPORTS**

None.

**COUNCILMEMBER
COMMENTS**

**MAYOR PRO TEM
AMBRIZ**

Mayor Pro Tem Ambriz noted the damage caused by the recent wind storm and thanked staff's leadership and hard work in acting quickly to minimize further damage.

**COUNCILMEMBER
GARCIA**

Councilmember Garcia requested to adjourn the meeting in memory of Alice Perez.

**COUNCILMEMBER
ORTIZ**

Councilmember Ortiz advised that Supervisor Hilda Solis' office has donated over 250 COVID-19 testing kits, which he will bring to City Hall tomorrow for distribution to the public. He also reported a shooting that occurred at a party on Fraijo Street on Christmas Day and stated that the party continued even after the police had left the area. He felt that the police should have stopped the party, and suggested that a policy be considered giving police authority to shut down parties if loud parties continue even after they warn for parties to end.

MAYOR BURROLA

Mayor Burrola requested that the meeting be adjourned in memory of Carlos Alvarado.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

INTRODUCTION OF
BUS DRIVER
JUAN MAGANA

INTRODUCTION OF BUS DRIVER JUAN MAGANA

Director Rodriguez provided background information and introduced Juan Magana as the City's new Bus Driver.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

CHAMBER OF
COMMERCE
BUSINESS OF THE
MONTH –
DOUBLETREE BY
HILTON
MONROVIA-PASADENA

CHAMBER OF COMMERCE BUSINESS OF THE MONTH –
DOUBLETREE BY HILTON MONROVIA-PASADENA

The presentation was made.

**SPONTANEOUS
COMMUNICATIONS**

CARMEN ROMAN

Carmen Roman requested that Item No. 1B be pulled for separate consideration, and suggested that the Councilmember that held the party on Fraijo near where the gunshot was fired be spoken to.

DENA ZEPEDA

Dena Zepeda stated that the problem was not the party; rather, it was the shooting and drugs. She alleged that the police did not take further action since the party was held at a Councilmember's house.

LARRY CERVANTES

Larry Cervantes attempted to speak on Item No. 1E, but was told to wait to comment until the item is under consideration by the Council.

LINDA MAREZ

Linda Marez stated that the gunshot was not fired from the Councilmember's property, and suggested that the gossiping stop.

DENA ZEPEDA

Dena Zepeda continued her allegations against the Councilmember.

FRED BARBOSA

Fred Barbosa compared his parties to those of the Councilmember, and questioned City Manager Tam's qualifications. He also spoke in favor of hiring Julian Miranda as the new City Manager, and asked for clarification regarding the City Manager's and Assistant City Manager's pay rates.

LINDA BLOHM

Linda Blohm asked whether the situation involving her mother Maggie Guzman has been acted upon.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Ortiz, seconded by Councilmember Garcia, to approve the Consent Calendar, with the exception of Item No. 1C, which was removed for separate consideration. The motion was unanimously approved; Councilmember Breceda absent.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Special meeting held December 8, 2021
- 2) Regular meeting held December 8, 2021

ITEM NO. 1B
WARRANTS
/ DEMANDS
/ PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1C
INVESTMENT
QUARTERLY REPORT

INVESTMENT QUARTERLY REPORT (Joint Item for all agencies)

The Investment Quarterly Report for December 31, 2021, was received and filed.

ITEM NO. 1D
AWARD FOR
CONTRACTS FOR
CONSTRUCTION AND
CONSTRUCTION
MANAGEMENT AND
INSPECTION FOR THE
2021-2022
RESURFACING
PROJECT – PHASE I;
P-1034

AWARD FOR CONTRACTS FOR CONSTRUCTION AND
CONSTRUCTION MANAGEMENT AND INSPECTION FOR THE
2021-2022 RESURFACING PROGRAM: RESIDENTIAL
RESURFACING PROJECT – PHASE I; P-1034

1) The City Manager was authorized to enter into an agreement with Hardy & Harper, Inc. in the amount of \$590,000 for the 2021-2022 Resurfacing Program; Residential Resurfacing Project – Phase I; (2) a 20% contingency in the amount of \$118,000 was approved to cover any unforeseeable conditions that may arise during construction; (3) the City Manager was authorized to enter into an agreement with Z & K Consultants in the amount of \$59,968 for construction management, inspection, labor compliance oversight, and geotechnical testing services; (4) a 20% project contingency was approved for construction management in the amount of \$11,994 to cover any unforeseeable conditions that may arise during construction; (5) **Resolution No. 2022-06-3255** approving the transfer of \$148,218.66 from the 2020-2021 Resurfacing Project to the 2021-2022 Resurfacing Program Budget was adopted.

ITEM NO. 1F
APPROVE
APPROPRIATION OF
ASSET FORFEITURE
FUNDS

APPROVE APPROPRIATION OF ASSET FORFEITURE FUNDS

RESOLUTION NO.
2022-05-3254
ADOPTED

Resolution No. 2022-05-3254, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROPRIATING FEDERAL AND STATE ASSET FORFEITURE FUNDS FOR USE BY THE POLICE DEPARTMENT," was adopted.

ITEM NO. 1G
A RESOLUTION TO
EXTEND THE
EXISTENCE OF A
LOCAL EMERGENCY
REGARDING COVID-19
PANDEMIC

A RESOLUTION TO EXTEND THE EXISTENCE OF A LOCAL EMERGENCY REGARDING COVID-19 PANDEMIC

RESOLUTION NO.
2022-08-3257
ADOPTED

Resolution No. 2022-08-3257, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, EXTENDING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC WITHIN THE CITY OF IRWINDALE PURSUANT TO IRWINDALE MUNICIPAL CODE CHAPTER 2.44," was adopted.

ITEM NO. 1H
CALRECYCLE SB
1383 LOCAL GRANT
ASSISTANCE
PROGRAM FUNDING

CALRECYCLE SB 1383 LOCAL GRANT ASSISTANCE PROGRAM FUNDING

RESOLUTION NO.
2022-09-3259
ADOPTED

Resolution No. 2022-09-3259, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING ON ITS BEHALF THE SUBMITTAL OF A GRANT APPLICATION BY A LEAD AGENCY FOR WHICH THE SAN GABRIEL VALLEY COUNCIL OF GOVERNMENTS IS ELIGIBLE," was adopted.

END OF CONSENT CALENDAR

ITEM NO. 1E
REQUEST TO REVIEW
AND CONSIDER
WAIVING PERMIT

REQUEST TO REVIEW AND CONSIDER WAIVING PERMIT FEES FOR LAWRENCE CERVANTES

FEES FOR LAWRENCE
CERVANTES

ASSISTANT CITY
MANAGER OLIVARES

Assistant City Manager Olivares presented the report.

LAWRENCE
CERVANTES

Lawrence Cervantes spoke in support of the waiver of permit fees and asked for permission to leave the driveway approach as-is.

DENA ZEPEDA

Dena Zepeda and Carmen Roman spoke in favor of granting the waiver of permit fees.

RESOLUTION NO.
2022-07-3256

Resolution No. 2022-07-3256, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, APPROVING AN ENCROACHMENT AND INSPECTION FEE WAIVER REQUEST FOR PROPERTY OWNER LAWRENCE CERVANTES," was adopted, and the request to leave the driveway approach as-is was approved, on the motion of Councilmember Garcia, seconded by Councilmember Ortiz, and unanimously approved; Councilmember Breceda absent and Mayor Burrola abstained.

CITY MANAGER TAM

City Manager Tam requested for the Council to consider input from the City Engineer regarding whether it would be permissible to leave the driveway approach as-is, since it must meet all city requirements, as well as ADA requirements.

CITY ATTORNEY
GUERRA

City Attorney Guerra requested a quick break.

RECESS

At 7:42 p.m., the City Council took a short recess.

RECONVENE

At 7:48 p.m., the City Council reconvened in Open Session.

MAYOR BURROLA

Mayor Burrola stated that, per advice received from the City Attorney, he would recuse himself from this item due to a conflict of interest.

MOTION

A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to retract the previous action and reconsider the item. The motion was unanimously approved; Councilmember Breceda absent and Mayor Burrola abstaining.

MAYOR BURROLA

Mayor Burrola exited the Council Chambers due to his conflict of interest. Mayor Pro Tem Ambriz resumed the meeting.

DIRECTOR HANNA

Director Hanna cautioned that leaving the driveway as-is may cause liability issues since it does not meet accessibility requirements. He noted that the work was done without a permit, and as such, was not inspected by the city at the time of its construction.

COUNCILMEMBER GARCIA Councilmember Garcia replied that, in this case, the city should replace the driveway at its own expense in order to meet all necessary requirements. He then made a motion to adopt the aforementioned resolution to approve an encroachment and inspection fee waiver request for property owner Lawrence Cervantes, direct that city staff replace the curb as soon as possible, and reimburse the Cervantes' expenditures in their good-faith attempt to repair the curb.

COUNCILMEMBER ORTIZ Councilmember Ortiz stated his desire to second only the portion of the motion that relates to the waiver of fees.

COUNCILMEMBER GARCIA Councilmember Garcia retracted his motion.

ROSE CERVANTES Rose Cervantes expressed her appreciation of Councilmember Garcia's suggestion that their costs be reimbursed, and spoke in support of the suggestion.

MOTION A motion was made by Councilmember Garcia, seconded by Councilmember Ortiz, to adopt **Resolution No. 2022-07-3256**, that the city replace the curb at its own expense, and that the expenses incurred by the Cervantes' in their attempts to repair the curb be reimbursed. The motion was unanimously approved; Councilmember Breceda and Mayor Burrola absent.

MAYOR BURROLA Mayor Burrola returned to the Council Chambers at 7:56 p.m.

NEW BUSINESS

ITEM NO. 2A
**OLIVE PIT MINING
AND RECLAMATION
PROJECT – PROGRESS
REPORT**
OLIVE PIT MINING AND RECLAMATION PROJECT – PROGRESS REPORT

DIRECTOR HANNA Director Hanna presented the report and made a PowerPoint presentation.

JEFF CAMERON Jeff Cameron, representing United Rock, advised that his company has re-engaged with the rail authority in an effort to move plans forward with the construction of a traffic signal. However, in order to proceed, there are certain easements that are required that United Rock is unable to attain, which caused the process to stall in 2019. He stated that United Rock then presented an alternative, only to be told that the alternative was not acceptable. United Rock staff then re-engaged all involved parties to move the process forward, and the plans have been submitted and approved. However, they have yet to secure the necessary easements. He stated that they will again

attempt to work with the rail authority to carve out an acceptable solution.

COUNCILMEMBER
ORTIZ Councilmember Ortiz expressed his appreciation with Mr. Cameron's efforts. However, he noted that United Rock committed around 2014/15 to construct the traffic signal, and noted that the city has fulfilled its responsibilities for its construction.

JEFF CAMERON Mr. Cameron stated that the development agreement specifies that United Rock has twelve months to construct the signal once all necessary approvals have been obtained. However, at this point, those approvals have not been granted. He added that, at the time of United Rock's commitment, it was understood that the signal would cost \$250,000, but that estimate has since ballooned to \$365,000. Additionally, the rail improvements that are being requested put the total costs at over \$2 million.

COUNCILMEMBER
ORTIZ Councilmember Ortiz noted that the costs of the project will continue to increase as time goes by, to which Mr. Cameron indicated that United Rock staff has re-engaged with the project designer and the rail authority in an effort to move the process forward.

Councilmember Ortiz also noted that the amendment documentation allowed for the increase of daily truck trips from 262 to 392, and asked whether the environmental impact report was revisited due to this change, to which Director Hanna quoted directly from the amendment to the final environmental impact report showing that the increased number of truck trips was authorized.

Councilmember Ortiz also asked whether the public was notified regarding the proposed amendment to the final environmental impact report, to which Director Hanna stated that he believed that it was duly noticed. Councilmember Ortiz stated his belief that residents were not made aware of an increase of truck traffic and the resulting increase of truck emissions. He requested that the agreement be modified to restrict the hours of operation at the site on Saturdays, to which Mr. Cameron advised that his company has listened to the Council's concerns from its meeting in November. As a result, United Rock has temporarily suspended running on the last Saturday of the month, based on market demand. He added that the company is also making considerations to curtail production whenever it can.

Councilmember Ortiz reiterated the concerns from his constituents regarding truck emissions and expressed his appreciation for United Rock's efforts in mitigating pollutants and constructing the traffic signal.

JEFF CAMERON Jeff Cameron stated that United Rock will continue looking for solutions and will work to secure approvals so the signal could be constructed.

COUNCILMEMBER ORTIZ	Councilmember Ortiz also disputed the way that average annual tonnage is calculated and noted that United Rock exceeded the average of 1.5 million tons of materials by around 300,000 to 400,000 pounds, which includes increased truck traffic and truck emissions.
DIRECTOR HANNA	Director Hanna discussed the definition of “average” as explained by the city’s legal counsel.
COUNCILMEMBER GARCIA	Councilmember Garcia requested that Director Hanna work with the appropriate parties to see what the city can do to secure the necessary easements, to which Director Hanna advised that staff is already coordinating with designated personnel.
MAYOR BURROLA	Responding to a question by Mayor Burrola, Mr. Cameron advised that the plans for the traffic signal have been approved, though the permits have not been secured. Once all the permits and easements have been secured, United Rock will move to complete the traffic signal. Mayor Burrola also asked about the definition of “average”, to which Mr. Cameron indicated that United Rock hauls an average of 1.5 million tons per year, though Director Hanna has suggested meeting with staff at United Rock to clarify the term. He affirmed that United Rock is operating under the provisions and intent of the agreement, and is not attempting to find a way to curtail the system. Mayor Burrola requested that a tonnage report be prepared and presented to the Council every six months, to which Mr. Cameron advised that United Rock provides a monthly update on all tonnage numbers, and clarified that United Rock is attempting to yearly tonnage numbers to ensure that they are staying within the 1.5 million ton average. Mayor Burrola reiterated that he would like a report prepared every six months, to which Mr. Cameron advised that staff prepares a quarterly mining report that is submitted to the Reclamation Authority at its meetings. Mayor Burrola then requested quarterly reports, to which Director Hanna indicated that reports are submitted to the Reclamation Authority every quarter. He also provided brief background information on how the 1.5 million ton average was determined, but stated that, should the Council provide new direction, he would be happy to work with the city’s legal counsel as well as all involved agencies to come to an amicable solution.
CITY ATTORNEY GUERRA	City Attorney Guerra advised that the city and United Rock Products entered into an amendment to the Development Agreement in 2017.

Prior to that, the Council considered an addendum to the CEQA document, which was presumably available to the public and the Council as part of the approval process.

DENA ZEPEDA Dena Zepeda spoke on her prior complaints about dust issues and suggested that the Council tour the premises, as she has done. She also stated her belief that the city has also entered into agreements with other companies for the construction of traffic signals. She stated that United Rock has controlled dust issues, and suggested that the city work with them.

CARMEN ROMAN Carmen Roman stated that she does not agree with the formula used to determine tonnage, and suggested adding another traffic lane on Azusa Canyon Road. She also spoke against contracting out law enforcement work.

FRED BARBOSA Fred Barbosa suggested that city staff continue working with the rock industry, giving the benefits it has provided the city. He also noted that United Rock provides monthly reports to the city.

COUNCILMEMBER ORTIZ Director Hanna requested direction from the Council, to which Councilmember Ortiz advised that he would like to have the signal built as soon as possible, and stated his preference that United Rock not exceed 1.5 million tons per year. He also requested financial reports, to which Director Hanna stated that extraction and financial reports are provided every quarter.

COUNCILMEMBER GARCIA Councilmember Garcia requested that staff work with United Rock and do everything in its power to assist in obtaining the necessary easements for the construction of the traffic signal.

MAYOR PRO TEM AMBRIZ Mayor Pro Tem Ambriz spoke positively of United Rock as a business partner, and suggested that both parties work together to come to an agreement over the terms of permissible yearly tonnage.

MAYOR BURROLA Mayor Burrola spoke highly of United Rock and noted that they are addressing the Council's concerns, and commended them for their efforts.

MOTION A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to direct staff to collaborate with United Rock in attempting to secure all necessary permits and easements, and for city and United Rock staff work together to clarify the permissible amounts of tonnage to be extracted at the site. The motion was unanimously approved; Councilmember Breceda absent.

ITEM NO. 2B
ADOPT ECONOMIC
DEVELOPMENT
INCENTIVE POLICY

ADOPT ECONOMIC DEVELOPMENT INCENTIVE POLICY

ASSISTANT TO THE CITY MANAGER ESPINO	Assistant to the City Manager Espino presented the report and made a PowerPoint presentation.
CARMEN ROMAN, DENA ZEPEDA, AND FRED BARBOSA	Responding to questions by Carmen Roman, Dena Zepeda, and Fred Barbosa, Assistant to the City Manager Espino advised that the terms of each business' proposal would be negotiated with the city, and she further explained the schedule showing the maximum rebate available under the policy. She further elaborated that staff can negotiate for job fairs that are exclusively for residents, and noted that the city does not currently have any sales tax sharing agreements.
SUZANNE GOMEZ	Suzanne Gomez spoke in support of the proposed policy, especially if it results in incentives for residents.
FRED BARBOSA	Fred Barbosa spoke on his belief that the city has lost sales tax revenue from a local business due to the depreciated value of the businesses' property.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz spoke in support of approving the policy.
COUNCILMEMBER ORTIZ	Councilmember Ortiz also spoke in support of the proposed policy.
MAYOR BURROLA	Mayor Burrola asked a few clarifying questions, to which Assistant to the City Manager Espino responded by indicating that the policy is geared to target new businesses in order to attain sales tax revenue. She also clarified that the policy presents an opportunity for a maximum life of 20 years for the individual agreements. She reiterated that the terms of each agreement would be negotiated, and advised that an economic subsidy report would need to be completed annually should this policy be implemented.
MARGUERITE LOPEZ	Marguerite Lopez expressed concern that the city would be losing revenue by sharing sales taxes with individual companies, to which Assistant to the City Manager Espino advised that the effort is made in order to attract new businesses, and the alternative to that would be zero revenue from potential new businesses. Ms. Lopez worried that existing businesses would lose out on this opportunity.
DENA ZEPEDA	Dena Zepeda spoke in favor of approving the policy.
ASSISTANT TO THE CITY MANAGER ESPINO	Assistant to the City Manager Espino added that e-commerce businesses that move to Irwindale and participate in this program would guarantee that their point-of-sales would be identified as being in Irwindale, which would result in tax revenues for the city.

