

CITY OF IRWINDALE

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



AMENDED

NOTICE AND AGENDA FOR THE SPECIAL AND REGULAR MEETING OF THE CITY COUNCIL

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

HOUSING AUTHORITY

RECLAMATION AUTHORITY

MARCH 9, 2022

**SPECIAL MEETING – 5:30 P.M.
OPEN SESSION - 6:30 P.M.**

IRWINDALE CITY COUNCIL CHAMBER

CLOSED SESSION / OPEN SESSION – 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 – 5:30 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. CONSENT CALENDAR

- A. Resolution to Re-Ratify the Existence of a Local Emergency and Authorize Remote Hybrid Meetings of the Legislative Bodies of the City of Irwindale for the 30-Day Period Beginning March 15, 2022 through April 14, 2022 (Joint item for all agencies)

Recommendation: Staff recommends City Council, Successor Agency, Housing Authority and Reclamation Authority **adopt Resolution No. 2022-20-3270, Resolution No. SA 2022-21-3271, Resolution No. HA 2022-04-114, and Resolution No. HA 2022-01-028** entitled, "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, THE BOARD OF THE HOUSING AUTHORITY AND THE RECLAMATION AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING MARCH 15, 2022 THROUGH APRIL 14, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361".

D. RECESS TO CLOSED SESSION

1. 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: IMEA, ICEA, IPOA and Unrepresented Employees

2. Conference with Real Property Negotiators

Pursuant to California Government Code Section 54956.8

- A) Property: Las Casitas
 5164 Ayon Avenue
 Parties: Northridge Group & Housing Authority
 Under Negotiation: Price and terms of potential sale

- B) Property: Olive Pit (APN 8415-001-906, 908)
 Agency negotiator: Julian A. Miranda, City Manager
 Negotiating Parties: United Rock Products Corp.
 Under negotiation: Sublease Price and Terms

***3. Conference with Legal Counsel—Anticipated Litigation**

Significant Exposure to Litigation

[Pursuant to Government Code section 54956.9(c), (d)(2), e(3)]

A point has been reached where, in the opinion of the legislative body of the local agency, upon the advice of its legal counsel based on existing facts and circumstances, that there is significant exposure to litigation against the local agency. The existing facts and circumstances consist of a letter received on March 7, 2022 from a group called Californians for Homeownership. This group is threatening litigation against cities, including Irwindale, which have not timely adopted their housing elements. The group has demanded that the City respond to the letter by March 14, 2022, by executing an Acknowledgement Letter which provides that the City has not timely adopted a sixth cycle revised housing element of its general plan. If the City fails to sign, the group may initiate litigation to seek a judicial declaration that the City is subject to the same penalties described in the Acknowledgment. A copy of the letter is included in this agenda package for public review and available for review in the City Clerk's office upon request.

E. RECONVENE IN OPEN SESSION

F. REPORT FROM CLOSED SESSION

G. ADJOURNMENT

***Agenda amended on Tuesday, March 8, 2022 at 5:00 p.m. to include Item 3**

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. CHANGES TO THE AGENDA**
- F. COUNCIL MEMBER TRAVEL REPORTS**
- G. COUNCILMEMBER COMMENTS**
- H. INTRODUCTION OF NEW EMPLOYEES/PROMOTIONS**
- I. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS**
 - A. Proclamation proclaiming March as Red Cross Month

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 February 9, 2022
2. Regular meeting held February 9, 2022
3. Special meeting held February 23, 2022
4. Regular meeting held February 23, 2022

B. Warrants/Demands/Payroll

Department: Finance

Recommendation: Approve

C. A Resolution to Extend the Existence of a Local Emergency Regarding the COVID-19 Pandemic

Department: Administration

Recommendation: **Adopt Resolution No. 2022-23-3273** 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".

D. Consideration of Resolution No. 2022-19-3269 Approving a Tentative Agreement for Successor Memorandum of Understanding with the Irwindale City Employees Association (ICEA)

Department: Human Resources

Recommendation: **Adopt Resolution No. 2022-19-3269** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ACCEPTING A TENTATIVE AGREEMENT FOR A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRWINDALE AND THE IRWINDALE CITY EMPLOYEES ASSOCIATION (ICEA), FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2024, AND AUTHORIZING THE APPROPRIATION OF FUNDS TO COVER THE COST OF THE INITIAL IMPLEMENTATION OF THE CONTRACT FOR FISCAL YEAR 2021-2022".

- E. Appropriation of Funds to Reimburse Lawrence Cervantes for Driveway Approach Repair
Department: Administration

Recommendation: **Adopt Resolution No. 2022-22-3272** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, FINDING THAT THE PUBLIC PURPOSE WOULD BE SERVED BY APPROVING A REIMBURSEMENT TO MR. LAWRENCE CERVANTES FOR THE COSTS INCURRED IN REPAIRING THE DRIVEWAY APPROACH FOR THE PROPERTY LOCATED AT 16008 MARTINEZ STREET, AND APPROPRIATING MONIES FROM THE GENERAL FUND RESERVE BALANCE.

2. NEW BUSINESS

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

- A. Mid-Year Financial Review and Adjustments to the FY 2021-2022 Budget (Joint Item on Housing Authority)
Department: Finance

Recommendation: That the City Council **adopt Resolution No. 2022-15-3265** and **HA 2022-03-113** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AND THE IRWINDALE HOUSING AUTHORITY BOARD APPROVING ADJUSTMENTS TO THE BUDGET FOR FISCAL YEAR 2021-2022".

- B. Fireworks Sales in the City of Irwindale
Department: Administration

Recommendation: Receive and file or provide direction to staff.

- C. Rent Control Measures
Department: City Attorney's Office

Recommendation: Receive and file the report or provide other direction to staff.

- D. Analysis of Locations for Irwindale Public Library Capital Improvement
Department: Administration

Recommendation: Discuss various possible locations for construction of a new stand-alone City library and provide direction to staff.

- E. Legislative Update (Verbal)
Department: Administration

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. Motor Police Officer (Requested by Councilmember Ortiz)
- B. Discussion Regarding the Formation of a Homeless Ad-Hoc Committee (Requested by Mayor Pro Tem Ambriz)
- C. 5223 and 5237 Morada Street – Public Parking (Requested by Councilmember Ortiz)

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 CALENDAR

- A. Minutes
Department: Administration / City Clerk

Recommendation: Approve the following minutes:

- 1. Regular meeting held February 9, 2022
- 2. Regular meeting held February 23, 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

HOUSING AUTHORITY
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 Housing Authority are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. CONSENT CALENDAR

A. Minutes

Department: Administration / City Clerk

Recommendation: Approve the following minutes:

1. Regular meeting held January 12, 2022
2. Regular meeting held January 26, 2022

2. NEW BUSINESS

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

A. Mid-Year Financial Review and Adjustments to the FY 2021-2022 Budget (Joint Item on Housing Authority)

Department: Finance

Recommendation: That the City Council **adopt Resolution No. 2022-15-3265** and **HA 2022-03-113** entitled, "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AND THE IRWINDALE HOUSING AUTHORITY BOARD APPROVING ADJUSTMENTS TO THE BUDGET FOR FISCAL YEAR 2021-2022".

B. Update on Las Casitas Applications (Verbal)

Department: Community Development

3. PUBLIC HEARINGS

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

4. ADJOURN

RECLAMATION AUTHORITY

As required by Government Code section 54954.3, members of the City Council are also members of the Reclamation Authority, which is concurrently convening with the City Council this evening and each Council Member is paid an additional stipend of \$300 for attending the Reclamation Authority meeting

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 Reclamation Authority are subject to the same State prohibitions and City guidelines as cited on the City Council agenda.

1. CONSENT CALENDAR

A. Minutes

Department: Administration / City Clerk

Recommendation:

1. Regular meeting held September 8, 2021
2. Regular meeting held December 8, 2021

B. Investment Quarterly Report for December 31, 2021

Department: Finance

Recommendation: Receive and file the Investment Quarterly report for December 31, 2021.

C. 2022 1st Quarter Mining Report of Nine (9) SMARA Pits

Department: Public Works Engineering

Recommendation: Receive and file the report.

2. NEW BUSINESS

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

3. PUBLIC HEARING

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

4. ADJOURNMENT

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, Irwindale Successor Agency to the Irwindale Community Redevelopment Agency, Housing and Reclamation Authorities, to be held on March 9, 2022, be posted at the City Hall, Library, and Post Office on March 3, 2022.

Laura M. Nieto, MMC

Laura M. Nieto, MMC
Chief Deputy City Clerk



March 7, 2022

Marilyn Simpson
City of Irwindale
Email: msimpson@irwindaleca.gov

RE: Irwindale's failure to timely adopt a Sixth Cycle Housing Element.

Dear Ms. Simpson:

Californians for Homeownership is a 501(c)(3) non-profit organization that uses impact litigation to address California's housing crisis. We are monitoring local compliance with the law governing housing elements. Our understanding is that the City has not adopted a sixth cycle housing element, which it was required to do by October 15, 2021.¹ It also missed the second compliance deadline of February 12, 2022, subjecting it to additional penalties.² We are currently preparing for litigation against cities that have not timely adopted housing elements, like yours.

In light of the City's failure to timely adopt its housing element, our organization could immediately sue the City under Code of Civil Procedure Section 1085 to compel it to adopt a compliant housing element.³ As a result of this litigation, in addition to being ordered to adopt a housing element on a short timeline,⁴ the City could also face a number of serious penalties. For example, the court could suspend all non-residential permitting,⁵ or could judicially approve housing development projects within the City.⁶ And the court could impose these penalties while the litigation is pending, even before reaching a final decision.⁷ Housing element litigation is given priority in the court system,⁸ and a successful plaintiff can obtain attorneys' fees under Code of Civil Procedure Section 1021.5. Indeed, in a recent case involving the City of Huntington Beach's housing element, a court awarded another non-profit organization over \$3.5 million in fees.⁹

The purpose of this letter is to offer the City a pathway to avoid immediate litigation by our organization. Enclosed is an Acknowledgment that sets forth some of the penalties to which the City is currently subject in light of the City's failure to adopt a housing element. If the City signs and returns the Acknowledgment, we will not initiate litigation against the City at this time.

¹ Gov. Code § 65588(e)(3).

² Gov. Code §§ 65583(c)(1)(A), 65583.2(c), and 65588(e)(4)(C).

³ Gov. Code §§ 65587, 65751.

⁴ Gov. Code § 65754.

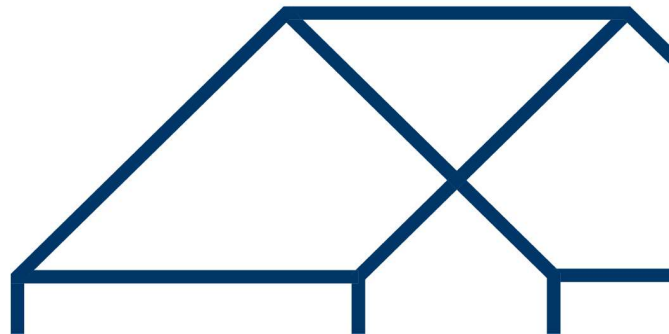
⁵ Gov. Code § 65755(a)(1).

⁶ Gov. Code § 65755(a)(4).

⁷ Gov. Code § 65757.

⁸ Gov. Code § 65752.

⁹ <https://www.communitylegalsocal.org/kennedy-commission-awarded-3-5-million-in-attorneys-fees-for-advocacy-in-huntington-beach-low-income-housing-case/>



March 7, 2022
Page 2

We ask that you return the Acknowledgement by March 14, 2022. If you decline to do so, understand that we may initiate litigation against the City, using the City's refusal to acknowledge these basic requirements of state housing law to demonstrate the existence of a dispute necessitating judicial intervention. As part of the litigation, we would likely seek a judicial declaration that the City is subject to the same penalties described in the Acknowledgment, among other remedies. We have dedicated in-house resources sufficient to maintain at least 10 simultaneous housing element lawsuits as part of our commitment to enforcing this important aspect of state housing law.

We look forward to receiving the signed Acknowledgment. If you would like to discuss any of this with me, please do not hesitate to give me a call at (213) 739-8206.

Sincerely,



Matthew Gelfand

cc: Adrian R. Guerra, Esq., City Attorney (by email to aguerra@awattorneys.com)

ACKNOWLEDGMENT

The City of Irwindale hereby acknowledges that it has not timely adopted a sixth cycle revised housing element of its general plan within the deadline set forth in Government Code Section 65588, and that its housing element is therefore not in substantial compliance with Article 10.6 of the Government Code. As a result, the City is subject to the following:

1. Pursuant to Government Code Sections 65583(c)(1)(A), 65583.2(c), and 65588(e)(4)(C), the City will be required to complete any rezoning required under housing element law in connection with the City's sixth cycle housing element by October 15, 2022.
2. The City is currently prohibited from rejecting housing development projects based on subdivisions (d)(1) and (d)(5) of the Housing Accountability Act (HAA), Government Code Section 65589.5. The City acknowledges that this means that, unless another exception within subdivision (d) applies, the City is prohibited from using its general plan and zoning standards to reject a proposal that meets the affordability requirements described in subdivision (h)(3) of the HAA.

The public, including without limitation any applicant to develop any project involving residential units, may rely on this Acknowledgment as the City's binding commitment to comply with the provisions of state law described above.

DATED: _____, 2022

CITY OF IRWINDALE

By: _____
[Signature]

[Name]

Its: _____
[Title]

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

**FEBRUARY 9, 2022
WEDNESDAY
5:30 P.M.**

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

ROLL CALL:

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

Also Present: William Tam, City Manager; and Adrian Guerra, City
Attorney

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by
Councilmember Ortiz, to approve the Consent Calendar. The motion
was unanimously approved.

**ITEM NO. CA
RESOLUTION TO
RE-RATIFY THE
EXISTENCE OF A
LOCAL EMERGENCY
AND AUTHORIZE
REMOTE HYBRID
MEETINGS OF THE
LEGISLATIVE BODIES
OF THE CITY OF
IRWINDALE FOR THE
30-DAY PERIOD
BEGINNING
FEBRUARY 13, 2022,
THROUGH MARCH 14,
2022**

**RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL
EMERGENCY AND AUTHORIZE REMOTE HYBRID MEETINGS OF
THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR
THE 30-DAY PERIOD BEGINNING FEBRUARY 13, 2022,
THROUGH MARCH 14, 2022 (joint item for all agencies)**

**RESOLUTION NO.
2022-11-3261
ADOPTED**

Resolution No. 2022-11-3261, entitled:

**"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE
COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF
THE HOUSING AUTHORITY AND THE RECLAMATION
AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA,
RE-RATIFYING THE PROCLAMATION OF A STATE OF
EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020,
AND AUTHORIZING REMOTE MEETINGS OF THE LEGISLATIVE
BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD
BEGINNING FEBRUARY 13, 2022, THROUGH MARCH 14, 2022,**

PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361," was adopted.

**RECESS TO
CLOSED SESSION**

At 5:30 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: Information provided to the Council, direction provided to staff.

Conference with Real Property Negotiators

Pursuant to Government Code Section 54956.8

Property: 16102 E. Arrow Highway, Irwindale

Negotiating Parties: Irwindale Chamber of Commerce and City of Irwindale

Under Negotiation: Price and terms of lease amendment

ACTION: Information provided by staff; direction provided to staff from Council

Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

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

Case Number: 22STCV01394

ACTION: Update provided; no action taken

Case Name: Ventury County Superior Court Case No. 56-2015-00464100-CU-WM-VTA

ACTION: Update provided; no action taken

Public Employee Performance Evaluation

Pursuant to California Government Code Section 54957

Title: City Attorney

ACTION: No action taken

**RECONVENE IN
OPEN SESSION**

At 6:43 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 6:45 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

FEBRUARY 9, 2022
WEDNESDAY
6:45 P.M.

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

ROLL CALL:

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

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

None.

COUNCILMEMBER TRAVEL REPORTS

None.

COUNCILMEMBER COMMENTS

MAYOR BURROLA, COUNCILMEMBERS BRECEDA, ORTIZ, & GARCIA, AND MAYOR PRO TEM AMBRIZ

Mayor Burrola, Councilmembers Breceda, Ortiz, and Garcia, and Mayor Pro Tem Ambriz reported on their attendance at the Irwindale Chamber of Commerce's Installation Awards event, congratulated Librarian Balli and resident Raul Hernandez for having received the "Employee of the Year" and "Citizen of the Year" awards, respectively, and congratulated City Manager Tam on his upcoming retirement.

MAYOR PRO TEM AMBRIZ

Mayor Pro Tem Ambriz reported stated that he would like to attend the Zoom meeting scheduled with Secretary Becerra of the U.S. Dept. of Health and Human Service to discuss the 45-year covenant imposed on certain housing rehabilitation and first time homebuyer programs, after which he would report to the Council.

CITY MANAGER TAM

City Manager Tam thanked the Council for their well wishes and commended staff for their hard work and dedication.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

None.

**SPONTANEOUS
COMMUNICATIONS**

DENA ZEPEDA	Dena Zepeda wished City Manager Tam a happy retirement, suggested that United Rock cover their trucks to avoid debris from damaging other vehicles, and commended each Council Member for all the good they do for the community.
KEITH KANEKO	Keith Kaneko, with Amarok, sought the Council's support in permitting monitored, alarmed, and electrified security fencing in Irwindale.
CARMEN ROMAN	Carmen Roman congratulated Librarian Balli and resident Raul Hernandez for having received the "Employee of the Year" and "Citizen of the Year" awards, respectively, and requested the amount of mining funds that are used to fund employee salaries.
NICOLE SHAHENIAN	Nicole Shahanian, CEO of the Irwindale Chamber of Commerce, congratulated Librarian Balli and resident Raul Hernandez for having received the "Employee of the Year" and "Citizen of the Year" awards, respectively, thanked the Council for attending the Chamber's Installation Dinner, and spoke on the negotiations between the city and the Chamber for the Chamber's use of the city's office space.
SUZANNE GOMEZ	Suzanne Gomez thanked City Manager Tam for helping her with issues with her mother.
FRED BARBOSA	Fred Barbosa thanked City Manager Tam for his years of service to the city, and stated that he has complained about mining funds being deposited into the General Fund.

CONSENT CALENDAR

MOTION	A motion was made by Councilmember Breceda, seconded by Councilmember Ortiz, to approve the Consent Calendar. The motion was unanimously approved.
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**ITEM NO. 1A
MINUTES**

MINUTES

The following minutes were approved:

- 1) Special meeting held January 12, 2022
- 2) Regular meeting held January 12, 2022

ITEM NO. 1B
WARRANTS
/ DEMANDS
/ PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1C
APPROVAL OF PLANS
AND SPECIFICATIONS
FOR THE
INSTALLATION OF
SPEED HUMPS ON
JUAREZ; P-1033

APPROVAL OF PLANS AND SPECIFICATIONS FOR THE
INSTALLATION OF SPEED HUMPS ON JUAREZ; P-1033

1) The plans and specifications for the installation of speed humps on Juarez were approved, and 2) staff was authorized to solicit bids for construction of the project.

END OF CONSENT CALENDAR

NEW BUSINESS

ITEM NO. 2A
CONSIDERATION OF
RESOLUTION
AMENDING THE
CLASSIFICATION
PLAN

CONSIDERATION OF RESOLUTION AMENDING THE
CLASSIFICATION PLAN

CITY MANAGER TAM

City Manager Tam presented brief background information on this item.

CARMEN ROMAN

Carmen Roman complained that the issue of reclassifying the four positions identified in the staff report has been addressed by the Council on several occasions, and suggested that the matter be discussed during the mid-year budget review. She then suggested that each employee's performance be reviewed before reclassifying them.

DENA ZEPEDA

Dena Zepeda complained that this matter has been heard on several occasions by the Council, complained about staff pay, and made allegations of theft against staff.

CARMEN ROMAN

Carmen Roman complained that a housing applicant has received calls from several staffers instead of just one. She also requested that each Councilmember call her to justify the proposed staffing reclassifications.

SUZANNE GOMEZ

Suzanne Gomez suggested that the reclassifications wait until the mid-year budget review.

