

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

FEBRUARY 24, 2021
WEDNESDAY
6:31 P.M.

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

ROLL CALL:

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

Present: William Tam, City Manager; Theresa Olivares, Assistant City Manager; Adrian Guerra, City Attorney; Ty Henshaw, Police Chief; Arsanious Hanna, City Engineer; Eva Carreon, Director of Finance; Marilyn Simpson, Community Development Manager; Mary Hull, Human Resources Manager; Elizabeth Rodriguez, Public Works Services Manager; Jeanette Duran, Finance Manager; Jeff Wagner, Information Technology Manager; Iris Espino, Economic Development Coordinator; and Laura Nieto, Chief Deputy City Clerk

CHANGES TO THE AGENDA

None.

COUNCILMEMBER TRAVEL REPORTS

None.

COUNCILMEMBER COMMENTS

COUNCILMEMBER AMBRIZ

Councilmember Ambriz reported on his attendance at a meeting of the San Gabriel Valley Council of Governments held on February 18 where information regarding the COVID-19 vaccination was provided. He noted that city staff is working with the county to see whether a mobile vaccination unit can operate out of the Senior Center and/or senior apartments.

COUNCILMEMBER GARCIA

Councilmember Garcia indicated that he attended a Contract Cities meeting recently, where similar information regarding vaccines was provided.

MAYOR ORTIZ

Mayor Ortiz reported on a meeting of the Gold Line Construction Authority Board held on February 11 regarding the Glendora to Montclair project.

INTRODUCTION OF NEW EMPLOYEES / PROMOTIONS

None.

PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS

IRWINDALE CHAMBER
OF COMMERCE
BUSINESS OF THE
MONTH – CITY OF
HOPE

IRWINDALE CHAMBER OF COMMERCE BUSINESS OF THE
MONTH – CITY OF HOPE

The presentation was made.

**SPONTANEOUS
COMMUNICATIONS**

DENA ZEPEDA

Dena Zepeda requested to comment on Item No. 1E, expressed her support of the Police Department, asked that residents be informed whenever the city plans to auction off vehicles, spoke on environmental concerns, and requested free gifts.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by Mayor Pro Tem Burrola, to approve the Consent Calendar; reading ordinances by title only and waiving further reading thereof, with the exception of Item No. 1E, which was removed for separate consideration. The motion was unanimously approved.

ITEM NO. 1A
MINUTES

MINUTES

- 1) Regular meeting held January 27, 2021
- 2) Regular meeting held February 10, 2021

ITEM NO. 1B
WARRANTS /
DEMANDS /
PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1C
REJECTION OF CLAIM:
ANTONIA GUEVARA
VS. CITY OF IRWINDALE

REJECTION OF CLAIM: ANTONIA GUEVARA VS. CITY OF
IRWINDALE

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

ITEM NO. 1D
APPROVE COPS
GRANT FUND
BUDGET TRANSFER
FOR ADDITIONAL
EQUIPMENT COSTS
TO OUTFIT THREE
POLICE SERVICE
VEHICLES

APPROVE COPS GRANT FUND BUDGET TRANSFER FOR
ADDITIONAL EQUIPMENT COSTS TO OUTFIT THREE POLICE
SERVICE VEHICLES

RESOLUTION NO.
2021-21-3233

Resolution No. 2021-21-3233, entitled:

ADOPTED

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING A BUDGET TRANSFER OF COPS GRANT FUNDS OF \$36,400 WITHIN THE COPS FUND BUDGET FOR THE INCREASE IN COSTS FOR OUTFITTING 3 POLICE VEHICLES," was adopted, thereby approving the issuance of a purchase order for the additional outfitting costs of emergency equipment on three (3) newly purchased police vehicles; one (1) 2020 Chevrolet Traverse, and two (2) Ford Police Interceptors.

END OF CONSENT CALENDAR

ITEM NO. 1E
APPROVAL OF
PARCEL MAP NO.
82551 – 1270 ARROW
HIGHWAY

APPROVAL OF PARCEL MAP NO. 82551 – 1270 ARROW
HIGHWAY

CITY ENGINEER
HANNA

City Engineer Hanna discussed the staff report.

DENA ZEPEDA

Dena Zepeda spoke against changing the zoning of areas within the city from residential to commercial, and stated her opposition to businesses that cause pollution.

CARMEN ROMAN

Carmen Roman also spoke against "hazardous businesses" in Irwindale and opposed changing zoning from residential to heavy industrial and/or commercial.