RESOLUTION NO.
2022-08-3258
ADOPTED

Resolution No. 2022-08-3258, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, ADOPTING AN ECONOMIC DEVELOPMENT INCENTIVE PROGRAM," was passed, approved, and adopted, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, and unanimously approved; Councilmember Breceda absent.

ITEM NO. 2C
CONSIDERATION OF
APPOINTMENT OF
JULIAN A. MIRANDA AS
CITY MANAGER AND
APPROVAL OF CITY
MANAGER
EMPLOYMENT
AGREEMENT

CONSIDERATION OF APPOINTMENT OF JULIAN A. MIRANDA AS
CITY MANAGER AND APPROVAL OF CITY MANAGER
EMPLOYMENT AGREEMENT

CITY MANAGER TAM

City Manager Tam presented the report.

BOBBY BONILLA

A written message was received from Bobby Bonilla, who suggested that Mayor Pro Tem Ambriz recuse himself from voting on this matter since he rents his home from Mr. Miranda's father, suggesting a potential conflict of interest.

DENA ZEPEDA

Dena Zepeda made various allegations of corruption and nepotism, suggested that the next City Manager be appointed for his love of the city and not just "pushed into" the position. She also complained that she "gets nothing" from living in Irwindale, and complained about a councilmember renting a home to a candidate for the City Council.

CARMEN ROMAN

Carmen Roman stated her belief that the proposed pay rate for the incoming City Manager is low, and complained that the San Gabriel Valley Tribune published an article on what she perceived to be confidential information. She also complained that a councilmember rented a home to a candidate for the City Council, and welcomed the hiring of Mr. Miranda as City Manager.

CASEY MIRANDA

Casey Miranda read scriptures and applied them to Mr. Miranda, and spoke to Mr. Miranda's character and past service to the city as football coach, lifeguard, and his time on the City Council, where he worked with City Managers and City Attorneys.

FRED BARBOSA

Fred Barbosa opposed the statements made by Mr. Bonilla and stated that Mr. Miranda is not responsible for his father's business decisions.

SUZANNE GOMEZ	Suzanne Gomez stated her excitement that the Council is hiring a resident, and expressed her optimism that the City would again become what it used to be.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz appreciated the comments made, and stated his belief that Mr. Miranda is qualified and well-loved in the community, and possesses great attributes that qualify him for the City Manager position.
COUNCILMEMBER ORTIZ	Councilmember Ortiz stated that Mr. Miranda would be an asset since he is very knowledgeable and is seen as a role model by some residents and employees. He expressed his support of Mr. Miranda's appointment as City Manager.
COUNCILMEMBER GARCIA	Councilmember Garcia reminded all that many had expressed their desire for full transparency when hiring and noted the suggestions to send flyers to residents to encourage applications, and that he wished this process had been done with this position so that the best-qualified applicant could be hired. He indicated he could not support the appointment of Mr. Miranda due to the lack of transparency in the process.
MAYOR BURROLA	Responding to a question by Mayor Burrola, City Manager Tam advised that the proposed contract is similar to the one he currently has. Mayor Burrola stated his belief that Mr. Miranda would perform well as City Manager due to his experience, and love of the city, community, and staff.
RESOLUTION NO. 2022-10-3260 ADOPTED	Resolution No. 2022-10-3260 , entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPOINTING CITY MANAGER AND APPROVING CITY MANAGER EMPLOYMENT AGREEMENT," thereby appointing Julian A. Miranda to the position of City Manager, was passed, approved, and adopted, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz,. The motion was approved with Councilmember Ortiz, Mayor Pro Tem Ambriz, and Mayor Burrola in favor, Councilmember Garcia opposed, and Councilmember Breceda absent.
<u>PUBLIC HEARINGS</u>	None.
<u>CITY MANAGER'S REPORT</u>	
DIRECTOR RODRIGUEZ	Director Rodriguez provided an update on Community Services and the recent windstorm.

MAYOR PRO TEM AMBRIZ Mayor Pro Tem Ambriz commended staff for their hard work following the windstorm.

MAYOR BURROLA Mayor Burrola thanked Public Works staff for cleaning after the windstorm.

DENA ZEPEDA Dena Zepeda thanked Director Rodriguez and Public Services staff for their help in cleanup efforts after the windstorm. She also complained that she was not treated well during a recent visit to the Recreation Center.

**AGENDA ITEMS
REQUESTED BY
COUNCILMEMBERS**

ITEM NO. 5A REQUEST BY MAYOR BURROLA TO DEVELOP A POLICY
REQUEST BY MAYOR BURROLA TO DEVELOP A POLICY RELATED TO NOTIFICATIONS TO THE CITY COUNCIL

MAYOR BURROLA Mayor Burrola requested a written document, not a policy, to direct the City Manager and the Chief of Police to notify the Councilmembers, at their discretion, of "any issues that are happening." He requested that the City Attorney prepare a report and present it to the Council.

COUNCIL CONSENSUS Council consensus was reached for the City Attorney to prepare a report as Mayor Burrola requested and present it to the Council at a future meeting.

ITEM NO. 5B REQUEST BY MAYOR BURROLA TO CONSIDER ADOPTING A
REQUEST BY MAYOR BURROLA TO CONSIDER ADOPTING A CURFEW POLICY

MAYOR BURROLA Responding to a question by Mayor Burrola, City Manager Tam advised that the city does not currently have a curfew policy in place.

CITY ATTORNEY GUERRA City Attorney Guerra clarified that the city's municipal code contains a section relating to loitering by minors, which stipulates that minors must be off the streets between 10 p.m. and sunrise of the next day.

MAYOR BURROLA Mayor Burrola stated his desire for staff to look into whether other cities have curfew policies and report the findings to the Council for consideration at a future meeting.

COUNCILMEMBER ORTIZ	Councilmember Ortiz stated that he would be fine with checking what other cities have in place. He stated his preference that the city only impose a curfew during emergencies, and indicated that there is no need to limit the hours by which individuals can be out on the streets at night.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz said he would not mind finding out what other cities are doing.
COUNCILMEMBER GARCIA	Councilmember Garcia opposed implementing a curfew, noting that the city does not need one.
CARMEN ROMAN	Carmen Roman opposed curfews unless it deals with an emergency situation.
DENA ZEPEDA	Dena Zepeda also opposed curfews, and suggested that the city regulate what happens after certain incidents.
COUNCILMEMBER ORTIZ	Councilmember Ortiz suggested developing a policy for the Police to follow when they are called to address noisy gatherings. He suggested that the Police offer a warning on their first visit. If a second visit is necessary, the Police should shut down the gathering.
MAYOR BURROLA	Mayor Burrola clarified that he simply wants a report of curfew provisions from other cities, not that he wants to institute a curfew policy at this time. He said the matter could be discussed, and if the Council decides, a policy can be implemented.
SUZANNE GOMEZ	Suzanne Gomez supported receiving the report of what other cities have in place.
DENA ZEPEDA	Dena Zepeda asked for the City Attorney to "explain the laws for loud music."
COUNCIL CONSENSUS	Council consensus was reached for staff to prepare an informational report on curfew measures implemented by other cities for presentation to the Council.
<u>ITEM NO. 5C</u> REQUEST BY MAYOR BURROLA TO CONSIDER SIGNAGE ON RESIDENTIAL STREETS RELATED TO OVERSIZED VEHICLES	REQUEST BY MAYOR BURROLA TO CONSIDER SIGNAGE ON RESIDENTIAL STREETS RELATED TO OVERSIZED VEHICLES
DIRECTOR HANNA	Director Hanna presented a verbal update and made a PowerPoint presentation. He spoke on the city's three-phase resurfacing plans,

and noted that staff recommends six new signs, but is open to input from the Council.

DISCUSSION HELD	Discussion was held between Mayor Burrola and Director Hanna relating to the suggested placements of the new signs as well as their reflectivity and the timing of the installations.
MAYOR BURROLA	Mayor Burrola requested that all existing signs be replaced with new signs at the locations identified by Director Hanna.
COUNCILMEMBER ORTIZ	Councilmember Ortiz concurred that the sign replacements should be done as soon as possible.
MAYOR PRO TEM AMBRIZ	Replying to a question by Mayor Pro Tem Ambriz, Director Hanna advised that general fund monies would be used to make the replacements.
CARMEN ROMAN	Carmen Roman asked whether funding for other items would be reduced in order to fund the sign replacements, and suggested purchasing all new signs now since they will probably become more expensive in the future. She also stated that larger streets probably need two signs installed instead of just one.
COUNCIL CONSENSUS	Council consensus was reached to direct staff to replace existing truck prohibition signage with new reflective signs as soon as possible.
RECESS	At 10:26 p.m., the Council took a short recess.
RECONVENE	At 10:32 p.m., the Council reconvened in Open Session.
<u>ADJOURNMENT</u>	There being no further business to conduct, the meeting was adjourned at 10:32 p.m., in memory of Alice Perez and Carlos Alvarado.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Electronic Payments

February 2022

February 1 - 15, 2022



Number	Vendor Name	Date	Amount
ACH	CalPERS-Medical	2/1/2022	238,797.46
ACH	CalPERS	2/2/2022	77,005.37
ACH	CalPERS	2/10/2022	213.97
ACH	Nationwide-457 Plan & Trust	2/10/2022	13,843.50
ACH	Nationwide-457 Plan & Trust	2/10/2022	7,262.10
ACH	Nationwide-Roth Cotribution-457 Plan & Trust	2/10/2022	2,947.00
ACH	PARS-Public Agency Retirement Services	2/9/2022	5,120.00
ACH	ICMA	2/10/2022	10.39
ACH	PARS-FT	2/10/2022	23,413.98
ACH	PARS-PT	2/10/2022	1,345.91
3080448	CJPIA Excess Pool	2/15/2022	9,402.82
	Report Total:		<u>379,362.50</u>

Accounts Payable

Checks by Date - Summary by Check Number

User: Financetech
Printed: 2/16/2022 10:30 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
76165	AMAZON	Amazon	02/03/2022	573.84
76166	API01	Rey Apita	02/03/2022	109.49
76167	AT&T02	AT & T	02/03/2022	31.67
76168	AT&T06	AT & T	02/03/2022	63.69
76169	Ayala01	Leonor Ayala	02/03/2022	387.00
76170	AZUSALW	Azusa Light & Water	02/03/2022	468.86
76171	CCEA01	CCEA	02/03/2022	400.00
76172	LOSANG33	County of Los Angeles	02/03/2022	37.72
76173	PMIDEN	Delta Dental Insurance Company	02/03/2022	1,038.86
76174	PMIDEN01	Delta Dental of California	02/03/2022	12,804.12
76175	DIVISI01	Division of the State Architect	02/03/2022	59.94
76176	EPACT01	ePACT Network Ltd.	02/03/2022	2,100.00
76177	FRONT01	Frontier Communications	02/03/2022	276.63
76178	GASCOM	Gas Company, The	02/03/2022	3,087.40
76179	SOUTHE17	Golden State Water Company	02/03/2022	1,976.33
76180	HOYEN	Noelle Hoye	02/03/2022	480.00
76181	JARAMI08	Gabriel Jaramillo	02/03/2022	75.00
76182	LOPEZJ01	Jade Lopez	02/03/2022	51.46
76183	OPTUM01	OptumRx, Inc.	02/03/2022	28,014.20
76184	PETTYC05	City of Irwindale Petty Cash	02/03/2022	405.93
76185	ACCOUN	Robert Half	02/03/2022	1,355.44
76186	SMART&	Smart & Final	02/03/2022	396.79
76187	SCE02	Southern California Edison	02/03/2022	15,485.43
76188	STGEO01	St. George's Medical Clinic	02/03/2022	745.00
76189	TRIG01	Irma Triguero	02/03/2022	300.00
76190	VALLEY09	Valley View Mutual Water Co.	02/03/2022	76.16
76191	VISION01	Vision Service Plan - (CA)	02/03/2022	1,861.76
76192	ZEPEDA07	Priscilla Zepeda	02/03/2022	620.71

Report Total (28 checks):

73,283.43

Accounts Payable

Checks by Date - Summary by Check Number

User: Financetech
Printed: 2/16/2022 10:33 AM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
76212	AMERIC34	American Fidelity Assurance Co	02/10/2022	2,733.64
76213	AT&T06	AT & T	02/10/2022	1,657.09
76214	CALIFO02	California American Water	02/10/2022	584.70
76215	DEPTOF04	Dept Of Transportation	02/10/2022	13,460.95
76216	DEPTOF04	Dept Of Transportation	02/10/2022	11,060.71
76217	EDDCAS	Employment Development Dept.	02/10/2022	10,237.00
76218	ESQUIV02	Denise Esquivel	02/10/2022	200.00
76219	FLORE01	Karla Flores	02/10/2022	390.00
76220	GONZAL31	Angelica Gonzales	02/10/2022	75.00
76221	homede	Home Depot Credit Services	02/10/2022	527.94
76222	LANDSC	Landscape Warehouse III Inc.	02/10/2022	6.14
76223	mejia02	Oswar Mejia	02/10/2022	75.00
76224	ACCOUN	Robert Half	02/10/2022	1,030.32
76225	SANBER04	San Bernardino Sheriff's Dept	02/10/2022	300.00
76226	SANBER04	San Bernardino Sheriff's Dept	02/10/2022	573.00
76227	SCE02	Southern California Edison	02/10/2022	22,377.69
76228	VALLEY01	Valley County Water District	02/10/2022	307.02
76229	WAGONER	Pamela Wagoner	02/10/2022	150.00
76230	WIND01	Windwild Group	02/10/2022	536.14
76231	CALIFO56	California State Disbursement Unit	02/10/2022	604.15
76232	CALIFO57	California State Disbursement Unit	02/10/2022	143.07
76233	FRANC06	Franchise Tax Board	02/10/2022	562.09
76234	ACOSTA02	Acosta Growers Inc	02/23/2022	222.71
76235	ALLCI01	All City Management Services, Inc	02/23/2022	1,114.16
76236	ALLISO01	Allison Mechanical, Inc	02/23/2022	5,585.07
76237	AMAZON01	Amazon Graphics	02/23/2022	552.05
76238	SANL01	Jose Arellano	02/23/2022	320.00
76239	AZBUS01	A-Z Bus Sales	02/23/2022	570.00
76240	AZUSAP01	Azusa Plumbing Supply	02/23/2022	121.85
76241	B&BTIR	B & B Tires Service	02/23/2022	1,113.56
76242	BAKER01	Baker & Taylor Books	02/23/2022	833.43
76243	BARNEY	Barney's Locksmith Service	02/23/2022	31.42
76244	BILLST	Bill's Truck Repair, Inc.	02/23/2022	477.00
76245	BRITEW	BriteWorks, Inc.	02/23/2022	13,539.95
76246	CHARTE01	Charter Communications	02/23/2022	275.50
76247	CINTAS	Cintas Corporation #693	02/23/2022	128.14
76248	LOSANG33	County of Los Angeles	02/23/2022	73,475.43
76249	CREATI04	Creative Bus Sales, Inc.	02/23/2022	3,659.13
76250	DENOVO01	De Novo Planning Group	02/23/2022	5,276.25
76251	DEMCOI	Demco, Inc.	02/23/2022	415.18
76252	BALLOO	Carol Diess	02/23/2022	30.00
76253	BATE01	Elior Inc.	02/23/2022	1,380.00
76254	COLUMN01	Enotice Inc.	02/23/2022	590.44
76255	ESTRA01	Estrada's Smog Check	02/23/2022	65.00
76256	FCG01	FCG Consultants Inc.	02/23/2022	2,973.23
76257	FEDEX	FedEx	02/23/2022	14.38
76258	HDLCOR	HdL Coren & Cone	02/23/2022	1,575.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76259	INTER01	Interwest Consulting Group	02/23/2022	5,407.50
76260	IRWIND21	Irwindale Hand Wash & Auto Detail	02/23/2022	787.64
76261	JACO01	Jacob Green and Associates Inc.	02/23/2022	355.00
76262	JCSPLU	JC's Plumbing & Backflow Svc	02/23/2022	224.16
76263	KATZ01	Jeff Katz Architecture	02/23/2022	19,710.75
76264	JUSTIRE	Just Tires	02/23/2022	225.05
76265	COORYE	Samir M. Khoury	02/23/2022	6,869.00
76266	KJSERV01	KJ Services Enviromental Consulting LLC	02/23/2022	85.00
76267	LANDSC	Landscape Warehouse III Inc.	02/23/2022	135.10
76268	LAWE01	Law Enforcement Medical Services, Inc.	02/23/2022	75.00
76269	LEWISE	Lewis Engraving, Inc.	02/23/2022	26.46
76270	LEXISN	LexisNexis Risk Solutions	02/23/2022	151.50
76271	LSA01	LSA Associates, Inc.	02/23/2022	3,105.00
76272	MAINTE01	Maintex	02/23/2022	815.05
76273	CALIBE01	Lawrence E. Marino	02/23/2022	1,567.00
76274	MARIPO	Mariposa Landscapes, Inc.	02/23/2022	10,663.00
76275	MCIWOR	MCI Comm Service	02/23/2022	36.65
76276	MOUNT01	MNRO Holdings, LLC	02/23/2022	1,300.01
76277	OFFICE03	Office Depot	02/23/2022	2,123.76
76278	PHASEII	PARS	02/23/2022	1,750.00
76279	PITNEY06	Pitney Bowes, Inc	02/23/2022	238.14
76280	PROPRINT	Pro Printing, Inc.	02/23/2022	791.19
76281	PURCHA	Purchase Power	02/23/2022	2,020.99
76282	RETT01	Rett's Automotive	02/23/2022	298.62
76283	RICOH01	Ricoh USA, Inc	02/23/2022	1,173.47
76284	ROSENO	Rosenow Spevacek Group Inc	02/23/2022	2,257.50
76285	SANBER04	San Bernardino Sheriff's Dept	02/23/2022	1,275.00
76286	SANGAB04	San Gabriel Valley Water Assoc	02/23/2022	100.00
76287	SCFUELS	SC Fuels	02/23/2022	6,444.28
76288	SkyBluep	Sky Blueprint & Supplies, Inc	02/23/2022	34.05
76289	UNITED11	United Site Services of CA Inc	02/23/2022	539.99
76290	verizonw	Verizon Wireless	02/23/2022	2,995.37
76291	WAXI01	Waxie's Enterprises, LLC	02/23/2022	4,614.86
76292	HDSUP01	WHITE CAP, L.P.	02/23/2022	142.56

Report Total (81 checks):

260,269.18

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

CC Item 1C

Date: February 23, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Development Impact Fee Compliance Report Required Pursuant to Government Code Section 66006.

