

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

**JULY 26, 2023
WEDNESDAY
6:32 P.M.**

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

ROLL CALL:

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

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Christopher Hofford, Chief of Police; Theresa Olivares, Assistant City Manager; Kambiz Borhani, Director of Finance / City Treasurer; Marilyn Simpson, Community Development Director; Eddie Chan, Director of Engineering / Building Official; Mary Hull, Human Resources Manager, and Laura Nieto, Chief Deputy City Clerk

**PLEDGE OF
ALLEGIANCE**

Pledge of Allegiance conducted.

AB 2449 DISCLOSURES None.

**CHANGES TO THE
AGENDA**

None.

**COUNCILMEMBER
TRAVEL REPORTS**

MAYOR ORTIZ

Mayor Ortiz reported on his attendance at a NALEO Conference held July 11-13.

**COUNCILMEMBER
COMMENTS**

MAYOR ORTIZ

Mayor Ortiz spoke on the visit from Sister City delegates and Salvatierra's Mayor's desire to increase tourism and asked about malfunctioning air conditioners at the Dan Diaz Recreation Center.

CITY MANAGER
MIRANDA

City Manager Miranda advised that one air conditioner unit at the Recreation Center is inoperable, the other units are functioning properly. Staff is obtaining quotes for the expeditious repair of the malfunctioning unit.

COUNCILMEMBER
BRECEDA

Councilmember Breceda stated that he enjoyed the visit by the Sister City delegates and thanked the Council for joining him at the farewell dinner.

COUNCILMEMBER
BURROLA

Councilmember Burrola also spoke highly of the visit. He then requested that the Parks & Recreation Commission discuss the use of the baseball field by football players as well as the damage they

are causing to the grass. He also requested that Item 4 on the Consent Calendar be pulled for separate discussion.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz requested that the Council present the Aquatics Department with a Certificate of Recognition in light of the wonderful programs the department offers to the community. He also thanked those that worked in organizing the Sister City events.

COUNCILMEMBER
GARCIA

Councilmember Garcia stated that he enjoyed the visit by the Sister City delegation and thanked Councilmember Breceda's company for providing dinner.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

IRWINDALE CHAMBER
OF COMMERCE
BUSINESS OF THE
MONTH –
OPPORTUNITIES FOR
LEARNING

IRWINDALE CHAMBER OF COMMERCE BUSINESS OF THE
MONTH – OPPORTUNITIES FOR LEARNING

The presentation was made.

RECOGNITION OF
IRWINDALE POLICE
OFFICER JAMES
ARMSTRONG

RECOGNITION OF IRWINDALE POLICE OFFICER JAMES
ARMSTRONG FOR HIS GRADUATION FROM THE LOS ANGELES
COUNTY SHERIFF'S SPECIAL ENFORCEMENT BUREAU (SEB)
SWAT SCHOOL

The presentation was made.

PRESENTATION BY
THE SAN GABRIEL
VALLEY WATER
QUALITY AUTHORITY

PRESENTATION BY THE SAN GABRIEL VALLEY WATER
QUALITY AUTHORITY

The presentation was made.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by Mayor Pro Tem Ambriz, to approve the Consent Calendar, reading ordinances by title only and waiving further reading thereof. The motion was unanimously approved; Item Nos. 4 and 10 removed for separate consideration, Councilmember Burrola abstaining on Item 1A, and Mayor Ortiz abstaining on Item 1C and 1D.

ITEM NO. 1
MINUTES

MINUTES

The following minutes were approved:

- A) Special joint meeting held June 28, 2023
- B) Regular meeting held June 28, 2023
- C) Special joint meeting held July 12, 2023
- D) Regular meeting held July 12, 2023

ITEM NO. 2
WARRANTS /
DEMANDS /
PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 3
INVESTMENT
QUARTERLY REPORT
FOR FISCAL QUARTER
ENDING JUNE 30, 2023

INVESTMENT QUARTERLY REPORT FOR FISCAL QUARTER
ENDING JUNE 30, 2023

The Investment Quarterly Report for the fiscal quarter ending June 30, 2023, was received and filed.

ITEM NO. 5
2nd READING –
ORDINANCE NO. 771

2ND READING – ORDINANCE NO. 771

ORDINANCE NO. 771
ADOPTED ON
SECOND READING

Ordinance No. 771, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING DEVELOPMENT AGREEMENT NO. 01-2022 BETWEEN CITY OF IRWINDALE AND KBS HOLDCO LLC, DBA REGENCY OUTDOOR ADVERTISING, TO ALLOW FOR THE DIGITAL CONVERSION OF AN EXISTING STATIC BILLBOARD LOCATED AT THE INTERSECTION OF THE I-605 (NORTHBOUND) AND THE I-210 (EASTBOUND) FREEWAYS (APN: 8533-009-014) IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO THE CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF; AND FINDING THE PROJECT EXEMPT FROM THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT,” was adopted on second reading, reading by title only and waiving further reading thereof.