MOTION

A motion was made by Mayor Pro Tem Burrola, seconded by Mayor Ortiz, to 1) approve Parcel Map No. 82551 and authorize the City Clerk, City Treasurer, and the City Engineer to sign the map on behalf of the city; 2) approve the related Subdivision Improvement Agreement and authorize the Mayor to sign the agreement, subject to City Attorney approval as to form; and 3) direct the City Engineer to submit Parcel Map No. 82551 to the Los Angeles County Registrar Recorder's Office for recordation and return a recorded copy of this Parcel Map to the City Clerk's Office. The motion was unanimously approved; Councilmember Breceda abstaining.

NEW BUSINESS

ITEM NO. 2A
APPOINTMENT OF A
SENIOR CITIZEN
COMMISSION

APPOINTMENT OF A SENIOR CITIZEN COMMISSION

MAYOR ORTIZ

Mayor Ortiz nominated Caroline Acosta for appointment to the Senior Citizen Commission.

RESOLUTION NO.
2021-05-3267
ADOPTED

Resolution No. 2021-05-3267, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPOINTING A MEMBER TO THE SENIOR CITIZENS COMMISSION OF THE CITY OF IRWINDALE," was passed, approved, and adopted, on unanimous vote of the City Council, thereby appointing Caroline Acosta to the commission.

ITEM NO. 2B
RESOLUTION
APPOINTING A
BUSINESS MEMBER
TO THE IRWINDALE
COMMUNITY
FOUNDATION BOARD
OF DIRECTORS FOR
AN UNEXPIRED TERM
ENDING JUNE 30, 2024

ADOPT RESOLUTION NO. 2021-15-3277 APPOINTING A BUSINESS MEMBER TO THE IRWINDALE COMMUNITY FOUNDATION BOARD OF DIRECTORS FOR AN UNEXPIRED TERM ENDING JUNE 30, 2024

MAYOR ORTIZ

Mayor Ortiz nominated Rosemary Luna of Vulcan Materials for appointment to the Irwindale Community Foundation Board.

RESOLUTION NO.
2021-15-3277
ADOPTED

Resolution No. 2021-15-3277, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, APPOINTING A MEMBER TO THE IRWINDALE COMMUNITY FOUNDATION BOARD OF DIRECTORS," was passed, approved, and adopted on unanimous vote of the City Council, thereby appointing Rosemary Luna of Vulcan Materials to the Foundation Board.

ITEM NO. 2C
REPORT ON TIMELINE
FOR ZONING CODE
UPDATE

REPORT ON TIMELINE FOR ZONING CODE UPDATE

CITY PLANNER
SIMPSON

City Planner Simpson presented the verbal update, wherein she indicated that on March 25, 2020, the City Council approved a contract with InterWest to prepare a comprehensive zoning code update in order to streamline development processes as well as to clarify the requirements for permits. More importantly, the update would also allow the code to comply with changes in state law and to eliminate conflicts between zoning and the General Plan. She advised that staff has thus far met with representatives of InterWest, which subsequently prepared a list of stakeholders. The firm has since met with the stakeholders and an informational brochure has been prepared and is available on a dedicated webpage.

Staff will also have the existing Zoning Code analyzed and compared to the General Plan, and the Subdivision Code will be updated to

reflect changes to the commercial and industrial guidelines. State legislation is also being reviewed, with some requiring city compliance. Staff anticipates that the initial draft of the Zoning Code will be available for public review in summer of this year, with adoption later in the year.

SUZANNE GOMEZ

Responding to several questions by Suzanne Gomez, Planner Simpson advised that the consulting firm plans on reaching out to the public for their input, and that the input will also be part of what is published on the website. She added that an update to the Housing Element is also being required by the state, and that the General Plan would also be updated. Requests for proposals will be sent out soon to various consulting firms that prepare General Plans, Housing Elements, and CEQA Environmental Analyses.

CITY ATTORNEY
GUERRA

City Attorney Guerra added that the amendments would be reviewed by the Planning Commission before the Council takes action, and that the public will have the opportunity to participate.

CITY PLANNER
SIMPSON

Planner Simpson encouraged interested individuals to provide their contact information to staff so that the consultants could follow-up with them.

DENA ZEPEDA

In response to a question by Dena Zepeda, Planner Simpson advised that flyers would be sent out to residents to let them know how they can access information about the subject and how to reach out to staff for further details.

SUZANNE GOMEZ

Suzanne Gomez asked about plans for updating city facilities, to which City Manager Tam advised that the General Plan will be the guiding document for the future development of the city and the realignment of all infrastructure needs.

Ms. Gomez also asked when the updated components would be implemented, to which Planner Simpson provided an approximate timeline.