City Manager's Recommendation:

The purpose of this report is to provide the community with the information as to the status and use of impact fees collected and to fulfill Government Code Section 66006. The report presented meets the requirements for the fiscal year ending June 30, 2021.

The recommendation to the City Council is to receive this report in accordance with the Government Code Section 66006.

Administrative Action:

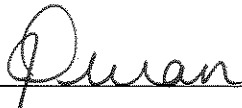
Submitted by:

Jeanette Duran,
Interim Finance Director / City Treasurer
(626) 430-2268



Prepared by:

Jeanette Duran,
Interim Finance Director / City Treasurer



Reviewed by:

Adrian R. Guerra, City Attorney

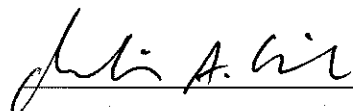


Jeanette Duran,
Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

Pursuant to Government Code Section 66006, a local agency which levies a fee subject to Government Code Section 66001 shall make available to the public a report providing the information set forth in Government Code Section 66006(b)(1) and shall review that information at the next regularly scheduled public meeting not less than 15 day after the information has been made available to the public. Commencing on January 31, 2022, copies of this report were made available in the City Clerk's Office, as well as posted on the City's website. At this February 23, 2022 City Council meeting, the City Council is asked to review the information that has been made available to the public in accordance with Government Code Section 66006.

The Development Impact Fees are charged to new development, and the fee represents the new development project's fair share of costs for future infrastructure and facility needs that will be needed to meet the City's growth demands.

The City Council of the City of Irwindale adopted Development Impact Fee Ordinance No. 726 (IMC Section 3.50) on July 11, 2018, and the fees became effective sixty (60) days after. On December 9, 2020, the City Council approved Resolution No. 2020-98-3258 approving adjustments of the City's DIF and the fees became effective sixty (60) days after adoption.

Fiscal Impact:

There is no fiscal impact with the acceptance of this report.

Attachment:

Development Impact Fee Compliance Report for fiscal year ending June 30, 2021



**City of Irwindale
Development Impact Fee Annual Report
Fiscal Year 2020-2021**

INTRODUCTION

The following is a report, which was prepared to comply with California Government Code Section 66006. This section requires an annual disclosure and review of collected development impact fees and expenditures. This review is prepared in compliance with the requirements of the code. The Development Impact Fees are meant to fund the cost of key capital facilities that will be needed to meet the City's growth demands.

The City Council of the City of Irwindale adopted the Development Impact Fee Ordinance No. 726 on July 11, 2018. On December 9, 2020, the City Council approved Resolution No. 2020-98-3258 approving adjustments of the City's DIF and the fees became effective sixty (60) days after adoption.

State law requires any local agency that imposes development impact fees to prepare and make available an annual report providing specific information about those fees within 180 days after the last day of each Fiscal year. The annual compliance reporting requirements are as follows:

1. A brief description of the type of fee in the account or fund, included as Section 1.
2. The amount of the fee, included as Section 2.
3. The beginning and ending balance of the account or fund, included as Section 3.
4. The amount of the fees collected and the interest earned, included as Section 4.
5. An identification of each public improvement on which fees were expended and the amount of the expenditures on each improvement, including the total percentage of the cost of the public improvement that was funded with fees. Included as Section 5.
6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of the subdivision (a) of Section 66001, and the public improvement remains incomplete. Included as Section 6.

7. A description of each inter-fund transfer or loan made from the account or fund, including the public improvement of which the transferred or loaned fees will be expended, and the case of an inter-fund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan. Included as Section 7.
8. The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocation pursuant to subdivision (f) of Section 66001. Included as Section 8.

RESPONSES TO THE REPORTING REQUIREMENTS

Section 1: A brief description of the type of fee in the account or fund

- a. **Administrative Facilities** – The purpose of the fee is to ensure that the new development funds its fair share of administrative facilities. A fee schedule is presented based on the planned facilities standard of administrative facilities in the City of Irwindale to ensure that new development provides adequate funding to meet its needs.
- b. **Transportation Facilities** – The purpose of this fee is to fund the needed transportation facilities, including roadway segments and intersection improvements, to accommodate new development.
- c. **Library Facilities** – The purpose of this fee is to fund the needed Library facility. The Library facilities in Irwindale serve both residents and businesses. Therefore, demand for services and associated facilities are based on the City's service population including residents and workers.
- d. **Storm Drain Facilities** – The purpose of this Storm Drain Facilities fee is to accommodate growth within the City of Irwindale and to fund new development.
- e. **Police Facilities** – The purpose of the police impact fee is to fund the police facilities needed to serve new development. Irwindale currently provides police services from a single police station. A proposed fee is presented based on the system plan standard of police facilities per capita.
- f. **Sewer Facilities** – The purpose of this Sewer Facilities fee is to accommodate growth within the City of Irwindale and to fund new development.
- g. **Parks and Recreation Facilities** – The purpose of the parkland and park facilities impact fee is to fund the park facilities needed to serve new development. The maximum justified impact fee is presented based on the existing plan standard of parkland and park facilities per capita.

Section 2. Current Fee Schedule

Land Use	Admin Facilities	Police Facilities	Parks & Rec Facilities	Library Facilities	Trans- portation Facilities	Storm Drain Facilities	Sewer Facilities
<u>Residential - Per Dwelling Unit</u>							
Single Family	\$ 6,390	\$ 8,466	\$ 17,519	\$ 1,148	\$ 3,992	\$ 723	\$ 31
Multifamily	3,019	3,999	8,276	542	2,787	476	15
<u>Nonresidential - Fee per 1,000 Sq Ft</u>							
Commercial	\$ 1,452	\$ 1,924	\$ 3,468	\$ 210	\$ 7,096	\$ 542	\$ 27
Office	1,897	2,512	4,527	275	5,084	166	23
Industrial	705	934	1,684	102	3,370	383	3

Section 3. The beginning and ending balance of the account or fund

The beginning balance is as of July 1, 2020, and the ending balance is as of June 30, 2021.

Impact Fee Type	Beginning Balance July 1, 2020	Ending Balance June 30, 2021
Admin Facilities	\$ -	\$ 30,161.51
Police Facilities	\$ -	\$ 39,948.43
Parks & Rec Facilities	\$ -	\$ 72,022.83
Library Facilities	\$ -	\$ 4,359.63
Transportation Facilities	\$ -	\$ 144,134.64
Storm Drain Facilities	\$ -	\$ 16,370.85
Sewer Facilities	\$ -	\$ 133.45
Total	\$ -	\$ 307,131.34

Section 4. The amount of fees collected and the interest earned

Fees were collected and interest was earned during July 1, 2020, and the ending June 30, 2021.

Impact Fee Type	Fees Collected	Interest Earned	Total
Admin Facilities	\$ 30,161.51	\$ 20.04	\$ 30,181.55
Police Facilities	\$ 39,948.43	\$ 26.54	\$ 39,974.97
Parks & Rec Facilities	\$ 72,022.83	\$ 47.85	\$ 72,070.68
Library Facilities	\$ 4,359.63	\$ 2.90	\$ 4,362.53
Transportation Facilities	\$ 144,134.64	\$ 95.77	\$ 144,230.41
Storm Drain Facilities	\$ 16,370.85	\$ 10.88	\$ 16,381.73
Sewer Facilities	\$ 133.45	\$ 0.09	\$ 133.54
Total	\$ 307,131.34	\$ 204.07	\$ 307,335.41

Section 5. An identification of each public improvement on which the fees were expended and the amount of the expenditure of each improvement, including the total percentage of the cost of the public improvement that was funded with fees.

No list of improvements have been made using Development Impact Fees to date.

Section 6. An identification of an approximate date by which the construction of the public improvement will commence if the local agency determines that sufficient funds have been collected to complete financing on an incomplete public improvement, as identified in paragraph (2) of the subdivision (a) of Section 66001, and the public improvement remains incomplete.

No improvements utilizing Development Impact Fees have been initiated to date.

Section 7. A description of each inter-fund transfer or loan made from the account or fund, including the public improvement of which the transferred or loaned fees will be expended, and the case of an inter-fund loan, the date on which the loan will be repaid and the rate of interest that the account or fund will receive on the loan.

No transfers or loans of Development Impact Fee Funds have occurred.

Section 8. The amount of refunds made pursuant to subdivision (e) of Section 66001 and any allocation pursuant to subdivision (f) of Section 66001.

No refunds from Development Impact Fee Funds due to sufficient funding have occurred.

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: February 23, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Declaration of Surplus Equipment, Electronics and Miscellaneous Items

City Manager's Recommendation:

That the City Council adopt Resolution No. 2022-17-3267 entitled, "A Resolution of the City Council of the City of Irwindale, California, Declaring Certain Property Surplus And Authorizing the City Manager To Provide For The Disposition Of Said Property."

Administrative Action:

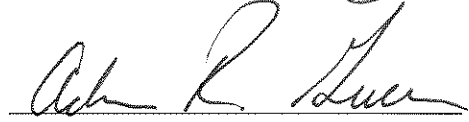
Submitted & Prepared by:

Elizabeth Rodriguez, Public Services Director

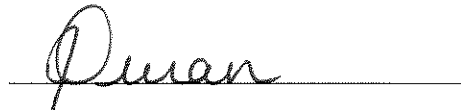


Reviewed by:

Adrian R. Guerra, City Attorney

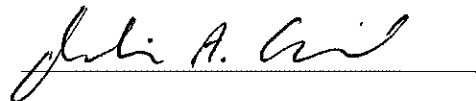


Jeanette Duran,
Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

The items that have been deemed surplus have been in the possession of the city for years. These items are no longer in use and have been replaced with modern practices and pieces.

The Senior Center underwent a remodel in 2020, which provided the center the ability to update furniture, décor and kitchen appliances. Their old furniture, dishes, and décor are no longer needed or used.

The Public Services Maintenance Division has overtime replaced outdated and inoperable equipment. The Public Services Director has tagged this equipment surplus and ready to be placed on the surplus inventory list for disposition.

The Information Technology Division is always updating software and equipment to keep the City up-to-date with the latest technology and safe from malware and viruses. The electronics listed in this report are deemed outdated and no longer fit for use. The items on this list have been replaced and are now merely occupying storage space. As such, the Information Technology Manager has declared the equipment on the attached list to be surplus property and ready for transference to auction.

Section 3.44.150 of the Irwindale Municipal Code requires that items declared as surplus be disposed of through a competitive bid process. The most efficient and cost effective method of securing competitive bids, given the value of the equipment and items, is through a public auction service. Through this auction service, the City will receive the highest bid and the equipment will be sold in a single, efficient manner.

It is therefore recommended that the City Council adopt Resolution No. 2022-17-3267 entitled, "A Resolution of the City Council of the City of Irwindale, California, Declaring Certain Property Surplus And Authorizing the City Manager To Provide For The Disposition Of Said Property."

Fiscal Impact:

These items will be auctioned off and the sale will be based on the auction amount. Any funds derived from the auction of the equipment, electronics and other miscellaneous items will be credited to the General Fund.

Attachment(s):

Resolution No. 2022-17-3267

Exhibit "A" City of Irwindale Declaration of Surplus Equipment, Electronics, & Miscellaneous Items Inventory List

RESOLUTION NO. 2022-17-3267

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE, CALIFORNIA, DECLARING CERTAIN PROPERTY
SURPLUS AND AUTHORIZING THE CITY MANAGER TO PROVIDE
FOR THE DISPOSITION OF SAID PROPERTY**

WHEREAS, the Senior Center underwent a remodel in 2020, and old décor, furniture, and kitchen appliances were removed and replaced and the old furniture, dishes, and décor are no longer needed or used; and

WHEREAS, the Public Services Director has tagged certain outdated and/or inoperable equipment as surplus and ready to be placed on the surplus inventory list for disposition; and

WHEREAS, the Information Technology Manager has also tagged certain equipment and electronics as surplus and ready to be placed on the surplus inventory list for disposition; and

WHEREAS, the City of Irwindale ("City") is the owner of such specific property, including computers/laptops, iPads, and other technology items, as well as furniture, as outlined in **Exhibit A**, which are no longer in use and have been replaced with modern practices and pieces; and

WHEREAS, Irwindale Municipal Code section 3.44.150 requires a report showing all supplies and equipment which are no longer used or which have become obsolete or worn out, and requires that items declared as surplus be disposed of through a competitive bid process; and

WHEREAS, the City Council desires to declare that said computers/laptops, iPads, and other technology items, as well as furniture as outlined in Exhibit A are surplus, no longer useable or have outlived their useable life span; and

WHEREAS, the City Council further desires to authorize the City Manager to dispose of said property through a public auction service pursuant to Section 3.44.150 of the Irwindale Municipal Code.

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

SECTION 1. The recitals are true and correct and incorporated as findings herein.

SECTION 2. The City Council of the City of Irwindale hereby declares the property listed and reported in **Exhibit "A"** as surplus, no longer usable and/or have outlived their usable life span.

SECTION 3. The City Council of the City of Irwindale hereby authorizes the City Manager to dispose of surplus property through a public auction service pursuant to Section 3.44.150 of the Irwindale Municipal Code.

