

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

**NOVEMBER 17, 2022
WEDNESDAY
5:00 P.M.**

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

ROLL CALL:

Present: Councilmembers Mark A. Breceda (arrived at 5:34 p.m.), Manuel R. Garcia, H. Manuel Ortiz; Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

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

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

PROCLAMATION
PROCLAIMING
NOVEMBER AS
FAMILY COURT
AWARENESS MONTH

PROCLAMATION PROCLAIMING NOVEMBER AS FAMILY COURT AWARENESS MONTH

The proclamation was presented.

**RECESS TO
CLOSED SESSION**

At 5:11 p.m., the City Council met in Closed Session to discuss the following:

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

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

ACTION: Discussed, update provided; no reportable action taken

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

**RECONVENE IN
OPEN SESSION**

At 5:33 p.m., the City Council reconvened in Open Session with all members present.

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz advised that Our Lady of Guadalupe Church is holding its annual fiesta on December 10, and that the church will provide turkey meals for members of the community experiencing need. He also indicated that the Northview High School Music Program is seeking donations for future events and challenged his Council peers to donate.

CONSENT CALENDAR

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Breceda, to approve the Consent Calendar. The motion was unanimously approved; Councilmembers Breceda and Garcia abstaining on Item No. 1B; Councilmember Ortiz abstaining on Item No. 1A.

ITEM NO. CA
REQUEST TO
APPROVE THE
PARADE PERMIT AND
A FEE WAIVER FOR
THE PROCESSION
OR PARADE LICENSE
FEE FOR THE "OUR
LADY OF GUADALUPE
CHURCH FIESTA"

REQUEST TO APPROVE THE PARADE PERMIT AND A FEE
WAIVER FOR THE PROCESSION OR PARADE LICENSE FEE
FOR THE "OUR LADY OF GUADALUPE CHURCH FIESTA"
PROCESSION BEING HELD BY OUR LADY OF GUADALUPE
CHURCH ON DECEMBER 10-11, 2022

RESOLUTION NO.
2022-111-3361
ADOPTED

Resolution No. 2022-111-3361, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING THE PARADE PERMIT AND A FEE WAIVER FOR THE PROCESSION LICENSE FEE FOR THE OUR LADY OF GUADALUPE CHURCH FIESTA ON DECEMBER 11, 2022", was adopted, and staff was directed to place an item on the agenda for the next regular meeting to discuss the request submitted by Our Lady of Guadalupe Church to waive the associated Police personnel costs; Councilmember Ortiz abstaining

MAYOR PRO TEM
AMBRIZ

Replying to a question by Mayor Pro Tem Ambriz, City Manager Miranda advised that the Church submitted a letter today to request a waiver of Police personnel fees.

Mayor Pro Tem Ambriz asked whether the request could be considered at tonight's meeting, to which City Attorney Guerra noted that this specific request was not on tonight's agenda for

consideration. However, should the Council wish to consider it, he recommended placing it on a future agenda. He added that requests for waiver of fees require staff to look into whether granting the request would serve a public purpose. He advised that he could work with staff to prepare a resolution to ensure that the Council finds that the public would be served with the approval of the waiver of the fees.

Mayor Pro Tem Ambriz requested that the matter be placed on the agenda for the next meeting.

CITY MANAGER
MIRANDA

City Manager Miranda read into the record the letter submitted by Our Lady of Guadalupe Church.

In response to questions by City Manager Miranda, Director Borhani mentioned the possibility of calculating the exact costs that would be waived should the request be approved and present it to the Council at the next meeting.

CITY ATTORNEY
GUERRA

City Attorney Guerra asked whether staff would invoice the applicant before or after the event, to which Director Borhani advised that staff would typically invoice customers before the service is rendered. However, staff would serve as directed by the Council.

COUNCILMEMBER
BRECEDA

In reply to a question by Councilmember Breceda, Director Borhani advised that the process of obtaining special event permits would typically include for each city department to determine whether it would incur costs, and what said costs would amount to. In this case, he advised that staff could either establish a set fee or seek reimbursement of actual expenses.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz stated that the request is turning into a discussion from which he would need to recuse himself. He then exited the Council Chambers at 5:45 p.m.