ITEM NO. 2D
UPDATE ON
ARROW HIGHWAY
PANATTONI SITE

UPDATE ON ARROW HIGHWAY PANATTONI SITE (Mayor Pro
Tem Burrola)

COUNCILMEMBERS
AMBRIZ AND BRECEDA

Councilmembers Ambriz and Breceda recused themselves from this discussion due to potential conflicts of interest and left the Council Chambers at 7:11 p.m.

CITY ENGINEER
HANNA

City Engineer Hanna presented the staff report. He advised that the project's general contractor and the developer have obtained all building permits on Monday, and will obtain the mechanical, electrical,

and plumbing permits today. The first inspection is scheduled to take place tomorrow.

DENA ZEPEDA

Dena Zepeda complained about dust issues and requested further Code Enforcement monitoring.

CARMEN ROMAN

Carmen Roman also complained about dust issues and pollution.

MAYOR PRO TEM
BURROLA

Mayor Pro Tem Burrola asked whether the project has been postponed, to which City Engineer Hanna reiterated that the project permits will all have been obtained by the end of this week. Additionally, the first inspection is scheduled to take place tomorrow. As such, the project has not been postponed. He further added that two Building Inspectors will visit the site four times per day to ensure dust management practices are implemented.

Mayor Pro Tem Burrola asked about a schedule of inspections, to which City Engineer Hanna repeated that the site will be inspected tomorrow morning, and that Inspectors will visit the site four times per day.

COUNCILMEMBERS
AMBRIZ AND BRECEDA

There being no further discussion of this item, Councilmembers Ambriz and Breceda returned to the Council Chambers at 7:20 p.m.

PUBLIC HEARINGS

ITEM NO. 3A
CUP MODIFICATION
AND AMENDMENT TO
DEVELOPMENT AGMT.
RE REMOVAL OF
RELIANCE II SITE
FROM THE
RECLAMATION PLAN

CONDITIONAL USE PERMIT (CUP) MODIFICATION NO. 01-2021 TO CUP NO. 7-06 AND AMENDMENT NO. 1 TO DEVELOPMENT AGREEMENT NO. 02-06 TO REMOVE THE RELIANCE II SITE, LOCATED AT 15990 FOOTHILL BOULEVARD, FROM THE APPROVED RECLAMATION PLAN AND DEVELOPMENT AGREEMENT (DA) AND A REIMBURSEMENT AGREEMENT FOR OFF-SITE IMPROVEMENTS BETWEEN THE CITY OF IRWINDALE AND VULCAN MATERIALS COMPANY

CITY PLANNER
SIMPSON

City Planner Simpson discussed the staff report.

OPEN
PUBLIC HEARING

At 7:26 p.m., Mayor Ortiz opened the public hearing.

SUZANNE GOMEZ

In response to several questions by Suzanne Gomez, Planner Simpson advised that the City Council changed the zoning of the site in November of 2017 when the Reliance II Specific Plan was approved through an initiative process, which was brought forward by a city resident. She also explained that the Conditional Use Permit is the mechanism used for the approval of a Reclamation Plan, and that the Development Agreement outlines each party's obligations and responsibilities.

Furthermore, Planner Simpson explained that the Reliance II site zoning designation has industrial and commercial components. No applications for developments have been received yet for the site. Planner Simpson stated she would have to research to determine the percentage of industrial vs. commercial components.

CITY ATTORNEY
GUERRA

City Attorney Guerra added that the action tonight would not change the zoning designation, and indicated that a zoning change would likely require another initiative process.

CLOSE
PUBLIC HEARING

There being no further speakers, Mayor Ortiz closed the public hearing at 7:31 p.m.

RESOLUTION NO.
2021-20-3232
ADOPTED

Resolution No. 2021-20-3232, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT MODIFICATION NO. 01-2021 TO CONDITIONAL USE PERMIT NO. 7-06 FOR PROPERTY LOCATED AT 15990 FOOTHILL BOULEVARD (APNS: 8604-019-001, 8604-019-003, & 8604-019-010)", was passed, approved, and adopted, reading by title only and waiving further reading thereof, and

The Reimbursement Agreement for Off-Site Improvements was approved, and;

ORDINANCE NO. 627
INTRODUCED FOR
FIRST READING

Ordinance No. 627, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, COUNTY OF LOS ANGELES, CALIFORNIA, APPROVING DEVELOPMENT AGREEMENT NO. 2-06 AND CERTIFYING A FINAL ENVIRONMENTAL IMPACT REPORT TO ALLOW VULCAN MATERIALS COMPANY, INC. TO CONTINUE MINING AND TO RECLAIM THE RELIANCE I QUARRY SITE LOCATED AT 16001 FOOTHILL BOULEVARD FOR INDUSTRIAL AND COMMERCIAL USES UPON COMPLETION OF MINING; AND TO CONTINUE FILLING THE RELIANCE II LANDFILL LOCATED AT 15990 FOOTHILL BOULEVARD FOR RETAIL COMMERCIAL USES UPON COMPLETION OF FILLING," was introduced for first reading, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Garcia, and unanimously approved.