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

PASSED, APPROVED AND ADOPTED this ____ day of February 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura M. Nieto, CMC
Chief Deputy City Clerk
STATE OF CALIFORNIA }
COUNTY OF LOS ANGELES } ss.
CITY OF IRWINDALE }

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-17-3267 adopted by the City Council of the City of Irwindale, at a regular meeting held on the ____ day of February, 2022 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, CMC
Chief Deputy City Clerk

EXHIBIT A
SURPLUS EQUIPMENT, ELECTRONICS, FURNITURE AND MISCELLANEOUS
PROPOSED FOR DISPOSITION

<u>MAKE</u>	<u>MODEL/SIZE</u>	<u>SERIAL</u>	<u>ASSET TAG</u>	<u>DESCRIPTION</u>	<u>QUANTIT Y</u>
HP	HP L1706	CNN7260X0H	N/A	17" HP Monitor	1
Dell	1907FPc	CN0CC299641806CK3D YA	N/A	19" Dell Monitor	1
HP	HP L1906	CNN7384FWT	N/A	19" HP Monitor	1
Samsung	Syncmaster 2333HD	CF23HVLS101123V	N/A	23" Samsung Monitor	1
Dell	2405FPW	CN0T61334663363O046 S	N/A	24" Dell Monitor	1
Dell	2407WFPb	MX0CC3024663473Q3D 5U	N/A	24" Dell Monitor	1
Dell	2407WFPb	CN0CC3024663366S0P 4S	N/A	24" Dell Monitor	1
HP	HP LP2465	CNK6420H95	N/A	24" HP Monitor	1
Samsung	SyncMaster 2493HM	KI24HVNQ700615F	N/A	24" Samsung Monitor	1
Samsung	SyncMaster 2443	MY24H9LZ400278V	N/A	24" Samsung Monitor	1
Samsung	SyncMaster 2443	MY24H9LZ400279L	N/A	24" Samsung Monitor	1
Samsung	SyncMaster 244T	BR24HCHL300715B	N/A	24" Samsung Monitor	1
Vizio	N/A	VW42L FHDTV10A	N/A	50 Inch Plasma TV	1
Cisco	N/A	N/A	N/A	A box of Cisco Phones	1
N/A	N/A	N/A	N/A	A Box of Electronics (Keyboards, Picture Frame, cables, etc.)	1
Lucent	MLX-5D	00RI65044711	N/A	Analog Telephone	1
Bentoben	N/A	N/A	N/A	Armor iPad Case for iPads	1
N/A	N/A	N/A	N/A	Box of Keyboards, Mice, and VGA adapters	1
N/A	N/A	N/A	N/A	Box of Toner	1
Brother	HL-2270DW Wireless	U62674D3N902136	N/A	Brother Printer	1
Sony	DVP-NS300	2160878	N/A	CD/DVD Player	1
HP	HP ProBook 470 G4	5CD7155YH6	N/A	HP Laptop	1
Toshiba	SD-K61OU	22PL122446	N/A	DVD Video Player	1
EPSON	XP-430	VZVP513956	N/A	Espon Printer	1

Fortinet	Fortiap-220B	FAP22B3U11014903	N/A	Fortinet wireless access points	2
Polycom	Soundstation 2	0H021706FF88	N/A	Full Duplex Conference Phone	1
Getac	F110	RF339F1233	N/A	Getac F110 (U158)	1
HP	HP Color Laserjet 2605dn	N/A	N/A	HP Color Printer	1
HP	ENVY Pro 4-b000	USH309A0FN	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH311A1FE	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH309A0GS	N/A	HP Laptop	1
HP	HP Pavilion dv6	584037-001	N/A	HP Laptop	1
HP	HP Color LaserJet 4700dn	JPBG108537	N/A	HP Printer	1
HP	HP Procurve Switch 408 J4097B	TW408MV004	N/A	HP Switch	1
HP	HP Procurve Switch 408 J4097B	TW406MV1LL	N/A	HP Switch	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX5	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXG	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWV	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWZ	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXD	N/A	HP Tower	1
HP	HP Compaq8200 Elite Convertible Minitower	MXL2201RZH	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXM	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXR	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	MXL4331029	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXL	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX9	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXC	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXH	N/A	HP Tower	1

HP	HP Color Laserjet 2605dn	N/A	N/A	HP Color Printer	1
HP	ENVY Pro 4-b000	USH309A0FN	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH311A1FE	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH309A0GS	N/A	HP Laptop	1
HP	HP Pavilion dv6	584037-001	N/A	HP Laptop	1
HP	HP Color LaserJet 4700dn	JPBG108537	N/A	HP Printer	1
HP	HP Procurve Switch 408 J4097B	TW408MV004	N/A	HP Switch	1
HP	HP Procurve Switch 408 J4097B	TW406MV1LL	N/A	HP Switch	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX5	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXG	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWV	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWZ	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXD	N/A	HP Tower	1
HP	HP Compaq8200 Elite Convertible Minitower	MXL2201RZH	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXM	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXR	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	MXL4331029	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXL	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX9	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXC	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXH	N/A	HP Tower	1
HP	HP Color Laserjet 2605dn	N/A	N/A	HP Color Printer	1
HP	ENVY Pro 4-b000	USH309A0FN	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH311A1FE	N/A	HP Laptop	1

HP	ENVY Pro 4-b000	USH309A0GS	N/A	HP Laptop	1
HP	HP Pavilion dv6	584037-001	N/A	HP Laptop	1
HP	HP Color LaserJet 4700dn	JPBG108537	N/A	HP Printer	1
HP	HP Procurve Switch 408 J4097B	TW408MV004	N/A	HP Switch	1
HP	HP Procurve Switch 408 J4097B	TW406MV1LL	N/A	HP Switch	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX5	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXG	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWV	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWZ	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXD	N/A	HP Tower	1
HP	HP Compaq8200 Elite Convertible Minitower	MXL2201RZH	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXM	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXR	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	MXL4331029	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXL	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX9	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXC	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXH	N/A	HP Tower	1
HP	HP Color Laserjet 2605dn	N/A	N/A	HP Color Printer	1
HP	ENVY Pro 4-b000	USH309A0FN	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH311A1FE	N/A	HP Laptop	1
HP	ENVY Pro 4-b000	USH309A0GS	N/A	HP Laptop	1
HP	HP Pavilion dv6	584037-001	N/A	HP Laptop	1
HP	HP Color LaserJet 4700dn	JPBG108537	N/A	HP Printer	1

HP	HP Procurve Switch 408 J4097B	TW408MV004	N/A	HP Switch	1
HP	HP Procurve Switch 408 J4097B	TW406MV1LL	N/A	HP Switch	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XX5	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXG	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWV	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XWZ	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXD	N/A	HP Tower	1
HP	HP Compaq8200 Elite Convertible Minitower	MXL2201RZH	N/A	HP Tower	1
HP	HP EliteDesk 800 G1 TWR	2UA4111XXM	N/A	HP Tower	1
Apple	iPad Model A1395	DYTL9FLEDFHW	N/A	iPad	1
Apple	iPad Model A1458	DMPN40K2F182	N/A	iPad	1
Apple	iPad Model A1458	DMQN36Y9F182	N/A	iPad	1
Apple	iPad Model A1458	DMPN407EF182	N/A	iPad	1
Apple	A1395	F5QM80TRDFHW	N/A	iPad	2
Apple	A1395	DYTL9HUQDFHW	N/A	iPad	1
Kensington	Kensington iPad Case with Keyboard	N/A	N/A	iPad Cover for iPads	9
Pyle	PSPADLK55	N/A	N/A	iPad Kiosk Stand for Planning; missing rubber spacers	1
SHARP	LC-26SH12U	711896366	N/A	LCD TV	1
Konics Minolta	Bizhub C360	A0ED011000797	N/A	Mining Office Copier; Broken/unrepairable	1
ZAGG	Invisible Shield for Screen Protector	N/A	N/A	Screen Protector for iPad 2/3/4 Generation	3
Victor	Victor 1460-3	6092002406	N/A	Victor Calculator	1
Astron	TH 34/PK-2860W	N/A	N/A	String Trimmers	3
Astron	HT-767	N/A	N/A	Hedge Trimmers	2
Echo	HCA-266	N/A	N/A	Articulating Hedge Trimmers	2

Honda	GCV 190	N/A & 0911165	52020	Lawn Mowers (Toro & 190CC)	2
Astron	TK 65	6Y0487	N/A	Backpack Blower (Stihl & BR500)	3
Power Trim	300-H	282	N/A	Edger	1
Unknown	N/A	N/A	N/A	Line Strippers	3
Craftsman	SKCR485R596 W	C-MO-3013	N/A	33 Gallon Compressor	1
Unknown	N/A	N/A	N/A	Concrete Saw	1
Bartell	C1821L	1925	N/A	Virating Plate	1
Porter Cable	BSV800	2212008980	N/A	8000 Watt Generator	1
Dewalt	D28700	006812	N/A	Chopsaw	1
Delta	34-080	K8827	N/A	Mitre Saw	1
Craftsman	N/A	N/A	N/A	Table Saw	1
Weather Guard	187176501	N/A	N/A	Truck Toolbox	1
Whelen	9404	304276	N/A	Light bars for Vehicles	2
Exmark	Tracer	2716715034	N/A	Walk Behind Mower	1
Delta	17-900	W9831	N/A	Brill Press	1
Stir Master	4000 PT	50398	N/A	Stair Master	1
First Products, Inc.	AE40	N/A	0000067 8	Towable Aerator	1
Unknown	N/A	N/A	N/A	Large Propane Tanks	3
Vendo	V264	SQF043241	N/A	Vending Machines (for drinks)	2
Unknown	N/A	N/A	N/A	Table Cart	1
Western Mule	N/A	N/A	N/A	Truck Hoist from old Patch Truck	1
Carter- Hoffman	46"h x 27"w x 26 1/2"d	N/A	N/A	Food Warmer	2
Carter- Hoffman	53 1/2"h x 35w x 26 1/2"	N/A	N/A	Food Warmer	2
Frederick Cooper Chicago	4"h	N/A	N/A	Standing Lamp	4
Picture Frames (Maroon Framing)	38 1/2"h x 30"w	N/A	N/A	Southwestern Mountains Painting (Portrait)	2
Picture Frames (Dark Blue Framing)	38"h x 28"w	N/A	N/A	Southwestern Clouds & Mountains Painting (Portrait)	2
Picture Frame (Dark Blue Framing)	38"w x 28"h	N/A	N/A	Clouds & Mountains (Landscape)	1

Picture Frame (Dark Blue Framing)	37"w x 30"h	N/A	N/A	Lake (Landscape)	1
Picture Frame (Dark Wood Framing)	35"w x 28"h	N/A	N/A	Vase of Flowers (Landscape)	1
Picture Frame (Light Wood Framing)	33"h x 28"w	N/A	N/A	Mountains with a Lake (Portrait)	1
Picture Frames (Gold Framing)	37"h x 26"w	N/A	N/A	Clouds & Mountains (Portrait)	2
Picture Frame (Grey Framing)	36"w x 28"h	N/A	N/A	Desert (Landscape)	1
Picture Frame (Dark Brown Framing)	25"w x 25"h	N/A	N/A	1800s Sailing Ship (Portrait)	1
Picture Frame (Tan Framing)	30" x 22 1/2"	N/A	N/A	Beach & Ocean (Landscape)	1
Picture Frames (Black Framing)	45"h x 33"w	N/A	N/A	Clouds & Mountains (Portrait)	3
Picture Frames (Brown Framing)	33"w x 28"h	N/A	N/A	Lake (Landscape)	2
Apple	iPad Model A1458	DMPN40K2F182	N/A	iPad	1
Apple	iPad Model A1458	DMQN36Y9F182	N/A	iPad	1
Apple	iPad Model A1458	DMPN407EF182	N/A	iPad	1
Apple	A1395	F5QM80TRDFHW	N/A	iPad	2
Apple	A1395	DYTL9HUQDFHW	N/A	iPad	1
Kensington	Kensington iPad Case with Keyboard	N/A	N/A	iPad Cover for iPads	9
Pyle	PSPADLK55	N/A	N/A	iPad Kiosk Stand for Planning; missing rubber spacers	1
SHARP	LC-26SH12U	711896366	N/A	LCD TV	1

Konics Minolta	Bizhub C360	A0ED011000797	N/A	Mining Office Copier; Broken/unrepairable	1
ZAGG	Invisible Shield for Screen Protector	N/A	N/A	Screen Protector for iPad 2/3/4 Generation	3
Victor	Victor 1460-3	6092002406	N/A	Victor Calculator	1
Astron	TH 34/PK-2860W	N/A	N/A	String Trimmers	3
Astron	HT-767	N/A	N/A	Hedge Trimmers	2
Echo	HCA-266	N/A	N/A	Articulating Hedge Trimmers	2
Honda	GCV 190	N/A & 0911165	52020	Lawn Mowers (Toro & 190CC)	2
Astron	TK 65	6Y0487	N/A	Backpack Blower (Stihl & BR500)	3
Power Trim	300-H	282	N/A	Edger	1
Unknown	N/A	N/A	N/A	Line Stripers	3
Craftsman	SKCR485R596 W	C-MO-3013	N/A	33 Gallon Compressor	1
Unknown	N/A	N/A	N/A	Concrete Saw	1
Bartell	C1821L	1925	N/A	Virating Plate	1
Porter Cable	BSV800	2212008980	N/A	8000 Watt Generator	1
Dewalt	D28700	006812	N/A	Chopsaw	1
Delta	34-080	K8827	N/A	Mitre Saw	1
Craftsman	N/A	N/A	N/A	Table Saw	1
Weather Guard	187176501	N/A	N/A	Truck Toolbox	1
Whelen	9404	304276	N/A	Light bars for Vehicles	2
Exmark	Tracer	2716715034	N/A	Walk Behind Mower	1
Delta	17-900	W9831	N/A	Brill Press	1
Stir Master	4000 PT	50398	N/A	Stair Master	1
First Products, Inc.	AE40	N/A	00000678	Towable Aerator	1
Unknown	N/A	N/A	N/A	Large Propane Tanks	3
Vendo	V264	SQF043241	N/A	Vending Machines (for drinks)	2
Unknown	N/A	N/A	N/A	Table Cart	1
Western Mule	N/A	N/A	N/A	Truck Hoist from old Patch Truck	1
Carter-Hoffman	46"h x 27"w x 26 1/2"d	N/A	N/A	Food Warmer	2
Carter-Hoffman	53 1/2"h x 35w x 26 1/2"	N/A	N/A	Food Warmer	2
Frederick Cooper Chicago	4"h	N/A	N/A	Standing Lamp	4

Picture Frames (Maroon Framing)	38 1/2"h x 30"w	N/A	N/A	Southwestern Mountains Painting (Portrait)	2
Picture Frames (Dark Blue Framing)	38"h x 28"w	N/A	N/A	Southwestern Clouds & Mountains Painting (Portrait)	2
Picture Frame (Dark Blue Framing)	38"w x 28"h	N/A	N/A	Clouds & Mountains (Landscape)	1
Picture Frame (Dark Blue Framing)	37"w x 30"h	N/A	N/A	Lake (Landscape)	1
Picture Frame (Dark Wood Framing)	35"w x 28"h	N/A	N/A	Vase of Flowers (Landscape)	1
Picture Frame (Ligh Wood Framing)	33"h x 28"w	N/A	N/A	Mountains with a Lake (Portrait)	1
Picture Frames (Gold Framing)	37"h x 26"w	N/A	N/A	Clouds & Mountains (Portrait)	2
Picture Frame (Grey Framing)	36"w x 28"h	N/A	N/A	Desert (Landscape)	1
Picture Frame (Dark Brown Framing)	25"w x 25"h	N/A	N/A	1800s Sailing Ship (Portrait)	1
Picture Frame (Tan Framing)	30" x 22 1/2"	N/A	N/A	Beach & Ocean (Landscape)	1
Picture Frames (Black Framing)	45"h x 33"w	N/A	N/A	Clouds & Mountains (Portrait)	3
Picture Frames (Brown Framing)	33"w x 28"h	N/A	N/A	Lake (Landscape)	2
First Products, Inc.	AE40	N/A	00000678	Towable Aerator	1

Unknown	N/A	N/A	N/A	Large Propane Tanks	3
Vendo	V264	SQF043241	N/A	Vending Machines (for drinks)	2
Unknown	N/A	N/A	N/A	Table Cart	1
Western Mule	N/A	N/A	N/A	Truck Hoist from old Patch Truck	1
Carter-Hoffman	46"h x 27"w x 26 1/2"d	N/A	N/A	Food Warmer	2
Carter-Hoffman	53 1/2"h x 35w x 26 1/2"	N/A	N/A	Food Warmer	2
Frederick Cooper Chicago	4"h	N/A	N/A	Standing Lamp	4
Picture Frames (Maroon Framing)	38 1/2"h x 30"w	N/A	N/A	Southwestern Mountains Painting (Portrait)	2
Picture Frames (Dark Blue Framing)	38"h x 28"w	N/A	N/A	Southwestern Clouds & Mountains Painting (Portrait)	2
Picture Frame (Dark Blue Framing)	38"w x 28"h	N/A	N/A	Clouds & Mountains (Landscape)	1
Picture Frame (Dark Blue Framing)	37"w x 30"h	N/A	N/A	Lake (Landscape)	1
Picture Frame (Dark Wood Framing)	35"w x 28"h	N/A	N/A	Vase of Flowers (Landscape)	1
Picture Frame (Ligth Wood Framing)	33"h x 28"w	N/A	N/A	Mountains with a Lake (Portrait)	1
Picture Frames (Gold Framing)	37"h x 26"w	N/A	N/A	Clouds & Mountains (Portrait)	2
Picture Frame (Grey Framing)	36"w x 28"h	N/A	N/A	Desert (Landscape)	1
Picture Frame (Dark Brown Framing)	25"w x 25"h	N/A	N/A	1800s Sailing Ship (Portrait)	1

Picture Frame (Tan Framing)	30" x 22 1/2"	N/A	N/A	Beach & Ocean (Landscape)	1
Picture Frames (Black Framing)	45"h x 33"w	N/A	N/A	Clouds & Mountains (Portrait)	3
Picture Frames (Brown Framing)	33"w x 28"h	N/A	N/A	Lake (Landscape)	2
Picture Frame (Gold Framing)	35"w x 27"h	N/A	N/A	Autum (Orange, Yellow, Green, Brown) Hombre Tree (Landscape)	1
Picture Frame (Dark Brown Framing)	39 1/2" x 33 1/2"	N/A	N/A	Lake (Landscape)	1
Professional Canvas Pictures	23 1/2"h x 23 1/2"h	N/A	N/A	Dia De Las Muertos	2
Chairs (with arms)	N/A	N/A	N/A	Chairs Multi-colored fabric	8
Iris (Smart & Final)	N/A	N/A	N/A	Coffee Pots	2
Shenango China	4" diameter	N/A	N/A	Teacups	145
Syracuse China U.S.A 89	3" H; 3 1/2 diameter	N/A	N/A	Coffee Cups	8
HLC USA	2 1/2" H; 3 1/2" diameter	N/A	N/A	Small Mugs	12
Shenango China	5 3/4" diameter	N/A	N/A	Teacup Saucers	96
Shenango China	9 1/2" x 7"	N/A	N/A	Oval Plate	1
Shenango China	7" diameter	N/A	N/A	Small Plates	119
Shenango China	9 1/2" diameter	N/A	N/A	Large Plates	118
Glass Dispensers	Various sizes	N/A	N/A	For Sugar/Syrup	10
Carlise	14" x 18"	N/A	N/A	Dark Brown, Plastic Café Style Food Trays	85
Cast Iron Waffle Maker	N/A	N/A	N/A	Cast Iron Waffle Maker	1
Utensil Holder	N/A	N/A	N/A	6 Plastic Utensil Holders with Stand/Rack	1

Coat Rack (Unknown Brand)	73"H	N/A	N/A	Wood Coat Rack	1
Stiffel	N/A	N/A	N/A	Brass Table Lamps	1
Black Chairs	N/A	N/A	N/A	Black Chairs	21
Wooden Dance Floor	N/A	N/A	N/A	Wooden Dance Floor (in Sections)	1

- ☐ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: February 23, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Declaration of Surplus Equipment

City Manager's Recommendation:

Adopt Resolution No. 2022-16-3266 entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE DECLARING VEHICLES AS SURPLUS AND AUTHORIZING DISPOSITION OF THE SURPLUS VEHICLES"

Administrative Action:

Submitted by:

Ty Henshaw, Police Chief
(626) 430-2234

Electronically Approved

Prepared by:

John Fraijo, Police Lieutenant

Electronically Approved

Reviewed by:

Adrian Guerra, City Attorney

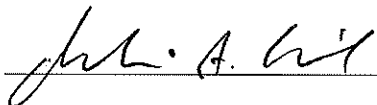
Electronically Approved

Jeanette Duran,
Interim Finance Director/City Treasurer



Approved by:

Julian A. Miranda, City Manager



Staff requests the Council determine as surplus equipment the listed Police and Community Development vehicles and authorize the City Manager or his designee to dispose of the vehicles in accordance with Irwindale Section 3.44.150 of the Municipal Code through auction or transfer to another government agency.