FRED BARBOSA

Fred Barbosa questioned why his home has a 45-year covenant placed on it.

MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz made a motion to discuss each reclassification individually. The motion died due to a lack of a second.
COUNCILMEMBER ORTIZ	Responding to several questions by Councilmember Ortiz, Manager Hull advised that the amount of \$305k listed in the staff report for the Police Captain position is the fully burdened amount, which includes salary and benefits. She noted that the base salary for the position is \$145k. Councilmember Ortiz suggested that the reclassifications be postponed until after the mid-year budget review.
MAYOR BURROLA	As requested by Mayor Burrola, Manager Hull discussed the fully burdened yearly amounts for the four proposed reclassifications. Mayor Burrola agreed that the reclassifications should wait until after the mid-year budget review.
MOTION	A motion was made by Councilmember Ortiz, seconded by Mayor Burrola, to postpone this matter until after the mid-year budget review.
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz suggested the possibility of approving two Police Lieutenant positions instead of one Police Captain position.
ROLL CALL	The above-mentioned motion was unanimously approved.
<u>ITEM NO. 2B</u> CONSIDERATION OF RESOLUTION AMENDING THE COMPENSATION PLAN	CONSIDERATION OF RESOLUTION AMENDING THE COMPENSATION PLAN
MANAGER HULL	Manager Hull presented the staff report and clarified that the resolution would include the City Manager's salary as specified in the City Manager's contract, and that it would not include the funding for the reclassifications that were just postponed to the mid-year budget review.
COUNCILMEMBER BRECEDA	In reply to a question by Councilmember Breceda, Manager Hull indicated that the salary for the new City Manager will be included in this resolution, which is a necessary step when updating CalPERS, since CalPERS would only recognize the salary resolution, and not the City Manager contract salary amount.
COUNCILMEMBER ORTIZ	Councilmember Ortiz noted that the draft resolution includes the four reclassified positions that were just postponed, to which Manager Hull advised that the resolution would be revised to remove them.
MAYOR BURROLA	As requested by Mayor Burrola, Manager Hull explained the "Y" rating detailed in the draft resolution included with the staff report.

SUZANNE GOMEZ	Suzanne Gomez asked a clarifying question regarding the report.
CITY ATTORNEY GUERRA	City Attorney Guerra recommended a clarification of the exhibit of the resolution.
RESOLUTION NO. 2022-14-3264 ADOPTED	Resolution No. 2022-14-3264 , entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ESTABLISHING THE NUMBER OF POSITIONS, SCHEDULE OF CLASSES, AND COMPENSATION FOR CITY EMPLOYEES," was passed, approved, and adopted, with the clarifications noted above, on the motion of Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, and approved with Councilmember Ortiz, Mayor Pro Tem Ambriz, and Mayor Burrola in favor; Councilmembers Breceda and Garcia opposed.
<u>ITEM NO. 2C</u> ADOPTION OF THE 2022 LEGISLATIVE PLATFORM	ADOPTION OF THE 2022 LEGISLATIVE PLATFORM
ASSISTANT CITY MANAGER OLIVARES	Assistant City Manager Olivares presented the staff report.
MOTION	A motion was made by Councilmember Breceda, seconded by Councilmember Ortiz, to approve the 2022 Legislative Platform. The motion was unanimously approved.
<u>PUBLIC HEARINGS</u>	None.
<u>CITY MANAGER'S REPORT</u>	
ASSISTANT CITY MANAGER OLIVARES	Assistant City Manager Olivares provided an update on the Library's Valentine's Day event, its distribution of COVID-19 test kits, and its new e-learning platform.
DIRECTOR RODRIGUEZ	Director Rodriguez reported on upcoming activities and events for the Recreation and Senior Center departments.
<u>AGENDA ITEMS REQUESTED BY COUNCILMEMBERS</u>	
MAYOR PRO TEM AMBRIZ	Mayor Pro Tem Ambriz requested to place an item on the next agenda to discuss enacting a rent increase moratorium. Consensus was reached by a majority of the Council to place the item on the agenda for discussion.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:10 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

**FEBRUARY 23, 2022
WEDNESDAY
5:30 P.M.**

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

ROLL CALL:

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

Absent: Councilmembers Mark A. Breceda and Manuel R. Garcia

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; and Theresa Olivares, Assistant City Manager

**SPONTANEOUS
COMMUNICATIONS**

There were no speakers.

**RECESS TO
CLOSED SESSION**

At 5:30 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: 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

ACTION: Not discussed

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

ACTION: City Manager Miranda recused himself until the evaluation of a potential conflict of interest is held. Assistant City Manager Olivares lead the discussion. Discussion held and direction was provided; no reportable action taken.

Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

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

Case Number: 22STCV01394

ACTION: Discussed, direction provided; no reportable action taken

**RECONVENE IN
OPEN SESSION**

At 6:39 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 6:40 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

FEBRUARY 23, 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 Mark A. Breceda, H. Manuel Ortiz;
 Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmember Manuel R. Garcia

Present: Julian A. Miranda, 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
MIRANDA**

City Manager Miranda indicated that staff wishes to pull Item No. 2B from the agenda for further analysis and presentation to the Council at a future date.

**COUNCILMEMBER
TRAVEL REPORTS**

None.

**COUNCILMEMBER
COMMENTS**

MAYOR BURROLA

Mayor Burrola welcomed City Manager Miranda to the meeting and stated he is looking forward with working with him.

**CITY MANAGER
MIRANDA**

City Manager Miranda thanked the Council, staff, and the audience for the well-wishes, particularly former City Manager Tam, City Attorney Guerra, and Assistant City Manager Olivares for their input and assistance.

**COUNCILMEMBER
ORTIZ**

Councilmember Ortiz welcomed City Manager Miranda in his role as City Manager.

**MAYOR PRO TEM
AMBRIZ**

Mayor Pro Tem Ambriz welcomed City Manager Miranda to Team Irwindale.

**COUNCILMEMBER
BRECEDA**

Councilmember Breceda welcomed City Manager Miranda and expressed his optimism in working with him.

MAYOR BURROLA Mayor Burrola asked whether any Councilmembers objected to Item No. 2B being postponed. There were no objections.

COUNCILMEMBER ORTIZ Councilmember Ortiz requested to adjourn the meeting in memory of Ricardo Miranda. He also reported on his recent attendance at a meeting of the Foothill Metro Gold Line Board meeting.

COUNCILMEMBER BRECEDA Councilmember Breceda requested to adjourn the meeting in memory of Frank and "Licha" Perez.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

INTRODUCTION OF CITY MANAGER JULIAN A. MIRANDA INTRODUCTION OF CITY MANAGER JULIAN A. MIRANDA
The introduction was made.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

CHAMBER OF COMMERCE BUSINESS OF THE MONTH – JAN'S TOWING CHAMBER OF COMMERCE BUSINESS OF THE MONTH – JAN'S TOWING
The presentation was made.

THE SAN GABRIEL VALLEY ENERGY CHAMPION AWARDS PRESENTATION BY SO CAL GAS THE SAN GABRIEL VALLEY ENERGY CHAMPION AWARDS PRESENTATION BY SO CAL GAS
The presentation was made.

**SPONTANEOUS
COMMUNICATIONS**

CARMEN ROMAN Carmen Roman stated her opposition to any type of curfew.

DENA ZEPEDA Dena Zepeda requested that the meeting also be adjourned in memory of Ruben Gutierrez, congratulated City Manager Miranda on his appointment, responded to statements made in a recent article in the San Gabriel Valley Tribune, and made allegations of corruption against staff.

FRED BARBOSA Fred Barbosa also spoke out against curfews and stated that rules need to be enforced equally.

REBECCA BARBOSA Rebecca Barbosa stated that the Police Department has always made her feel safe, noted her disappointment in some of the details

contained in the San Gabriel Valley Tribune article, and expressed her opposition to curfews.

LINDA MAREZ

Linda Marez asked why certain matters continue to be brought up at Council meetings, opposed curfews, spoke on her positive experiences with the Police Department, and expressed her appreciation of the city's housing programs.

VERONICA LOPEZ

Veronica Lopez, representing Assemblymember Rubio's Office, commended Jan's Towing for their award from the Chamber of Commerce, and congratulated City Manager Miranda on his appointment.

"MAYOR QUIMBY"

An individual that self-identified as "Mayor Quimby" asked about a detail contained in the article from the San Gabriel Valley Tribune, to which City Attorney Guerra advised that the incident is under investigation by the County of Los Angeles and that staff would defer to the county for further details.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by Councilmember Ortiz, to approve the Consent Calendar. The motion was unanimously approved; Councilmember Garcia absent.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Special meeting held January 26, 2022
- 2) Regular meeting held January 26, 2022

ITEM NO. 1B
WARRANTS
/ DEMANDS
/ PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

ITEM NO. 1C
DEVELOPMENT
IMPACT FEE
COMPLIANCE
REPORT

DEVELOPMENT IMPACT FEE COMPLIANCE REPORT

The Development Impact Fee Compliance Report was received and filed in accordance with Government Code Section 66006.

ITEM NO. 1D
DECLARATION OF
SURPLUS EQUIPMENT,
ELECTRONICS AND
MISCELLANEOUS
ITEMS

DECLARATION OF SURPLUS EQUIPMENT, ELECTRONICS AND MISCELLANEOUS ITEMS

RESOLUTION NO.
2022-17-3267
ADOPTED

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," was adopted.

ITEM NO. 1E
DECLARATION OF
SURPLUS EQUIPMENT

DECLARATION OF SURPLUS EQUIPMENT

RESOLUTION NO.
2022-16-3266
ADOPTED

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," was adopted.

ITEM NO. 1F
RESOLUTION
APPOINTING CITY
MANAGER JULIAN
A. MIRANDA AS
CITY CLERK

RESOLUTION NO. 2022-18-3268 – APPOINTING CITY MANAGER JULIAN A. MIRANDA AS CITY CLERK

RESOLUTION NO.
2022-18-3268
ADOPTED

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," was adopted.

ITEM NO. 1G
APPROVAL OF
COOPERATIVE
AGREEMENT WITH
CITY OF BALDWIN
PARK FOR
RESURFACING OF
RAMONA BL. FROM
SAN GABRIEL RIVER
BRIDGE TO
SYRACUSE AVE.

APPROVAL OF COOPERATIVE AGREEMENT WITH CITY OF BALDWIN PARK FOR RESURFACING OF RAMONA BOULEVARD FROM SAN GABRIEL RIVER BRIDGE TO SYRACUSE AVENUE

The cooperative agreement with the City of Baldwin Park for resurfacing of the Irwindale portion of Ramona Boulevard from city limits to Syracuse Avenue was approved, and the City Manager was authorized to execute the same upon approval as to form by the City Attorney.

END OF CONSENT CALENDAR

NEW BUSINESS

ITEM NO. 2A
4TH OF JULY
COMMUNITY EVENTS

4th OF JULY COMMUNITY EVENTS

DIRECTOR RODRIGUEZ Director Rodriguez presented the staff report.

**COUNCILMEMBER
BRECEDA** Councilmember Breceda noted Councilmember Garcia's request that the Council consider allowing other groups, such as local schools, to conduct fireworks sales, to which City Manager Miranda stated that the request could be placed on the agenda for discussion at the next meeting.

CARMEN ROMAN Carmen Roman stated that she looked forward to all city residents getting together for a picnic, and suggested that schools sell their fireworks outside of the city so that the usual non-profit groups may sell theirs in Irwindale.

DENA ZEPEDA Dena Zepeda stated that Irwindale residents that live near the Duarte area are unable to watch the annual fireworks show from their homes. She also supported the suggestion to have a citywide picnic but questioned why it would be scheduled a week from the 4th of July. She spoke in favor of getting together with her neighbors on the 4th of July. She concurred that the usual non-profits continue setting up booths for fireworks sales and that outside groups sell outside of Irwindale.

LINDA MAREZ Linda Marez agreed that a community picnic should be held to encourage attendance by city residents to help non-profit groups with their fundraisers.

MEGAN ZEPEDA Megan Zepeda suggested basing the fireworks show at the Skate Park.

**MAYOR PRO TEM
AMBRIZ** Mayor Pro Tem Ambriz suggested keeping the same schedule as usual, or perhaps condensing the hours of the event. He spoke on the importance of the holiday and the need to keep and observe history and celebrations.

**COUNCILMEMBER
ORTIZ** Councilmember Ortiz noted the information contained in the staff report and the recommendation by the Parks & Recreation Commission, and suggested implementing all three events described in the staff report.

Responding to a question by Councilmember Ortiz, Director Rodriguez advised that staff's recommendation includes holding only a fireworks show on the 4th of July, similar to what was done last year.

MAYOR BURROLA Mayor Burrola thanked staff and the Parks & Recreation Commission for their input, and concurred that efforts should be made to help the community get together. He suggested developing a policy of reserving a specific area of the park for residents only so that they could have a prime location to view the fireworks show, to which City Attorney Guerra advised that staff would need to look into the request.

MAYOR PRO TEM AMBRIZ In response to a question by Mayor Pro Tem Ambriz, Director Rodriguez advised that the park and pool will remain open to all on the 4th of July.

MOTION A motion was made by Mayor Burrola, seconded by Councilmember Ortiz, to approve: 1) one additional concert for Music in the Park the week of the 4th of July, 2) a Community Independence Day Picnic the Saturday prior to the 4th of July, and 3) a Fireworks Spectacular show on the 4th of July. The motion was unanimously approved; Councilmember Garcia absent.

ITEM NO. 2B
CURFEW POLICY **CURFEW POLICY**

This item was pulled from the agenda at the request of staff.

PUBLIC HEARINGS None.

CITY MANAGER'S
REPORT

CITY MANAGER MIRANDA City Manager Miranda updated the Council about the following: 1) the repairs to the guardrail at the end of Pat Miranda Lane, 2) graffiti abatement under the Irwindale Avenue bridge parking structure area, 3) the "Locks of Love" community display, 4) the Walk 'N' Roll program, 4) the trips to the Hollywood Museum, Farmers Market, and the Grove, 5) the Mighty Coyotes basketball team, 6) Recreation Department employee awards, 7) Crocheters Group, 8) Mobile Library at the Senior Center, and 9) the Hornblower Brunch Cruise.

AGENDA ITEMS
REQUESTED BY
COUNCILMEMBERS

ITEM NO. 5A
UPDATE ON NOISE
POLICY / ORDINANCE **UPDATE ON NOISE POLICY / ORDINANCE (Requested by Councilmember Ortiz)**

LIEUTENANT FRAIJO Lieutenant Fraijo provided the report. He advised that the City already has an ordinance addressing excessive noise, which is enforceable without the need for a private individual to make the request. The ordinance allows authority to cite for violations of the ordinance. Police officers can respond to requests and request that excessive noise be lowered to within acceptable levels, and that individuals

could be cited for repeat violations. Misdemeanor offenses could be fined up to \$500 and offenders may serve up to six months in jail.

COUNCILMEMBER
ORTIZ

Replying to a question by Councilmember Ortiz, Lieutenant Fraijo advised that officers attempt to gain compliance with the noise ordinance through voluntary means. However, when this does not occur, the officers have authority to issue citations if they need to return to the area.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz asked about instruments used to measure noise levels, to which Lieutenant Fraijo stated that staff possesses these instruments, though they would need to be calibrated if they are to be used more often. He added that Code Enforcement staff would also assist with noise concerns.

ITEM NO. 5B
TEMPORARY
HOMELESS HOUSING
DISCUSSION

TEMPORARY HOMELESS HOUSING DISCUSSION (Requested by Mayor Pro Tem Ambriz)

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz noted his and Councilmember Ortiz's participation in an ad hoc committee along with the cities of Duarte and Azusa to address homelessness along the San Gabriel Valley Riverbed. He noted the complexities in addressing the crisis and advised that he is expected to present a report at the next ad hoc committee meeting regarding Irwindale's activities, and requested input by staff.

MAYOR BURROLA

Mayor Burrola also spoke on the difficulties encountered when addressing homelessness, noted that Baldwin Park has received grant funds to develop bridge housing for the homeless, and asked whether the Council would be interested in implementing something similar in Irwindale.

COUNCILMEMBER
BRECEDA

Councilmember Breceda noted that participating cities also seem to be hesitant to set up housing for the homeless in their cities due to the spike in fires that occur at homeless encampments. He stated, however, that something needs to be done to address the growing problem of homelessness.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz noted that the three cities have been dialoguing for three years in an effort to determine a solution. He noted that the City of Azusa has done a great job of cleaning the riverbed, although the homeless have since relocated from the riverbed to the Santa Fe Dam. He stated that, should it be decided to build housing in Irwindale, funds for such a project would also need to be identified, especially funding from county, state, and federal levels.

COUNCILMEMBER

Councilmember Breceda suggested reaching out to Supervisor Solis'

BRECEDA office for input.

MAYOR PRO TEM
AMBRIZ Mayor Pro Tem Ambriz agreed that funding from the county, state, and federal levels would be needed. He also spoke on funding that the Army Corps of Engineers received to address the situation. He then suggested that staff develop suggestions and report to the Council.

CITY MANAGER
MIRANDA City Manager Miranda advised that staff could look into the request along with the City Attorney and present its findings to the Council at the next meeting.

COUNCILMEMBER
ORTIZ Councilmember Ortiz requested that updates on the status of the vacant units at the Las Casitas Senior Apartment Complex and the parking lots on Morada Street also be presented. He also noted that he has received many complaints about speeding cars on Irwindale Avenue and Cypress Street, and requested that Lieutenant Fraijo present an update at the next meeting regarding enforcement measures to deter speeding.

Councilmember Ortiz also asked about the availability of patrol officers, to which Lieutenant Fraijo advised that the motorcycle officer works Tuesdays through Thursdays during the day. However, there have been an increase in fatal traffic collisions that take time to investigate, which has tied up the officer's time.

Councilmember Ortiz also requested that consideration be given to hiring an additional motorcycle officer. He also asked about barricades at the intersection of Cypress and Azusa Canyon Road, to which Director Rodriguez advised that these temporary barricades are filled with water and will remain until the guardrails are built. Councilmember Ortiz expressed his appreciation in the use of the highly-visible barriers, and suggested potentially leaving something similar to use in combination with the guardrails, to which Director Rodriguez said that staff will look into the request and will further analyze Caltrans requirements.

CITY MANAGER
MIRANDA City Manager Miranda noted that staff needed to search for special counsel to cover an appeal that was received from an applicant whose application for a vacant Las Casitas apartment was rejected, to which Councilmember Ortiz voiced his displeasure that the apartments have been vacant for almost a year.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:30 p.m., in memory of Ricardo Miranda and Frank and "Licha" Perez.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:30 p.m., in memory of Ricardo Miranda and Frank and "Licha" Perez.