ITEM NO. 3B
"MRF" & "TS" PROJECT

MATERIALS RECOVERY FACILITY & TRANSFER STATION PROJECT INCLUDING: CERTIFICATION OF THE 2020 FINAL ENVIRONMENTAL IMPACT REPORT (SCH#2013051029); AND APPROVAL OF A DISPOSITION AND DEVELOPMENT AGREEMENT; GENERAL PLAN AMENDMENT NO. 02-2016; ZONE ORDINANCE AMENDMENT NO. 04-2016; DEVELOPMENT AGREEMENT NO. 02-2016; CONDITIONAL USE PERMIT NO. 08-

2016; SITE PLAN & DESIGN REVIEW (DA) NO. 06-2016; AND A FRANCHISE & FACILITY OPERATIONS AGREEMENT FOR THE DEVELOPMENT OF THE PROJECT LOCATED AT 2200 ARROW HIGHWAY (APN: 8535-001-911) (Joint Public Hearing item which was discussed concurrently with Successor Agency Agenda Item 3A)

CITY PLANNER
SIMPSON

City Planner Simpson presented the staff report. She also advised that correspondence was received from the both the City of Baldwin Park, and Baldwin Park's attorney, and that copies of the correspondence have been placed on the dais for the Council/Successor Agency to review.

JEFF HARVEY

Jeff Harvey, the environmental consultant selected to prepare the project's CEQA documents, made a presentation wherein he advised that the court has rejected most of the claims to the project's environmental impact review ("EIR"), but noted that it ordered the examination of four issues: 1) fueling operations for all vehicles that would utilize and service the MRF, 2) greenhouse gas emissions, 3) transportation and energy use, and 4) project-specific health risks that relate to regional pollutants and produce ozone.

Mr. Harvey advised that the 2020 recirculated EIR revised only the portions of the original document that the court had said were not adequate or needed to be addressed. The revision was open for public comments for 45 days, during which six comment letters were received. Each of those letters were responded to, and all the documents were included as part of the final 2020 EIR. Baldwin Park's attorney subsequently submitted an additional comment letter at a Planning Commission meeting, which, in staff's opinion, raised issues that have already been extensively addressed in the 2020 final EIR. Key topics raised in the letter involved the greenhouse gas methodology utilized in the 2020 document, truck fueling and greenhouse gas emissions, questions about non-Athens trucks that may bring materials to the MRF, the construction schedule, project description, and site plan.

In the letter, it was suggested that truck fueling trips were not included in the greenhouse gas analysis. However, they actually were included and it was shown where they were included. A suggestion was made that non-Athens trucks would bring materials to the MRF and should be limited to only compressed natural gas ("CNG") trucks. However, Athens has no way to control self-haulers and other haulers that visit the site, and it would be detrimental if it were restricted to only CNG vehicles.

It was also alleged that the construction schedule had been changed. However, this is also incorrect, and remains the same. It was also suggested that the site plan had changed. However, the site plan has not changed and remains the same since it was approved as part of the 2017 addendum to the 2016 EIR.

Mr. Harvey then summarized the 2020 recirculated EIR. He further stated that questions had been raised about whether the convenience store gas station would be used by all the waste hauling/collection trucks. It was clarified in the 2020 recirculated EIR that they would not, since the commercial waste hauling trucks would fuel off-site. Further, there is no CNG fueling on the property for the hauling/collection trucks. The public gas station is the same as any other convenience store gas station, and will service only public vehicles that pass by. Therefore, there are no adverse impacts to fueling operations.

PAUL MILLER

Paul Miller, who collaborated on the environmental study with Mr. Harvey, spoke on the analysis of greenhouse gas emissions. He spoke on the threshold used by the South Coast Air Quality Management District ("SCAQMD") uses for its project, namely, 10,000 metric tons of greenhouse gasses per year. This threshold was previously used by the City of Azusa for its CEQA review of the Waste Management MRF in Azusa. However, it was decided to utilize the more conservative "net-zero" threshold in this project, which would emit the same or fewer greenhouse gas emissions as the existing condition, and no impact would occur. In the analysis, staff detailed information from Athens's current waste market and the expected waste market for the future.