CITY ATTORNEY
GUERRA

City Attorney Guerra reiterated that the request for the waiver of fees is not on tonight's agenda for discussion. However, he noted that the event takes place before the next regular Council meeting and stated that the Council runs the risk that, if the event is held and the Council afterward decides that it is not interested in waiving the fees, staff would need to invoice the church after the fact, and the city would risk not being paid. On the other hand, if the Council waives the fees at the next meeting, then the issue is moot. He recommended holding a special meeting within the next few weeks to address the waiver request.

MAYOR BURROLA

In response to a question by Mayor Burrola, City Manager Miranda stated that he was unsure whether the city invoiced the church for police costs for prior events. However, he acknowledged that extra costs would be incurred with the utilization of police personnel, which would have to be addressed as noted by City Attorney Guerra.

CITY ATTORNEY GUERRA City Attorney Guerra noted that another option would be to invoice the church now, have them pay, and if the Council afterward decides to waive the costs, the funds would be returned to the church.

MAYOR BURROLA Mayor Burrola expressed support for having the church pay the costs now and reimbursing them afterward if the Council decides to waive the costs.

COUNCILMEMBER BRECEDA Councilmember Breceda stated his understanding that the request would be considered at the next Council meeting.

ITEM NO. CB
AWARD OF CONTRACT FOR ARCHITECTURAL DESIGN SERVICES FOR PLANS, SPECIFICATIONS AND COST ESTIMATE FOR A NEW PUBLIC LIBRARY; P-1044

RESOLUTION NO. 2022-88-3338
ADOPTED

Resolution No. 2022-88-3338, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE CHANGING THE NAME AND PROJECT ACCOUNT NAME OF THE LIBRARY EXTENSION / REMODEL PROJECT TO THE CITY OF IRWINDALE PUBLIC LIBRARY IMPROVEMENT PROJECT, APPROVING THE AWARD OF CONTRACT TO CWA AIA, INC. IN THE AMOUNT OF \$927,438 PLUS A 15% PROJECT CONTINGENCY IN THE AMOUNT OF \$139,116 FOR ARCHITECTURAL DESIGN SERVICES FOR PLANS, SPECIFICATIONS, AND COST ESTIMATE FOR A NEW PUBLIC LIBRARY, AND APPROVING THE TRANSFER OF \$2,016,645.50 FROM THE RECREATION / LIBRARY BUILDING IMPROVEMENTS PROJECT TO THE CITY OF IRWINDALE PUBLIC LIBRARY IMPROVEMENT PROJECT,” was adopted; Councilmembers Breceda and Garcia abstaining.

PUBLIC HEARINGS

ITEM NO. D1
THE APPLICANT IS REQUESTING A SITE PLAN AND DESIGN REVIEW (DA) FOR THE CONSTRUCTION OF A ±129,830 SQUARE-FOOT CONCRETE TILT-UP

THE APPLICANT IS REQUESTING A SITE PLAN AND DESIGN REVIEW (DA) FOR THE CONSTRUCTION OF A ±129,830 SQUARE-FOOT CONCRETE TILT-UP BUILDING AND ASSOCIATED PARKING LOCATED AT 4416 AZUSA CANYON ROAD (8417-004-006)

BUILDING AND
ASSOCIATED
PARKING LOCATED
AT 4416 AZUSA
CANYON ROAD

COUNCILMEMBER
BRECEDA

Councilmember Breceda declared a potential conflict of interest with this item, exited the Council Chambers, and did not participate in the discussion of the item.

SENIOR PLANNER
JONES

Senior Planner Jones presented the staff report and made a PowerPoint presentation. She also advised that additional comments and input received after the posting of the agenda was placed at the Councilmembers' spots on the dais.

DINA EL CHAMMAS

Dina El Chammas Gass with Placeworks, which serves as Project Manager for this project, provided an overview of the environmental review process for the project.

CARLTON WATERS

Carlton Waters, with Urban Crossroads, discussed the traffic impact analysis and fee changes.

SENIOR PLANNER
JONES

Senior Planner Jones stated that the project is subject to development impact fees, and further elaborated on staff's recommendation.