Laura M. Nieto, MMC
Chief Deputy City Clerk

CITY OF IRWINDALE
PAYROLL WARRANT REGISTER
February 2022

Payroll Batch DATE OF ISSUE 2/10/22	405-02-22, 410-02-22 DEPARTMENT	AMOUNT
	11 City Council	1,731.15
	13 City Administrative Office	186,848.74
	14 Finance Department	17,361.29
	35 Police Department	178,367.63
	40 Recreation Department	21,060.72
	41 Aquatics Department	3,780.05
	42 Senior Citizens' Center	15,666.90
	44 Library	13,211.77
	51 Planning & Community Development	24,201.42
	52 Public Works - Engineering	29,136.72
	57 Public Works - Services	47,414.87
	Gross Payroll	538,781.26
	Required Deductions	(177,284.69)
	Voluntary Deductions	(24,089.99)
	Net Payroll	337,406.58
Payroll Batch DATE OF ISSUE 2/17/22	417-02-22 DEPARTMENT	AMOUNT
	35 Police Department	278.88
	Gross Payroll	278.88
	Required Deductions	(37.10)
	Voluntary Deductions	-
	Net Payroll	241.78
Payroll Batch DATE OF ISSUE 2/24/22	419-02-22, 420-02-22 DEPARTMENT	AMOUNT
	11 City Council	6,004.68
	13 City Administrative Office	45,813.01
	14 Finance Department	16,250.09
	35 Police Department	179,053.59
	40 Recreation Department	21,037.17
	41 Aquatics Department	3,704.78
	42 Senior Citizens' Center	15,495.27
	44 Library	13,977.47
	51 Planning & Community Development	24,674.81
	52 Public Works - Engineering	29,000.29
	57 Public Works - Services	47,844.29
	Gross Payroll	402,855.45
	Required Deductions	(112,419.48)
	Voluntary Deductions	(18,314.66)
	Net Payroll	272,121.31

Electronic Payments

February 2022

February 16 - 28, 2022



Number	Vendor Name	Date	Amount
ACH	CalPERS-Medical		
ACH	CalPERS	2/16/2022	81,992.55
ACH	EDD	2/16/2022	38,319.79
ACH	Federal Tax	2/16/2022	103,172.26
ACH	EDD	2/23/2022	3.07
ACH	Federal Tax	2/23/2022	17.15
ACH	EDD	2/24/2022	20,709.57
ACH	Federal Tax	2/24/2022	55,568.50
ACH	Nationwide-457 Plan & Trust	2/24/2022	15,227.27
ACH	Nationwide-Roth Cotribution-457 Plan & Trust	2/24/2022	3,047.00
ACH	ICMA	2/24/2022	13.39
ACH	PARS-FT	2/24/2022	27,344.09
ACH	PARS-PT	2/24/2022	1,459.22
Report Total:			346,873.86

Accounts Payable

Checks by Date - Summary by Check Number

User: Financetech
Printed: 3/2/2022 4:13 PM



Check No	Vendor No	Vendor Name	Check Date	Check Amount
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	CHART01	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
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	LAW01	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	MAINT01	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

Check No	Vendor No	Vendor Name	Check Date	Check Amount
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 (59 checks):

192,677.53

Accounts Payable

Checks by Date - Summary by Check Number

User: Financetech
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Check No	Vendor No	Vendor Name	Check Date	Check Amount
76294	AZUSALW	Azusa Light & Water	02/17/2022	158.13
76295	bankof03	Bank of The West	02/17/2022	17,523.92
76296	CONCE01	Concentra	02/17/2022	50.00
76297	FRONT01	Frontier Communications	02/17/2022	357.65
76298	GALVAN02	Claudia Galvan	02/17/2022	480.00
76299	GRACE01	Heather Grace	02/17/2022	200.00
76300	HDL01	Hdl Software, LLC	02/17/2022	4,321.14
76301	holidayr	Holliday Rock Co., Inc.	02/17/2022	4,505.00
76302	LIEBERT	Liebert Cassidy Whitmore	02/17/2022	100.00
76303	LOSANG35	Los Angeles County Police Chiefs Associa	02/17/2022	500.00
76304	NATION23	National Union Fire Insurance	02/17/2022	700.01
76305	OPTUM01	OptumRx, Inc.	02/17/2022	27,262.69
76306	ACCOUN	Robert Half	02/17/2022	1,364.22
76307	tapia05	Priscilla Tapia	02/17/2022	82.53
76308	TEXAS01	Texas Life Insurance Co.	02/17/2022	3,463.34
76309	VALLEY01	Valley County Water District	02/17/2022	8,098.41
76310	WORTH1	Worthington Direct, Inc.	02/17/2022	2,359.37
76311	ZEPEDA07	Priscilla Zepeda	02/17/2022	450.90
76312	CALIFO56	California State Disbursement Unit	02/24/2022	604.15
76313	CALIFO57	California State Disbursement Unit	02/24/2022	143.07
76314	CITY01	City of Hope	02/24/2022	54.00
76315	FRANC06	Franchise Tax Board	02/24/2022	490.72
76316	ICEA	Irwindale City Employee Assoc.	02/24/2022	792.00
76317	IMEA	Irwindale Mgmt Employee Assoc.	02/24/2022	460.00
76318	IRWIND02	Irwindale Police Officers Assoc.	02/24/2022	3,168.10
76319	AT&T02	AT & T	02/24/2022	31.67
76320	CINGULAR	AT & T Mobility	02/24/2022	1,667.96
76321	AZUSALW	Azusa Light & Water	02/24/2022	50.53
76322	FLORE01	Karla Flores	02/24/2022	520.00
76323	FNTC01	FNTC - CORPORATE UTIC	02/24/2022	345.00
76324	FRONT01	Frontier Communications	02/24/2022	277.58
76325	HANNA01	Arsanious Hanna	02/24/2022	80.00
76326	LEGAL03	Legal Shield	02/24/2022	37.90
76327	PEARSO01	NCS Pearson, Inc	02/24/2022	33.00
76328	ORKINP	Orkin Pest Control	02/24/2022	1,192.00
76329	ACCOUN	Robert Half	02/24/2022	1,361.55
76330	SCE02	Southern California Edison	02/24/2022	870.47
76331	verizonw	Verizon Wireless	02/24/2022	674.88
76332	WAGONER	Pamela Wagoner	02/24/2022	200.00

Report Total (39 checks):

85,031.89

Accounts Payable

Checks by Date - Summary by Check Number

User: Financetech
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Check No	Vendor No	Vendor Name	Check Date	Check Amount
76334	ACEROD	David Acero	03/09/2022	136.11
76335	ALESHIRE	Aleshire & Wynder, LLP	03/09/2022	107,501.15
76336	ALLCI01	All City Management Services, Inc	03/09/2022	742.77
76337	ALLIAN02	Alliant Insurance Services, Inc.-NPB Main	03/09/2022	2,145.00
76338	ALLISO01	Allison Mechanical, Inc	03/09/2022	429.88
76339	AZBUS01	A-Z Bus Sales	03/09/2022	1,231.53
76340	AZUSAP01	Azusa Plumbing Supply	03/09/2022	371.60
76341	B&BTIR	B & B Tires Service	03/09/2022	85.00
76342	BAKER01	Baker & Taylor Books	03/09/2022	274.99
76343	NEST01	Blue Triton Brands, Inc.	03/09/2022	542.59
76344	BRITEW	BriteWorks, Inc.	03/09/2022	13,539.95
76345	CASC01	CASC Engineering & Consulting	03/09/2022	1,945.00
76346	CINTAS	Cintas Corporation #693	03/09/2022	256.28
76347	county04	County of Los Angeles	03/09/2022	5,175.01
76348	DAVIDE	David Evans & Associates Inc	03/09/2022	1,408.40
76349	DUDEK01	Dudek	03/09/2022	4,810.00
76350	ENVIRO05	Environmental Science Associates (ESA)	03/09/2022	23,630.75
76351	FCG01	FCG Consultants Inc.	03/09/2022	6,609.10
76352	FEDEX	FedEx	03/09/2022	34.02
76353	FOOTH01	Foothill Communications, Inc.	03/09/2022	1,219.31
76354	GARVEY	Garvey Equipment Co	03/09/2022	273.92
76355	GEOLOG	Geologic Associates	03/09/2022	23,842.50
76356	GLOB01	Global Equipment Company Inc	03/09/2022	5,512.18
76357	HDL01	Hdl Software, LLC	03/09/2022	66.52
76358	INTERS02	Interstate Batteries	03/09/2022	224.75
76359	IRWIND03	Irwindale Tire Shop	03/09/2022	20.00
76360	ITERIS	Iteris, Inc.	03/09/2022	13,713.00
76361	KATZ01	Jeff Katz Architecture	03/09/2022	17,005.75
76362	JOEAGO	Joe A. Gonsalves & Son	03/09/2022	2,375.00
76363	JUSTIRE	Just Tires	03/09/2022	738.88
76364	KLEI001	Kleinfelder, Inc.	03/09/2022	2,305.75
76365	LOGIC01	Logic Tree IT Solutions	03/09/2022	1,359.00
76366	MOUNT01	MNRO Holdings, LLC	03/09/2022	54.33
76367	OFFICE03	Office Depot	03/09/2022	1,180.34
76368	ORKINP	Orkin Pest Control	03/09/2022	92.00
76369	OROSCOL	Lenny Orosco	03/09/2022	192.49
76370	PERF03	Performance Elevator Contractors, Inc.	03/09/2022	360.00
76371	PLACE01	PlaceWorks, Inc.	03/09/2022	5,711.25
76372	RANCHO01	Rancho Duarte Florist	03/09/2022	75.00
76373	PACIFI13	Rene David LTD	03/09/2022	207.05
76374	RICOH02	Ricoh USA, Inc	03/09/2022	1,673.13
76375	SPRING	Springbrook Software, Inc.	03/09/2022	402.75
76376	LEES01	Chad A. Streelman	03/09/2022	98.82
76377	STRESS	Stress Less Environmental LLC	03/09/2022	2,050.00
76378	NORTHR	The Northridge Group, Inc.	03/09/2022	6,016.53
76379	TULL02	William James Tully Jr.	03/09/2022	148.84
76380	UNITED11	United Site Services of CA Inc	03/09/2022	75.00

Check No	Vendor No	Vendor Name	Check Date	Check Amount
76381	WAGN02	Jeanette Wagner	03/09/2022	200.00
76382	WESTCO05	West Coast Arborists, Inc.	03/09/2022	6,870.00
76383	HDSUP01	WHITE CAP, L.P.	03/09/2022	45.51
Report Total (50 checks):				264,978.73

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: A RESOLUTION TO EXTEND THE EXISTENCE OF A LOCAL
EMERGENCY REGARDING THE COVID-19 PANDEMIC

City Manager's Recommendation:

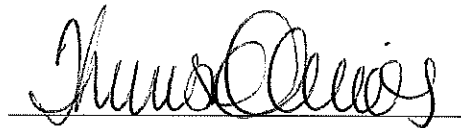
It is recommended that the City Council:

- 1) **ADOPT RESOLUTION NO. 2022-23-3273 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"**

Administrative Action:

Submitted by:

Theresa Olivares, Assistant City Manager



Prepared by:

Iris Espino, Assistant to the City Manager

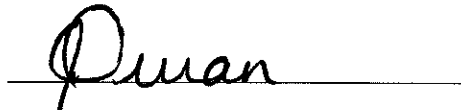


Reviewed by:

Adrian R. Guerra, City Attorney

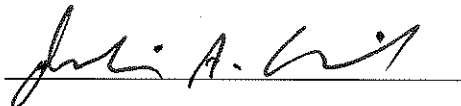
Electronically approved

Jeanette Duran
Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

On March 4, 2020, Governor Newsom declared the existence of a state of emergency for the State of California in response to an outbreak of a respiratory illness known as a coronavirus ("COVID-19"). On March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health declared a local and public health emergency in response to the increased spread of COVID-19 across the country.

On March 18, 2020, the City Council adopted Resolution No. 2020-18-3178, pursuant to Chapter 2.44 of the Irwindale Municipal Code, confirming the proclamation of the existence of a local emergency due to COVID-19, as declared by the City's Director of Emergency Services on March 12, 2020.

On May 13, 2020 (Resolution No. 2020-32-3137), July 22, 2020 (Resolution No. 2020-58-3218), September 9, 2020 (Resolution No. 2020-71-3231), October 28, 2020 (Resolution No. 2020-81-3241), January 10, 2021 (Resolution No. 2021-02-3264), March 10, 2021 (Resolution No. 2021-22-3234), April 28, 2021 (Resolution No. 2021-26-3248), June 23, 2021 (Resolution No. 2021-57-3269), August 25, 2021 (Resolution No. 2021-70-3282), and October 13, 2021 (Resolution No. 2021-90-3302), December 8, 2021 (Resolution No. 2021-124-3246), and January 26, 2022 (Resolution No. 2022-08-3257), the City Council reviewed and extended the local emergency due to the continued existence of conditions of extreme peril caused by the effects of COVID-19.

While Los Angeles County's coronavirus metrics had been steadily dropping and the State has reopened, it is recommended that the City Council extend the local emergency for an additional period of 60 days to continue to make resources available to address the continuing effects of COVID-19.

Fiscal Impact:

There is no fiscal impact at this time in approving the 60-day extension of the COVID-19 local emergency.

Attachment: Resolution No. 2022-23-3273

RESOLUTION 2022-23-3273

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

WHEREAS, on March 4, 2020, Governor Newsom declared the existence of a state of emergency for the State of California in response to an outbreak of a respiratory illness known as a coronavirus ("COVID-19"); and

WHEREAS, on March 4, 2020, the Los Angeles County Board of Supervisors declared a local and public health emergency in response to the increased spread of COVID-19 across the country; and

WHEREAS, on March 18, 2020, the City Council adopted Resolution No. 2020-18-3178, pursuant to Chapter 2.44 of the Irwindale Municipal Code, confirming the proclamation of the existence of a local emergency due to COVID-19, as declared by the City's Director of Emergency Services on March 12, 2020; and

WHEREAS, On May 13, 2020 (Resolution No. 2020-32-3137), July 22, 2020 (Resolution No. 2020-58-3218), September 9, 2020 (Resolution No. 2020-71-3231), October 28, 2020 (Resolution No. 2020-81-3241), January 10, 2021 (Resolution No. 2021-02-3264), March 10, 2021 (Resolution No. 2021-22-3234), April 28, 2021 (Resolution No. 2021-26-3248), June 23, 2021 (Resolution No. 2021-57-3269), and August 25, 2021 (Resolution No. 2021-70-3282), October 13, 2021 (Resolution No. 2021-90-3302), December 8, 2021 (Resolution No. 2021-124-3246), and January 26, 2022 (Resolution No. 2022-08-3257), the City Council reviewed and extended the local emergency due to the continued existence of conditions of extreme peril caused by the effects of COVID-19; and

WHEREAS, after consideration of all items before it, the City Council of the City of Irwindale desires to extend the existence of a local emergency related to the COVID-19 Pandemic for 60 days to continue to make resources available to address the continuing effects of COVID-19.

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

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

SECTION 2. The City Council does hereby extend the City's proclamation of local emergency due to COVID-19, as last ratified by the City Council in Resolution No. 2022-08-3257 on January 26, 2022, for a period of 60 days.

SECTION 3. For the duration of the statewide emergency, Governor Newsom has waived the requirement of Government Code Section 8630 that the City Council review the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency. If this declaration of local emergency extends for more than the duration of the statewide emergency declared for COVID-19, City Staff are directed to thereafter return this item for City Council review of the need for continuing the local emergency at least once every 60 days until the City Council terminates the local emergency.

SECTION 4. If any section, subsection, sentence, clause, phrase, or portion of this Resolution, or the application thereof to any person or circumstances, is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the application of any other section, subsection, sentence, clause, phrase, or portion of this Resolution, and to this end the invalid or unconstitutional section, subsection, sentence, clause, phrase of this Resolution are declared to be severable. The City Council hereby declares that it would have adopted this Resolution and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that anyone or more sections, subsections, sentences, clauses, phrases, parts, or portions thereof be declared invalid or unconstitutional.

SECTION 5. This Resolution shall take effect immediately and shall be published and promulgated in a widespread manner as is reasonably feasible under the conditions prevailing during this local emergency. A copy of this Resolution shall be forwarded to the Los Angeles County Operational Area Coordinator for transmission to California Emergency Management Agency.

PASSED, APPROVED, AND ADOPTED this 9th day of March 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. 2022-23-3273 was adopted by the City Council of the City of Irwindale, at a regular meeting held on the 9th day of March 2022 by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: 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: March 9, 2022

To: Honorable Mayor and Members of the City Council

From: Julian A. Miranda, City Manager

Issue: Consideration of Resolution No. 2022-19-3269 Approving a Tentative Agreement for Successor Memorandum of Understanding with the Irwindale City Employees Association (ICEA)

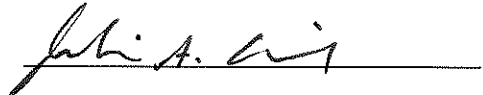
City Manager's Recommendation:

- 1) Adopt Resolution No. 2022-19-3269 entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ACCEPTING A TENTATIVE AGREEMENT FOR A SUCCESSOR MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF IRWINDALE AND THE IRWINDALE CITY EMPLOYEES ASSOCIATION (ICEA), FOR THE PERIOD OF JULY 1, 2021 THROUGH JUNE 30, 2024, AND AUTHORIZING THE APPROPRIATION OF FUNDS TO COVER THE COST OF THE INITIAL IMPLEMENTATION OF THE CONTRACT FOR FISCAL YEAR 2021-2022."

Administrative Action:

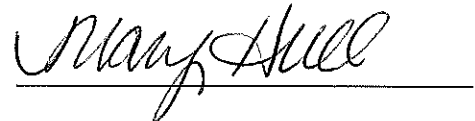
Submitted by:

Julian A. Miranda, City Manager



Prepared by:

Mary Hull, Human Resources/Risk Manager

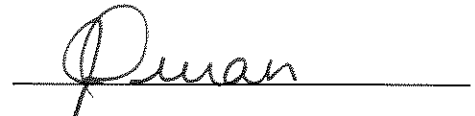


Reviewed by:

Adrian R. Guerra, City Attorney

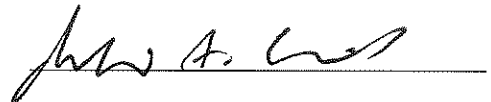
Electronically Approved

Jeanette Duran, Interim Finance Director/ City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis

The current Irwindale City Employees Association ("ICEA") MOU with the City of Irwindale ("City") was set to expire on June 30, 2020. The Parties met and conferred, and agreed to a one-year extension of the duration and terms of the ICEA MOU in light of the COVID-19 Pandemic. On June 18, 2020, ICEA and the City approved Amendment No. 1 to the ICEA MOU, extending the 2016-2020 ICEA MOU, which was approved by the City Council on June 24, 2020. The current ICEA MOU 2016-2021 expired on June 30, 2021. Pursuant to the Meyers-Milias-Brown Act (MMBA), representatives from the City and ICEA commenced negotiations for a successor MOU in March 2021.

On April 28, 2021, the City Council approved an agreement with Ralph Andersen & Associates to perform a compensation study update to include a survey of all full-time and part-time positions and in addition, review job classifications for certain positions. All parties agreed to suspend negotiations until completion of the study. The results of the compensation study were presented to City Council on November 10, 2021, for receive and file and used to assist the City with current labor negotiations.

Based on the progress made to date, the City has reached a tentative agreement with the ICEA for a three-year term, retroactive from July 1, 2021, through June 30, 2024 ("Tentative Agreement"). On February 25, 2022, the ICEA membership voted to accept the proposed terms and conditions as stated in the Tentative Agreement, but it remains subject to formal acceptance, approval, and adoption by the City Council, per Government Code Section 3505.1, which provides:

"If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding."

This Tentative Agreement is the product of MMBA-mandated meet and confer sessions that took place over the last several months between the City's negotiation team and the ICEA board members representing their unit. During the course of negotiations, management representatives met with the City Council to discuss the status and progress of these talks and received direction on specific items under consideration. The proposed agreement supports the City's goals of balancing continued fiscal responsibility while also ensuring the ability to attract and retain qualified and experienced personnel.

The Tentative Agreement includes the following key proposed changes:

- Term: July 1, 2021 – June 30, 2024.
- Compensation adjustments:
 - Retroactive to July 11, 2021, adjustment of the base salary of ICEA represented positions utilizing the benchmark classes from the 2021 Ralph

Andersen & Associates Final Compensation Report set to the adjusted 50th percentile, rounding to nearest highest range, using the 38-hour work week adjustment.

- Effective the first full pay period following City Council adoption of the Tentative Agreement, adjustment of the base salary of ICEA represented positions utilizing the benchmark classes from the 2021 Ralph Andersen & Associates Final Compensation Report set to the unadjusted 50th percentile, rounding to nearest highest range. ICEA represented employees will move from a 38-hour work week to a 40-hour work week.
- 3.0% salary COLA increase for all ICEA represented positions effective the first full pay period on or after July 1, 2022.
- 3.0% salary COLA increase for all ICEA represented positions effective the first full pay period on or after July 1, 2023.
- Add President's Day and Veterans Day to list of City recognized holidays. No additional floating holiday hours will be provided in recognition of the additional holidays.
- Modest adjustments to ancillary benefits including tuition reimbursement, uniform allowance, and elective cash outs of sick and vacation leave.
- Minor language revisions to comply with updated laws and clean-up language to accurately reflect current practices and procedures.