Background and Analysis:

The fleet vehicles listed below have been retired from service. It has been the police department's policy to dispose of patrol vehicles after they have exceeded their life expectancy or reach a point where repairs are cost prohibitive. Generally, surplus vehicles are used as city pool vehicles or disposed of through a public auction service.

The vehicles to be declared surplus and disposed of are as follows (collectively, referred to as "Vehicles"):

- 2010 Black Dodge Charger – Community Development vehicle
Vehicle #C2 VIN# 2B3AA4CT8AH305145
- 2015 Black/White Dodge Charger - Police patrol vehicle
Vehicle #168 VIN# 2C3CDXAT7FH883784
- 2005 Black Chevrolet Trailblazer - Community Development vehicle
Vehicle #M1 VIN# 1GNDT13S952128378
- 2004 White Ford Excursion – Recreation Department
Vehicle #R3 VIN# 1FMNU40S74EB40697

The Vehicles have mechanical needs, due to mileage and age that are cost prohibitive to repair. The Vehicles will be disposed of in the coming weeks through our auction service provider.

Fiscal Impact:

There is no fiscal impact to the General Fund. Some proceeds will be received from the sale or scrap of these vehicles, however this amount is expected to be nominal. Any proceeds received will be credited back to the source fund used when the vehicles were purchased.

RESOLUTION NO. 2022-16-3266

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
DECLARING VEHICLES AS SURPLUS AND AUTHORIZING DISPOSITION OF THE
SURPLUS VEHICLES**

WHEREAS, staff requests that City Council declare as surplus a 2010 Dodge Charger Community Development Vehicle #C2, a 2015 Dodge Charger Police patrol vehicle #168, a 2005 Chevrolet Trailblazer Community Development Vehicle #M1 and a 2004 Ford Excursion Recreation Department Vehicle #R3 (collectively, "Vehicles") and approve the disposal of the Vehicles; and

WHEREAS, the Vehicles have mechanical needs, due to mileage and age, that are cost prohibitive to repair; and

WHEREAS, it is the City's practice to dispose of surplus vehicles after they have exceeded their life expectancy or they reach a point where repairs are cost prohibitive as provided in Section 3.44.150 of the Irwindale Municipal Code, Disposition of Surplus Supplies and Equipment ("IMC 344.150"); and

WHEREAS, paragraph B of IMC 344.150 provides that: "Such items so declared to be surplus shall be offered for sale on a competitive bid basis. Bids may be solicited by written request, telephone, fax machine or by public auction, by use of an auction service, by advertisement in any newspaper or magazine, or by any combination of such methods the Irwindale Municipal Code Section 3.44.150 authorizes the sale, auction or transfer for surplus property to another government agency."

NOW, THEREFORE, the City Council of the City of Irwindale, California, resolves, determines and orders as follows:

SECTION 1. That it would be in the best interest of the City to declare as surplus and dispose of the Vehicles through means appropriate as stated in IMC 344.150.

SECTION 2. Pursuant to Paragraph B of IMC 344.150, the City Council approves to send the Vehicle to the City's contracted auction service provider for public auction or to be scrapped.

SECTION 3. The Chief Deputy City Clerk shall attest to the adoption of this resolution which shall, in turn, have immediate effect.

PASSED, APPROVED AND ADOPTED this 23rd day of February 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

I, Laura Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-16-3266 was duly adopted by the City Council of the City of Irwindale at a regular meeting thereof held on the 23rd day of February 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: February 23, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Resolution No. 2022-18-3268 – Appointing City Manager Julian A. Miranda as City Clerk

City Manager's Recommendation:

Adopt Resolution No. 2022-18-3268 entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPOINTING CITY MANAGER JULIAN A. MIRANDA AS CITY CLERK AND RESCINDING RESOLUTION NO. 2018-19-3013" reading by title only and waiving further reading thereof.

Administrative Action:

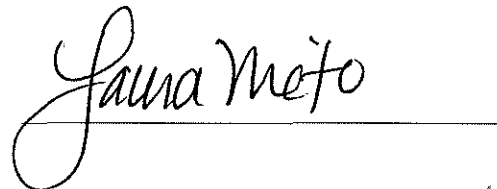
Submitted by:

Theresa Olivares, Assistant City Manager



Prepared by:

Laura Nieto, Chief Deputy City Clerk

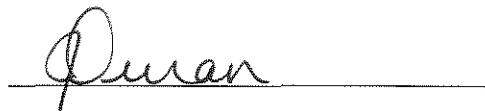


Reviewed by:

Adrian R. Guerra, City Attorney



Jeanette Duran, Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On February 10, 2022, City Manager William K. Tam retired from the City of Irwindale. On January 26, 2022, the City Council appointed Julian A. Miranda as City Manager effective February 14, 2022. Resolution No. 2018-19-3013, appointing former City Manager Tam as City Clerk, was adopted on March 28, 2018. It would now be appropriate for the City Council to take action to rescind that resolution and appoint City Manager Miranda as City Clerk.

Section 2.08.050(l) of the Irwindale Municipal Code states that the City Manager shall perform such other duties as many, from time to time, be delegated to him by action of the City Council. Irwindale Charter Section 707 states that the appointive office of City Clerk may be combined with any other appointive office.

Fiscal Impact:

None.

Attachment:

Proposed Resolution No. 2022-18-3268

RESOLUTION NO. 2022-18-3268

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
APPOINTING CITY MANAGER JULIAN A. MIRANDA AS CITY CLERK AND
RESCINDING RESOLUTION NO. 2018-19-3013**

WHEREAS, Section 2.12.010 of the Irwindale Municipal Code allows offices and positions in city employment, other than those created or established by state law or by the Municipal Code, to be fixed and established by resolution of the City Council; and

WHEREAS, Section 2.08.050 (I) of the Irwindale Municipal Code states that the City Manager shall perform such other duties as may, from time to time, be delegated to him by action of the City Council.

WHEREAS, Resolution No. 2018-19-3013, appointing former City Manager William K. Tam as City Clerk was adopted on March 28, 2018;

WHEREAS, William K. Tam retired from the City of Irwindale effective February 10, 2022;

WHEREAS, Julian A. Miranda was appointed as the City Manager effective February 14, 2022; and

WHEREAS, Irwindale Charter Section 707 creates the office of City Clerk and states that such office may be combined with that of any other appointive office.

NOW THEREFORE, the City Council of the City of Irwindale, California, resolves, determines, and orders as follows:

SECTION 1. Julian A. Miranda shall be appointed to the position of City Clerk.

SECTION 2. Resolution No. 2018-19-3013 is hereby rescinded.

SECTION 2. The Chief Deputy City Clerk shall attest to the adoption of this resolution which shall, in turn have immediate effect.

PASSED, APPROVED AND ADOPTED this _____ day of February 2022.

Larry G. Burrola, Mayor

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

I, Laura M. Nieto, Chief Deputy City Clerk of the City of Irwindale, do hereby certify that the foregoing Resolution No. 2022-18-3268 was duly and regularly passed and adopted by the City Council of the City of Irwindale at a special meeting thereof held on the _____ day of February 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSTAIN: Councilmembers:

ABSENT: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: February 23, 2022

To: Honorable Mayor and Members of the City Council

From: Julian Miranda, City Manager

Issue: Approval of Cooperative Agreement with City of Baldwin Park for Resurfacing of Ramona Boulevard from San Gabriel River Bridge to Syracuse Avenue.

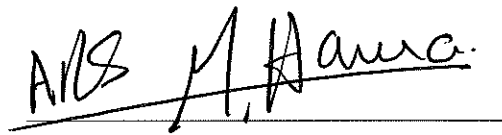
City Manager's Recommendation:

That the City Council approve the cooperative agreement with the City of Baldwin Park for resurfacing of the Irwindale portion of Ramon Blvd from City Limits to Syracuse Avenue, and authorize the City Manager to execute the same upon approval as to form by the City Attorney.

Administrative Action:

Submitted by:

Arsanious Hanna,
Director of Engineering/ Building Official



Prepared by:

Francisco Carrillo,
Construction Compliance Manager
(626) 430-2251

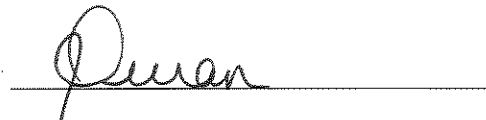


Reviewed by:

Adrian R. Guerra, City Attorney

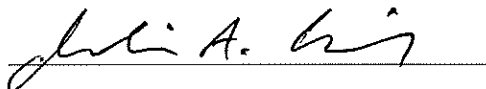


Jeanette Duran,
Interim Finance Director / City Treasurer



Approved by:

Julian Miranda, City Manager



Background and Analysis:

On their routine inspection of city bridges, LA County Public Works notified the City of Irwindale Engineering Department of asphalt damage on Ramona Blvd where the asphalt joins the San Gabriel River bridge. A field observation was conducted by staff which resulted in a plan to remediate the defective asphalt and the preparation and distribution of an RFP to solicit bids for the repair.

Concurrently, the City of Baldwin Park bid out their City Project No. CIP-20-37; a paving and rehabilitation project of residential and major streets within their city. This project incorporated Ramona Blvd as one of the streets that would be repaved and would cover the same area that the City of Irwindale was planning to remediate.

Baldwin Park & Irwindale staff agreed to incorporate the bridge remediation plan as part of Baldwin Park's project. The cost of the project will be shared based upon the portion within each city's jurisdiction. A cooperative project would benefit both Cities through the cost reductions of one project versus two. A joint project between the two cities would also minimize the traffic impact to the surrounding businesses and residents that travel through Ramona Blvd.

The City of Irwindale agreed to fund the Irwindale portion of the project provided that Baldwin Park perform the contract administration, which shall include construction, construction inspection and engineering, materials testing and construction surveying for both portions of the project.

A cooperative agreement was drafted and will need to be executed by the City of Irwindale and City of Baldwin Park to ensure the work is completed per the plans and specifications and that the City of Irwindale pays their fair share amount to Baldwin Park for the work executed.

The cooperative agreement has been reviewed and approved by the City Attorney's office.

Fiscal Impact:

Based on the Cooperative Agreement with the City of Baldwin Park the estimated total of the Baldwin Park Project is \$1,484,000. However, the City of Irwindale's estimated portion is currently at \$41,424.70. Sufficient funding for this project is available in the FY 2021/2022 CIP Budget under the Residential Resurfacing Project Phase 1 account. This account is funded by the Mining Impact Fund, Gas Tax, Prop C, TDA, Measure R, and Measure M funds (Account Number 48-80-800-45300-8346).

Attachments:

- Cooperative Agreement between the City of Irwindale and City of Baldwin Park

**RAMONA BOULEVARD BETWEEN SAN GABRIEL RIVER BRIDGE TO
SYRACUSE AVENUE - STREET REPAIRS**

**COOPERATIVE AGREEMENT
(Related to Change Order # 2)**

This AGREEMENT, dated this 23rd day of February 2022, for purposes of identification, is made and entered into, by and between the CITY OF IRWINDALE, a municipal corporation, hereinafter referred to as "IRWINDALE", and the CITY OF BALDWIN PARK, a municipal corporation, hereinafter referred to as "BALDWIN PARK". IRWINDALE and BALDWIN PARK are sometimes referred to individually as "PARTY" and collectively as "PARTIES" herein.

WITNESSETH

WHEREAS, BALDWIN PARK designed street improvements on various streets including Ramona Boulevard; and

WHEREAS, ownership of Ramona Boulevard is shared between IRWINDALE and BALDWIN PARK; and

WHEREAS, BALDWIN PARK and IRWINDALE desire to construct the improvements necessary to protect the motoring public from damaged pavement; and

WHEREAS, BALDWIN PARK will oversee the design and construction of improvements (hereinafter the "BALDWIN PARK PROJECT").

WHEREAS, BALDWIN PARK is willing to include the IRWINDALE PORTION in the BALDWIN PARK PROJECT; and

WHEREAS, BALDWIN PARK will be performing contract administration, design, inspection, project management, and engineering for the IRWINDALE PROJECT, and is willing to also provide these services for the IRWINDALE PORTION; and

WHEREAS, IRWINDALE is willing to fund the IRWINDLAE PORTION of the PROJECT; and

WHEREAS, the cost of the PROJECT includes the design and construction contract, contract administration, inspection, project management and engineering for the BALDWIN PARK PROJECT, including the IRWINDALE PORTION; and

WHEREAS, the cost of the BALDWIN PARK PROJECT, including the IRWINDALE PORTION, is currently estimated to be \$1,484,000; and

WHEREAS, the cost of the IRWINDALE PORTION is currently estimated to be \$41,424.70.

NOW, THEREFORE, in consideration of the mutual benefits to be derived by BALDWIN PARK and IRWINDALE and of the promises herein contained, it is hereby agreed as follows:

1. DEFINITIONS:

COST OF PROJECT, as referred to in this agreement, shall consist of the costs of the construction contract, required material, detour signage, final signing and striping, construction inspection and engineering, construction survey, utility relocation, contract administration, including actual construction, and all other work necessary to construct the PROJECT in accordance with approved plans. COST OF PROJECT shall also include total wages and equipment costs to cover overhead, administration and the depreciation in connection with any or all of the aforementioned items.

2. BALDWIN PARK AGREES:

- a. To include the IRWINDALE PORTION as a part of the BALDWIN PARK PROJECT and to perform the contract administration, which shall include actual construction, construction inspection and engineering, materials testing and construction survey for the PROJECT.
- b. To use plans and specifications furnished by BALDWIN PARK for the IRWINDALE PORTION as a construction change order and add said change to the contract, and to obtain IRWINDALE'S approval of the estimated COST OF PROJECT for the IRWINDALE PORTION based on the plans and construction contract.
- c. In compliance with all applicable law, to administer the construction contract for the PROJECT, and to act on behalf of IRWINDALE in all negotiations pertaining thereto. BALDWIN PARK shall consult with IRWINDALE prior to change order approval, for related IRWINDALE work, for the PROJECT and shall consult with IRWINDALE every two weeks during the administration of the construction of the PROJECT. Additionally, prior written consent from the Director of Engineering for IRWINDALE shall be required prior to authorization of change orders for the IRWINDALE PORTION of the COST OF PROJECT; provided that IRWINDALE's determination on any change order occurs no more than five (5) business days, unless further time is requested by IRWINDALE, of BALDWIN PARK's request for such authorization.
- d. To furnish IRWINDALE, within sixty (60) calendar days after final payment to construction contractor for PROJECT, a final accounting of the total COST OF PROJECT and the IRWINDALE PORTION, including an itemization of actual unit costs and actual quantities for the PROJECT and for the IRWINDALE PORTION.

3. IRWINDALE AGREES:

- a. To deposit with BALDWIN PARK, following the approval of the PROJECT change order and within 20 days of a demand by BALDWIN PARK, sufficient funds to pay for the IRWINDALE PORTION of the PROJECT, as determined based upon the approved plans for the IRWINDALE PORTION of the PROJECT and the lowest responsive, responsible bid for the PROJECT, currently estimated to be \$41,424.70. Said demand will consist of a billing invoice prepared by BALDWIN PARK.
- b. To authorize BALDWIN PARK to serve as IRWINDALE'S representative for the sole purpose of representing IRWINDALE in all negotiations pertaining to the advertisement of PROJECT for construction bids, award and administration of the construction contract and in all things proper to complete the PROJECT, provided that BALDWIN PARK'S actions are in compliance with this agreement.
- c. Upon approval of plans for the IRWINDALE PORTION of the PROJECT, IRWINDALE will issue BALDWIN PARK a no-fee permit(s)/licenses authorizing BALDWIN PARK to construct the IRWINDALE PORTION of the PROJECT within the IRWINDALE highway right of way, provided, however, that BALDWIN PARK complies with all permit conditions.