COUNCILMEMBER
GARCIA

Replying to several questions by Councilmember Garcia, Mr. Waters advised that Decorative Specialties owns the two lanes that are displayed on Exhibit B of the Planning Commission plot map. Councilmember Garcia also asked about a recommendation made by Decorative Specialties relating to left turns at northbound Azusa Canyon Road, to which Mr. Waters indicated that staff had safety concerns relating to the request if driveway number one was converted to a "right turn in/out" only lane.

In response to an additional question by Councilmember Garcia, Mr. Waters indicated that a grant deed has been recorded which grants access to the property at Azusa Canyon Road using a private road.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz asked whether an extra left-turn lane would be installed before a new traffic signal is installed, to which Mr. Waters indicated that he has seen lanes with multiple left-hand lanes installed, so one could be installed prior to the creation of the signal.

Councilmember Ortiz asked whether Rexford would be installing the signal, to which Mr. Waters expressed his understanding that city staff is pursuing that traffic signal in coordination with Metrolink staff.

Councilmember Ortiz asked what could be done if the left turn lane does not work as well as intended, to which Mr. Waters indicated that

he saw no professional reason why the dual turn lane configuration would not work. He added that his firm has studied simultaneous movement on both lanes and the primary conclusion that they arrived at was to recommend removing parking on the east side of Azusa Canyon Road to ensure vehicles could turn safely.

Councilmember Ortiz also expressed concern over vehicles exiting and making left turns from the parking lot of a company on the west side of Azusa Canyon Road. In response to an additional question by Councilmember Ortiz, Mr. Waters advised that trucks would exit the subject site from driveway 3 and would make left turns onto Azusa Canyon Road.

OPEN PUBLIC HEARING At 6:47 p.m., Mayor Burrola opened the public hearing.

STEVE MENSURA Steve Mensura with Rexford Development, made a PowerPoint presentation on the company's background and enhancements to the community.

ANDREW FOGG Andrew Fogg, with the land-use law firm representing Rexford, advised that the deed to the property grants easement for ingress and egress. He also described the distinction under the law between mitigation measures imposed by CEQA and a condition of approval imposed pursuant to the City's police authority. He indicated that city staff has determined that an unprotected left turn lane is not safe, that they take staff at their word. He stated, however, that pedestrian safety at the intersection is the only measure that requires mitigation. Such mitigation measures were included in the initial study. However, neighbors do not want crosswalks on their properties, and so staff at Urban Crossroads redesigned the crosswalk so as not to encumber the private road at all. However, the installation of a traffic light is not a mitigation measure. He indicated that it is a condition of approval that the city may impose, though it is not a violation of CEQA if one is not constructed. He further stated that Urban Crossroads has a lengthy explanation of thresholds of significance, which would dictate the level to which impacts rise to the point where mitigations measures would need to be placed. He argued, however, that this project, as a whole, does not meet the threshold. He urged the Council to approve the project.

COUNCILMEMBER ORTIZ Councilmember Ortiz asked about the trucks that would be used and whether they would improve air quality, to which Mr. Mensura advised that outlets would be installed at the truck docks so truck drivers could plug in while they load/unload, so the engine would not be idling, thereby reducing noise and emissions.

MAYOR BURROLA Mayor Burrola asked when the traffic signal would be installed, to which Construction Compliance Manager Francisco Carrillo advised that said installation involved a different applicant, and is considered a separate project.

CITY ATTORNEY
GUERRA

City Attorney Guerra added that the traffic signal is not part of the project being considered tonight. He advised that the construction of the traffic signal is part of the city's capital improvement program, though the applicant will be providing funding for their fair share to be used toward the traffic signal. Plans for the signal are currently pending review by Metrolink staff. The goal is to have the signal up and running by the time the business at the subject site begins operating.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz requested that Engineer Hanna expedite the installation of the traffic signal.

ERIC LANSFORD

Eric Lansford, one of the owners of Decorative Specialties, stated that their primary concern was being able to continue conducting business with unfettered access to their driveway. He indicated that they hired a traffic consultant who confirmed that it was impossible for tractor trailers to make the turns as suggested, and expressed additional traffic-related concerns and suggested an alternate solution.