Fiscal Impact:

The total cost of implementing the proposed Tentative Agreement with the ICEA is projected at \$1,122,482 over the three-year term. This cost includes all additional compensation and benefits.

The projected cost of implementation is as follows:

Implementation Period	General Fund Cost	Other Funds Cost
Year 1 (July 1, 2021 – June 30, 2022)	\$236,883	\$45,120
Year 2 (July 1, 2022 – June 30, 2023)	\$314,617	\$59,927
Year 3 (July 1, 2023 – June 30, 2024)	\$391,385	\$74,550

A budget appropriation for FY 2021-22 in the amount of \$282,003 is necessary to cover the cost of the initial implementation of the contract. Funding for this additional appropriation will come from the General Fund (\$236,883), Mining Impact Fund (\$39,480), AB939 Fund (\$2,820), and Housing Fund (\$2,820). Funding for FY 2022-23 and 2023-24 will be incorporated into the City's future budgets.

Attachment: Resolution No. 2022-19-3269

RESOLUTION NO. 2022-19-3269

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
ACCEPTING A TENTATIVE AGREEMENT FOR A SUCCESSOR MEMORANDUM
OF UNDERSTANDING BETWEEN THE CITY OF IRWINDALE AND THE
IRWINDALE CITY EMPLOYEES ASSOCIATION (ICEA), FOR THE PERIOD OF
JULY 1, 2021 THROUGH JUNE 30, 2024, AND AUTHORIZING THE
APPROPRIATION OF FUNDS TO COVER THE COST OF THE INITIAL
IMPLEMENTATION OF THE CONTRACT FOR FISCAL YEAR 2021-2022**

WHEREAS, the City of Irwindale ("City") has and continues to recognize the Irwindale City Employees Association ("ICEA") as the sole exclusive bargaining agent for certain City employees designated as regular full-time employees, who are not at-will or covered by individual contract, except for sworn personnel, executive, mid-management, professional, supervisory, and dispatch positions, for all matters concerning wages, hours, and working conditions; and

WHEREAS, the most current Memorandum of Understanding ("MOU") between the City and ICEA for the period of July 1, 2016, to June 30, 2021, is now expired; and

WHEREAS, the City's labor relations representatives and ICEA representatives have successfully met and conferred to negotiate a successor MOU between the parties, pursuant to both the Meyers-Milias-Brown Act (Government Code Sections 3500 *et seq.*) ("MMBA") and the City's Employer-Employee Relations Resolution (Resolution No. 2018-03-2997), and have jointly prepared and executed the attached Tentative Agreement for a Successor MOU (deal points) between the City and ICEA for the period July 1, 2021, through and including June 30, 2024, which was ratified by a vote of ICEA membership on February 25, 2022, subject to formal acceptance, approval, and adoption by the City Council; and

WHEREAS, MMBA Section 3505.1 provides: "If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding"; and

WHEREAS, once approved by the governing body of a local agency, the MOU becomes a binding agreement between the employee organization and the local agency; and

WHEREAS, the City Council now desires to accept, approve, and adopt the Tentative Agreement and authorize the City Manager to prepare the MOU for City Council determination and approval; and

WHEREAS, the City Council wishes to approve an appropriation totaling \$282,003, with the funding coming from the City's General Fund in the amount of \$236,883, the Mining Impact Fund in the amount of \$39,480, the AB939 Fund in the amount of \$2,820, and the Housing Fund in the amount of \$2,820. This will cover the cost of the initial implementation of the contract for the current fiscal year 2021-2022.

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

SECTION 1. The foregoing recitals are true and correct and are incorporated by reference herein.

SECTION 2. The City Council accepts the Tentative Agreement for a Successor MOU between the City and ICEA for the period of July 1, 2021, through June 30, 2024, a copy of which is attached hereto as Attachment 1, and the City Manager is hereby authorized and directed to execute the same.

SECTION 3. The City Council hereby appropriates \$236,883 from the General Fund, \$39,480 from the Mining Impact Fund, \$2,820 from the AB939 Fund, and \$2,820 from the Housing Fund to cover the cost of the initial implementation of the contract for the current fiscal year 2021-2022.

SECTION 4. This Resolution shall be effective immediately upon its passage and adoption. The Chief Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED and ADOPTED this 9th day of March, 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. 2022-19-3269 was duly introduced at a regular meeting of the Irwindale City Council held on the 9th day of March 2022, by the following vote of the Council:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, CMC
Chief Deputy City Clerk

ATTACHMENT 1



TENTATIVE AGREEMENT FOR SUCCESSOR ICEA MOU

March 1, 2022

The current Irwindale City Employees Association ("ICEA") Memorandum of Understanding ("MOU") with the City of Irwindale ("City") was set to expire on June 30, 2020. The Parties met and conferred and agreed to a one-year extension of the duration and term of the ICEA MOU in light of the COVID-19 Pandemic. On June 18, 2020, ICEA and the City approved Amendment No. 1 to the ICEA MOU, extending the 2016-2020 ICEA MOU which was approved by the City Council on June 24, 2020. The current ICEA MOU 2016-2021 expired on June 30, 2021. The ICEA currently represents 34 total employees in 20 classifications. Pursuant to the Meyer-Milias-Brown Act ("MMBA") (Gov't Code Section 3500-3511), the City and ICEA have been in negotiations for a successor MOU.

The City and ICEA have reached a Tentative Agreement on the deal terms for a successor MOU, which is represented by this document. The following material deal terms were ratified by the ICEA on February 25, 2022, but remain subject to formal acceptance, approval and adoption by the City Council, per Government Code Section 3505.1, which provides:

"If a tentative agreement is reached by the authorized representatives of the public agency and a recognized employee organization or recognized employee organizations, the governing body shall vote to accept or reject the tentative agreement within 30 days of the date it is first considered at a duly noticed public meeting. A decision by the governing body to reject the tentative agreement shall not bar the filing of a charge of unfair practice for failure to meet and confer in good faith. If the governing body adopts the tentative agreement, the parties shall jointly prepare a written memorandum of understanding."

All other terms and conditions of the previous ICEA MOU 2016-2021 shall be maintained and remain unchanged unless expressly modified or changed herein as set forth below or until such time as a successor MOU is jointly prepared by the parties, ratified by the ICEA and accepted, approved, and adopted by City Council, which shall then supersede and replace this Tentative Agreement:

TENTATIVE AGREEMENT DEAL POINTS

1. Term:

Three years covering the period July 1, 2021 to June 30, 2024 effective upon City Council acceptance, approval and adoption of this Tentative Agreement.

2. Salary:

FY 2021-22. After City Council adoption of this Tentative Agreement and retroactive to July 11, 2021, which was the first full pay period in July 2021, for those still employed by the City at the time of adoption, the City will adjust the base salary of ICEA represented employee classifications utilizing the benchmark classes from the 2021 Ralph Andersen & Associates Final Compensation Report set to the 50th percentile, rounding to the nearest highest range, using the 38-hour work week adjustment (Exhibit A). The 38-hour work week adjustment reflects a 5% reduction in comparative pay for the reduced work week hours from the standard surveyed 40 hour work week.

Any filled position that exceeds the 50th percentile at the time of implementation shall remain unchanged and not be reduced.

Effective the first full pay period after City Council adoption of this Tentative Agreement, City will adjust the base salary of the ICEA represented classifications utilizing the benchmark classes from the 2021 Ralph Andersen & Associates Final Compensation Report set to the 50th percentile, rounding to the nearest highest range, using the 40-hour unadjusted work week. All employees will work a 40-hour work week.

Any filled position that exceeds the 50th percentile at the time of implementation shall remain unchanged and not be reduced.

FY 2022-23. Effective the first full pay period in July 2022, the City shall provide a 3% across-the board base salary COLA increase for all ICEA represented employee classifications. Employees' base salaries shall increase correspondingly within their individual salary ranges to reflect the COLA, with represented classification base salary ranges increasing by the COLA amount.

FY 2023-24. Effective the first full pay period in July 2023, the City shall provide a 3% across-the board base salary COLA increase for all ICEA represented employee classifications. Employees' base salaries shall increase correspondingly within their individual salary ranges to reflect the COLA, with represented classification base salary ranges increasing by the COLA amount.

3. Holiday Dates:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, ICEA MOU Section 06.12 is modified to add President's Day and Veterans Day to the list of holidays.

4. Cell Phone Allowance:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, ICEA MOU Section 06.14 is removed. Department Directors will determine which classifications will be issued a City provided and

paid for cell phone based on a determination by the Department Director that the employee's use of a cell phone is required in order to carry out official City duties.

5. Administrative Leave:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, ICEA MOU Section 06.15 is removed as there are no FLSA exempt classifications within the ICEA.

6. Payment of Vacation and Sick Leave:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, ICEA MOU Section 10.02 is modified to require that employees maintain a minimum balance of 80 hours sick leave after any cash out of sick leave in order to be eligible for cash out of sick leave.

An employee who elects to convert accrued vacation or sick leave to compensation as provided for herein shall be limited to a maximum of one hundred (100) total hours per fiscal year of accrued vacation or sick leave to be converted, and in compliance with the Department of Treasury, Internal Revenue Service (IRS) Section 1.451-1(a), must comply with the following:

1. Any vacation or sick leave conversion request must be made in writing using the form provided by Human Resources and must be received by Human Resources no later than December 15th of the calendar year prior to the end of the calendar year in which the employee wishes to convert such vacation or sick leave.
2. All vacation and/or sick leave conversion elections are irrevocable and cannot be changed or amended unless rescinded and received in writing by Human Resources no later than December 15th of the calendar year prior to conversion.
3. Employees who fail to submit an election by December 15th of the calendar year prior to the conversion will not be eligible for vacation and/or sick leave converted to cash for that calendar year.
4. Payments for accrued vacation and/or sick leave conversion to cash shall be made by separate check four times a year (first pay period in September, December, March, and June).
5. Employees will be eligible for partial conversion to cash if the full amount of hours elected are not available at the elected time of cash out.

7. Tuition Reimbursement:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 10.04 is modified to reflect an increase to the annual funding for tuition reimbursement from the current \$15,000 for IMEA and

ICEA to \$20,000 for ICEA only. To be eligible for tuition reimbursement, employees must have completed their probationary period.

8. Uniform Allowance:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 10.05 is modified to include the classifications of Janitor and Maintenance Aides eligible for reimbursement of up to four hundred dollars (\$400.00) for up to two (2) pairs of safety shoes/boots per calendar year as required by the department head. The classification of Engineering Technician will be eligible for a one-time reimbursement of up to two hundred dollars (\$200) for one (1) pair of safety shoes/boots as required by the department head.

9. Compensatory Leave:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, an MOU section is added to allow eligible non-exempt ICEA Members to accrue a maximum of eighty (80) hours of compensatory leave.

10. Flexible Staffing Policy:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 10.07 is modified as follows:

Flexible Staffing Classifications: Maintenance Aide, Maintenance Worker I, II

The City may grant a flexible staffing promotion to an employee who holds a flexible staffing classification. An employee will be eligible to progress from a Maintenance Aide to a Maintenance Worker I if all of the following occur, provided that, the progression remains at the sole discretion of the City Manager:

- a. The employee has completed four (4) years as a full-time Maintenance Aide;
- b. The employee has achieved an overall rating of "highly satisfactory" on the last two annual performance evaluations immediately preceding the promotion;
- c. The employee meets the minimum qualifications for the position; and
- d. The employee has the recommendation of the department director.

A Maintenance Worker I can progress to a level II if all of the following occur, provided that, the progression remains at the sole discretion of the City Manager:

- a. The employee has completed (4) years as a level I;

- b. The employee has achieved an overall rating of “highly satisfactory” on the last two annual performance evaluations immediately preceding the promotion;
- c. The employee meets the minimum qualifications for the position; and
- d. The employee has the recommendation of the department director.

A Maintenance Worker I can only progress to a level II if there is a vacancy. The total number of Maintenance Worker II positions is limited to six (6) at any one time. If there are two or more eligible Maintenance Worker I employees and only one (1) vacant Maintenance Worker II position, then the Maintenance Worker II position will go through the internal recruitment process.

Upon a flexible staffing promotion, an employee shall be paid at the Step in the higher salary range which is at least a five (5%) percent increase over the salary he or she received in the employee's current (pre-promotional) job classification; provided that such increase shall be at least equivalent to the minimum and shall not exceed the maximum salary step level established for the new job classification. A flexible staffing promotion shall establish a new performance evaluation date for purposes of applying the salary step plan. Any flexible staffing promotional appointment shall be subject to a six (6) month probationary period.

11. Reopener:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, an MOU section is added for a reopener to meet to discuss the feasibility of participation in city funded Post Employment Health Plan (PEHP) that would fund retiree dental and vision benefits.

12. Reopener:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, an MOU section is added for a reopener to meet to discuss an annual rotation of Maintenance Aide, Maintenance I/II, and Maintenance Lead staff for the 4th of July Holiday.

13. Unit & Unit Recognition:

The parties agree to meet to determine classifications in the ICEA represented unit membership based on definition included in EERR.

14. Vacation Accrual:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 06.11 is modified to clarify the number of

hours accrued biweekly according to the following chart (consistent with current practice):

0-4 (years of service)	3.693
5	4.616
10	4.923
11	5.231
12	5.539
13	6.154

15. Floating Holiday:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 06.13 is modified to reflect payment of accrued floating holiday hours not used by the end of the calendar year will be included in the second paycheck in January of the following year.

16. Normal Workweek:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 07.01 is modified reflect a forty-hour (40) work week.

17. Alternative 4/10 Work Schedule:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 7.02 is modified to reflect a forty-hour (40) work week.

18. Bereavement Leave:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 07.04 is modified to increase bereavement leave to 40 total hours in recognition of a 40 hour work week.

19. Injury On Duty:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 07.05 is modified to reflect a forty-hour (40) work week.

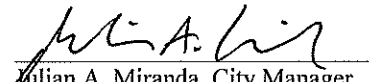
20. Overtime:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 07.06 is modified to reflect work in excess of forty (40) hours in a work week shall be entitled to overtime pay and/or compensatory time for non-exempt eligible ICEA unit members.

21. Call-In/Call Back Pay:

Effective the first full payroll period following City Council adoption of this Tentative Agreement, MOU Section 07.09 is modified to reflect work in excess of forty (40) hours in a work week shall be entitled to overtime pay and/or compensatory time for non-exempt eligible ICEA unit members.

CITY OF IRWINDALE


Julian A. Miranda, City Manager

IRWINDALE CITY EMPLOYEES ASSOCIATION


Rebecca Bardales, ICEA President

EXHIBIT A

ICEA Salary Range Schedule 50th Percentile/Adjusted

<u>Classification</u>	<u>Salary Range</u>
Administrative Secretary	35
Accountant	43
Building Permit Technician	35
Bus Driver	31
Code Enforcement Officer	37
Deputy City Clerk	39
Engineering Technician	38
Finance Analyst	43
Finance Technician	34
Human Resources Specialist	36
Janitor	18
Library Technician	27
Maintenance Aide	23
Maintenance Lead Worker	37
Maintenance Worker I	29
Maintenance Worker II	33
Office Specialist	27
Planning Technician	34
Police Records Clerk	26
Police Records Clerk/Dispatcher	30
Police Services Specialist	39
Recreation Assistant	27
Senior Bus Driver	35
Senior Center Assistant	27
Senior Center Leader/Bus Driver	31
Senior Center Specialist	35
Senior Code Enforcement Officer	43
Senior Recreation Leader	17

ICEA SALARY SCHEDULE
(Effective July 11, 2021)

Range	Step	Annual Salary	Monthly Salary	Bi-weekly Salary	Hourly Rate
10	A	28,648	2,387	1,101.85	14.4980
	B	30,081	2,507	1,156.96	15.2232
	C	31,585	2,632	1,214.81	15.9843
	D	33,164	2,764	1,275.54	16.7834
	E	34,822	2,902	1,339.31	17.6225
11	A	29,365	2,447	1,129.42	14.8608
	B	30,833	2,569	1,185.88	15.6037
	C	32,374	2,698	1,245.15	16.3836
	D	33,993	2,833	1,307.42	17.2029
	E	35,693	2,974	1,372.81	18.0633
12	A	30,099	2,508	1,157.65	15.2323
	B	31,604	2,634	1,215.54	15.9939
	C	33,184	2,765	1,276.31	16.7935
	D	34,843	2,904	1,340.12	17.6331
	E	36,585	3,049	1,407.12	18.5147
13	A	30,851	2,571	1,186.58	15.6129
	B	32,394	2,700	1,245.92	16.3937
	C	34,013	2,834	1,308.19	17.2131
	D	35,714	2,976	1,373.62	18.0739
	E	37,500	3,125	1,442.31	18.9777
14	A	31,622	2,635	1,216.23	16.0030
	B	33,204	2,767	1,277.08	16.8036
	C	34,864	2,905	1,340.92	17.6437
	D	36,607	3,051	1,407.96	18.5258
	E	38,437	3,203	1,478.35	19.4519
15	A	32,413	2,701	1,246.65	16.4033
	B	34,034	2,836	1,309.00	17.2237
	C	35,735	2,978	1,374.42	18.0845
	D	37,522	3,127	1,443.15	18.9889
	E	39,398	3,283	1,515.31	19.9383
16	A	33,223	2,769	1,277.81	16.8133
	B	34,885	2,907	1,341.73	17.6544
	C	36,629	3,052	1,408.81	18.5369
	D	38,460	3,205	1,479.23	19.4636
	E	40,383	3,365	1,553.19	20.4367
17	A	34,054	2,838	1,309.77	17.2338
	B	35,757	2,980	1,375.27	18.0956
	C	37,544	3,129	1,444.00	19.0000
	D	39,422	3,285	1,516.23	19.9504
	E	41,393	3,449	1,592.04	20.9479

ICEA SALARY SCHEDULE
(Effective July 11, 2021)

Range	Step	Annual Salary	Monthly Salary	Bi-weekly Salary	Hourly Rate
18	A	34,905	2,909	1,342.50	17.6645
	B	36,651	3,054	1,409.65	18.5481
	C	38,483	3,207	1,480.12	19.4752
	D	40,407	3,367	1,554.12	20.4489
	E	42,428	3,536	1,631.85	21.4717
19	A	35,778	2,982	1,376.08	18.1063
	B	37,567	3,131	1,444.88	19.0116
	C	39,445	3,287	1,517.12	19.9620
	D	41,417	3,451	1,592.96	20.9600
	E	43,488	3,624	1,672.62	22.0081
20	A	36,672	3,056	1,410.46	18.5587
	B	38,506	3,209	1,481.00	19.4868
	C	40,431	3,369	1,555.04	20.4610
	D	42,453	3,538	1,632.81	21.4843
	E	44,575	3,715	1,714.42	22.5582
21	A	37,589	3,132	1,445.73	19.0228
	B	39,469	3,289	1,518.04	19.9742
	C	41,442	3,454	1,593.92	20.9727
	D	43,514	3,626	1,673.62	22.0213
	E	45,690	3,808	1,757.31	23.1225
22	A	38,529	3,211	1,481.88	19.4985
	B	40,455	3,371	1,555.96	20.4732
	C	42,478	3,540	1,633.77	21.4970
	D	44,602	3,717	1,715.46	22.5719
	E	46,832	3,903	1,801.23	23.7004
23	A	39,492	3,291	1,518.92	19.9858
	B	41,467	3,456	1,594.88	20.9853
	C	43,540	3,628	1,674.62	22.0344
	D	45,717	3,810	1,758.35	23.1361
	E	48,003	4,000	1,846.27	24.2930
24	A	40,479	3,373	1,556.88	20.4853
	B	42,503	3,542	1,634.73	21.5096
	C	44,629	3,719	1,716.50	22.5855
	D	46,860	3,905	1,802.31	23.7146
	E	49,203	4,100	1,892.42	24.9003
25	A	41,491	3,458	1,595.81	20.9975
	B	43,566	3,631	1,675.62	22.0476
	C	45,744	3,812	1,759.38	23.1498
	D	48,032	4,003	1,847.38	24.3077
	E	50,433	4,203	1,939.73	25.5228