4. IT IS MUTUALLY UNDERSTOOD AND AGREED AS FOLLOWS:

- a. If at the final accounting, the amount of the IRWINDALE funds due to BALDWIN PARK exceeds IRWINDALE'S deposit, as set forth in paragraph 3(a), IRWINDALE shall pay to BALDWIN PARK the additional amount within thirty (30) days of the date BALDWIN PARK furnishes IRWINDALE with the final accounting. Said demand will consist of a billing invoice prepared by BALDWIN PARK. Conversely, if the required IRWINDALE'S funds are less than said deposit, BALDWIN PARK shall refund the difference to IRWINDALE within thirty (30) days of the date BALDWIN PARK furnishes IRWINDALE with the final accounting.
- b. If IRWINDALE'S payment, as set forth in paragraph 3 (a), is not delivered to BALDWIN PARK, at the address specified in the billing invoice prepared by BALDWIN PARK within 21 days of the PROJECT Award, BALDWIN PARK will delete the IRWINDALE PORTION of the PROJECT from the PROJECT, after giving notice to IRWINDALE of BALDWIN PARK'S intention to do so. A decision by IRWINDALE not to authorize construction of the IRWINDALE PORTION shall not be deemed a breach of this agreement provided that IRWINDALE promptly reimburses BALDWIN PARK for costs expended on the IRWINDALE PORTION prior to, or within thirty (30) days of IRWINDALE'S notification to BALDWIN PARK of IRWINDALE'S decision not to authorize construction of the IRWINDALE.

- c. During construction of the PROJECT, BALDWIN PARK may utilize an engineering consultant team that includes a licensed Civil Engineer and a construction inspector or other representative to perform the function of the Resident Engineer and inspector.
- d. This AGREEMENT may be amended or modified only by mutual written consent of BALDWIN PARK and IRWINDALE.
- e. Any correspondence, communication, or contact concerning this AGREEMENT shall be directed to the following:

BALDWIN PARK

City of BALDWIN PARK
Attention: Director of Public Works
14403 E. Pacific Avenue
BALDWIN PARK, CA 91706

IRWINDALE

City of IRWINDALE
Attention: Director of Engineering
5050 N. Irwindale Avenue
IRWINDALE, CA 91706

Either party may, by notice to the other party, change the address specified above. Service of notice or communication shall be complete, if personally delivered, or five (5) days after deposit of said notice or communication in the U.S. mail.

- f. Neither BALDWIN PARK nor any officer or employee of BALDWIN PARK shall be responsible for any damage or liability occurring by reason of any acts or omissions on the part of IRWINDALE under or in connection with any work, authority or jurisdiction delegated to or determined to be the responsibility of IRWINDALE under this AGREEMENT. It is also understood and agreed that, pursuant to Government Code, Section 895.4, IRWINDALE shall fully indemnify, defend and hold BALDWIN PARK harmless from any liability imposed for injury (as defined by Government Code section 810.8) occurring by reason of any acts or omissions on the part of BALDWIN PARK under or in connection with any work, authority or jurisdiction delegated to or determined to be the responsibility of IRWINDALE under this AGREEMENT and for all claims, suits or actions brought forth under any theory or assertions of liability occurring by reason of anything done or omitted to be done by IRWINDALE under or in connection with any work, authority or jurisdiction conferred upon IRWINDALE or arising under this AGREEMENT.
- g. Neither IRWINDALE nor any officer or employee of IRWINDALE shall be responsible for any damage or liability occurring by reason of any acts or omissions on the part of BALDWIN PARK under or in connection with any work, authority or jurisdiction delegated to or determined to be the responsibility of BALDWIN PARK under this AGREEMENT. It is also understood and agreed that, pursuant to

Government Code, Section 895.4, BALDWIN PARK shall fully indemnify, defend and hold IRWINDALE harmless from any liability imposed for injury (as defined by Government Code section 810.8) occurring by reason of any acts or omissions on the part of BALDWIN PARK under or in connection with any work, authority or jurisdiction delegated to or determined to be the responsibility of BALDWIN PARK under this AGREEMENT and for all claims, suits or actions brought forth under any theory or assertions of liability occurring by reason of anything done or omitted to be done by BALDWIN PARK under or in connection with any work, authority or jurisdiction conferred upon BALDWIN PARK or arising under this AGREEMENT.

- h. If any legal action, or any arbitration or other proceeding is initiated for the enforcement of this AGREEMENT, or because of any alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this AGREEMENT, the successful or prevailing PARTY shall be entitled to recover reasonable attorneys' fees, witness fees and other costs incurred in that action or proceeding, in addition to any other relief to which it may be entitled.
- i. Venue shall be in Los Angeles County, California.
- j. The PARTIES understand, acknowledge and agree that the Recitals are true and correct, and are hereby incorporated into this AGREEMENT.
- k. This AGREEMENT may be terminated by the written mutual consent of both PARTIES.
- l. Nothing in the provisions of this AGREEMENT is intended to create duties or obligations to, or rights in, third-parties not parties to this AGREEMENT, or affect the legal liability of the PARTIES to this AGREEMENT by imposing any standard of care respecting the design, construction or maintenance of the PROJECT different from the standard of care imposed by law.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed on the dates hereinafter respectively set forth. .

CITY OF BALDWIN PARK

By _____
Enrique Zaldivar, Chief Executive Officer

DATE OF EXECUTION:

ATTEST:

By _____
Marlen Garcia, City Clerk

APPROVED AS TO FORM:

By _____
Robert N. Tafoya, City Attorney

CITY OF IRWINDALE

By _____
Julian Miranda, City Manager

DATE OF EXECUTION:

ATTEST:

Laura M. Nieto, MMC, Deputy City Clerk

APPROVED AS TO FORM:

Adrian R. Guerra, City Attorney

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: February 23, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: 4th of July Community Events

City Manager's Recommendation:

That the City Council review and approve the 4th of July Community Events as recommended by the Parks & Recreation Commission.

Administrative Action:

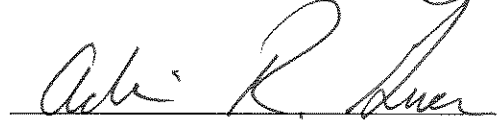
Submitted & Prepared by:

Elizabeth Rodriguez, Public Services Director

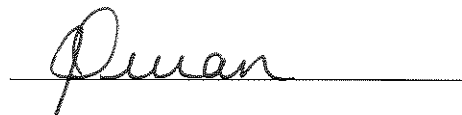


Reviewed by:

Adrian R. Guerra, City Attorney

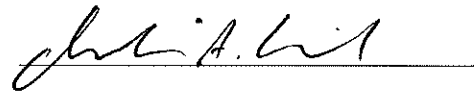


Jeanette Duran,
Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

The 4th of July is the day our country celebrates its independence. As such, cities across the country host firework shows, barbecues, parades, carnivals and other events in commemoration.

The 4th of July Spectacular has been the City of Irwindale's annual celebration for more than two decades. This celebration includes food vendors, live performances and a fireworks show. However, over the past decade, there has been a dramatic decline in the number of vendors who participate in the 4th of July Spectacular. The City allows for local (within the City of Irwindale) non-profit organizations to fundraise as food vendors. Several of the local non-profit groups opt to host a Safe and Sane fireworks booth as

opposed to a vendor booth during the city sponsored event. Over the past seven years, between two to three vendors register for the event, which is a significant decline from when the plaza was filled with food booths. Additionally, it should be noted that although Irwindale Park is full of families, they are barbecuing or hosting potlucks and not purchasing from our vendors. Over the years, staff has also noticed a decline in resident attendees to the event. Furthermore, in July of 2021, as the pandemic continued to effect the ability to offer larger community events, the City opted to provide the firework show only.

As Staff continues to evaluate what our community events look like post pandemic, a presentation of options was provided to the Parks & Recreation Commission at its February 2, 2022 meeting for their consideration and recommendation to the City Council. After much discussion, the Parks & Recreation Commission recommended the following three separate events be approved by the City Council:

1. One (1) additional concert for Music in the Park the week of 4th of July
2. Community Independence Day Picnic the Saturday prior to 4th of July
3. Fireworks Spectacular (show only) on 4th of July.

The first proposed event would be the addition of a Music in the Park concert the week of 4th of July. The City does not currently offer a Music in the Park concert due to the daylong event that is held on July 4th and requires the entire Recreation staff to work.

A Community Independence Day Picnic the Saturday before the 4th of July is the second proposed event. This will allow the Irwindale Community to come together in a more intimate setting to celebrate Independence Day. The picnic may include games, jumpers, food, contests, music, and possible partnerships with other community services like Aquatics, Library and Senior Center, and more. It is staff's sincere hope that this picnic will bring the community back together and celebrate the way Irwindale used to celebrate decades ago.

The third and final proposed event is the Fireworks Display Show on 4th of July. This event will continue to provide residents the opportunity to celebrate with barbecues or pot lucks in their homes or in the City Parks with their families and friends while ending the night with a fireworks display spectacular.

It is therefore recommended that the City Council review and approve the 4th of July Community Events as recommended by the Parks & Recreation Commission and cancel the food booths and live entertainment portion that takes place on the 4th of July.

Fiscal Impact:

Each year, as part of the budget approval process, the Recreation Division budgets for the annual 4th of July Spectacular, which includes costs for the Fireworks Display Show, food vendor setup, health department permits, and the live entertainment performance to name a few. This year, staff is able to take this funding and utilize it for the three separate proposed events.

- ☒ City Council
- ☐ Successor Agency
- ☐ Housing Authority
- ☐ Reclamation Authority
- ☐ Joint Powers Authority

City of
IRWINDALE
AGENDA REPORT

Date: February 23, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Curfew Survey

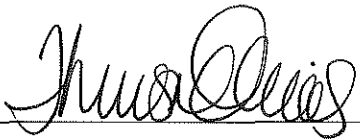
City Manager's Recommendation:

Receive and file or provide direction.

Administrative Action:

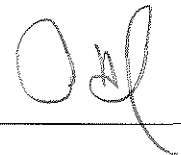
Submitted by:

Theresa Olivares, Assistant City Manager
(626) 430-2294



Prepared by:

Armando Hegdahl, Management Analyst
(626) 430-2201



Reviewed by:

Adrian Guerra, City Attorney

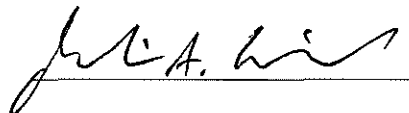


Jeanette Duran,
Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

At the meeting of January 26, 2022, Mayor Burrola requested, and City Council provided consensus, to direct staff to conduct a survey of local cities to inquire whether they had enacted any type of curfew policies or restrictions. The Irwindale Municipal Code Chapter 9.44 (attachment 1) contains curfew provisions for minors under the age of eighteen, with exclusions applicable under certain circumstances.

On January 31, 2022, staff solicited feedback from cities throughout the state of California via the League of California Cities City Clerk's ListServ. Responses were received from Monrovia and San Carlos. Additionally, staff independently reviewed the municipal codes of the cities of Azusa, Baldwin Park, Covina, Duarte, and West Covina. The applicable municipal code sections of said cities are included for your reference (attachments 2-8). Staff's review of the attached municipal codes identifies that the curfew policies for these cities only apply to minors, including the City of Irwindale's Municipal Code, with no existing curfew policies identified for individuals 18 and older.

Staff recommends City Council receive and file the report or provide direction to staff.

Fiscal Impact: None

ATTACHMENTS:

- 1) Chapter 9.44 of the Irwindale Municipal Code
- 2) Section 46-125 of the Azusa Municipal Code
- 3) Chapter 130.02 of the Baldwin Park Municipal Code
- 4) Chapter 9.72 of the Covina Municipal Code
- 5) Chapter 9.20.012 and 9.56 of the Duarte Municipal Code
- 6) Chapter 9.28 of the Monrovia Municipal Code
- 7) Chapter 9.34 of the San Carlos Municipal Code
- 8) Section 15-8, Section 8-7, and Section 26-685,7600 of the West Covina Municipal Code

Chapter 9.44 - CURFEW

**Attachment 1
Irwindale**Sections:*Footnotes:*

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** For statutory provisions on contributing to the delinquency of a minor, see Penal Code § 272.*

9.44.010 - Loitering.

It is unlawful for any minor under the age of eighteen years to loiter, idle, wander, stroll or aimlessly drive or ride about in or upon any public street, avenue, highway, road, curb area, alley, park, playground or other public ground, public place or public building, place of amusement or eating place, vacant lot or unsupervised place between the hours of ten p.m. on any day and sunrise of the immediately following day; provided, however, that the provisions of this section shall not apply:

- A. When the minor is accompanied by his or her parent or parents, legal guardian or other person having the legal care or custody of the minor, or by his or her spouse eighteen years of age or older;
- B. When the minor is upon an errand directed by his or her parent or parents or legal guardian or other adult person having the legal care or custody of the minor, or by his or her spouse eighteen years of age or older;
- C. When the minor is returning directly home from a public meeting or a place of public entertainment, such as a movie, play, sporting event, dance or school activity; or
- D. When the presence of such minor in said place or places is connected with or required with respect to a business, trade, profession or occupation in which said minor is lawfully engaged.

(Ord. 428 § 1, 1988; Ord. 187 § 1(part), 1967; Ord. 69 § 1(part), 1959; prior code § 4108).

Attachment 2

Azusa

Sec. 46-125. Juvenile curfew regulations.

- (a) *Purpose.* The city is concerned with the level of juvenile violence, juvenile gang activity, and juvenile crime in the city. The city finds that juveniles are particularly susceptible by their lack of maturity and experience to participate in unlawful and gang-related activities and to be victims of older perpetrators of crime. Recent local statistics regarding juvenile crime and victimization indicate that enforcement of a curfew for juveniles decreases juvenile victimization and increases the number of arrests for violent crimes during curfew hours. The city council believes that having an enforceable juvenile curfew ordinance is critical to preserving the public health, safety and welfare.

The city further finds and determines that juveniles are repeatedly detained and supervised by law enforcement personnel for violating curfew and that day time loitering laws impose an extraordinary burden on the manpower and resources of the law enforcement services division because juveniles taken into custody by law enforcement personnel must be supervised in an unsecured area of the law enforcement station until they are released to a parent or guardian. Law enforcement personnel who supervise juveniles who have been detained are then unavailable to carry out law enforcement duties in the field which decreases the level of police protection thereby decreasing public safety in the community. One purpose of this section is to inhibit crime committed by juveniles at night and by truants during the day and to defray the reasonable costs that the city incurs to provide extraordinary law enforcement services to respond to, detain and supervise repeat curfew and day time loitering violators.

- (b) *Definitions.*

Emergency means the unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes but is not limited to fire, natural disaster, automobile accident or requirement for immediate medical care for another person.

Establishment means any privately owned place of business operated for a profit to which the public is invited, including but not limited to, any place of amusement or entertainment.

Juvenile means any person under 18 years of age.

Parent means a person who is the natural or adoptive parent of a person. The term includes a court appointed guardian or other person 18 years of age or older authorized by the parent, by a court order or by a court appointed guardian to have the care and custody of that juvenile.

Public place means any place to which the public has access and includes but is not limited to streets, highways, parks and the common areas of schools, hospitals, office buildings, transport facilities, shopping centers, and malls.

Repeat curfew or daytime truancy violator means any juvenile who:

- (1) Has been detained and taken into custody by city law enforcement personnel on more than one occasion in a 12-month period for violating either section 46-125(c) or section 46-128 of this chapter, and
 - (2) Has been reprimanded by a court because said court finds it to be true that the juvenile violated either section 46-125(c) or section 46-128 of this chapter on more than one occasion in a 12-month period.
- (c) *Curfew for juveniles.* It is unlawful for any juvenile to remain in any public place or on the premises of any establishment in the city between the hours of 10:00 p.m. of any day and sunrise of the following day during the months of September through May inclusive, and between the hours of 11:00 p.m. of any day and sunrise of the following day during the months of June through August inclusive, unless the juvenile is:
- (1) Accompanied by the juvenile's parent;

-
- (2) On an errand at the direction of the juvenile's parent;
 - (3) In a motor vehicle involved in interstate travel;
 - (4) Engaged in an employment activity or going to or returning home from an employment activity without any detour or stop;
 - (5) Involved in an emergency;
 - (6) On the sidewalk abutting the juvenile's residence;
 - (7) Attending an official school, religious or recreational activity supervised by one or more adults and sponsored by the city, a civic organization or other similar entity that takes responsibility for the juvenile, or going to or returning home from, without any detour or stop, an official school, religious or other recreational activity supervised by one or more adults and sponsored by the city, a civic organization or another similar entity that takes responsibility for the juvenile;
 - (8) Exercising First Amendment rights protected by the United States Constitution; or
 - (9) Emancipated pursuant to law.

(Code 1971, § 8.16.050; Ord. No. 97-016, § 1, 10-20-97)

§ 130.02 CURFEW HOURS FOR MINORS.

Attachment 3 Baldwin Park

(A) Definitions.

- (1) **CURFEW HOURS** means 10:00 p.m. of any day until 6:00 a.m. the following day.
- (2) **EMERGENCY** means an unforeseen combination of circumstances or the resulting state that calls for immediate action to prevent serious bodily injury or loss of life. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.
- (3) **ESTABLISHMENT** means any privately owned place of business to which the public is invited, including but not limited to any place of amusement, entertainment, or recreation.
- (4) **GUARDIAN** means:
 - (a) A person who, under court order, is the guardian of the person of a minor;
 - (b) A public or private agency with whom a minor has been placed by a court; or
 - (c) A person who is at least eighteen years of age and authorized by a parent or guardian to have the care and custody of a minor.
- (5) **MINOR** means any person under eighteen years of age.
- (6) **PARENT** means a person who is a natural parent, adoptive parent, or step-parent of a minor.
- (7) **PUBLIC PLACE** means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.
- (8) **SERIOUS BODILY INJURY** means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

(B) Offenses.