RYAN LU

Ryan Lu, with Fehr & Peers, indicated that his firm has worked with Decorative Specialties to address traffic safety and operational issues between the Rexford project and Decorative Specialties. He stated his hope that the city would be open to offer full access to project driveway #1 at the northwest corner of the site using a two-way left turn lane. He noted that the project currently has a condition to prohibit southbound access and only provide northbound access. He expressed skepticism that no trucks would travel southbound on Azusa Canyon Road to access the project site. He recommended a total prohibition on northbound right turn traffic at the intersection and recommended that larger trucks be prohibited from making southbound left turns at this location, in conjunction with allowing turns at driveway #1, which would allow smaller trucks to use the intersection.

PAUL PORTER

Paul Porter, representing Decorative Specialties, indicated that the business he represents has made left turns with smaller trucks from Azusa Canyon Road onto their private road for years, and requested that the Council avoid making a condition to disallow making turns that the business relies on making. He added that the city's own documents show that another traffic signal in the area is needed to avoid traffic issues, but the city does not know when the signal will be completed. He argued that the only legal way to allow the project is to include conditions for the construction and operation of a signalized intersection to avoid the problems that the city's documents have identified.

NICOLE SHAHENIAN

Nicole Shahanian with the Irwindale Chamber of Commerce, voiced her support of the project and provided supplemental background information on Rexford.

ANDREW FOGG	Mr. Fogg disagreed with the suggestion that the project is prohibited by law since the project is being presented as deferring mitigation efforts. He noted that the city's consultant conducted a thorough traffic analysis, which shows that the project would not pose a significant impact. He agreed that the current traffic intersection is problematic, but noted that city staff is working diligently on moving forward with its construction, though the delay currently lies with Metro. He reiterated his request that the project be approved.
JOANN HADFIELD	Joann Hadfield with Placeworks concurred with Mr. Fogg and advised that CEQA no longer addresses traffic congestion as a significant impact. She indicated that the initial study's mitigated negative declaration shows how the traffic signal is compliant with the city's general plan, infrastructure plan, active transportation plan, and its capital improvement program. She stated that there exists case precedence demonstrating that a traffic signal does not need to be installed by the time the occupancy permit is issued. She reiterated that CEQA does not require the installation of the traffic signal, and noted that mitigation measures simply require that the improvement plan be done, which is not uncommon for CEQA documents and transportation improvements.
CLOSE PUBLIC HEARING	There being no additional speakers, Mayor Burrola closed the public hearing at 7:33 p.m.
RECESS	At 7:33 p.m., the City Council took a short recess.
RECONVENE	The City Council reconvened and resumed its meeting at 7:41 p.m.
MAYOR BURROLA	Responding to a question by Mayor Burrola, Senior Planner Jones advised that city staff has met with representatives of Decorative Specialties. The company has supplied the City with the traffic study that their consultant prepared, which was in turn distributed to the City's consultant team, who then reviewed it and prepared an access sensitivity study in response, which was included in the report materials. Mayor Burrola also asked about the property easement, to which City Attorney Guerra indicated that what is being proposed is consistent with the easement.
COUNCILMEMBER ORTIZ	Councilmember Ortiz stated his belief that there will be many traffic problems at the subject intersection until the traffic light is installed. He then asked questions regarding the proposed project's aesthetics, to which Senior Planner Jones noted the location of the proposed fountain, address number, and the "Welcome to Irwindale" sign. Councilmember Ortiz also proposed several building design changes, including arched and recessed parapets.