ITEM NO. 6
RENEWAL OF
CONTRACT
AGREEMENT WITH
THE CITY OF SANTA
FE SPRINGS FOR
CITY-WIDE TRAFFIC
SIGNAL MAINTENANCE
SERVICES

RENEWAL OF CONTRACT AGREEMENT WITH THE CITY OF
SANTA FE SPRINGS FOR CITY-WIDE TRAFFIC SIGNAL
MAINTENANCE SERVICES

The City Manager was authorized to execute an agreement with the City of Santa Fe Springs for city-wide traffic signal maintenance services.

ITEM NO. 7
APPROVAL OF
CONTRACT
AGREEMENT WITH
SAN BERNARDINO
COUNTY SHERIFF'S
DEPARTMENT FOR
FIRING RANGE USE

APPROVAL OF CONTRACT AGREEMENT WITH SAN
BERNARDINO COUNTY SHERIFF'S DEPARTMENT FOR FIRING
RANGE USE

The Chief of Police was authorized to enter into an agreement with
the San Bernardino County Sheriff Department allowing for the
periodic use of their firing range.

ITEM NO. 8
APPROVAL OF
TOLLING AGREEMENT
WITH CALMAT CO.,
DBA VULCAN
MATERIALS –
PROTEST OF DIF
FOR 15990 E.
FOOTHILL BLVD.

APPROVAL OF TOLLING AGREEMENT WITH CALMAT CO.,
D.B.A. VULCAN MATERIALS COMPANY REGARDING THE
PROTEST OF DEVELOPMENT IMPACT FEES FOR 15990 EAST
FOOTHILL BOULEVARD

The proposed Tolling Agreement with Calmat Co., d.b.a. Vulcan
Materials Company regarding the protest of development impact
fees for 15990 East Foothill Boulevard was approved.

ITEM NO. 9
APPROVE THE
PURCHASE OF A
REEL MOWER

APPROVE THE PURCHASE OF A REEL MOWER

RESOLUTION NO.
2023-63-3441
ADOPTED

Resolution No. 2023-63-3441, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE WAIVING THE FORMAL BIDDING PROCEDURES
PURSUANT TO IRWINDALE MUNICIPAL CODE SECTION
3.44.080, AUTHORIZING THE ISSUANCE OF A PURCHASE
ORDER AND AUTHORIZING THE CITY MANAGER TO ENTER
INTO A PURCHASE AGREEMENT FOR THE PURCHASE OF A
REEL MOWER FOR THE PUBLIC SERVICES MAINTENANCE
DIVISION," was adopted.

END OF CONSENT CALENDAR

ITEM NO. 4
AUTHORIZE CITY
MANAGER TO
EXECUTE CONTRACT
SERVICE
AGREEMENTS WITH
ROYAL COACHES
AND JAN'S TOWING

AUTHORIZE CITY MANAGER TO EXECUTE CONTRACT
SERVICE AGREEMENTS WITH ROYAL COACHES AUTO BODY
AND TOWING AND JAN'S TOWING INC., FOR TOWING
SERVICES

COUNCILMEMBER BURROLA	Councilmember Burrola requested the number of vehicles towed per month for the past five years, to which Lieutenant Fraijo stated that he would confirm the exact number, but that it generally averages about one or two per day.
JAN QUACKENBUSH	Jan Quackenbush spoke on the types of vehicles his company, Jan's Towing, tows from Alpha Street.
COUNCILMEMBER BURROLA	Councilmember Burrola stated his belief that having two tow companies on contract is excessive and only one would be sufficient.
MOTION	A motion was made by Councilmember Burrola to adopt the proposed resolution and award the contract solely to Royal Coaches.
COUNCILMEMBER BRECEDA	Councilmember Breceda agreed that having two towing companies is unnecessary and stated that the city can exert more control with only one company.
COUNCILMEMBER GARCIA	Responding to a question by Councilmember Garcia, Director Borhani advised that the \$2,250 monthly contract fee that the tow companies would be required to pay to the City is the approximate average that staff determined to be a fair amount when negotiating with potential contract participants.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz wondered whether having two companies posed any benefits, and concurred that Royal Coaches should be selected as the sole tow provider.
MAYOR ORTIZ	Mayor Ortiz agreed that only one towing company should be selected and suggested that future bid opportunities be reviewed by a panel of individuals from outside agencies. He concurred that Royal Coaches should be selected as the sole tow provider.
CITY ATTORNEY GUERRA	City Attorney Guerra noted that the full monthly contract fee would need to be paid by the sole tow services provider and that the Request for Proposals allows for the selection of just one company.
RESOLUTION NO. 2023-33-3411 ADOPTED	Resolution No. 2023-33-3341 , entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AWARDING AN EXCLUSIVE FRANCHISE AND AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT SERVICE AGREEMENT WITH ROYAL COACHES AUTO BODY AND TOWING FOR TOWING SERVICES," was adopted on the motion of Councilmember Burrola, seconded by Councilmember Breceda, and unanimously approved.