ICEA SALARY SCHEDULE (Effective July 11, 2021)

Range	Step	Annual Salary	Monthly Salary	Bi-weekly Salary	Hourly Rate
26	A	42,529	3,544	1,635.73	21.5228
	B	44,655	3,721	1,717.50	22.5987
	C	46,888	3,907	1,803.38	23.7287
	D	49,232	4,103	1,893.54	24.9150
	E	51,694	4,308	1,988.23	26.1609
27	A	43,592	3,633	1,676.62	22.0607
	B	45,772	3,814	1,760.46	23.1640
	C	48,060	4,005	1,848.46	24.3219
	D	50,463	4,205	1,940.88	25.5380
	E	52,986	4,416	2,037.92	26.8148
28	A	44,682	3,724	1,718.54	22.6123
	B	46,916	3,910	1,804.46	23.7429
	C	49,262	4,105	1,894.69	24.9302
	D	51,725	4,310	1,989.42	26.1766
	E	54,311	4,526	2,088.88	27.4853
29	A	45,799	3,817	1,761.50	23.1776
	B	48,089	4,007	1,849.58	24.3365
	C	50,493	4,208	1,942.04	25.5531
	D	53,018	4,418	2,039.15	26.8310
	E	55,669	4,639	2,141.12	28.1726
30	A	46,944	3,912	1,805.54	23.7571
	B	49,291	4,108	1,895.81	24.9448
	C	51,755	4,313	1,990.58	26.1918
	D	54,343	4,529	2,090.12	27.5015
	E	57,060	4,755	2,194.62	28.8765
31	A	48,117	4,010	1,850.65	24.3507
	B	50,523	4,210	1,943.19	25.5683
	C	53,049	4,421	2,040.35	26.8467
	D	55,702	4,642	2,142.38	28.1893
	E	58,487	4,874	2,249.50	29.5987
32	A	49,320	4,110	1,896.92	24.9595
	B	51,786	4,316	1,991.77	26.2075
	C	54,376	4,531	2,091.38	27.5182
	D	57,094	4,758	2,195.92	28.8937
	E	59,949	4,996	2,305.73	30.3386
33	A	50,553	4,213	1,944.35	25.5835
	B	53,081	4,423	2,041.58	26.8629
	C	55,735	4,645	2,143.65	28.2060
	D	58,522	4,877	2,250.85	29.6164
	E	61,448	5,121	2,363.38	31.0972

ICEA SALARY SCHEDULE

(Effective July 11, 2021)

Range	Step	Annual Salary	Monthly Salary	Bi-weekly Salary	Hourly Rate
34	A	51,817	4,318	1,992.96	26.2232
	B	54,408	4,534	2,092.62	27.5344
	C	57,128	4,761	2,197.23	28.9109
	D	59,985	4,999	2,307.12	30.3568
	E	62,984	5,249	2,422.46	31.8745
35	A	53,113	4,426	2,042.81	26.8790
	B	55,768	4,647	2,144.92	28.2227
	C	58,557	4,880	2,252.19	29.6341
	D	61,484	5,124	2,364.77	31.1154
	E	64,559	5,380	2,483.04	32.6716
36	A	54,440	4,537	2,093.85	27.5506
	B	57,162	4,764	2,198.54	28.9281
	C	60,020	5,002	2,308.46	30.3745
	D	63,022	5,252	2,423.92	31.8937
	E	66,173	5,514	2,545.12	33.4884
37	A	55,801	4,650	2,146.19	28.2394
	B	58,591	4,883	2,253.50	29.6513
	C	61,521	5,127	2,366.19	31.1341
	D	64,597	5,383	2,484.50	32.6908
	E	67,827	5,652	2,608.73	34.3254
38	A	57,196	4,766	2,199.85	28.9453
	B	60,056	5,005	2,309.85	30.3927
	C	63,059	5,255	2,425.35	31.9124
	D	66,212	5,518	2,546.62	33.5081
	E	69,523	5,794	2,673.96	35.1837
39	A	58,626	4,886	2,254.85	29.6690
	B	61,558	5,130	2,367.62	31.1528
	C	64,635	5,386	2,485.96	32.7100
	D	67,867	5,656	2,610.27	34.3456
	E	71,261	5,938	2,740.81	36.0633
40	A	60,092	5,008	2,311.23	30.4109
	B	63,097	5,258	2,426.81	31.9317
	C	66,251	5,521	2,548.12	33.5278
	D	69,564	5,797	2,675.54	35.2045
	E	73,042	6,087	2,809.31	36.9646
41	A	61,594	5,133	2,369.00	31.1711
	B	64,674	5,390	2,487.46	32.7298
	C	67,908	5,659	2,611.85	34.3664
	D	71,303	5,942	2,742.42	36.0845
	E	74,868	6,239	2,879.54	37.8887

ICEA SALARY SCHEDULE
(Effective July 11, 2021)

Range	Step	Annual Salary	Monthly Salary	Bi-weekly Salary	Hourly Rate
42	A	63,134	5,261	2,428.23	31.9504
	B	66,291	5,524	2,549.65	33.5481
	C	69,605	5,800	2,677.12	35.2252
	D	73,086	6,091	2,811.00	36.9868
	E	76,740	6,395	2,951.54	38.8360
43	A	64,712	5,393	2,488.92	32.7490
	B	67,948	5,662	2,613.38	34.3866
	C	71,345	5,945	2,744.04	36.1058
	D	74,913	6,243	2,881.27	37.9114
	E	78,658	6,555	3,025.31	39.8067
44	A	66,330	5,528	2,551.15	33.5678
	B	69,647	5,804	2,678.73	35.2465
	C	73,129	6,094	2,812.65	37.0086
	D	76,786	6,399	2,953.31	38.8593
	E	80,625	6,719	3,100.96	40.8021
45	A	67,989	5,666	2,614.96	34.4074
	B	71,388	5,949	2,745.69	36.1275
	C	74,957	6,246	2,882.96	37.9337
	D	78,705	6,559	3,027.12	39.8305
	E	82,640	6,887	3,178.46	41.8219

EXHIBIT B

ICEA Salary Range Schedule 50th Percentile/Unadjusted

<u>Classification</u>	<u>Salary Range</u>
Administrative Secretary	37
Accountant	45
Building Permit Technician	37
Bus Driver	33
Code Enforcement Officer	39
Deputy City Clerk	41
Engineering Technician	40
Finance Analyst	45
Finance Technician	36
Human Resources Specialist	38
Janitor	20
Library Technician	29
Maintenance Aide	25
Maintenance Lead Worker	39
Maintenance Worker I	31
Maintenance Worker II	35
Office Specialist	29
Planning Technician	36
Police Records Clerk	28
Police Records Clerk/Dispatcher	32
Police Services Specialist	41
Recreation Assistant	29
Senior Bus Driver	37
Senior Center Assistant	29
Senior Center Leader/Bus Driver	33
Senior Center Specialist	37
Senior Code Enforcement Officer	45
Senior Recreation Leader	19

ICEA SALARY SCHEDULE (Effective March 20, 2022)

Range	Step	Annual Salary	Monthly Salary	Bi-Weekly Salary	Hourly Rate
10	A	28,648	2,387	1,101.85	13.7731
	B	30,081	2,507	1,156.96	14.4620
	C	31,585	2,632	1,214.81	15.1851
	D	33,164	2,764	1,275.54	15.9442
	E	34,822	2,902	1,339.31	16.7413
11	A	29,365	2,447	1,129.42	14.1178
	B	30,833	2,569	1,185.88	14.8236
	C	32,374	2,698	1,245.15	15.5644
	D	33,993	2,833	1,307.42	16.3428
	E	35,693	2,974	1,372.81	17.1601
12	A	30,099	2,508	1,157.65	14.4707
	B	31,604	2,634	1,215.54	15.1942
	C	33,184	2,765	1,276.31	15.9538
	D	34,843	2,904	1,340.12	16.7514
	E	36,585	3,049	1,407.12	17.5889
13	A	30,851	2,571	1,186.58	14.8322
	B	32,394	2,700	1,245.92	15.5740
	C	34,013	2,834	1,308.19	16.3524
	D	35,714	2,976	1,373.62	17.1702
	E	37,500	3,125	1,442.31	18.0288
14	A	31,622	2,635	1,216.23	15.2029
	B	33,204	2,767	1,277.08	15.9635
	C	34,864	2,905	1,340.92	16.7615
	D	36,607	3,051	1,407.96	17.5995
	E	38,437	3,203	1,478.35	18.4793
15	A	32,413	2,701	1,246.65	15.5832
	B	34,034	2,836	1,309.00	16.3625
	C	35,735	2,978	1,374.42	17.1803
	D	37,522	3,127	1,443.15	18.0394
	E	39,398	3,283	1,515.31	18.9413
16	A	33,223	2,769	1,277.81	15.9726
	B	34,885	2,907	1,341.73	16.7716
	C	36,629	3,052	1,408.81	17.6101
	D	38,460	3,205	1,479.23	18.4904
	E	40,383	3,365	1,553.19	19.4149
17	A	34,054	2,838	1,309.77	16.3721
	B	35,757	2,980	1,375.27	17.1909
	C	37,544	3,129	1,444.00	18.0500
	D	39,422	3,285	1,516.23	18.9529
	E	41,393	3,449	1,592.04	19.9005

ICEA SALARY SCHEDULE (Effective March 20, 2022)

Range	Step	Annual Salary	Monthly Salary	Bi-Weekly Salary	Hourly Rate
18	A	34,905	2,909	1,342.50	16.7813
	B	36,651	3,054	1,409.65	17.6207
	C	38,483	3,207	1,480.12	18.5014
	D	40,407	3,367	1,554.12	19.4264
	E	42,428	3,536	1,631.85	20.3981
19	A	35,778	2,982	1,376.08	17.2010
	B	37,567	3,131	1,444.88	18.0611
	C	39,445	3,287	1,517.12	18.9639
	D	41,417	3,451	1,592.96	19.9120
	E	43,488	3,624	1,672.62	20.9077
20	A	36,672	3,056	1,410.46	17.6308
	B	38,506	3,209	1,481.00	18.5125
	C	40,431	3,369	1,555.04	19.4380
	D	42,453	3,538	1,632.81	20.4101
	E	44,575	3,715	1,714.42	21.4303
21	A	37,589	3,132	1,445.73	18.0716
	B	39,469	3,289	1,518.04	18.9755
	C	41,442	3,454	1,593.92	19.9240
	D	43,514	3,626	1,673.62	20.9202
	E	45,690	3,808	1,757.31	21.9663
22	A	38,529	3,211	1,481.88	18.5236
	B	40,455	3,371	1,555.96	19.4495
	C	42,478	3,540	1,633.77	20.4221
	D	44,602	3,717	1,715.46	21.4433
	E	46,832	3,903	1,801.23	22.5154
23	A	39,492	3,291	1,518.92	18.9865
	B	41,467	3,456	1,594.88	19.9361
	C	43,540	3,628	1,674.62	20.9327
	D	45,717	3,810	1,758.35	21.9793
	E	48,003	4,000	1,846.27	23.0784
24	A	40,479	3,373	1,556.88	19.4611
	B	42,503	3,542	1,634.73	20.4341
	C	44,629	3,719	1,716.50	21.4563
	D	46,860	3,905	1,802.31	22.5288
	E	49,203	4,100	1,892.42	23.6553
25	A	41,491	3,458	1,595.81	19.9476
	B	43,566	3,631	1,675.62	20.9452
	C	45,744	3,812	1,759.38	21.9923
	D	48,032	4,003	1,847.38	23.0923
	E	50,433	4,203	1,939.73	24.2466

ICEA SALARY SCHEDULE (Effective March 20, 2022)

Range	Step	Annual Salary	Monthly Salary	Bi-Weekly Salary	Hourly Rate
26	A	42,529	3,544	1,635.73	20.4466
	B	44,655	3,721	1,717.50	21.4688
	C	46,888	3,907	1,803.38	22.5423
	D	49,232	4,103	1,893.54	23.6692
	E	51,694	4,308	1,988.23	24.8529
27	A	43,592	3,633	1,676.62	20.9577
	B	45,772	3,814	1,760.46	22.0058
	C	48,060	4,005	1,848.46	23.1058
	D	50,463	4,205	1,940.88	24.2611
	E	52,986	4,416	2,037.92	25.4740
28	A	44,682	3,724	1,718.54	21.4817
	B	46,916	3,910	1,804.46	22.5558
	C	49,262	4,105	1,894.69	23.6837
	D	51,725	4,310	1,989.42	24.8678
	E	54,311	4,526	2,088.88	26.1111
29	A	45,799	3,817	1,761.50	22.0188
	B	48,089	4,007	1,849.58	23.1197
	C	50,493	4,208	1,942.04	24.2755
	D	53,018	4,418	2,039.15	25.4894
	E	55,669	4,639	2,141.12	26.7639
30	A	46,944	3,912	1,805.54	22.5692
	B	49,291	4,108	1,895.81	23.6976
	C	51,755	4,313	1,990.58	24.8822
	D	54,343	4,529	2,090.12	26.1264
	E	57,060	4,755	2,194.62	27.4327
31	A	48,117	4,010	1,850.65	23.1332
	B	50,523	4,210	1,943.19	24.2899
	C	53,049	4,421	2,040.35	25.5043
	D	55,702	4,642	2,142.38	26.7798
	E	58,487	4,874	2,249.50	28.1188
32	A	49,320	4,110	1,896.92	23.7115
	B	51,786	4,316	1,991.77	24.8971
	C	54,376	4,531	2,091.38	26.1423
	D	57,094	4,758	2,195.92	27.4490
	E	59,949	4,996	2,305.73	28.8216
33	A	50,553	4,213	1,944.35	24.3043
	B	53,081	4,423	2,041.58	25.5197
	C	55,735	4,645	2,143.65	26.7957
	D	58,522	4,877	2,250.85	28.1356
	E	61,448	5,121	2,363.38	29.5423

ICEA SALARY SCHEDULE **(Effective March 20, 2022)**

Range	Step	Annual Salary	Monthly Salary	Bi-Weekly Salary	Hourly Rate
34	A	51,817	4,318	1,992.96	24.9120
	B	54,408	4,534	2,092.62	26.1577
	C	57,128	4,761	2,197.23	27.4654
	D	59,985	4,999	2,307.12	28.8389
	E	62,984	5,249	2,422.46	30.2808
35	A	53,113	4,426	2,042.81	25.5351
	B	55,768	4,647	2,144.92	26.8115
	C	58,557	4,880	2,252.19	28.1524
	D	61,484	5,124	2,364.77	29.5596
	E	64,559	5,380	2,483.04	31.0380
36	A	54,440	4,537	2,093.85	26.1731
	B	57,162	4,764	2,198.54	27.4817
	C	60,020	5,002	2,308.46	28.8558
	D	63,022	5,252	2,423.92	30.2990
	E	66,173	5,514	2,545.12	31.8139
37	A	55,801	4,650	2,146.19	26.8274
	B	58,591	4,883	2,253.50	28.1688
	C	61,521	5,127	2,366.19	29.5774
	D	64,597	5,383	2,484.50	31.0563
	E	67,827	5,652	2,608.73	32.6091
38	A	57,196	4,766	2,199.85	27.4981
	B	60,056	5,005	2,309.85	28.8731
	C	63,059	5,255	2,425.35	30.3168
	D	66,212	5,518	2,546.62	31.8327
	E	69,523	5,794	2,673.96	33.4245
39	A	58,626	4,886	2,254.85	28.1856
	B	61,558	5,130	2,367.62	29.5952
	C	64,635	5,386	2,485.96	31.0745
	D	67,867	5,656	2,610.27	32.6284
	E	71,261	5,938	2,740.81	34.2601
40	A	60,092	5,008	2,311.23	28.8904
	B	63,097	5,258	2,426.81	30.3351
	C	66,251	5,521	2,548.12	31.8514
	D	69,564	5,797	2,675.54	33.4442
	E	73,042	6,087	2,809.31	35.1163
41	A	61,594	5,133	2,369.00	29.6125
	B	64,674	5,390	2,487.46	31.0933
	C	67,908	5,659	2,611.85	32.6481
	D	71,303	5,942	2,742.42	34.2803
	E	74,868	6,239	2,879.54	35.9942

ICEA SALARY SCHEDULE
(Effective March 20, 2022)

Range	Step	Annual Salary	Monthly Salary	Bi-Weekly Salary	Hourly Rate
42	A	63,134	5,261	2,428.23	30.3529
	B	66,291	5,524	2,549.65	31.8707
	C	69,605	5,800	2,677.12	33.4639
	D	73,086	6,091	2,811.00	35.1375
	E	76,740	6,395	2,951.54	36.8942
43	A	64,712	5,393	2,488.92	31.1115
	B	67,948	5,662	2,613.38	32.6673
	C	71,345	5,945	2,744.04	34.3005
	D	74,913	6,243	2,881.27	36.0159
	E	78,658	6,555	3,025.31	37.8163
44	A	66,330	5,528	2,551.15	31.8894
	B	69,647	5,804	2,678.73	33.4841
	C	73,129	6,094	2,812.65	35.1582
	D	76,786	6,399	2,953.31	36.9163
	E	80,625	6,719	3,100.96	38.7620
45	A	67,989	5,666	2,614.96	32.6870
	B	71,388	5,949	2,745.69	34.3212
	C	74,957	6,246	2,882.96	36.0370
	D	78,705	6,559	3,027.12	37.8389
	E	82,640	6,887	3,178.46	39.7308

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Appropriation of Funds to Reimburse Lawrence Cervantes for Driveway Approach Repair

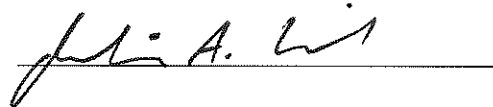
City Manager's Recommendation:

That the City Council of the City of Irwindale approve Resolution No. 2022-22-3272 entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, FINDING THAT THE PUBLIC PURPOSE WOULD BE SERVED BY APPROVING A REIMBURSEMENT TO MR. LAWRENCE CERVANTES FOR THE COSTS INCURRED IN REPAIRING THE DRIVEWAY APPROACH FOR THE PROPERTY LOCATED AT 16008 MARTINEZ STREET, AND APPROPRIATING MONIES FROM THE GENERAL FUND RESERVE BALANCE."**

Administrative Action:

Prepared / Submitted by:

Julian A. Miranda, City Manager

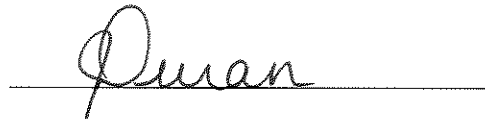


Reviewed by:

Adrian R. Guerra, City Attorney

Electronically Approved

Jeanette Duran, Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

1. On January 26, 2022, the City Council adopted Resolution No. 2022-07-3256, approving a \$500 fee waiver request from Mr. Cervantes (Owner) for an encroachment permit and inspection fee for the property located at 16008 Martinez

Street, Irwindale, CA (Property) (Attachment "A"), related to repair of the Property's driveway approach and pursuant to the City of Irwindale Fee Adjustment Policy. The Council's action also reimbursed the Owner for the initial replacement cost of the Property driveway approach.

2. The Owner provided staff with a copy of the receipt to document the work performed and the amount paid for the services (Attachment "B"). Based on the documentation provided, staff recommends for the City Council to appropriate \$1,600.00 of the general fund reserve balance in order for staff to process the Owner's reimbursement.
3. The \$1600.00 reimbursement to the Owner serves a valid public purpose of providing a benefit to the community by improvement of property within the City, consistent with the City's Fee Adjustment Policy.

Fiscal Impact:

Approval of the reimbursement will require a \$1600.00 appropriation from the General Fund Reserve Balance.