The 2020 recirculated EIR explains that the new MRF/TS would not generate any new waste in the Los Angeles region. Rather, it would reduce the length of existing haul trips by adding a new facility in the area that is near existing waste-generating markets, as well as being near the Vincent Yard in Irwindale where the vehicles are currently parked overnight. Because of these regional efficiencies, the EIR concluded that greenhouse gas emissions would be reduced as a result of the new Irwindale MRF and therefore, the project meets the more conservative net-zero threshold. As such, the conclusion is that greenhouse gas emissions would be reduced and there is no significant greenhouse gas impact, and no mitigation would be needed.

Next, Mr. Miller addressed transportation / energy use. He advised that this was not specifically analyzed in the previous EIR. Other aspects of energy were contained in the 2016 EIR and no revisions were necessary. Similar to the greenhouse gas analysis, this analysis recognized that the project would not generate new waste. Rather, it would process existing waste. The detailed analysis determined that the project would reduce about 1.7 million miles of vehicle travel every year when it runs at full capacity. This includes a 1.2 million mile reduction by collection trucks and self-haul truck trips, and a 500,000-mile reduction by transfer truck trips when compared to the existing setting. It was concluded that, based on regional efficiencies achieved

by the operation of the project, there would be no adverse impacts caused by the projects transportation energy use.

JEFF HARVEY

Mr. Harvey noted that transportation / energy use, as a requirement to CEQA, was added to the CEQA guidelines in 2019, and did not exist when the report was prepared in 2014 and 2016.

PAUL MILLER

Mr. Miller then addressed health risk impacts. He advised that the 2020 recirculated EIR clarified that health risk impacts from diesel emissions were analyzed in the 2014 recirculated EIR, which concluded that the health risks from toxic air contaminants in all locations near the MRF would be less than significant. The court agreed that no additional work was needed for that analysis. Since then, Athens has further reduced the number of diesel vehicles, which are the ones that generate the most emissions. They will also not be using any Athens diesel vehicles in the Irwindale MRF/TS project.

However, in 2018, a legal decision was made that EIR's should analyze regional impacts from their significant air emissions of Nitrogen Oxides ("NOX") and Reactive Organic Gasses ("ROG"), which are precursor emissions to ozone, and describe the health impacts of said pollutants. Alternatively, if such an analysis were not feasible, an explanation would need to be provided. The 2020 recirculated EIR concluded that describing the health impacts on the air basin from NOX and ROG emissions is not technologically feasible for a project of this size relative to the whole air mass of the south coast air basin. This is explained in detail in Appendix 2 of the final EIR. It was concluded that there are no health impacts that were not disclosed in previous documents.

JEFF HARVEY

Mr. Harvey noted that the letter received today from Baldwin Park's attorney suggested that the analysis was confusing, and requested that Mr. Miller explain it.

PAUL MILLER

Mr. Miller advised that there are many ways to measure air pollutants. Emissions are the quantity of pollutants released into the air, and are typically measured in pounds per day, or tons per year. However, specific concentrations, such as a number of parts per million, or micrograms per cubic meter, have constant variations relative to time and location and are difficult to calculate. Total emissions, location of the emissions, meteorology, the presence of sunlight, and seasonal atmospheric conditions are all combined to determine the ultimate concentration and location of ozone downwind. Most emissions from this project are from mobile sources, which further complicates the issue. The main point about what Baldwin Park brought up is that there is no direct correlation between emissions and concentration.

JEFF HARVEY

Mr. Harvey stated that, in a nutshell, one is the measure of emissions from the project specific, and the other is the total capacity within the air basin. He then stated that the 2020 final EIR includes the 2020

recirculated draft EIR, responses to all comments received on that document, minor revisions made to the recirculated draft EIR, and all previous analyses that were confirmed by the court that were contained in the 2014 draft EIR. Comments had been received on the 2014 document, which caused the preparation of a recirculated draft EIR in 2014 to address air quality, traffic, and alternatives. This resulted in the 2016 final EIR. In 2017, the applicant brought forward minor revisions to the site plan to make it more efficient in terms of operations, and these were included in the 2017 addendum to the 2016 final EIR. This comprises the totality of the CEQA package.

As detailed in the CEQA Findings of Fact, most project impacts are less than significant or can be mitigated to a level that is qualified as "less than significant." There were no new impacts identified in the 2020 EIR, and the complete Mitigation Monitoring Program identifies all measures that the applicant and city will be required to implement in order to avoid or minimize impacts.