SENIOR PLANNER JONES	Senior Planner Jones noted that the applicant is fine with the requested changes.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz expressed concern over air quality issues and asked whether the proposed project would include solar panels and electric vehicle chargers, to which Senior Planner Jones advised that solar panels will be installed based on LEED certification. Mayor Pro Tem Ambriz stated his wish that commercial vehicles with alternative fuels be used. He also urged the need for the two companies to work together toward an amicable resolution, and recommended for the traffic issues to be addressed as soon as possible.
SENIOR PLANNER JONES	Senior Planner Jones asked whether Mayor Pro Tem Ambriz wished to require commercial vehicles that utilize alternative fuels, to which Mayor Pro Tem Ambriz suggested that it be made a requirement one year after the building is operational.
CITY ATTORNEY GUERRA	City Attorney Guerra advised that staff first would have to determine exact metrics before the City can ask the applicant to agree to a condition. He added that, in order to impose a condition, it must be reasonable. Staff would need to look into the request to determine whether the conditions would support it.
REOPEN PUBLIC HEARING	At 7:59 p.m., Mayor Burrola reopened the public hearing.
JOHN VANG	John Vang, who stated that he prepared the air quality and greenhouse gas analysis for the project, and explained CalGreen standards, including Tier 1 mandatory standards vs. Tier 2 voluntary standards.
CLOSE PUBLIC HEARING	There being no additional speakers, Mayor Burrola closed the public hearing at 8:01 p.m.
MAYOR BURROLA	Mayor Burrola stated that air quality is an important issue that should be looked into in the future.
COUNCILMEMBER GARCIA	Councilmember Garcia concurred that all parties must work together to find a solution. He stated this belief that the report by Fehr & Peers is not too far out of line, and suggested working with them to make sure that most of the demands are reasonable. He stated that the left turn lanes, for example, are doable. He indicated that he did not see anything in the plan regarding a landscaping program, and wished to integrate air-scrubbing trees to help fight air pollution.
RECESS	At 8:06 p.m., the City Council took a short recess.
RECONVENE	The City Council reconvened and resumed its meeting at 8:11 p.m.

SENIOR PLANNER
JONES

Senior Planner Jones read the new draft condition.

RESOLUTION NO.
2022-109-3359
ADOPTED

Resolution No. 2022-109-3359, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING THE MITIGATED NEGATIVE DECLARATION (MND) AS AMENDED BY THE IMPOSITION OF A SUBSTITUTE MITIGATION MEASURE, AND MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE FEET FOR PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) ZONE AND MAKING CERTAIN FINDINGS OF FACT, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT," and

RESOLUTION NO.
2022-110-3360
ADOPTED

Resolution No. 2022-110-3360, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING SITE PLAN AND DESIGN REVIEW (DA) NO. 04-2020 FOR THE CONSTRUCTION OF ONE (1) SPECULATIVE INDUSTRIAL TILT-UP BUILDING TOTALING ±129,830 SQUARE-FEET FOR THE PROPERTY LOCATED AT 4416 AZUSA CANYON ROAD, IRWINDALE, CA 91706 (APN: 8417-004-006) IN THE M-1 (LIGHT MANUFACTURING) ZONE AND MAKING CERTAIN FINDINGS OF FACT," including the draft condition prepared by Senior Planner Jones, on the motion of Mayor Burrola, seconded by Councilmember Ortiz, and unanimously approved; Councilmember Breceda absent.

COUNCILMEMBER
BRECEDA

At 8:15 p.m., Councilmember Breceda returned to the dais.

ITEM NO. E1
APPROVAL OF
FOURTH AMENDMENT
TO THE EXCLUSIVE
FRANCHISE
AGREEMENT FOR
WASTE HAULING
SERVICES AND FIRST
AMENDMENT TO THE
FRANCHISE AND
FACILITY OPERATIONS
AGREEMENT
BETWEEN THE CITY OF
IRWINDALE AND
ARAKELIAN ENT., INC.,

APPROVAL OF FOURTH AMENDMENT TO THE EXCLUSIVE
FRANCHISE AGREEMENT FOR WASTE HAULING SERVICES
AND FIRST AMENDMENT TO THE FRANCHISE AND FACILITY
OPERATIONS AGREEMENT BETWEEN THE CITY OF
IRWINDALE AND ARAKELIAN ENTERPRISES, INC. DBA ATHENS
SERVICES

DBA ATHENS SVCS

DIRECTOR RODRIGUEZ Director Rodriguez presented the staff report and made a PowerPoint presentation.