Attachment(s):

Resolution No. 2022-22-3272

Resolution No. 2022-07-3256

Copy of Invoice and Receipt

RESOLUTION 2022-07-3256

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE,
APPROVING AN ENCROACHMENT AND INSPECTION FEE WAIVER
REQUESTED FROM PROPERTY OWNER LAWRENCE CERVANTES**

WHEREAS, on June 20, 2005, the City Council of City of Irwindale approved a Fee Adjustment Policy (Policy). The Policy encourages individuals to improve their properties and be provided financial relief for some of the costs required by the City; and

WHEREAS, on December 16, 2021, an application for a fee adjustment was received from Mr. Lawrence Cervantes (Applicant), property owner of 16008 Martinez Street, Irwindale, CA (Property); and

WHEREAS, in November 2021 the Applicant made repairs to the Property's driveway approach without an encroachment permit or building inspection. The building inspector has determined that the work performed does not comply with the accessibility guidelines; and

WHEREAS, the Applicant is required to repair the driveway approach to meet the accessibility guidelines, obtain an encroachment permit, and have the work inspected by the building inspector; and

WHEREAS, the Applicant's request meets the criteria established in the Policy; and

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

SECTION 1. The City Council deems that waiving the requested fees mentioned above meets the criteria listed in Sections I, II, and III of the Fee Adjustment Policy.

SECTION 2. The City Council approves the Application for Fee Adjustment by waiving the fee of \$500; and

SECTION 3. That 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 26th of January, 2022.

"Original Signed"

Albert F. Ambriz, Mayor Pro Tem

ATTEST:

“Original Signed”

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. 2022-07-3256 was adopted by the City Council of the City of Irwindale, at a regular meeting held on the 26th day of January 2022, by the following vote:

AYES: Councilmembers: Ambriz, Garcia, Ortiz

NOES: Councilmembers: None

ABSENT: Councilmembers: Breceda

ABSTAIN: Councilmembers: Burrola

“Original Signed”

Laura M. Nieto, MMC
Chief Deputy City Clerk

RESOLUTION 2022-22-3272

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, FINDING THAT A PUBLIC PURPOSE WOULD BE SERVED BY APPROVING A REIMBURSEMENT TO MR. LAWRENCE CERVANTES FOR THE COST INCURRED IN REPAIRING THE DRIVEWAY APPROACH FOR THE PROPERTY LOCATED AT 16008 MARTINEZ STREET, AND APPROPRIATING MONIES FROM THE GENERAL FUND RESERVE BALANCE

WHEREAS, on January 26, 2022, the City Council of City of Irwindale adopted Resolution No. 2022-07-3256, approving a \$500 fee waiver for Mr. Lawrence Cervantes (Owner) for an encroachment permit and inspection fee for the property located at 16008 Martinez Street, Irwindale, CA (Property), related to repair of the Property's driveway approach and pursuant to the City of Irwindale Fee Adjustment Policy; and

WHEREAS, the Council's action on January 26, 2022 also directed the City to reimburse the Owner for the initial replacement cost of the driveway approach; and

WHEREAS, the Owner has provided a copy of the invoice and payment for the work performed, resulting in a reimbursement amount of \$1,600.00 to the Owner; and

WHEREAS, the City Council of the City of Irwindale finds that the \$1,600.00 reimbursement to the Owner serves a valid public purpose of providing a benefit to the community by improvement of property within the City, consistent with the City's Fee Adjustment Policy.

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

SECTION 1. The City Council finds the above recitals true and correct.

SECTION 2. The City Council hereby finds that the reimbursement to the Owner for \$1,600.00 serves a valid public purpose of providing a benefit to the community by improvement of property within the City, consistent with the City's Fee Adjustment Policy.

SECTION 3. The City Council hereby appropriates \$1,600.00 from the General Fund Reserve Balance and authorizes the same to be paid to the Owner in full reimbursement of the costs incurred for the initial replacement cost of the driveway approach.

SECTION 4. That 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 9th of March, 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. 2022-22-3272 was adopted by the City Council of the City of Irwindale, at a regular meeting held on the 9th day of March 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura M. Nieto, MMC
Chief Deputy City Clerk



GENTRY BROTHERS, INC.
General Engineering Contractor

384 E. LIVE OAK AVENUE, IRWINDALE, CA 91706
626-357-9631 | FAX 626-357-6322

Invoice

TO: Larry Cervantes
16008 Martinez Street
Irwindale, CA 91706

DATE: 10/28/2021

PREPARED BY: Steve Gentry

PROJECT NAME: Irwindale Driveway Repairs

SCOPE OF SERVICES: Residential Driveapproach Repair

ADDITIONAL WORKING DAYS: 1

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	Remove and replace damages sections of Driveapproach. Price includes all labor and material to complete work.	1	LS	\$ 1,600.00	\$ 1,600.00
TOTAL:					\$ 1,600.00

paid Cash 11/01/2021



GENTRY BROTHERS, INC.
General Engineering Contractor

384 E. LIVE OAK AVENUE, IRWINDALE, CA 91706
626-357-9631 | FAX 626-357-6322

Receipt (Paid in Cash)

TO: Larry Cervantes
16008 Martinez Street
Irwindale, CA 91706

DATE: 11/2/2021

PREPARED BY: Steve Gentry

PROJECT NAME: Irwindale Driveway Repairs

SCOPE OF SERVICES: Residential Driveapproach Repair

ADDITIONAL WORKING DAYS: 1

ITEM #	DESCRIPTION	QTY	UNIT	UNIT PRICE	TOTAL
1	Remove and replace damages sections of Driveapproach. Price includes all labor and material to complete work.	1	LS	\$ 1,600.00	\$ 1,600.00
TOTAL:					\$ 1,600.00

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022

To: Honorable Mayor and Members of the City Council
Housing Authority Board

From: Julian A. Miranda, City Manager/Executive Director

Issue: Mid-Year Financial Review and Adjustments to the FY 2021-2022 Budget

City Manager/Executive Director's Recommendation:

It is recommended that the City Council adopt Resolution No. 2022-15-3265 and HA 2022-03-113 entitled: **"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AND THE IRWINDALE HOUSING AUTHORITY BOARD APPROVING ADJUSTMENTS TO THE BUDGET FOR FISCAL YEAR 2021-2022"**.

Administrative Action:

Submitted by:

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

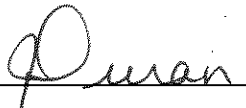


Reviewed by:

Adrian R. Guerra, City Attorney/Authority Counsel

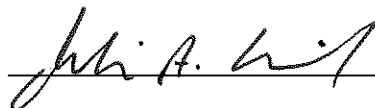
Electronically Approved

Jeanette Duran,
Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager/Executive Director



Background and Analysis:

In June 2021, the City Council and the Housing Authority Board formally adopted their respective FY 2021-2022 Budgets. Typically, there are additional appropriations approved by the Council/Board for unanticipated items during the fiscal year. The Finance Department has conducted an analysis of the current fiscal year's revenues and expenditures, and evaluated the year-to-date numbers against the approved budget to determine how this year's financial activity is tracking.

As is consistent with prior years, the financial analysis has resulted in the need for certain budget adjustments recommended for the City's General Fund, Mining Impact Fund, AB939 and Capital Improvement Program, as well as the Irwindale Housing Authority's Low and Moderate Income Housing Asset Fund.

Revenues

The City's adopted General Fund Revenue Budget includes \$21,401,970 in operating revenues, and \$10,382,170 in capital/one-time revenues, for a total of \$31,784,140 at the start of the fiscal year. During the mid-year financial review, all revenues were analyzed for any changes in trends from what was originally budgeted. At this time, the City's General Fund revenues are not projecting to come within the adopted revenue budget levels.

The City's General Fund Revenue Operating Budget of \$21,401,970 includes the primary tax revenue sources. The primary sources include Sales Tax/Measure I, Utility Users' Tax and Mining Taxes. Since Sales Tax increased by approximately 20% to 30%.

Although the economy has taken a significant hit due to COVID-19, it has primarily affected business sectors related to the service industry, such as tourism, hotels and restaurants. For the City, these business sectors make up a very small portion of its tax revenue base. Therefore, the City's primary revenues are tracking to come in at higher levels than previously budgeted. There is one-time revenue expected from Property Tax for the residual from the sale of the 17 acre site that was sold in December 2021. City staff is recommending to increase its revenue budgets by \$4,170,150 for Sales Tax/Measure I, Property Taxes and Local Taxes.

The City's General Fund Revenue Budget also included \$10,382,170 in capital/one-time revenue related to building permits and plan check revenue for very large developments currently progressing in the City. The financial analysis conducted has confirmed that this one-time revenue is not on track to be realized in FY 2021-2022. The City's Public Works Engineering Department recently informed us that these projects are not being developed in the timeframes anticipated by the developers. This one-time anticipated revenue from engineering will have to be reduced during the mid-year and projected in the next fiscal year fee estimates. Accordingly, at mid-year we need to decrease the one-time revenue by \$7,653,870, which will be reduced as a one-time revenue budget adjustment.

The table below lists the budget adjustments recommended for the increase/(decrease) in revenue budgets for the General Fund:

Revenue Budget Requests		General Fund	Mining Impact Fund
Operating:	Sales Tax (Including Measure I)	1,550,000	
	Property Taxes	2,099,650	
	Local Taxes	520,500	
		4,170,150	
One-Time:	Licenses & Permits	(5,708,700)	
	Plan Check Fees	(1,619,000)	
	COVID Funding-State & Federal	(326,170)	
	Miscellaneous Revenue		750,000
		(7,653,870)	750,000
	Total Revenue Increase / (Decrease)	(3,483,720)	750,000

Expenditures

The City's adopted General Fund Expenditure Budget includes \$20,699,950 in operating expenditures, \$7,257,730 in capital/one-time expenditures and \$5,991,400 in transfers to the Capital Projects Fund for capital project expenditures for FY 2021-2022.

In preparing for the mid-year budget review, several City Departments brought forth budget requests for additional items and personnel reclassifications needed in their departments. City management reviewed all requests and verified they are needed and justified.

Finance Staff conducted an in depth analysis of all year-to-date expenditures, and calculated projections through the end of the fiscal year to identify any expenditures that were tracking higher or lower than originally budgeted.

The following table lists the operating and capital/one-time expenditure budget adjustments for the City Council's consideration.

Operating and Capital/One-Time Expenditure Adjustments:

The tables below lists the budget adjustments recommended for expenditures in the General Fund, Mining Impact Fund, Housing and AB939.

Expenditure Budget Requests		General Fund	Mining Impact Fund	Housing	AB 939	
Police Dept - Overtime		739,500				Additional OT to cover disability leaves & vacancies
Police Dept - Salaries		(481,000)				Savings due to disability leaves & vacancies
Leave Cashouts		135,850	91,600		800	Retirements
Resident Vision Prescription Benefits			278,400			COVID-19 Home Test Kits
Aquatics	Program Supplies	6,700				Paddle Board Yoga
Community Development	Fuel	500				Additional fuel for the vehicles
Engineering	Contract Services	3,000				Records retention for Building Codes
Engineering	Contract Services	20,000				Permit inspection for encroachment permits
Engineering	Office Equip Maint & Supplies	2,500	2,500			Add 'al license needed for Auto CAD computer drafting software
Engineering	Training	2,000				Training for Environmental Mandates & NPDES
Engineering	Storm Drain/NPDES	40,000				Consultant for NPDES management & MS4 Permit
Legal	Legal Services	60,500		85,000		Las Casitas & Extraordinary cases
Public Services	Residential Waste	85,000				Residential solid waste handling services
Expenditure Budget Increase / (Decrease)		614,350	372,500	85,000	800	

Reclassification Recommendations & New Personnel:

A classification analysis was performed on certain classifications to ensure the duties performed by employees are within their current job specifications. Based on the analysis performed, many were working out of classification causing for reclassifications being proposed to more accurately reflect the level and scope of work being performed.

Finance Department has been understaffed for years and there has been a need for support staff to continue with all the new laws and deadline requirements. The City has transferred the Housing functions from Administration to the Community Development department. This has increased their work load and there is a need for more support staff in that department.

Personnel Budget Requests		General Fund	Mining Impact Fund	Housing	
RECLASSIFICATIONS:					
Police Lieutenant to	Police Captain	113,500			Prorated for FY 21/22 (Annual Cost \$304,980)
Sr. HR/Risk Mgt Analyst to	Benefits Administrator	8,350	2,780		Prorated for FY 21/22 (Additional Annual Cost \$24,092)
Office Specialist to	Communications Specialist	1,300			Prorated for FY 21/22 (Additional Annual Cost \$3,702)
Departmental Aide to	Senior Center Leader	1,200			Prorated for FY 21/22 (Additional Annual Cost \$11,713)
Bus Driver to	Senior Bus Driver	1,200			Prorated for FY 21/22 (Additional Annual Cost \$3,295)
Engineering Technician to	Police Records Clerk/Dispatcher	1,300			Prorated for FY 21/22 (Additional Annual Cost \$3,631)
Engineering Technician to	Assistant Engineer	6,300	5,150		Prorated for FY 21/22 (Additional Annual Cost \$32,899)
		133,150	7,930		
Senior Finance Analyst	New	34,850	15,000		Prorated for FY 21/22 (Annual Cost \$144,000)
Housing Coordinator	New			44,750	Prorated for FY 21/22 (Annual Cost \$129,260)
Housing Office Specialist	New			29,650	Prorated for FY 21/22 (Annual Cost \$85,640)
		34,850	15,000	74,400	
Expenditure Budget Increase / (Decrease)		168,000	22,930	74,400	

Capital Project / One-Time Update

The FY 2021-2022 Budget was prepared in the spring of 2021, and the enduring impacts of the COVID-19 pandemic were still uncertain at that time. As the pandemic has continued, the City has continued to abide by shelter in place and safe distancing orders.

The aquatics pool heater replacement and repairs total to \$100,000, of which is funded by the General Fund, and will be transferred out to the capital improvement programs. The City budgeted \$5,991,400 from the General Fund for capital improvement programs. A few projects will be deferred to the following fiscal year that total to \$5,364,000, in which \$627,400 will be used in the current fiscal year. Building Permits and Plan Check fees are based on the expected projects during the fiscal year. Unfortunately, some projects were not approved by City Council and some other projects got affected due to COVID or developers' decisions according to Engineering.

Capital / One-Time Budget Requests Capital Projects / One-Time Budget Request		General Fund	Mining Impact Fund	
Aquatics	Pool Equipment Repairs	100,000		Pool heater replacement & equip repairs imprvmt
Community Development	2 Vehicle	37,100	37,100	Replacement of old vehicles
Total Capital / One-Time Budget Adjustments:		137,100	37,100	
Engineering	CIP-Signage (with lights)	45,000		Install Truck sinage on residential street - with lights
Engineering	CIP - City-wide ADA sidewalk survey	90,000		City-wide survey/assessment of public sidewalks for ADA compliance
Engineering	Left Turn Phasing, Arrow & Vincent Traffic Signal	350,000		Per Council's direction staff to move ahead with project (City 50%, City of Azusa 25%, & Crnty of LA 25%)
Total New Capital Projects / One-Time Budget Adjustments:		485,000		
CIP-Bldg & Improvements	Recreation/Library Building Improvements	(1,400,000)		Defer CIP to FY 2022-2023
CIP-Bldg & Improvements	Irwindale Park Phase IIB	(2,300,000)		Defer CIP to FY 2022-2023
CIP-Capital Projects	Irwindale Police Station	(630,000)		Defer CIP to FY 2022-2023
CIP-Capital Projects	Our Lady of Guadalupe Capital Improvments	(1,034,000)		Defer CIP to FY 2022-2023
Total Capital Projects / One-Time Budget Adjustments:		(5,364,000)		
Total Capital Expenditure Increase / (Decrease)		(4,741,900)	37,100	

Fiscal Impact:

Approval of Joint Resolution No. 2022-15-3265/HA 2022-03-113, and thereby approving the budget adjustments as presented, will allow City Staff to make the necessary revenue and expenditure adjustments to the FY 2021-2022 Budget for all funds listed in this financial report.

The table below summarizes the updated FY 2021-2022 Budget for the General Fund as updated with the Mid-Year Budget Adjustments. This summary shows the General Fund is anticipated to end the year with a deficit of \$3,006,639.

General Fund Budget Summary	Operating	Capital / One-Time	Capital Project Transfers	Total
REVENUE:				
Adopted Budget	21,401,970	10,382,170		31,784,140
Additional Appropriations - ICF	88,250			88,250
	21,490,220	10,382,170		31,872,390
Mid-Year Budget Requests	4,170,150			4,170,150
Mid-Year Budget Requests - Capital Projects		(7,653,870)		(7,653,870)
	4,170,150	(7,653,870)		(3,483,720)
Revised Revenue:	25,660,370	2,728,300		28,388,670
EXPENDITURES:				
Adopted Budget	20,699,950	7,257,730	5,991,400	33,949,080
Additional Appropriations - ICF & Misc	936,732	469,047		1,405,779
	21,636,682	7,726,777	5,991,400	35,354,859
Mid-Year Budget Requests	782,350			782,350
Mid-Year Budget Requests - Capital Projects		622,100	(5,364,000)	(4,741,900)
	782,350	622,100	(5,364,000)	(3,959,550)
Revised Expenditures:	22,419,032	8,348,877	627,400	31,395,309
Revised Surplus / (Deficit)	3,241,338	(5,620,577)	(627,400)	(3,006,639)

Attachment:

Joint Resolution No. 2022-15-3265 / HA 2022-03-113
Exhibit A – Mid-Year Budget Adjustments

**RESOLUTION NO. 2022-15-3265
RESOLUTION NO. HA 2022-03-113**

**A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE
AND THE IRWINDALE HOUSING AUTHORITY BOARD APPROVING
ADJUSTMENTS TO THE BUDGET FOR FISCAL YEAR 2021-2022**

WHEREAS, the City Council of the City of Irwindale adopted its FY 2021-2022 Budget on June 23, 2021 pursuant to Ordinance No. 757; and

WHEREAS, the Irwindale Housing Authority Board adopted its FY 2021-2022 Budget on June 9, 2021 pursuant to Resolution No. HA 2021-03-102; and

WHEREAS, the City Council and the Housing Authority Board have completed the review of the revenues and expenditures at the midterm of the fiscal year and desire to approve the recommended budget adjustments as itemized on Exhibit A attached hereto ("Proposed Budget Adjustments").

NOW, THEREFORE, the City Council of the City of Irwindale and the Irwindale Housing Authority, resolve, determine and order as follows:

1. That the Proposed Budget Adjustments, attached hereto as Exhibit "A" for the City of Irwindale and the Irwindale Housing Authority, are appropriate and hereby approved.
2. This resolution shall be effective upon adoption.
3. The Deputy City Clerk shall certify to the adoption of this resolution.

PASSED, APPROVED AND ADOPTED this 9th day of March 2022.