However, even with all feasible mitigations, there are three impacts that are yet to be identified as being significant and unavoidable. The first relates to air quality: using the methodology that the SCAQMD asked us to use in 2014, we produced a "worst-case" analysis, where every truck trip associated with this project was treated as a brand new trip within the basin. This resulted with emissions levels that exceed threshold standards that cannot be mitigated, even with all the mitigation measures that would be implemented addressing air quality. The second relates to traffic on the I-605 freeway ramp. A number of mitigation measures are included, such as signalization and lane changes. However, this was also found to be significant and unavoidable because it is outside of the city's jurisdiction. The city cannot guarantee that the measures will be implemented; this would be up to Caltrans. And the third relates to noise: noise would exceed standards at the property boundary along Live Oak and Arrow Highway by more than 5 decibels, which is considered to be a significant noise increase. However, the noise impact would occur in areas where there are no sensitive receptors such as houses, hospitals, and schools, and the noise would not affect any residential district in Baldwin Park.

Due to the three significant and unavoidable impacts, being the same as were identified in the 2017 EIR that has already been approved, a Statement of Overriding Considerations was included as part of the packet.

CITY PLANNER
SIMPSON

Planner Simpson added that he went before the Planning Commission at its meeting of January 20, 2021, where the commission voted unanimously to recommend that the City Council approve the project and certify the EIR. Additionally, the project has not changed, albeit there were minor modifications to the project agreements. She also pointed out a correction to the DDA, in the

resolution numbers, and a title correction for the Chief Successor Agency Assistant.

RECESS At 8:21 p.m., the Council/Successor Agency took a short recess.

RECONVENE At 8:30 p.m., the Council/Successor Agency reconvened with all members present.

OPEN
PUBLIC HEARING At 8:34 p.m., Mayor Ortiz opened the Public Hearing for the City Council / Successor Agency.

GARY CLIFFORD Gary Clifford, representing Athens Services, spoke in support of approval of the project and noted the benefits the project would create for the city.

DENA ZEPEDA Dena Zepeda asked about an upcoming function to be held on Saturday.

CHRISTOPHER GUILLEN Christopher Guillen, an attorney representing the City of Baldwin Park, noted that Baldwin Park has opposed the project for the past decade, and elaborated on the city's written comments explaining why they felt the project should not proceed.

DENA ZEPEDA Dena Zepeda complained that the projects being approved by the Council are affecting individuals' health.

CLOSE
PUBLIC HEARING There being no additional speakers, Mayor Ortiz closed the public hearing at 8:40 p.m.

COUNCILMEMBER
AMBRIZ Councilmember Ambriz acknowledged the concerns raised over the project, but noted that the mitigation measures to be implemented serve to alleviate the concerns.

COUNCILMEMBER
BRECEDA Councilmember Breceda spoke on the need for projects such as this one that will enable the city to sustain the expensive programs that are provided to the residents as well as employee salaries and benefits. He also noted that a neighboring city is complaining about the project, while at the same time the traffic generated by their own businesses are impacting Irwindale streets, and that Irwindale is not being compensated for addressing these impacts.

COUNCILMEMBER
GARCIA Councilmember Garcia stated that any future issues could be addressed with Athens and spoke in support of approving the project.

MAYOR PRO TEM
BURROLA Mayor Pro Tem Burrola spoke on the project background and asked several clarifying questions, to which Planner Simpson advised that: 1) the project would be built in one phase over 18 months, 2) the dates by which the city will begin receiving revenue from the project would need to be updated by the City Attorney, and 3) construction at the site is anticipated to begin in fall of 2021.