ITEM NO. 10 AWARD OF CONTRACT FOR CONSTRUCTION OF THE TRAFFIC
AWARD OF CONTRACT SIGNAL MODIFICATIONS PROJECT AT ARROW HIGHWAY AND
FOR CONSTRUCTION VINCENT AVENUE; P-980
OF THE TRAFFIC
SIGNAL MODIFICATIONS
PROJECT AT ARROW
HIGHWAY AND
VINCENT AVENUE

MAYOR ORTIZ In reply to a question by Mayor Ortiz, Director Chan advised that the City would be responsible for 50% of the contract amount and that the City of Azusa and County of Los Angeles would be responsible for the other 50%. He added that he anticipates that work will begin next month.

MAYOR PRO TEM Mayor Pro Tem Ambriz asked whether Athens is paying into the
AMBRIZ agreement, to which Director Chan confirmed that Athens would pay \$59,421.90 as part of the City's share of the costs.

RESOLUTION NO. **Resolution No. 2023-62-3440**, entitled:
2023-62-3440
ADOPTED "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AMENDING FY 23-24 ADOPTED BUDGET BY APPROPRIATING \$29,078.10 FROM THE GENERAL FUND RESERVE, WAIVING FORMAL BIDDING PROCEDURES, AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH MSL ELECTRIC INC FOR CONSTRUCTION OF THE TRAFFIC SIGNAL MODIFICATIONS PROJECT AT ARROW HIGHWAY AND VINCENT AVENUE," was adopted; the City Manager was authorized to enter into an agreement with MSL Electric Inc. in the amount of \$90,000.00 for the Traffic Signal Modifications Project at Arrow Highway and Vincent Avenue, subject to City Attorney approval as to form; and a 20% project contingency in the amount of \$18,000 was approved to cover any unforeseeable conditions that may arise during construction, on the motion of Mayor Ortiz, seconded by Councilmember Breceda, and unanimously approved.

SPONTANEOUS
COMMUNICATIONS

SUZANNE GOMEZ Suzanne Gomez thanked Mayor Ortiz, City Manager Miranda, Human Resources Manager Hull, and Librarian Balli for allowing her to participate in the Summer Youth Program. She also thanked the Recreation Department for the wonderful Music in the Park concerts and for the reopening of the Snack Bar. She also thanked Officer Armstrong for his outstanding community work.

ANNIE AMBRIZ An emailed statement from Annie Ambriz was read, wherein she thanked Recreation and Aquatics staff for being attentive and caring for her when she was kicked by a child, and requested that staffers Marianna Quinones and Linda Marez be recognized.

NEW BUSINESS

ITEM NO. 11 REVIEW OF DRAFT ORDINANCES FOR THE PROPOSED
REVIEW OF DRAFT REGULATION OF UNMANNED AIRCRAFT SYSTEMS AND
ORDINANCES FOR DRONES
THE PROPOSED
REGULATION OF
UNMANNED AIRCRAFT
SYSTEMS AND
DRONES

CITY ATTORNEY City Attorney Guerra presented the report.
GUERRA

SUZANNE GOMEZ In reply to a question by Suzanne Gomez, City Attorney Guerra advised that the proposed ordinance includes a provision allowing the use of drones by public safety agencies.

BILL SALAZAR Bill Salazar with Royal Coaches Towing attempted to speak on the towing contract item, to which Mayor Ortiz indicated that he would be allowed to speak on it after discussion on the current item concludes.

LINDA MAREZ Linda Marez questioned the legality of implementing an ordinance that includes provisions that are already covered under federal airspace rules, to which City Attorney Guerra advised that there is an argument that any ordinance which is either inconsistent with / restates federal law is preempted by said federal law and not enforceable. He added that there is a strong argument that the proposed ordinance is unenforceable if someone were to challenge it in court.