Larry Burolla, Mayor/Chair

ATTEST:

Laura Nieto, MMC
Chief Deputy City Clerk/

Chief Authority Assistant Secretary

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

I, Laura Nieto, Chief Deputy City Clerk of the City of Irwindale/Chief Authority Assistant Secretary of the Irwindale Housing Authority, do hereby certify that the foregoing Joint Resolution No. 2022-15-3265 / HA 2022-03-113 was duly and regularly passed and adopted by the City Council of the City of Irwindale and Irwindale Housing Authority Board at the regular meeting held on the 9th day of March 2022, by the following vote:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

ABSTAIN: Councilmembers:

Laura Nieto, MMC
Chief Deputy City Clerk
Chief Authority Assistant Secretary

GENERAL FUND		General Fund	Mining Impact Fund	Housing	AB 939	
REVENUE						
Sales Tax (Including Measure I)		1,550,000				Increase due to COVID Economic Recovery
Property Taxes		2,099,650				10% Sale of the MRF & HdL. projections
Local Taxes		520,500				Increase due to COVID Economic Recovery
		4,170,150				
REVENUE / ONE-TIME ITEMS:						
Licenses & Permits		(5,708,700)				Projections not coming in as anticipated
Plan Check Fees		(1,619,000)				Projects not approved/affected due to COVID / Developers decisions
COVID Funding-State & Federal		(328,170)				ARPA funding is \$346K Other COVID funds are delayed
Miscellaneous Revenue		-	750,000	-	-	Athens Payment for I-605 NB off ramp improvement
		(7,653,870)	750,000	-	-	
Total Revenue		(3,483,720)	750,000	-	-	
EXPENDITURES						
Administration	Leave Cashouts	73,500	73,500	-	-	Retirement leave accruals
Finance	Leave Cashouts	62,150	18,100	-	800	Retirement leave accruals
		135,650	\$1,600	-	800	
Police Dept - Overtime		739,500				Additional OT to cover disability leaves & vacancies
Police Dept - Salaries		(481,000)				Savings due to disability leaves & vacancies
		258,500	-	-	-	
Resident Vision Prescription Benefits		-	278,400	-	-	COVID-19 Home Test Kits
Aquatics	Program Supplies	6,700	-	-	-	Paddle Board Yoga
Community Development	Fuel	500	-	-	-	Additional fuel for the vehicles
Engineering	Contract Services	3,000	-	-	-	Records retention for Building Codes
Engineering	Contract Services	20,000	-	-	-	Permit inspection for encroachment permits
Engineering	Office Equip Maint & Supplies	2,500	2,500	-	-	Add'l license needed for Auto CAD computer drafting software
Engineering	Training	2,000	-	-	-	Training for Environmental Mandates & NPDES
Engineering	Storm Drain/NPDES	40,000	-	-	-	Consultant for NPDES management & MS4 Permit
Legal	Legal Services	60,500	-	85,000	-	Las Casitas & Extraordinary cases
Public Services	Residential Waste	85,000	-	-	-	Residential solid waste handling services
		220,200	280,900	85,000	-	
Personnel Reclassifications						
Police Lieutenant to	Police Captain	113,500				Prorated for FY 21/22 (Annual Cost \$304,960)
Sr. HR/Risk Mgt Analyst to	Benefits Administrator	8,350	2,780			Prorated for FY 21/22 (Additional Annual Cost \$24,092) GF 80% & 20% MIF
Office Specialist	Communications Specialist	1,300				Prorated for FY 21/22 (Additional Annual Cost \$3,702)
Departmental Aide to	Senior Center Leader	1,200				Prorated for FY 21/22 (Additional Annual Cost \$11,713)
Bus Driver to	Senior Bus Driver	1,200				Prorated for FY 21/22 (Additional Annual Cost \$3,295)
Police Records Clerk to	Police Records Clerk / Dispatcher	1,300				Prorated for FY 21/22 (Additional Annual Cost \$3,631)
Engineering Technician to	Assistant Engineer	6,300	5,150	-	-	Prorated for FY 21/22 (Additional Annual Cost \$32,899) GF 55% & MIF 45%
		133,150	7,930	-	-	
New Personnel						
Senior Finance Analyst	New	34,850	15,000			Prorated for FY 21/22 (Annual Cost \$144,000) GF 70%, MIF 30%
Housing Coordinator	New			44,750		Prorated for FY 21/22 (Annual Cost \$129,260) 100% Housing
Housing Office Specialist	New			29,650		Prorated for FY 21/22 (Annual Cost \$85,640) 100% Housing
		34,850	15,000	74,400	-	
		782,350	395,430	159,400	800	
Total Net Operating Budget Adjustments:		(4,266,070)	354,570	(159,400)	(800)	
CAPITAL / ONE-TIME ITEMS:						
Aquatics	Pool Equipment Repairs	100,000	-	-	-	Pool heater replacement & equip repairs imprvmt
Community Development	2 Vehicle	37,100	37,100	-	-	Replacement of old vehicles
		137,100	37,100	-	-	
CAPITAL PROJECTS:						
Engineering	CIP-Signage (with lights)	45,000	-	-	-	Install Truck signage on residential street - with lights
Engineering	CIP - City-wide ADA sidewalk survey	90,000	-	-	-	City-wide survey/assessment of public sidewalks for ADA compliance
Engineering	Left Turn Phasing, Arrow & Vincent Traffic Signal	360,000	-	-	-	Per Council's direction staff to move ahead with project (City 50%, City of Azusa 25%, & Cnty of LA 25%)
		485,000				
CAPITAL ONE-TIME PROJECTS:						
CIP-Bldg & Improvements	Recreation/Library Building Improvements	(1,400,000)				Defer CIP to FY 2022-2023
CIP-Bldg & Improvements	Irwindale Park Phase IIS	(2,300,000)				Defer CIP to FY 2022-2023
CIP-New Capital Projects	Irwindale Police Station	(630,000)				Defer CIP to FY 2022-2023
CIP-New Capital Projects	Our Lady of Guadalupe Capital Improvements	(1,034,000)				Defer CIP to FY 2022-2023
		(5,364,000)				
Total Capital Projects Budget Adjustments:		(4,741,900)	-	-	-	
Total Net Budget Adjustments:		475,830	354,570	(159,400)	(800)	

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022
To: Honorable Mayor and Members of the City Council
From: Julian A. Miranda, City Manager
Issue: Fireworks Sales in the City of Irwindale

City Manager's Recommendation:

Receive and file or provide direction to staff.

Administrative Action:

Prepared / Submitted by:

Laura Nieto, Chief Deputy City Clerk



Reviewed by:

Adrian R. Guerra, City Attorney

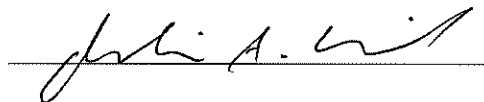
Electronically Approved

Jeanette Duran, Interim Finance Director / City Treasurer



Approved by:

Julian A. Miranda, City Manager



Background and Analysis:

At the regular City Council meeting of February 23, 2022, a request was made by Councilmember Breceda on behalf of Councilmember Garcia, to bring forward the City's current fireworks sales criteria for discussion.

IMC Chapter 8.16, attached hereto as Exhibit "A," addresses the sale of fireworks within the City of Irwindale. Any amendment to the current code chapter would need to be made by ordinance and would go into effect thirty days following the ordinance's adoption.

It is therefore recommended that the City Council receive and file this report, or provide other direction to staff.

Fiscal Impact:

There is no fiscal impact to receive and file this report.

Attachment:

Exhibit A- IMC Chapter 8.16 – Fireworks

Chapter 8.16 FIREWORKS*

***Note to Chapter 8.16.**

* For statutory provisions on fireworks, see Health and Saf. Code §§12500--12725; for provisions on local regulation of fireworks, see Health and Saf. Code §12541.

8.16.010 Definitions.

The following words and phrases, as used in this chapter, shall be defined as follows:

A. Dangerous fireworks is defined as set forth in Section 12505 of the Health and Safety Code of the state.

B. Fireworks is defined as set forth in Section 12511 of the Health and Safety Code.

C. Fireworks stands means temporary structures to be used exclusively for the sale of safe and sane fireworks operated by qualified organizations having a permit issued pursuant to this chapter.

D. Organization means any nonprofit organization, corporation, or association, organized primarily for veteran, patriotic, welfare, civic betterment, religious or charitable purposes, which has its principal and permanent meeting place, office, or place of worship within the city, and has been organized and established in the city for a minimum period of one year, continuously, preceding the filing of an application for permit under this chapter.

E. Permit means a validly issued permit allowing a qualified organization to conduct the sale, to the members of the general public, of safe and sane fireworks.

F. Safe and sane fireworks is defined as set forth in Section 12529 of the said Health and Safety Code. (Ord. 330 §24, 1979; Ord. 145 §1(part), 1964: prior code §6330).

8.16.020 Dangerous fireworks prohibited.

No person shall sell, offer to sell, or have in his possession, any dangerous fireworks within the city. (Ord. 145 §1(part), 1964: prior code §6331).

8.16.030 Safe and sane fireworks--Permit to sell-- Required.

No person shall sell, or offer to sell, any safe and sane fireworks without first obtaining a permit therefor in the manner set forth in Sections 8.16.040 and 8.16.050. (Ord. 145 §1(part), 1964: prior code §6332).

8.16.040 Safe and sane fireworks--Permit to sell-- Application--Contents.

Applications for permits shall be accepted only from qualified organizations, as described in Section 8.16.010, and shall be in writing upon the form prescribed therefor by the license and zoning inspector of the city. The application shall be submitted to the license and zoning inspector on or before the fifteenth of June for the year 1964, and before the first day of June of each calendar year thereafter. The application shall contain the following information:

A. The exact location of the stand, as proposed, together with the written permission of the owner of the property if the property is not owned by the applicant;

B. The name and location of the principal place of business of the organization and the principals thereof; and

C. Such other information as may be required by the license and zoning inspector. (Ord. 145 §1(part), 1964: prior code §6333).

8.16.050 Safe and sane fireworks--Permit to sell--Application--Deposit.

Each application shall be accompanied by a deposit of a cashier's check, or cash, in the amount of fifty dollars. The deposit may be refunded as set forth in subsection O of Section 8.16.070. (Ord. 145 §1(part), 1964: prior code §6334).

8.16.060 Fireworks stand--Application--Approval or denial--Revocation.

A. All applications for fireworks stands shall be referred to the city council for approval, conditional approval or denial. The city council shall deny any fireworks stand permit if it finds that the public interest or safety is, or would be, jeopardized by the issuance thereof. The decision of the council shall, in all cases, be final and conclusive.

B. The chief of police shall revoke any permit where he finds that the permittee has violated any condition of approval imposed upon such permit, or any provision of law. (Ord. 145 §1(part), 1964: prior code §6338).

8.16.070 Fireworks stand--Operation.

All permitted firework stands shall be operated in accordance with the following terms and conditions:

A. No person other than the licensed organization shall operate the stand for which the permit is issued; and

B. No person other than individuals who are members of the licensed organization shall participate in the operation of the stand, nor shall any person under the age of eighteen years participate in the operation of such stand; and

C. No person shall be paid any compensation for selling or otherwise participating in the sale of fireworks at such stand; and

D. No stand shall be located within twenty-five feet of any other building or within one hundred feet of any gasoline service station, or other use which involves the use or storage of any inflammable liquid or material; and

E. Fireworks stands need not comply with the provisions of the building code of the city; provided, that all such stands shall be erected under the supervision of the building inspector who shall require that the same be constructed in a manner which will reasonably insure the safety of the attendants and patrons thereof; and

F. No stand shall have a floor area in excess of two hundred fifty square feet; and

G. Each stand shall have at least two usable exits; each stand in excess of forty feet in length shall have at least three usable exits. In no case shall the distance between exits exceed twenty feet; and

H. Fireworks stands shall be provided with two fire extinguishers of a type and size approved by the fire chief; and

I. Fireworks stands shall be located not less than five hundred feet apart; and

J. All weeds and other combustible material shall be cleared from the location of the stand, including a distance of at least twenty-five feet surrounding the stand; and

K. No smoking signs shall be prominently displayed on the exterior of each fireworks stand; and

L. Fireworks shall not be sold prior to twelve noon on the twenty-eighth day of June and such sale shall

cease at twelve noon on the sixth day of July each calendar year; and

M. All unsold stock and accompanying litter shall be removed from the stand and from the city limits by twelve noon on the sixth day of July of each calendar year; and

N. Each fireworks stand shall be removed from its temporary location no later than twelve noon on the twelfth

day of July of each calendar year, and all accompanying litter shall be cleared from the said location by the said time and date;

O. To insure compliance with subsections M and N of this section, prior to the issuance of any permit, the applicant shall deposit a cashier's check, or cash, with the license and zoning inspector in the amount of fifty dollars, as set forth in Section 8.16.050. Upon the certification of the chief of police that compliance has been had with subsections M and N of this section, the deposit shall be returned to the applicant. (Ord. 145 §1(part), 1964: prior code §6336).

8.16.080 Fireworks stand--Insurance required.

Prior to the issuance of any fireworks stand permit, the applicant shall file with the license and zoning inspector a policy of liability insurance in minimum coverage amounts of fifty thousand dollars (PL) and one hundred thousand dollars (PD), or a certificate of insurance. The policy shall name the city as a co-assured. (Ord. 145 §1(part), 1964: prior code §6337).

8.16.090 Smoking or lighting combustible material near stands prohibited.

No person shall light or cause to be lighted or permit to be lighted any fireworks or other combustible material, nor shall any person smoke within such stand or other places of sale or within twenty-five feet thereof. (Ord. 145 §1(part), 1964: prior code §6336).

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022
To: Honorable Mayor and Members of the City Council
From: Adrian R. Guerra, City Attorney
Issue: Rent Control Measures

City Manager's Recommendation:

It is recommended that the City Council receive and file this Report or provide other direction to staff.

Administrative Action:

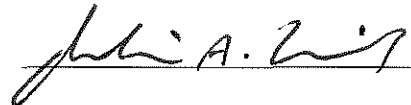
Prepared and Submitted by:
Adrian R. Guerra, City Attorney

Electronically approved

Reviewed by:
Jeanette Duran
Interim Finance Director / City Treasurer



Approved by:
Julian A. Miranda, City Manager



Background:

At the request of Mayor Pro Tem Ambriz, this report provides general background for municipal rent control. Regulation of the rent charged for residential rental units (duplexes, multifamily apartment buildings, and mobilehome spaces) is within cities' police power under the California Constitution. (Cal Const. art XI, §5 (charter cities), §7 (general law cities).) However, with few exceptions, units constructed after February 1, 1995, and units that are separately alienable from the title of any other dwelling (single-family homes and condominiums) are statutorily exempt from rent regulation. Moreover, cities cannot apply inclusionary zoning ordinances (requiring a percentage of newly constructed housing to be affordable) to rental housing unless the owner agrees by contract in exchange for an incentive. (*Palmer/Sixth St. Props. LP v. City of Los Angeles* (2009) 175 Cal. App. 4th 1396, 1410.)

A. The Costa-Hawkins Rental Housing Act (Civil Code §§ 1954.50 – 1954.535)

California's Costa-Hawkins Rental Housing ("RHA") provides that, "notwithstanding any other provision of law" the owner of residential property for which a certificate of occupancy issued after 1995 "may establish the initial and all subsequent rental rates." The RHA places limits on municipal rent control ordinances in two major ways: (1) landlords have the right to raise the rent to market rate once a tenant in a rent controlled unit moves out by eliminating vacancy control (known as "vacancy decontrol"); and (2) cities cannot establish rent control – or capping rent – on units constructed after February 1995. (Civil Code §1954.50 *et seq.*) With certain exceptions, the RHA allows a landlord to increase the rent for an apartment otherwise subject to rent control once it is vacated. (Civil Code §§1954.52-1954.53.) Further, the RHA completely exempts from rent control units: (1) that had already been exempt from rent control by a local ordinance prior to February 1, 1995; and (2) any unit which title is separable from the title to any other dwelling unit or is a subdivided interest in a subdivision (includes most single family homes and condos). The RHA does not apply to mobile home parks.

Because the RHA creates an incentive for landlords to evict tenants paying "below-market" rent, so that they can set a new initial rent at current market levels, the RHA expressly preserves the authority of local governments to regulate the grounds for eviction.

An example of a municipal rent control ordinance is the City of Los Angeles Rent Stabilization Ordinance (RSO), which was enacted in 1979. The RSO restricts rent control to units built prior to October 1978. This date is frozen in place by the Costa-Hawkins RHA because it prevents cities from updating ordinances in place at the time of the Act's passage. Thus, Los Angeles officials cannot expand rent control to newer buildings even if they wanted to do so. Under the Los Angeles ordinance, yearly rent increases are capped at 3-8% yearly.

B. The Ellis Act (Gov. Code §§ 7060-7060.7)

The Ellis Act is a limitation on rent control. The Ellis Act gives landlords an absolute right to get out of the "rental business" by converting rental property to a non-rental use or selling the property, which trumps any existing rent stabilization or just-cause eviction laws. There are some conditions, however: (1) this does not apply to some "residential hotels" in large cities; (2) the landlord must evict *all* tenants; (3) cities maintain their power to grant or deny any entitlement to use the property in a particular way; (4) cities maintain their power to mitigate adverse impacts on displaced persons, including requiring landlords to provide relocation assistance (within certain limits); (5) any withdrawn accommodations that are re-rented within 5 years of withdrawal will be subject to any existing rent controls as if the units were never taken off the market; (6) withdrawn accommodations re-rented within 2 years of withdrawal will give last-evicted tenants, as well as the municipality, a cause of action for damages against owner; furthermore, if re-rented within 2 years of withdrawal, the accommodations must be first offered to last-evicted tenants who gave written notice of a forwarding address at time of eviction (the statute allows municipalities to extend the time period for this right of first refusal to

accommodations re-rented within up to 10 years after the withdrawal of accommodations). These latter two provisions – (5) and (6) – are designed to thwart efforts by landlords to circumvent rent control by evicting tenants under the false pretense that they want to go out of business, and then re-renting their property at market rates.

So-called “Ellis Act evictions” are often used to convert rental units to condominiums or to convert multi-unit buildings to single-family homes.

C. Tenant Protection Act of 2019 (Civil Code §§1946.2, 1947.12 and 1947.13)

In 2019, California Governor Newsom signed Assembly Bill 1482 to cap rent increases statewide for the next 10 years. Effective on January 1, 2020, the bill limits annual residential rent increases at 5 percent, plus any rise in the consumer price index, or 10 percent, whichever is lower. However, AB 1482 does not apply to cities that are already regulated by their own local rent control ordinances.

AB 1482 does not apply to all residential dwellings, such as buildings constructed within the past fifteen years. The bill impacts apartments and multi-family buildings containing two or more units, but exempts single-family residences, owner-occupied duplexes, and condominiums, except when owned by corporations or LLC in which at least one member is a corporation.

Discussion:

The following discussion deals with the ability of the City to impose rent control measures.

A. Can the City Impose Rent Control?

Generally speaking, yes. But any rent control measure will be limited in scope as provided by law, as summarized above. For example, the rent control measures can only apply to pre-1995 construction and cannot apply to single family homes or condos. Given the limited housing stock in the City, any rent control measure will, necessarily, affect very few properties.

Rent control is very rare in California. It appears only twenty (20) cities out of the 482 in the state have some form of rent control: Berkeley, Beverly Hills, East Palo Alto, Emeryville, Glendale, Hayward, Los Angeles, Los Gatos, Maywood, Mountain View, Oakland, Palm Springs, Richmond, San Diego, San Francisco, Santa Monica, San Jose, Thousand Oaks, Union City, and West Hollywood. Of these, only Palm Springs falls outside of a major metropolitan area.

B. Legal Risks of Imposing Rent Control?

The constitutionality of rent control is settled law. The issues with rent control ordinances pertain more to compliance with statutory and due process requirements than fundamental constitutionality of the regulations as a governmental “taking” of property without just compensation under the state and federal constitutions. Except as modified or restricted by state law, municipal price controls on rent are within the police powers of

a city, if reasonably calculated to eliminate excessive rents while providing landlords with a just and fair reasonable return from their property. A stated objective of preventing excessive and unreasonable rent increases caused by housing shortages is a valid governmental purpose that has been upheld against legal challenge. Additionally, the protection of existing tenants from displacement is, by itself, a legitimate government interest regardless of the income of the tenants.

Nonetheless, any ordinance can be subjected to a legal challenge as unconstitutional, if the ordinance is so restrictive that it precludes any possibility of a fair and reasonable return, if application of the ordinance cannot avoid what amounts to a confiscation of property, or if the ordinance denies a property owner due process. Further, any ordinance that does not recognize the numerous statutory restrictions of state law is subject to challenge.

Additionally, with any ordinance that provides government oversight of proposed rent increases, any landlord rent increase not approved may face a legal challenge as a regulatory taking.

C. STEPS TO CONSIDER IN ADOPTING A RENT CONTROL ORDINANCE

1. **Studies.** The City should first retain an expert consultant in the field to conduct the necessary studies needed for the findings to support the adoption of rent control. Factors to consider prior to the adoption of rent control include, but are not limited to, the following:

- current market rents and rent increase rates, income levels of seniors and non-seniors, number of seniors and non-seniors;
- number of potentially impacted units and exempt units; and
- vacancy rates and market imbalances.

The expert consultant would also participate in drafting an ordinance with the City Attorney's Office and making presentations to the City on its options.

2. **Community Participation.** The City should conduct workshop(s) for the City Council and the community on what rent control entails and issues to be considered by the City Council in choosing a rent control ordinance.