Responding to several questions by members of the Council, Director Rodriguez explained that: 1) one bin will be used for yard and food waste, which should be enough for most households, 2) after the first 30 days of implementation, residents who need extra containers may contact Athens to obtain one, 3) flyers with additional information will be mailed to all residents, 4) one Friday, Athens will collect all trash bins, with another truck to deliver one each of black, blue, and green bins, 5) commercial waste will be separated into indoor bins, 6) bins will be raffled off to the business community, 7) kitchen caddies will be provided to residents to place underneath their kitchen sinks, 8) extra 96-gallon bins will cost \$19.12, 9) residents may throw food waste in clear plastic bags in an effort to reduce their bad odors, 10) Athens staff will conduct random waste bin audits to ensure that all are following new regulations appropriately, 11) staff hopes to utilize a combination of Prop A and Measure W funds to cover the costs of bus shelter cleaning, 12) language in the agreement was clarified to allow for street sweeping; the City would only pay for street sweeping in extraordinary cases, 13) the language in the amendment will serve to clarify language in previous versions.

COUNCILMEMBER
BRECEDA

In response to a question by Councilmember Breceda, Gary Clifford representing Athens advised that waste odors might be lessened by the addition of yard waste. He added that, if necessary, residents could also call Athens to obtain a temporary trash barrel.

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve the Fourth Amendment to the Exclusive Franchise Agreement for Waste Hauling Services, approve the First Amendment to the Franchise & Facility Operations Agreement between the City of Irwindale and Arakelian Enterprises, Inc., dba Athens Services, and find the approval of the amendments exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15061(b)(3) of the CEQA Guidelines in that CEQA applies only to projects which have the potential for causing a significant effect on the environment, which these contract amendments to not have such potential, was passed, approved, and adopted, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, and unanimously approved.

ITEM NO. E2
SPECIAL ELECTION
FOR WATER QUALITY
AUTHORITY
ALTERNATE BOARD
MEMBER

SPECIAL ELECTION FOR WATER QUALITY AUTHORITY
ALTERNATE BOARD MEMBER REPRESENTING CITIES WITH
PRESCRIPTIVE PUMPING RIGHTS

REPRESENTING
CITIES WITH
PRESCRIPTIVE
PUMPING RIGHTS

CITY MANAGER
MIRANDA

City Manager Miranda presented the staff report.

MOTION

A motion was made by Councilmember Breceda, seconded by Councilmember Garcia, to direct staff to prepare a resolution to cast its votes in support of Hector Delgado's appointment to serve as Alternate Board Member representing cities with prescriptive pumping rights to the Water Quality Authority. The resolution would be considered for adoption at the meeting of December 14, 2022. The motion was unanimously approved.

ITEM NO. E3
CALLE DE PASEO
RED CURB STUDY

CALLE DE PASEO RED CURB STUDY

RECESS

At 9:11 p.m., the City Council took a short recess.

RECONVENE

The City Council reconvened and resumed its meeting at 9:16 p.m.

COUNCILMEMBERS
BRECEDA, GARCIA,
ASSISTANT CITY
MANAGER OLIVARES
AND CITY MANAGER
MIRANDA

Councilmembers Breceda and Garcia, Assistant City Manager Olivares, and City Manager Miranda declared a potential conflict of interest, recused themselves from participating in the discussion, and exited the Council Chambers.

CITY ATTORNEY
GUERRA

City Attorney Guerra discussed conflict of interest requirements and noted that officials that have recused themselves from this item may still make a comment as a member of the community and not in their role as an official.

LUIS PIMENTEL

Assistant Engineer Pimentel introduced Deepak Kaushik of ITERIS, who made a PowerPoint presentation detailing the findings from the firm's red curb study.

COUNCILMEMBER
ORTIZ

In reply to a question by Councilmember Ortiz, Mr. Kaushik advised that their evaluation resulted in zero opportunities to reduce the speed on the street. However, they did find that a couple of additional parking spaces that could be added.

MAYOR BURROLA

Responding to a question by Mayor Burrola, Mr. Kaushik indicated that the study does not necessarily take into account the volume of the street. It primarily gauged the distance needed to have a clear view, regardless of the number of cars on the road. He added that the

pedestrian activity in the area was also accounted for, as was the raised crosswalk in the roadway.