MAYOR ORTIZ Mayor Ortiz stated that the purpose of this ordinance is to protect the residents' privacy, especially during the time of year when they would be in their swimming pools, and that the Council does not want drone operators to take photos or videos of private citizens in their residential areas. He encouraged the Council to move forward with the ordinance and bring it back at the next meeting for adoption. He further stated that he welcomes commercial drone operators and concurred that the Police Department should have the ability to utilize drones to help protect the community.

MAYOR PRO TEM Mayor Pro Tem Ambriz stated his belief that the ordinance would
AMBRIZ make the community feel better and would respect residents' expectation of privacy.

COUNCILMEMBER GARCIA	Councilmember Garcia asked whether the proposed ordinance was intended to generate more permit fees, in which case he would not be in favor of approving it. He also advised that most of the conditions in the ordinance are already covered under federal law.
MAYOR ORTIZ	Mayor Ortiz indicated that the purpose of the ordinance is not to generate more funding. He then asked about the process that commercial drone operators would need to undergo in order to secure a permit, to which City Manager Miranda indicated that he would need to compile information on permit applications, including the number of applications received, and return to the Council with the results.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz agreed with Mayor Ortiz and stated that the ordinance is being proposed to address public safety concerns as well as to help secure residents' expectation of privacy.
CITY MANAGER MIRANDA	City Manager Miranda noted that, per information from Director Simpson, the City typically receives two or three drone film permit applications per year.
MAYOR ORTIZ	Mayor Ortiz made a motion to introduce an ordinance for first reading, to which City Attorney Guerra advised that the matter on the agenda is simply to receive direction from the Council and not to introduce an ordinance.
CITY ATTORNEY GUERRA	Responding to Councilmember Garcia's comment, City Attorney Guerra advised that most ordinances typically restate federal law and regulations. He also agreed with Mayor Pro Tem Ambriz in that, per previous discussions, the City never intended to generate revenue through the ordinance; rather, the Council wishes to promote privacy and safety. City Attorney Guerra requested clarification over the intent of the Council, to which Mayor Ortiz advised that he wishes to ban drones from flying over residential areas.
COUNCILMEMBER BURROLA	Councilmember Burrola indicated that federal rules already exist and would supersede City ordinances, and that adopting this ordinance could lead to lawsuits.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz stated that the ordinance would provide a mechanism where individuals could report violations and that the city does not need to fear if a lawsuit is filed to challenge the ordinance.
COUNCILMEMBER BURROLA	Councilmember Burrola recounted an incident where a drone hovered over his back yard. He acknowledged that the incident annoyed him, though this occurred several years ago.

COUNCILMEMBER GARCIA Councilmember Garcia repeated his belief that the ordinance is redundant and asked who would enforce it, to which Mayor Pro Tem Ambriz indicated that it would be up to either Code Enforcement or the Police Department.

COUNCIL CONSENSUS Council Consensus was reached to instruct the City Attorney to prepare an ordinance for introduction for first reading at a future meeting.

BILL SALAZAR Bill Salazar with Royal Coaches stated that his company offered to pay \$5,000 per month for the towing franchise fee in order to benefit the community.

PUBLIC HEARINGS None.

**CITY MANAGER'S
REPORT**

CITY MANAGER MIRANDA City Manager Miranda reported the following:

- 1) The Irwindale Educational Foundation will hold a Bingo Fundraiser at the Irwindale Brew Yard on July 28.
- 2) A "Taste of Irwindale and Business Expo" is scheduled to be held on August 3.
- 3) The 2023 Young Citizen of the Year Competition is set for August 7.
- 4) The City will host a blood drive in conjunction with the American Red Cross on August 8.
- 5) The Police Department is hosting a National Night Out event on August 1.
- 6) Repairs to the manhole located under the 605 overpass on Rivergrade Road will begin on August 1 and will take about three days to complete. Traffic control measures will be implemented.

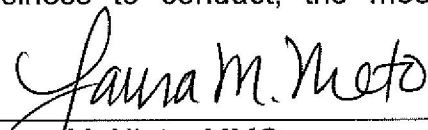
**REQUESTS BY
COUNCILMEMBERS
FOR FUTURE AGENDA
ITEMS**

COUNCILMEMBER BRECEDA Councilmember Breceda requested an update on the development of a Material Recovery Facility and its related grading permits.

Responding to a question by City Manager Miranda, Councilmember Breceda indicated that he would prefer that staff met with Councilmembers two-at-a-time to discuss the project.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:02 p.m.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held August 23, 2023.