- (1) A minor commits an offense by being present in any public place or on the premises of any establishment within the city during curfew hours.
- (2) A parent or guardian of a minor commits an offense by knowingly permitting, or by insufficient control allowing, the minor to be present in any public place or on the premises of any establishment within the city during curfew hours.

(C) Defenses. It is a defense to prosecution under subsection (B) that the minor was:

- (1) Accompanied by the minor's parent or guardian;
- (2) On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- (3) In a motor vehicle involved in interstate travel;
- (4) Engaged in a lawful employment activity, or going to or returning home from a lawful employment activity, without detour or stop;
- (5) Acting in response to an emergency;
- (6) On the sidewalk abutting the minor's residence or abutting the residence which is immediately adjacent to the minor's residence;
- (7) Attending an official school, cultural, religious, sports, amusement, entertainment, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor, or going to or returning directly home from, without detour or stop, an official school, cultural, religious, sports, amusement, entertainment, or other recreational activity supervised by adults and sponsored by the city, a civic organization, or another similar entity that takes responsibility for the minor;
- (8) Exercising First Amendment rights protected by the United States Constitution as it pertains to minors, such as the free exercise of religion, freedom of speech, and the right of assembly, but subject to all other applicable laws, rules, and regulations; or
- (9) Emancipated in accordance with applicable state law.

(D) **Enforcement.** Before taking action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place or on the premises of the establishment during curfew hours. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any response and other circumstances, no defense in division (C) is present or applicable.

('83 Code, § 9.28.010) (Am. Ord. 1126, passed 7-2-96) Penalty, see § 10.99

**Chapter 9.72
CURFEW AND TRUANCY**

**Attachment 4
Covina**

Sections:

9.72.010 Curfew.

9.72.020 Truancy.

9.72.030 Cost recovery.

9.72.010 Curfew.

It is unlawful for any minor under the age of 18 years to remain in any public place, or any private business open to the public, between the hours of 10:00 p.m. on any day and sunrise of the immediately following day; provided, however, that the provisions of this section shall not apply when:

- A. The minor is accompanied by his or her parent or parents, legal guardian or other adult person having the legal care or custody of the minor, or by his or her spouse 18 years of age or older;
- B. The minor is upon an errand directed by his or her parent or parents or legal guardian or other adult person having the legal care or custody of the minor, or by his or her spouse 18 years of age or older;
- C. The minor is returning directly home from a public meeting, or a place of public entertainment such as a movie, play, sporting event, dance or school activity;
- D. The presence of such minor in said place or places is connected with or required with respect to a business, trade, profession or occupation in which said minor is lawfully engaged;
- E. The minor is involved in an emergency situation;
- F. The minor is emancipated pursuant to law.

Each violation of the provisions of this section shall constitute a separate offense and shall be a misdemeanor. (Ord. 98-1832 § 1, 1998; Ord. 95-1786, 1995; Ord. 1688 § 1, 1989; 1964 Code § 17.2.)

9.72.020 Truancy.

It is unlawful for any minor under the age of 18 years to remain in any public place, or any private business open to the public, between the hours of 8:30 a.m. and 1:30 p.m. on days when schools are in session; provided, however, that the provisions of this section shall not apply when:

- A. The minor is accompanied by his or her parent or parents, legal guardian or other adult person having the care or custody of the minor, or by his or her spouse 18 years of age or older;

- B. The minor is upon an errand directed by his or her parent or parents or legal guardian or other adult person having the legal care or custody of the minor, or by his or her spouse 18 years of age or older;
- C. The minor is returning directly home from a public meeting or a place of public entertainment, such as a movie, play, sporting event, dance or school activity;
- D. The presence of such minor in said place or places is connected with or required with respect to a business, trade, profession or occupation in which said minor is lawfully engaged;
- E. The minor is involved in an emergency situation;
- F. The minor is emancipated pursuant to law;
- G. The minor is properly excused from school for any reason permitted under California statute, including, but not limited to, Section 48205 of the California Education Code. For the purpose of this section, "properly excused" means those minors who have fully complied with all statutory procedures necessary to excuse their attendance under the applicable California statute.

Each violation of the provisions of this section shall constitute a separate offense and shall be a misdemeanor. (Ord. 99-1843 § 1, 1999; Ord. 98-1832 § 1, 1998; Ord. 95-1786, 1995.)

9.72.030 Cost recovery.

- A. When a minor under 18 years of age is detained for violating any public offense, and the minor is detained for a period of time in excess of one-half hour, and said detention required the supervision of the juvenile offender by Covina police department personnel or volunteer staff, the parent(s) or legal guardian(s) having custody or control of said minor shall be jointly and severally liable for the cost of providing such personnel in excess of one-half hour.
- B. As determined by the chief of police or his designee, the parent(s) or legal guardian(s) having custody or control of said minor shall be jointly and severally liable for the costs of police services for the detention, processing, transportation, and supervision of said minor, except that supervision costs may only be assessed when the minor is detained in excess of one-half hour, said time period to begin from the moment of the initial detention.
- C. Billing for services of volunteer personnel shall accrue at the rate of an "A" step police officer.
- D. Any person receiving a bill for police services pursuant to this section may, within 15 days after the billing date, file a written request appealing the imposition of the charges. Any billing sent pursuant to this section shall inform the billed party of the right to appeal the billing. Any appeal regarding billing shall be heard by the city manager or his or her designee, as the hearing officer. Within 10 days after the hearing, the hearing officer shall give written notice of the decision to the appellant. Upon the filing of a request for an appeal, payment of the bill

for the services shall be suspended until notice of the decision of the hearing officer. If the appeal is denied in part or in full, all amounts due to the city shall be paid within 30 days after notice of the decision of the hearing officer.

E. If any section, subsection, sentence, clause, phrase, word or portion of this chapter is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this chapter. The city council of the city of Covina hereby declares that it would have adopted this chapter and each section, subsection, sentence, clause, phrase, work or portion thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, phrase, work, or portion may be declared invalid or unconstitutional. (Ord. 95-1786, 1995.)

Attachment 5
Duarte

9.20.012 Curfew.

Within the limits of any park, it is unlawful for any person to remain, stay or loiter between the hours of ten p.m. of any day and sunrise of the following day. The foregoing prohibitions shall not apply to:

- (a) Persons bearing a special written permit from park authorities to be present during hours when presence is otherwise prohibited; and
- (b) Persons attending an event or program sponsored, permitted or supervised by the park and recreation department.

(Ord. 334 § 1, 1973)

Chapter 9.56 MINORS—LOITERING AND CURFEW*

9.56.010 Curfew hours and restrictions.

No person under the age of eighteen years shall loiter, idle, wander, stroll, or aimlessly drive or ride about in or upon any public street, avenue, highway, road, curb area, alley, park, playground, or other public ground, public place or public building, place of amusement or eating place, vacant lot or unsupervised place between the hours of ten p.m. on any day and sunrise of the immediately following day; provided however, that the provisions of this section shall not apply when:

- (a) Such person is accompanied by his or her parent or parents, legal guardian or other adult of at least eighteen years of age having the legal care or custody of such person, or by his or her spouse eighteen years of age or older;
- (b) Such person is conducting an errand and is traveling directly en route to or from a specific place or location in the conduct of such errand as directed by his or her parent or parents or legal guardian or other adult of at least eighteen years of age having the legal care or custody of such person, or by his or her spouse eighteen years of age or older;
- (c) Such person is directly en route to or from his or her home to or from a public meeting, or a place of public entertainment, such as a movie, play, sporting event, dance or school activity; or is directly en route from one public meeting or place of public entertainment; or is directly en route to or from the home of another person to or from his or her own home.
- (d) The presence of such person in said place or places is connected with or required with respect to a business, trade, profession or occupation in which said person is lawfully engaged.

(Ord. 652 § 1, 1989; Ord. 12 § 1, 1957)

9.56.020 Daytime loitering by minors.

It is unlawful for any minor under the age of eighteen years who is subject to compulsory education or to compulsory continuation of education to loiter, idle, wander, or be in or upon the public streets, highways, roads, alleys, parks, playgrounds, or other public grounds, public places, public buildings, places of amusement, eating places, vacant lots, or any unsupervised place during the hours of eight-thirty a.m. and one-thirty p.m. on days when school is in session. This section does not apply:

- (a) When the minor is accompanied by his or her parent, guardian, or other adult person having the care or custody of the minor; or

-
- (b) When the minor is on an emergency errand directed by his or her parent or guardian or other adult person having care or custody of the minor; or
 - (c) When the minor is going or coming directly from or to his or her place of gainful employment, or to or from a medical appointment; or
 - (d) To students who have permission to leave school campus for lunch or school-related activity and have in their possession a valid, school-issued, off-campus permit.

(Ord. 720 § 3, 1995; Ord. 12 § 2, 1957)

9.56.030 Minor—Curfew loitering or wilful misconduct—Cost recovery.

- (a) Determination by Court. When, based on a finding of civil liability or criminal conviction for violations of curfew, daytime loitering (truancy), or wilful misconduct in violation of Welfare and Institutions Code Section 602, a minor under eighteen years of age is detained for a period of time in excess of one hour, and said detention required the supervision of the juvenile offender by law enforcement employee(s), the parent(s) or legal guardian(s) having custody or control of said minor shall be jointly and severally liable for the cost of providing such personnel over and above the services normally provided by said department.
- (b) Determination by Director of Safety. As determined by the director of safety or his or her designee, the parent(s) or legal guardian(s) of a minor committing any public offense amounting to an act of wilful misconduct in violation of Welfare and Institutions Code Section 602 where police personnel provide services relating to the detention, processing or supervision of minors that are over and above the normal services usually provided by the law enforcement department, may be assessed and billed for the cost of providing such personnel for such services beyond those normally provided by said department.
- (c) Appeal. Any person receiving a bill for law enforcement services pursuant to this chapter may, within fifteen days after the billing date, file a written request appealing the imposition of said charges. Any billing sent pursuant to this section shall inform the billed party of the right to appeal said billing. Any appeal regarding such billing shall be heard by the city manager, or his or her designee, as the hearing officer. Within ten days after the hearing, the hearing officer shall give written notice of the decision to the appellant. Upon the filing of a request for an appeal, payment of the bill for the police services shall be suspended until notice of the decision of the hearing officer. If the appeal is denied in part or in full, all amounts due to the city shall be paid within thirty days after notice of the decision of the hearing officer.

(Ord. 720 § 4, 1995)

MINORS—LOITERING AND CURFEW

Sections:

- 9.28.010 Curfew restrictions.
- 9.28.020 Curfew—Exceptions.
- 9.28.030 Daytime curfew.
- 9.28.040 Minor curfew, loitering or wilful misconduct—Cost recovery.

§ 9.28.010 CURFEW RESTRICTIONS.

It is unlawful for any minor under the age of 18 years to loiter, idle, wander, stroll, or aimlessly drive or ride about in or upon any public street, avenue, highway, road, curb area, alley, park, playground, or other public ground, public place or public building, place of amusement or eating place, vacant lot or unsupervised place between the hours of 10:00 p.m. on any day and sunrise of the immediately following day.

(‘83 Code, § 9.28.010) (Ord. 90-03 § 1 (part), 1990)

§ 9.28.020 CURFEW—EXCEPTIONS.

Section 9.28.010 shall not apply when:

- (A) The minor is accompanied by his or her parent, legal guardian or other adult person having the legal care or custody of the minor, or by his or her spouse 18 years of age or older;
- (B) The minor is on an errand directed by his or her parent or legal guardian or other adult person having the legal care or custody of the minor, or by his or her spouse 18 years of age or older;
- (C) The minor is returning directly home from a public meeting, or a place of public entertainment, such as a movie, play, sporting event or school activity; or
- (D) The presence of such minor in said place or places is connected with or required with respect to a business, trade, profession or occupation in which the minor is lawfully engaged.

(‘83 Code, § 9.28.020) (Ord. 90-03 § 1 (part), 1990; Ord. 94-16 § 3, 1994)

§ 9.28.030 DAYTIME CURFEW.

It is unlawful for any minor under the age of 18 years, who is subject to compulsory education or to compulsory continuation education to be in or upon any public street, highway, road, alley, park, playground, or other public ground, public place, public building, place of amusement, eating establishment or vacant lot during the hours of 8:30 a.m. to 1:30 p.m. on days when said minor's school is in session. This section does not apply:

- (A) When the minor is accompanied by his or her parent, guardian, or other adult person having the care or custody of the minor; or
- (B) When the minor is on an emergency errand directed by his or her parent or guardian or other adult person having care or custody of the minor; or
- (C) When the minor is going or coming directly to or from his or her place of gainful employment or to or from a medical appointment; or
- (D) To any minor who has permission to leave school campus for lunch or school-related activity and has in his or her possession a valid, school issued, off-campus permit; or
- (E) When the minor is exempt by law from compulsory education or compulsory continuation education; or
- (F) When the minor is authorized to be absent from his or her school pursuant to the provisions of Cal. Education Code § 48205, or any other applicable state or federal law.

(‘83 Code, § 9.28.030) (Ord. 99-06 § 2, 1999; Ord. 94-16 § 4, 1994)

§ 9.28.040 MINOR CURFEW, LOITERING OR WILFUL MISCONDUCT—COST RECOVERY.

(A) *Determination by court.* When, based on a finding of civil liability or criminal conviction for violations of curfew, pursuant to Cal. Welfare and Institutions Code § 625.5, daytime loitering (truancy), or wilful misconduct in violation of Cal. Welfare and Institutions Code § 602, a minor under 18 years of age is detained for a period of time in excess of one hour, and said detention required the supervision of the juvenile offender by Police Department employee(s), the parent(s) or legal guardian(s) having custody or control of said minor shall be jointly and severally liable for the cost of providing such personnel over and above the services normally provided by said department.

(B) *Determination by Chief of Police.* As determined by the Chief of Police or his or her designee, the parent(s) or legal guardian(s) of a minor committing any public offense amounting to an act of wilful misconduct in violation of Cal. Welfare and Institutions Code § 602 where police personnel provide services relating to the detention, processing or supervision of minors that are over and above the normal services usually provided by the Monrovia Police Department, may be assessed, and billed for, the cost of providing such personnel for such services beyond those normally provided by said Department.

(C) *Appeal.* Any person receiving a bill for police services pursuant to this chapter may, within 15 days after the billing date, file a written request appealing the imposition of said charges. Any billing sent pursuant to this section shall inform the billed party of the right to appeal said billing. Any appeal regarding such billing shall be heard by the City Manager, or his or her designee, as the Hearing Officer. Within ten days after the hearing, the Hearing Officer shall give written notice of the decision to the appellant. Upon the filing of a request for an appeal, payment of the bill for the police services shall be suspended until notice of the decision of the Hearing Officer. If the appeal is denied in part or in full, all amounts due to the city shall be paid within 30 days after notice of the decision of the Hearing Officer.

('83 Code, § 9.28.040) (Ord. 94-16 § 4, 1994)

Attachment 7
San Carlos**San Carlos Municipal Code**Code Version: Current ▾ Compare this page with: Jan 2022 ▾ Compare**Chapter 9.34**
CURFEW REGULATIONS

Sections:

- 9.34.010 Definitions.
- 9.34.020 Prohibited activities.
- 9.34.030 Exceptions.
- 9.34.040 Enforcement procedure.
- 9.34.050 Violation—Penalty.

9.34.010 Definitions.

The following words and phrases whenever used in this chapter, shall be construed as defined in this section;

"Curfew hours" means eleven p.m. on any day until six a.m. of the following day.

"Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, a natural disaster, an automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

"Guardian" means:

1. A person who, under court order, is the guardian of the person of a minor; or
2. A public or private agency with whom a minor has been placed by a court.

"Minor" means any person under eighteen years of age and is synonymous with the term "juvenile" for the purposes of this chapter.

"Parent" means a person who is:

1. A natural parent, adoptive parent or stepparent of another person; or
2. At least eighteen years of age and authorized by a parent or guardian to have the care and custody of a minor.

"Public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, sidewalks, alleys, highways, private residences left open to the public without the presence of adult supervision, and the common areas of schools, hospitals, apartments, office buildings, transportation facilities, parks, playgrounds and vacant lots.

"Remain" means to:

1. Linger or stay, whether on foot or in a vehicle; or
2. Fail to leave premises when requested to do so by a police officer or the owner, operator or person

in control of the premises. (Ord. 1216 § 1 (part), 1996; Ord. 1175 § 2 (part), 1995)

9.34.020 Prohibited activities.

A. It is unlawful for a minor to remain in any public place within the City during curfew hours, except as provided in this chapter.