CITY MANAGER TAM	City Manager Tam advised that payments to the city are contingent on approval of the project, construction of the project facilities, and the initiation of operations at the site.
MAYOR PRO TEM BURROLA	Responding to a question by Mayor Pro Tem Burrola, Planner Simpson reiterated that the project would produce revenue for the city once the construction of facilities is completed and the operation begins. Mayor Pro Tem Burrola then asked about the necessary permits for the project.
OPEN PUBLIC HEARING	At 8:55 p.m., Mayor Ortiz reopened the Public Hearing for the City Council / Successor Agency.
GREG LOUGHNANE	Greg Loughnane, representing Athens, spoke on the company's commitment to the project and stated that they are eager to break ground before the end of the year.
MAYOR ORTIZ	Mayor Ortiz requested several building design implementations, such as: arches at the main entrance, arches on windows or panels near the front door of the facility, arches on the eastside and the main entrance of the convenience store, as well as on the windows that would be located beside the main door. He further requested that the roof over the fill-in area follow the city's Spanish motif. He also recommended palm trees be planted around the perimeter of the building, and the construction of a sidewalk on the north part of the project.
COUNCILMEMBER BRECEDA	Councilmember Breceda suggested installing lighting by the entry ways or the corners of the buildings, as well as illumination for the palm trees and possibly the sidewalks too. He also requested water features be installed.
GREG LOUGHNANE	Mr. Loughnane stated that Athens will follow design guidelines and that they are willing to consider the design requests made by the Council.
MAYOR PRO TEM BURROLA	Mayor Pro Tem Burrola asked about the type of technology that would be utilized at the site, to which Mr. Loughnane indicated that the project would utilize optical sorters, artificial intelligence robots, and negative air pressure, all in an effort to address and improve employee safety and avoid impacting the neighborhood.

CHIEF DEPUTY CITY CLERK NIETO	Chief Deputy City Clerk Nieto read a question that was received via the webinar, to which Planner Simpson noted that the project is exempt from development impact fees.
CLOSE PUBLIC HEARING	There being no additional speakers, Mayor Ortiz closed the public hearing at 9:07 p.m.
JEFF HARVEY	Responding to the comments made by the attorney from Baldwin Park, Mr. Harvey reiterated the conclusion that the project would not increase trips, with the caveat that the trips from the highway to this project site would be treated as new. These trips would be new to that road system and emissions from the trucks along the route were counted as part of the health risk assessment and the air quality assessment. Mr. Harvey also objected to the SCAQMD quote referenced by the Baldwin Park attorney and called it "selective" since incomplete information was cited. Finally, Mr. Harvey repeated that all concerns raised have been addressed in the final EIR.
RESOLUTION NO. CC 2021-08-3270 ADOPTED	Resolution No. CC 2021-08-3270, entitled: "A JOINT RESOLUTION OF THE CITY COUNCIL AND SUCCESSOR AGENCY OF THE CITY OF IRWINDALE, CALIFORNIA, CERTIFYING THE ENVIRONMENTAL IMPACT REPORT (SCH#2013051029), ADOPTING CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND ADOPTING THE MITIGATION MONITORING AND REPORTING PROGRAM FOR THE MATERIALS RECOVERY FACILITY AND TRANSFER STATION PROJECT," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved, and
RESOLUTION NO. CC 2021-09-3271 ADOPTED	Resolution No. CC 2021-09-3271, entitled: "A JOINT RESOLUTION OF THE CITY COUNCIL AND SUCCESSOR AGENCY OF THE CITY OF IRWINDALE, CALIFORNIA, APPROVING A DISPOSITION AND DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF IRWINDALE CITY COUNCIL AND SUCCESSOR AGENCY AND ATHENS SERVICES AND MAKING FINDINGS THEREFORE AS REQUIRED BY HEALTH & SAFETY CODE SECTION 33433," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved, thereby authorizing the provisions referenced earlier by City Planner Simpson and authorizing the Mayor/Chair to execute the Disposition and Development Agreement, subject to City Attorney/Agency Counsel approval as to form with minor, non-substantive modifications.

RESOLUTION NO.
2021-10-3272
ADOPTED

Resolution No. 2021-10-3272, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING GENERAL PLAN AMENDMENT NO. 02-2016 TO CHANGE THE GENERAL PLAN LAND USE DESIGNATION FROM COMMERCIAL TO COMMERCIAL/INDUSTRIAL ON PROPERTY LOCATED AT 2200 ARROW HIGHWAY (APN 8535-001-911), SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved.

ORDINANCE NO. 752
INTRODUCED FOR
FIRST READING

Ordinance No. 752, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AMENDING SECTION 8.20.370 OF THE IRWINDALE MUNICIPAL CODE REGARDING SOLID WASTE FRANCHISES, AMENDING CHAPTERS 17.56 AND 17.58 OF THE CITY OF IRWINDALE MUNICIPAL CODE REGARDING MATERIAL RECOVERY FACILITIES IN THE M-2 (HEAVY MANUFACTURING) ZONE AND ADDING SECTION 17.56.025 REGARDING DISTANCE REQUIREMENTS FOR ALCOHOL BEVERAGE ESTABLISHMENTS," was introduced for first reading, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved.