- ASSISTANT ENGINEER PIMENTEL Assistant Engineer Pimentel noted that the study was based on pedestrians since there is a notable volume of pedestrians accessing amenities in the area. The study was conducted to determine how motorists could drive their vehicles and have enough time to react when they spot a pedestrian.
- MARIA ALVAREZ Maria Alvarez stated that the area is very busy with many pedestrians that come to visit the park, and stated that it is dangerous to have pedestrians walk further away to their vehicles since there are not many parking spaces available along the street.
- DIRECTOR RODRIGUEZ Director Rodriguez added that there was a specific section of the street that must not have cars parked there since it is needed for the large truck that services the pool with chlorine.
- MARIA ALVAREZ Maria Alvarez stated that vehicles are routinely found parked in front of red curbs even when the large truck arrives to service the pool.
- MARK BRECEDA Mark Breceda wondered whether the removal of the shrubs in front of 16100 Calle de Paseo would improve visibility for motorists.
- MAYOR BURROLA Mayor Burrola stated that the consultant performed an analysis due to the large amount of activities and amenities at the park.
- MAYOR PRO TEM AMBRIZ Mayor Pro Tem Ambriz suggested tabling this item until the impact of removing the two shrubs mentioned by Mr. Breceda could be determined and reported back to the Council.
- DEEPAK KAUSHIK Mr. Kaushik noted that the shrubs are noted in the graphics of the staff report. He added that, although the plants are in the way, the vehicles parked to the west of 16100 Calle de Paseo all contribute to visibility obstruction.
- MAYOR BURROLA In reply to a question by Mayor Burrola, City Attorney Guerra indicated that a qualified engineer has provided his recommendations based on their studies and that, should the governing body not adhere to it, this fact could be used against the City should it become involved in a lawsuit.
- Mayor Burrola stated that, as an elected official, it is his duty to make decisions that protect the City. In light of the findings made in the consultant's report, he stated his preference to avoid going against the consultant's recommendations, and felt that the matter should not be tabled.

COUNCILMEMBER ORTIZ Councilmember Ortiz concurred with Mayor Pro Tem Ambriz in that the matter should be tabled. Responding to a question by Councilmember Ortiz, Mr. Kaushik spoke on stopping distance and sight distance metrics used in the study. Councilmember Ortiz stated that vehicles parked in driveways would also obscure motorists' visibility, which is a problem that can be observed throughout the city. He reiterated his desire to table the matter until a report is prepared and presented to the Council detailing the impacts to driver visibility caused by the removal of the two shrubs.

ASSISTANT ENGINEER PIMENTEL Assistant Engineer Pimentel noted that staff arranged to have this analysis prepared since concerns were raised over pedestrians near the Park and the Recreation Center.

MAYOR PRO TEM AMBRIZ Mayor Pro Tem Ambriz asked whether the City would be liable for accidents in the area since the analysis has not yet been formally accepted by the City, to which City Attorney Guerra cautioned that the City has been provided a recommendation, and though it is still under review, going against the recommendation would likely be used against the City in a lawsuit.

Mayor Pro Tem Ambriz stated that the City Council, as the governing body, would make the final determination, and noted that consensus has been reached to table the matter to the next meeting.

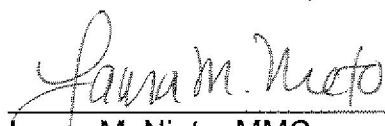
MAYOR BURROLA Mayor Burrola suggested tabling the area near the two bushes and approve the rest of the study and paint the curbs accordingly.

MAYOR PRO TEM AMBRIZ Mayor Pro Tem Ambriz stated that there are other concerns that need to be addressed, such as whether the large amount of recommended red curbs are necessary. He acknowledged that many people visit the park, but wondered where they would park their vehicles.

MAYOR BURROLA Mayor Burrola repeated his opposition to tabling this matter.

MOTION A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to table this matter. The motion was approved with Councilmember Ortiz and Mayor Pro Tem Ambriz in favor, Mayor Burrola opposed, and Councilmembers Breceda and Garcia absent.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 9:52 p.m.



Laura M. Nieto, MMC
Chief Deputy City Clerk