B. It is unlawful for a parent or guardian of a minor to knowingly permit, or by insufficient control allow, the minor to remain in any public place within the City during curfew hours. (Ord. 1216 § 1 (part), 1996; Ord. 1175 § 2 (part), 1995)

9.34.030 Exceptions.

The activities prohibited by Section 9.34.020 of this chapter shall not be unlawful in the following circumstances:

A. When the minor is accompanied by the minor's parent or guardian;

B. When the minor is on an errand at the direction of the minor's parent or guardian, without any detour or stop;

C. When the minor is in a motor vehicle involved in interstate travel, or other travel through the City not in violation of this chapter;

D. When the minor is engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;

E. When the minor is involved in an emergency;

F. When a minor is going to or returning home from a private residence without any detour or stop, at which the minor was invited;

G. When the minor is attending an official school, religious, recreational, educational, social or other organized activity sponsored by the City, school district, or other private civic or religious organization that supervises the activity, or when a minor is going to or returning from, without any detour or stop, such activity;

H. When the minor is engaging in speech or religious rights protected by the United States or California Constitutions, such as the free exercise of religion, freedom of speech, and the right of peaceful assembly;

I. When the minor is married or has been emancipated in accordance with California Family Code Section 7000, et seq.;

J. When the minor is engaged in a commercial activity or receiving commercial services on the premises of a business organization that supervises and permits the activity, or when a minor is going to or returning home from, without any detour or stop, such activity or service. (Ord. 1216 § 1 (part), 1996; Ord. 1175 § 2 (part), 1995)

9.34.040 Enforcement procedure.

Before taking any enforcement action under this section, a police officer or code enforcement officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred as provided in this chapter. (Ord. 1216 § 1 (part), 1996; Ord. 1175 § 2 (part), 1995)

9.34.050 Violation—Penalty.

Any person who violates any of the provisions of this chapter shall be guilty of an infraction for the first violation, and for the second or subsequent violation within one year, shall be guilty of a misdemeanor.
(Ord. 1216 § 1 (part), 1996; Ord. 1175 § 2 (part), 1995)

Sec. 8-7. Emergency powers of the director of emergency services and assistant director of emergency services.

- (a) The director of emergency services is hereby empowered to:
- (1) Request the city council to proclaim the existence or threatened existence of a local emergency if the city council is in session, or to issue such proclamation if the city council is not in session. Whenever a local emergency is proclaimed by the director of emergency services, the city council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect;
 - (2) Request the city council to review the need for continuing the local emergency at least once every thirty (30) days until the city council terminates the local emergency;
 - (3) Request the governor to proclaim a state of emergency when, in the opinion of the director of emergency services, the locally available resources are inadequate to cope with the emergency;
 - (4) Control and direct the effort of the emergency organization of the city for the accomplishment of the purposes of this chapter; and
 - (5) Direct cooperation between and coordination of services and staff of the emergency organization of the city and resolve questions of authority and responsibility that may arise between them;
 - (6) Represent the city in all dealings with public or private agencies on matters pertaining to emergencies as defined in this chapter; and
 - (7) In the event of the proclamation of a local emergency, the proclamation of a state of emergency by the Governor or the Secretary of the California Emergency Management Agency, or the existence of a state of war emergency, the director of emergency services is hereby empowered to:
 - a. Promulgate written orders and regulations necessary to provide for the protection of life and property as affected by such emergency, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety; provided, however, such rules and regulations shall be widely publicized and noticed and shall be confirmed at the earliest practicable time by the city council;
 - b. Obtain vital supplies, equipment, and such other properties found lacking and needed for the protection of life and property and to bind the city for the fair value thereof and, if required immediately, to commandeer the same for public use;
 - c. Require emergency services of any city officer or employee and, in the event of the proclamation of a "state of emergency" in the County of Los Angeles or the existence of a "state of war emergency," to command the aid of as many citizens of the community as deemed necessary in the execution of duties; such persons shall be entitled to all privileges, benefits, and immunities as are provided by state law for registered disaster services workers;
 - d. Requisition necessary personnel or material of any city departments or agencies;
 - e. Execute all ordinary powers; all special powers conferred by this chapter, by resolution, and by an adopted emergency plan; and all other powers conferred by statute, agreement approved by the city council, or by any other lawful authority;
 - f. Approve contracts as necessary to support the emergency organization and to protect the life and property of the citizens of West Covina.
- (b) In the absence of the director of emergency services, the assistant director of emergency services is empowered to take on the powers of the director of emergency services under subsection (a) of this section.

The director of emergency services shall be deemed absent where he or she is unavailable to participate in meetings or otherwise is unable to perform his or her duties during an emergency.

- (c) The director of emergency services may supplement the order of succession to that office identified in subsection (b) of this section, to take effect in the event the director is absent. Such order of succession shall be approved by the governing body.

(Ord. No. 2339, § 7, 5-1-18)

Sec. 15-8. Juvenile nighttime curfew.

- (a) It is unlawful for any minor under the age of eighteen (18) to remain in any public place or establishment within the city between the hours of 10:00 p.m. and 6:00 a.m. However, the provisions of this section shall not apply if any of the following apply:
- (1) The minor is accompanied by his or her parent(s), legal guardian, or by his/her spouse eighteen (18) years of age or older.
 - (2) The minor's parent(s) or legal guardian has given the minor permission to remain in a public place or establishment during curfew hours.
 - (3) The minor is involved in an emergency.
 - (4) The minor is attending, going to or returning home without any detour or stop from an official meeting, school activity, civic organization, educational, religious or recreational activity supervised by adults.
 - (5) The minor is engaged in lawful employment activity or is going to or returning from a lawful employment activity without any detour or stop.
 - (6) The minor is in a motor vehicle involved in interstate travel.
 - (7) The minor is exercising his/her first amendment rights, such as freedom of speech, right of assembly or free exercise of religion.
 - (8) The minor is on the sidewalk adjacent to his/her residence or the residence of a next door neighbor and the neighbor does not complain to the police department about the minor's presence.

Any minor who violates this section is guilty of a misdemeanor.

- (b) Definitions. As used herein, the following words and phrases shall have the meaning set out.

- (1) *Emergency* means one or more unforeseen circumstances or resulting state requiring immediate action, such as a fire, natural disaster, accident or situation requiring immediate action to prevent or treat serious injury or loss to person or property.
- (2) *Establishment* means any privately-owned place of business to which the public is invited, including but not limited to places of amusement or entertainment.
- (3) *Guardian* means a person ordered to be such by a court or a public or private agency with whom the minor has been placed.
- (4) *Minor* means any person under eighteen (18) years of age.
- (5) *Parent* means a person who is a natural, adoptive or step-parent or someone at least eighteen (18) years old authorized by a parent or guardian to have care, custody or control of the minor.

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- (6) *Public place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways and the common areas of schools, apartment houses, office buildings, transport facilities and shops.
 - (7) *Remain* means to linger or stay or to fail or refuse to leave the premises after a request to do so by a person in control of the premises or by a police officer.

(Code 1960, § 4114; Ord. No. 1788, § 1, 9-12-88; Ord. No. 2001, § 2, 7-15-97)

Sec. 15-8.1. Juvenile curfew during school hours.

- (a) In addition to the provisions of section 15-8 of the Code, and except as set out in subsection (b), below, it is unlawful for any minor under the age of eighteen (18) who is subject to compulsory education or to compulsory continuation education requirements to remain in any public place or establishment within the city between the hours of 8:30 a.m. and 1:30 p.m. or other hours as designated by the respective school district on days when school is in session.
- (b) The provisions of subsection (a) do not apply when:
 - (1) The minor is accompanied by his or her parent(s), legal guardian, or by his/her spouse eighteen (18) years of age or older.
 - (2) The minor's parent(s) or legal guardian has given the minor permission to remain in a public place or establishment during curfew hours.
 - (3) The minor is involved in an emergency.
 - (4) The minor is attending, going to or returning home without any detour or stop from an official meeting, school activity, civic organization, educational, religious or recreational activity supervised by adults.
 - (5) The minor is engaged in lawful employment activity or is going to or returning from a lawful employment activity without any detour or stop.
 - (6) The minor is in a motor vehicle involved in interstate travel.
 - (7) The minor is exercising his/her First Amendment rights, such as freedom of speech, right of assembly or free exercise of religion.
 - (8) The minor is on the sidewalk adjacent to his/her residence or the residence of a next door neighbor and the neighbor did not complain about the minor's presence.

Any minor who violates this section is guilty of a misdemeanor.

- (b) Definitions. As used herein, the following words and phrases shall have the meaning set out.
 - (1) *Emergency* means one or more unforeseen circumstances or resulting state requiring immediate action, such as a fire, natural disaster, accident or situation requiring immediate action to prevent or treat serious injury or loss to person or property.
 - (2) *Establishment* means any privately-owned place of business to which the public is invited, including but not limited to places of amusement or entertainment.
 - (3) *Guardian* means a person ordered to be such by a court or a public or private agency with whom the minor has been placed.
 - (4) *Minor* means any person under eighteen (18) years of age.

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- (5) *Parent* means a person who is a natural, adoptive or step-parent or someone at least eighteen (18) years old authorized by a parent or guardian to have care, custody or control of the minor.
 - (6) *Public place* means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways and the common areas of school, apartment houses, office buildings, transport facilities and shops.
 - (7) *Remain* means to linger or stay or to fail or refuse to leave the premises after a request to do so by a person in control of the premises or by a police officer.

(Ord. No. 2001, § 3, 7-15-97)

Sec. 26-685.7600. Emergency shelter standards.

Emergency shelters for homeless persons shall be subject to and comply with the following standards and regulations.

- (a) A single emergency shelter for thirty (30) occupants, or a combination of multiple shelters with a combined capacity not to exceed thirty (30) occupants, shall be allowed as a permitted use, consistent with section 65583(4)(A) of the Government Code. All emergency shelters, regardless of the number of occupants, shall meet the minimum standards contained herein below. Any emergency shelter with a capacity greater than thirty (30) occupants shall also be subject to the approval of a conditional use permit, as set forth in section 26-246 through 26-254.
- (b) The facility shall operate on a first-come, first serve basis with clients only permitted on-site and admitted to the facility between 6:00 p.m. and 7:00 a.m. during Pacific Daylight Time, and 5:00 p.m. and 7:00 a.m. during Pacific Standard Time. Clients must vacate the facility by 8:00 a.m. and have no guaranteed bed for the next night. A curfew of 10:00 p.m. (or earlier) shall be established and strictly enforced and clients shall not be admitted after the curfew.
- (c) The maximum stay at the facility shall not exceed one hundred twenty (120) days in a three hundred sixty-five (365) day period.
- (d) A minimum distance of three hundred (300) feet shall be maintained from any other emergency shelter, as measured from the property line.
- (e) A minimum of one (1) staff member per fifteen (15) beds shall be awake and on duty when the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients. The facility shall not employ staff who have been convicted of a felony or who are required to register as a sex registrant under Penal Code 290.
- (f) Bike rack parking shall be provided at the facility.
- (g) Exterior lighting shall be provided for the entire outdoor and parking area of the property per the lighting standards of the Parking Lot Design and Lighting Standards (Planning Commission Resolution No. 2513).
- (h) A waiting area shall be provided which contains a minimum of ten (10) square feet per bed provided at the facility. Said waiting area shall be in a location not adjacent to the public right-of-way, shall be visually separated from [public] view by a minimum six (6) foot tall visually screening decorative wall or fence and shall provide consideration for shade/rain provisions.
- (i) Any outdoor storage, including, but not limited to, items brought on-site by clients for overnight stays, shall be screened from public view by a minimum six (6) foot tall decorative wall or fence.
- (j) Facility improvements shall comply with the West Covina Municipal Code and the most current adopted Building and Safety Code, specific to the establishment of dormitories and shall additionally provide:

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- (1) A minimum of one (1) toilet [f]or every eight (8) beds per gender.
 - (2) A minimum of one (1) shower for every eight (8) beds per gender.
 - (3) Private shower and toilet facility for each area designated for use by individual families.
- (k) An operational plan shall be provided for the review and approval of the planning director and police chief. Plans may be required to address additional specific needs as identified by the director. The approved operational plan shall remain active throughout the life of the facility. At a minimum, the plan shall contain provisions addressing the topical areas outlined below.
- (1) *Security and safety.* Addressing both on and off-site needs, including provisions to address the separation of male and female sleeping areas as well as any family areas within the facility and shall include the following rules and procedures:
 - a. The facility shall establish and enforce a strict code of conduct including the prohibition of weapons and their use.
 - b. The facility shall establish procedures for client intake and shall maintain a client roster. During intake, basic client information shall be collected including name, last physical address, driver's license or other identification number, whether the person has been convicted of a felony or is required to register as a sex registrant under Penal Code Section 290. The roster shall be made available to the West Covina Police Department upon request.
 - (2) *Loitering control.* With specific measures regarding off-site controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site.
 - (3) *Management of outdoor areas.* Including a system for daily admittance and discharge procedures and monitoring of waiting areas with a goal to minimize disruption to nearby land uses.
 - (4) *Alcohol and illegal drugs.* Addressing how the operator will control and regulate alcohol and illegal drug use by clients on the premises.
 - (5) *Hiring procedures.* Describe procedures for ensuring that staff are not convicted felons or are required to register as a sex registrant.
 - (6) *Staff training.* With objective to provide adequate knowledge and skills to assist clients in obtaining permanent shelter and income.
 - (7) *Communication and outreach.* With objective to maintain good communication and response to operational issues which may arise from the neighborhood, city staff, or the general public.
 - (8) *Screening.* Provide criteria to screen clients for admittance eligibility, with objective to provide first service to individuals with connections to West Covina.
 - (9) *Counseling.* To provide counseling programs with referrals to outside assistance agencies, and provide an annual report on this activity to the city.
 - (10) *Litter control.* With an objective to provide for the timely removal of litter attributable to clients within the vicinity of the facility every twenty-four (24) hour period.
 - (11) *Contact information.* The operator shall provide the city with the most current contact information for the operator of the facility during the normal daytime office business hours, and the nighttime contact information for the "person on duty" when the emergency shelter is operating.
 - (12) *State law compliance.* The operator shall ensure proper compliance with all state laws pertaining to client residency and occupancy.

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- (13) *Emergency response.* The operator shall establish standards for responding to emergencies and incidents expelling clients from the facility. Re-admittance policies for clients who have previously been expelled from the facility shall also be established.
- (l) The facility may provide the following services in a designated area separate from sleeping areas:
- (1) A recreation area inside the shelter or in an outdoor area visually separated from [public] view by a minimum six (6) foot tall visually screening decorative wall or fence.
 - (2) A counseling center for job placement, educational, health care, legal services, or mental health services.
 - (3) Laundry facilities to serve the number of clients at the shelter.
 - (4) Kitchen and dining area.
 - (5) Client storage area.
 - (6) Similar types of facilities to address the needs of homeless clients, as determined by the planning director.
- (m) An emergency shelter facility shall provide off-street parking at the ratio of one (1) space per four (4) beds, and/or 0.5 per bedroom designated as a family unit with children, plus (1) space per staff member.
- (n) The facility shall comply with all other laws, rules, and regulations that apply including, but not limited to, building and fire codes. The facility shall be subject to city inspections prior to the commencement of operation. In addition, the city may inspect the facility at any time for compliance with the facility's operational plan and other applicable laws and standards.

(Ord. No. 2239, § 2(Exh. A), 12-4-12)

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

SA Item 1A1

**JANUARY 26, 2022
WEDNESDAY
5:30 P.M.**

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

ROLL CALL:

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

Absent: Councilmember Mark A. Breceda

Also Present: William Tam, City Manager; Adrian Guerra, City
Attorney; Mary Hull, Human Resources Manager; Jeanette Duran,
Interim Director of Finance / City Treasurer

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

**RECESS TO
CLOSED SESSION**

At 5:46 p.m., the City Council met in Closed Session to discuss the
following:

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

Case Name: City of Irwindale as Successor Agency to the Irwindale
Community Redevelopment Agency, et al. v. County of Los Angeles

Case Number: Ventura County Superior Court Case No. 56-2015-
00464100-CU-WM-VTA

ACTION: Discussed; update provided; no reportable action taken

ADJOURNMENT

There being no further business to conduct, the meeting was
adjourned at 6:43 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

SA Item 1A2

**JANUARY 26, 2022
WEDNESDAY
10:32 P.M.**

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

ROLL CALL:

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

Absent: Councilmember Mark A. Breceda

Present: William Tam, City Manager; Theresa Olivares, Assistant City Manager; Adrian Guerra, City Attorney; Ty Henshaw, Chief of Police; Arsanious Hanna, Director of Engineering / Building Official; Jeanette Duran, Interim Finance Director / City Treasurer; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Services Director; Jeff Wagner, Information Technology Manager; Iris Espino, Assistant to the City Manager; and Laura Nieto, Chief Deputy City Clerk

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve Consent Calendar, reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved; Councilmember Breceda absent.

**ITEM NO. 1A1
MINUTES**

MINUTES

The following minutes were approved:

- 1) Special meeting held December 8, 2021
- 2) Regular meeting held December 8, 2021

**ITEM NO. 1B
WARRANTS**

WARRANTS

The warrants were approved.

**ITEM NO. 1C
INVESTMENT
QUARTERLY REPORT**

INVESTMENT QUARTERLY REPORT (Joint Item for all agencies)

The Investment Quarterly Report for December 31, 2021, was received and filed for all agencies.

END OF CONSENT CALENDAR

SUCCESSOR AGENCY MINUTES
REGULAR MEETING

JANUARY 26, 2022
PAGE 2

NEW BUSINESS

None.

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:33 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

SA Item 1B

Accounts Payable

Checks by Date - Summary by Check Number

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



Check No	Vendor No	Vendor Name	Check Date	Check Amount
76193	GOLDEN06	Golden State Water Company	02/09/2022	100.00
Report Total (1 checks):				100.00

Accounts Payable

Checks by Date - Summary by Check Number

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



Check No	Vendor No	Vendor Name	Check Date	Check Amount
76293	ROSENO	Rosenow Spevacek Group Inc	02/16/2022	450.00
Report Total (1 checks):				450.00