ORDINANCE NO. 753
INTRODUCED FOR
FIRST READING

Ordinance No. 753, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING DEVELOPMENT AGREEMENT NO. 02-2016 WITH ATHENS SERVICES TO ALLOW THE CONSTRUCTION AND OPERATION OF A MATERIALS RECOVERY FACILITY AND TRANSFER STATION, CONVENIENCE STORE AND PUBLIC GAS STATION ON PROPERTY LOCATED AT 2200 ARROW HIGHWAY (APN 8535-001-911), AND MAKING FINDINGS IN SUPPORT THEREOF," was introduced for first reading, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved, and including authorization for the Mayor to execute the development agreement subject to City Attorney approval as to form with authority to the City Attorney to make minor, non-substantive modifications.

RESOLUTION NO.
2021-11-3273
ADOPTED

Resolution No. 2021-11-3273, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING CONDITIONAL USE PERMIT NO. 08-

2016 TO ALLOW A PROPOSED CONVENIENCE STORE TO SELL BEER AND WINE FOR OFF-SITE CONSUMPTION (TYPE 20 OFF SALE BEER & WINE), AND FOR THE OPERATION OF A PUBLIC GAS STATION ON PROPERTY LOCATED AT 2200 ARROW HIGHWAY IN THE M-2 (HEAVY MANUFACTURING) ZONE, SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved.

RESOLUTION NO.
2021-12-3274
ADOPTED

Resolution No. 2021-12-3274, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING SITE PLAN AND DESIGN REVIEW (DA) NO. 06-2016 FOR THE CONSTRUCTION OF A ±265,228 SQUARE FOOT MATERIALS RECOVERY FACILITY AND TRANSFER STATION (MRF/TS) BUILDING AND CONVENIENCE STORE WITH A PUBLIC GAS STATION LOCATED AT 2200 ARROW HIGHWAY IN THE M-2 (HEAVY MANUFACTURING) ZONE SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved, and the applicant was directed to work with staff to incorporate the design elements requested by Mayor Ortiz and Councilmember Breceda.

RESOLUTION NO.
2021-06-3268
ADOPTED

Resolution No. 2021-06-3268, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING A FRANCHISE AND FACILITY OPERATIONS AGREEMENT BY AND BETWEEN THE CITY OF IRWINDALE AND ARAKELIAN ENTERPRISES, INC., DBA ATHENS SERVICES ON PROPERTY LOCATED AT 2200 ARROW HIGHWAY (APN 8535-001-911), SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF," was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Ambriz, seconded by Councilmember Breceda, and unanimously approved, with the Mayor being authorized to sign the franchise and facility operations agreement approved herein, subject to City Attorney approval as to form, with authority to the City Attorney to make any non-substantive, minor changes to the agreement.

**CITY MANAGER'S
REPORT**

PUBLIC INFORMATION OFFICER ESPINO	Public Information Officer Espino provided an updated relating to COVID-19. She advised that 247 Irwindale residents have been confirmed to have had the illness, and that the County of Los Angeles remains in the purple tier. The County health order was updated to allow schools to reopen for in-classroom instruction for grades TK-6. Also, the COVID-19 testing event held on February 15 had 54 participants, and staff is looking into having Irwindale serve as a point of distribution site.
ASSISTANT CITY MANAGER OLIVARES	Assistant City Manager Olivares provided an update on the services being offered through the Community Services division. The Library continues to offer curbside services, the Recreation Department is offering outdoor classes in addition to virtual classes, and the Senior Center is offering its weekly nutrition program as well as virtual programs. Additionally, the Senior Center will resume its transportation program this month.
COUNCILMEMBER GARCIA	Replying to a question by Councilmember Garcia, Assistant City Manager Olivares advised that staff is looking into options for offering outdoor classes and services for seniors in a manner that is safe for staff and participants.
CITY MANAGER TAM	City Manager Tam advised that staff has tentatively scheduled the reopening of the Park Improvement Project for March 13. Additional details will be provided once available.

**FUTURE AGENDA
ITEMS REQUESTED BY
COUNCILMEMBERS**

COUNCILMEMBER BRECEDA	Councilmember Breceda requested that the eastside of the gym is in dire need of new paint and tile, to which City Manager Tam advised that City Engineer Hanna has created a Capital Project as a result of direction received by the Council, wherein the Recreation building as a whole will be retrofitted. This project would include the replacement of air conditioning units, a minor expansion of the Library, and a roof screening. The project will return to the Council at a later date for funding approval.
MAYOR PRO TEM BURROLA	Responding to a question by Mayor Pro Tem Burrola, City Manager Tam briefly spoke of upcoming phases in the Park Improvement Project, including irrigation upgrades, refurbishment of restrooms, and repair of the barbecue structure.