3. **Factors to Decide.** The City will need to consider the following issues:

a) ***Applicability of the Ordinance.*** The City must decide whether the rent control ordinance will apply to seniors only, to a portion of the City, or to all buildings built before February 1, 1995. If the ordinance will apply to seniors only, the City must decide whether rent control will be on buildings occupied only by seniors, or other scenarios to avoid a disparate impact argument, discussed above.

b) ***Annual Rent Increases.*** All rent control ordinances must allow for annual rent increases. The following are common rent increase methods:

- increases tied to consumer price index (CPI) (100% or a lesser percentage of CPI for the previous year);
- increases of a fixed percentage (e.g. 5% annually); or
- increases between a range of percentages (e.g., a floor of 3% and ceiling of 6% annually).

c) ***Fair Return Adjustments.*** All rent control ordinances must authorize petitions for fair return adjustments. The types of fair return standards that have been common under rent control ordinances are:

- An analysis of a non-exclusive list of factors without a specific formula;
- Return on Investment; or
- Maintenance of Net Operating Income (MNOI).

The City may choose some or all of the standards to apply in considering petitions for fair return adjustments. The City may also allow the Rent Review Commission or the City Council the discretion to decide what formula to apply.

d) ***Capital Improvement Adjustments.*** The City may choose whether to separately allow for capital improvement rent increases.

e) ***Funding Mechanism.*** The City must determine how enforcement of the rent control ordinance will be funded. For example, some cities adopt a flat annual administrative fee for each building, while others adopt a fee ranging from \$1 to \$150/year per unit.

f) ***Administration.*** The City must decide which bodies will act as the policy- and quasi-judicial decision-makers, and the division of power between the City Council and the Rent Review Commission. The City must also determine which department and personnel will run the day-to-day operations of the rent control ordinance.

g) ***Eviction Standards.*** The City should determine what standards will apply for just-cause evictions, and the appeal process.

4. **Drafting of Ordinance.** Once the City receives satisfactory input from the community and the relevant studies, the City then drafts the ordinance.

5. **Notice and Hearing Issues.** The Costa-Hawkins Act does not require a public hearing or provide for specific notice requirements. Accordingly, the normal rules for the adoption of ordinances apply.

a) **Notice.** Pursuant to Gov. Code Section 54954(a), notice of any item to be discussed at a city council meeting, such as a proposed rent control ordinance, must be posted on the agenda for the city council meeting at least 72 hours in advance of the meeting.

b) **Public Hearing.** Although the Costa-Hawkins Act does not specifically provide for a public hearing, it is recommended that the City conduct one if it anticipates the public would want to comment on the proposed ordinance.

If the ordinance is effective City-wide and if the City chooses to conduct a public hearing, the City would provide notice of the public hearing by publication in a newspaper of general circulation within the city at least 10 days before the hearing.

D. Links to Additional Information

- Rent Control for All Campaign: <https://www.arcgis.com/apps/Cascade/index.html?appid=66be4442010f405a86286bca44cc0a1f>
- Tenants Together: <https://www.tenants-together.org/resources/list-rent-control-ordinances-city>
- National Apartment Association: <https://www.naahq.org/advocacy/policy-issues/rent-control>
- City of Santa Monica: <https://www.smgov.net/rentcontrol/>
- City of Palm Springs: <https://www.palmspringsca.gov/government/departments/community-economic-development-department/rent-control>
- City of Hayward: <https://www.hayward-ca.gov/your-government/programs/residential-rent-stabilization>
- City of Los Angeles: <https://housing.lacity.org/rental-property-owners/rent-control-property-overview>
- San Francisco Rent Board (City and County of San Francisco): <https://sfrb.org>

Fiscal Impact:

There is no fiscal impact at this time in receiving and filing this report or the City Council providing direction.

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022
To: Honorable Mayor and Members of the City Council
From: Arsanious Hanna, Director of Engineering / Building Official
Issue: Analysis of locations for Irwindale Public Library Capital Improvement Project

City Manager's Recommendation:

Discuss various possible locations for construction of a new stand alone City library and provide direction to staff.

Administrative Action:

Prepared / Submitted by:

Shayna Balli, City Librarian
(626) 430-2228

Electronically Approved

Reviewed by:

Adrian R. Guerra, City Attorney

Electronically Approved

Jeanette Duran,
Interim Finance Director / City Treasurer

Electronically Approved

Approved by:

Arsanious Hanna,
Director of Engineering / Building Official

Arsanious Hanna

Background and Analysis:

On December 13, 2021, staff provided an update regarding the Irwindale Rock House Replacement Structure, the Irwindale Public Library Capital Improvement Project, and the Dan Diaz Recreation Center Capital Improvement Project. At this meeting staff was directed to evaluate the ten-acre City-owned property on Allen Drive as a potential location for a new standalone library. Staff has completed its analysis for the ten-acre

site, including General Plan and Zoning, access and circulation, input from the Parks and Recreation Commission, and library operations.

GENERAL PLAN AND ZONING



5100 Allen Drive



Grass Area West of Existing Library

5100 Allen Drive

The site is designated in the General Plan as Residential. The property is currently zoned M-2 (Heavy Manufacturing). The following zones and uses surround the site:

Direction	Existing Land Use	Zoning District
North	Industrial Business Park	M-2, Heavy Manufacturing
South	Los Angeles County Pit	M-2, Heavy Manufacturing
East	Vacant Land	M-2, Heavy Manufacturing
West	Residential	M-2, Heavy Manufacturing

If the City Council desires to utilize this site for the library, a General Plan Amendment would be required because the current designation is Residential and the library is not listed as a permissible use under Residential; the suggested designation is Public/Institutional Uses. This site would not require a zone change because the use permitted under C-2 (Heavy Commercial)- which zone would allow the use of the site as a library- is permitted under the site's current zoning designation of M-2 (Heavy Manufacturing).

Grass Area West of Existing Library

The site is designated in the General Plan as Parks. The property is currently zoned A-1 (Agricultural). The following zones and uses surround the site:

Direction	Existing Land Use	Zoning District
North	Residential/ Commercial/ Public/Institutional	R-1, Single Family Residential/ C-2, Heavy Commercial/ C-3, Heavy Commercial-Residential
South	Residential/ Commercial	A-1, Agricultural/ C-3, Heavy Commercial-Residential
East	Vacant Land	M-2, Heavy Manufacturing
West	Industrial Business Park/ City Park/ Commercial/ Residential	M-1, Light Manufacturing/ R-2, Light-Multiple Residential/ C-3, Heavy Commercial-Residential

If the City Council desires to utilize the site for development of the library, a General Plan Amendment would be required because the current designation of Parks allows for public parks and public open space; the suggested designation is Public/Institutional Uses. This site would also require a zone change to either C-2 (Heavy Commercial) or OS (Open Space).

ACCESS AND CIRCULATION

Ingress and egress to the site would be achieved by utilizing Allen Drive. Although no formal traffic study was performed, it is estimated that vehicle daily trips to the new standalone library would result in an additional +/- 60 daily trips.

PARKS AND RECREATION COMMISSION

On January 5, 2022, the Irwindale Parks and Recreation Commission was provided with an update regarding the Library Capital Improvement Project and the Dan Diaz Recreation Center Capital Improvement Project. At this meeting, the Commission expressed their desire to have the new standalone Library constructed near the Dan Diaz Recreation Center, west of the existing Library.

LIBRARY OPERATIONS

The Library operations includes programs and events that benefit community members of all ages. Many of the Library patrons participate in the programs and events offered by the Dan Diaz Recreation Center, making the close proximity of these two buildings ideal. Throughout the year, the Recreation Department staff walks Kidzone participants to the Library to participate in homework help, story time, special events, and the summer reading program. Additionally, in the summer, the Library patrons include visitors from the Aquatics Center. The current location of the Library also allows school age children, who use the City's school transportation service to walk to the library to complete schoolwork, use the public computers or check out materials. During the school year, the library hosts monthly class visits from Merwin Elementary. The Library's current close proximity to Merwin allows students and teachers to safely walk and utilize existing crosswalks in a timely manner. Keeping the Library in close proximity to other City departments also provides a convenient meeting space for staff workshops and trainings.

Alternatively, construction of a Library on the ten-acre site would allow a significantly larger library to be constructed. A larger library will require increased staffing to cover additional service points to provide continuity of operations and service delivery.

STAFF'S RECOMMENDATION

Based on the analysis above, it is staff's recommendation that the City Council consider constructing a new standalone Library in the grass area west of the existing library. This will allow the library, recreation, aquatic, local schools, and park patrons to easily access these facilities and participate in the various program and events offered to the community.

Fiscal Impact:

None

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022

To: Honorable Mayor and Members of the City Council
Honorable Chair and Members of the Successor Agency Board
Honorable Chair and Members of the Housing Authority Board
Honorable Chair and Members of the Reclamation Authority

From: Julian A. Miranda, City Manager/Executive Director

Issue: A Resolution to Re-Ratify the Existence of a Local Emergency and Authorize Remote Meetings of the Legislative Bodies of the City of Irwindale for the 30-Day Period Beginning March 15, 2022 through April 14, 2022

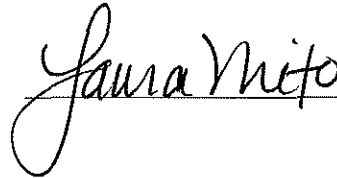
City Manager/Executive Director's Recommendation:

Staff recommends City Council, Successor Agency, and Housing Authority **adopt Resolution No. 2022-20-3270, Resolution No. SA 2022-21-3271, and Resolution No. HA 2022-04-114, and Resolution No. RA 2022-01-028** entitled, "A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, THE BOARD OF THE HOUSING AUTHORITY AND THE RECLAMATION AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING MARCH 15, 2022 THROUGH APRIL 14, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361".

Administrative Action:

Submitted / Prepared by:

Laura Nieto, Chief Deputy City Clerk



Reviewed by:

Adrian R. Guerra, City Attorney

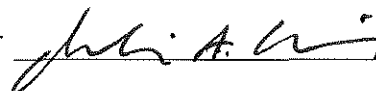
Jeanette Duran, Interim Finance Director / City Treasurer

Electronically Approved



Approved by:

Julian A. Miranda, City Manager / Executive Director



Background and Analysis:

1. At its special meeting held September 29, 2021, the City Council adopted Resolution No. 2021-86-3298, declaring an exemption under AB 361 which allowed the legislative body to meet via teleconference and forego the Brown Act's traditional agenda posting, physical access, and quorum requirements for teleconferencing for the month of October 2021.
2. On October 13, 2021, the Successor Agency and Irwindale Housing Authority adopted Resolution Nos. SA 2021-92-3304 and HA 2021-05-104, which ratified the action taken by the City Council.
3. On October 13, 2021, the City Council directed staff to take the necessary steps to resume hybrid public meetings, thereby allowing the public to participate in a public meeting via teleconference or in-person, and foregoing the Brown Act's traditional agenda posting, physical access, and quorum requirements for teleconferencing for the month of November 2021.
4. On October 27, 2021, the City Council, Successor Agency and the Irwindale Housing Authority adopted Joint Resolution No. 2021-94-3306, Resolution No. SA 2021-95-3307, and HA 2021-06-105, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the month of November.
5. On November 10, 2021, the City Council, Successor Agency and the Irwindale Housing Authority adopted Joint Resolution No. 2021-100-3312, Resolution No. SA 2021-101-3313 and HA Resolution No. 2021-07-106, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the month of December.
6. On December 8, 2021, the City Council, Successor Agency, Housing Authority and Reclamation Authority adopted joint Resolution No. 2021-109-3321, SA Resolution No. 2021-110-3322, HA Resolution No. HA 2021-09-108 and RA Resolution No. 2021-03-028, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the thirty day period beginning December 9, 2021 through January 8, 2022; and
7. On January 12, 2022, the City Council, Successor Agency and Housing Authority adopted joint Resolution No. 2022-02-3251, SA Resolution No. 2022-03-3252 and HA Resolution No. 2022-01-111, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the thirty day period beginning January 13, 2022 through February 12, 2022; and
8. On February 9, 2022, the City Council, Successor Agency and Housing Authority adopted joint Resolution No. 2022-11-3261, SA Resolution No. 2022-12-3262 and HA

Resolution No. 2022-02-112, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the thirty day period beginning February 13, 2022 through March 14, 2022; and

9. The attached joint resolution for the City Council, Successor Agency, and Housing Authority, make the findings necessary for the legislative bodies to declare an exemption under AB 361 as (1) there is an existing state of emergency declared by the Governor and (2) the Los Angeles County Department of Public Health's guidance recommends to social distance (about 6 feet away) from people outside your household or when vaccination status is unknown.
10. As a result, joint Resolution modifies public meetings as follows:
 - a. AB 361, attached to the Resolution as Exhibit A, regarding teleconference requirements allowing City legislative bodies to hold public meetings by teleconferencing or electronically, and in-person, without noticing the teleconferenced locations on the agenda, without making teleconferenced locations accessible to the public, without making physical locations accessible to the public, without posting agendas at teleconferenced locations, without requiring members of the legislative bodies to be physically present at the meeting, and without requiring a quorum of the members of the legislative body to participate from locations with the City's jurisdiction, as long as the agenda that is posted at least 72 hours in advance indicates that members of the legislative body may be participating electronically, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations;
 - b. All public meeting agendas shall be posted at least 72 hours prior to a regular meeting and at least 24 hours prior to a special meeting;
 - c. Members of the public will have the ability to access the meeting and directly address the legislative body via a call-in option, an internet-based service provider, or in-person. Members of the public who wish to access the meeting in-person shall comply with all health and safety protocols imposed for in-person attendance to promote social distancing;
 - d. In the event of a service disruption that prevents broadcasting of the meeting, the meeting will stop and no further action on the agenda items will occur until (1) an attempt to restore service for a 10-minute period, and (2) adjourning the meeting to a new date and time when an unresolved issue exceeds the 10-minute time period.

Fiscal Impact:

Conducting remote hybrid public meetings will require city staff to assist with the meeting and public participation, remotely or in-person. The fiscal impact will be based on the amount of staff required and the duration of the meeting. The fiscal impact for all Council and Commission meetings for the 30-day period beginning March 15, 2022 through April 14, 2022 is estimated to be approximately \$900.

Attachment:

1. Joint Resolution No. 2022-20-3270, Resolution No. SA 2022-21-3271, Resolution No. HA 2022-04-114 and Resolution No. RA 2022-01-028

**RESOLUTION NO. 2022-20-3270
RESOLUTION NO. SA 2022-21-3271
RESOLUTION NO. HA 2022-04-114
RESOLUTION NO. RA 2022-01-028**

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING MARCH 15, 2022 THROUGH APRIL 14, 2022 PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361

WHEREAS, all meetings of the legislative body are open and public, as required by the Ralph M. Brown Act, Government Code sections 54950 – 54963, so that any member of the public may attend, observe, and participate in a meaningful way; and

WHEREAS, the Brown Act under Government code section 54953(b)(3), allows a local legislative body to hold public meetings by teleconference and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to attend and to address the local legislative body, as long as the following requirements are met: (1) each teleconference location from which a member is participating is noticed on the agenda; (2) each teleconference location is accessible to the public; (3) members of the public must be able to address the body at each teleconference location; (4) at least one member of the legislative body must be physically present at the location specified in the meeting agenda; and (5) during teleconference meetings, at least a quorum of the members of the local body must participate from locations within the local body's territorial jurisdiction; and

WHEREAS, on March 4, 2020, Governor Newsom declared the existence of a state of emergency for the State of California in response to the outbreak of a novel respiratory illness known as COVID-19; and

WHEREAS, on March 17, 2020 Governor Newsom issued Executive Order N-29-20, suspending the Brown Act teleconferencing requirements allowing legislative bodies to hold public meetings solely by teleconference, or otherwise electronically, without listing

the teleconference locations and without any physical location, as long as the agenda that is posted 72 hours in advance indicates that the members of the legislative body will be participating by teleconference, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations; and

WHEREAS, on March 21, 2021, Governor Newsom issued Executive Order N-35-20, allowing members of a local legislative body to receive updates relevant to the declared emergency and ask questions; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 into law, immediately amending the Brown Act to allow teleconference meetings during a state of emergency, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, on September 20, 2021, Governor Newsom signed Executive Order N-15-21 suspending AB 361 until October 1, 2021, allowing legislative bodies to hold teleconference meetings under Executive Order N-35-20; and

WHEREAS, AB 361 allows local agencies to continue to meet via teleconference without complying with the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing, but only during a state of emergency proclaimed by the Governor in which (1) state or local health officials have imposed or recommend measures to promote social distancing, or (2) the legislative body has determined by majority vote that meeting in person would present imminent risk to the health and safety to the attendees; and

WHEREAS, due to the COVID-19 pandemic the County of Los Angeles Department of Public Health recommends implementing policies and practices that support physical distancing amongst members of the public, resulting in the City Council's desire to adopt a resolution incorporating AB 361 and allowing for teleconference meetings; and

WHEREAS, at a special meeting held on September 29, 2021, the City Council adopted Resolution No. 2021-86-3298 declaring an exemption under the provisions of AB 361, allowing the legislative body to meet via teleconference and forego the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing for the month of October 2021; and

WHEREAS, on October 13, 2021, the Successor Agency and Irwindale Housing Authority adopted Resolution Nos. SA 2021-92-3304 and HA 2021-05-104, which ratified the action taken by the City Council; and

Resolution No. 2022-20-3270

Resolution No. SA 2022-21-3271

Resolution No. HA 2022-04-114

Resolution No. RA 2022-01-028

Page 2

WHEREAS, on October 27, 2021, the City Council, Successor Agency Board, and Housing Authority Board adopted Joint Resolution No. 2021-94-3306, Resolution No. SA 2021-95-3307, and HA 2021-06-105, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the month on November; and

WHEREAS, on November 10, 2021, the City Council, Successor Agency Board, and Housing Authority Board adopted joint Resolution No. 2021-100-3312, Resolution No. SA 2021-101-3313 and Resolution No. HA 2021-07-106, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the month of December; and

WHEREAS, on December 8, 2021, the City Council, Successor Agency Board, Housing Authority Board and Reclamation Authority Board adopted joint Resolution No. 2021-109-3321, SA Resolution No. 2021-110-3322, HA Resolution No. HA 2021-09-108 and RA Resolution No. 2021-03-028, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the thirty day period beginning December 9, 2021 through January 8, 2022; and

WHEREAS, on January 12, 2022, the City Council, Successor Agency and Housing Authority Board adopted joint Resolution No. 2022-02-3251, SA Resolution No. 2022-03-3252 and HA Resolution No. 2022-01-111, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the thirty day period beginning January 13, 2022 through February 12, 2022; and

WHEREAS, on February 9, 2022, the City Council, Successor Agency and Housing Authority Board adopted joint Resolution No. 2022-11-3261, SA Resolution No. 2022-12-3262 and HA Resolution No. 2022-02-112, respectively, which re-ratified the existence of a local emergency and authorized remote hybrid meetings for all legislative bodies of the City of Irwindale for the thirty day period beginning February 13, 2022 through March 14, 2022; and

WHEREAS, the City Council, Successor Agency Board, Housing Authority Board and Reclamation Authority Board desire to declare an exemption under AB 361, allowing the legislative body to meet via teleconference and forego the Brown Act's traditional agenda posting, physical access and quorum requirements for teleconferencing for a thirty day period beginning March 15, 2022 through April 14, 2022.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE FORMER IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY BOARD AND RECLAMATION AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA DO HEREBY RESOLVE, DETERMINE, AND ORDER AS FOLLOWS:

SECTION 1. The City Council, Successor Agency Board, Housing Authority Board and Reclamation Authority Board determine that each of the findings set forth above is true and correct and incorporated herein by this reference.

SECTION 2. The City Council, Successor Agency Board, Housing Authority Board and Reclamation Authority Board hereby consider the conditions of the state of emergency as proclaimed by the Governor, the existence of emergency conditions in the City of Irwindale, and reaffirm, reauthorize, and continue the existence of a local emergency throughout the City.

SECTION 3. The City Council, Successor Agency Board, Housing Authority Board and Reclamation Authority Board hereby find that the state of emergency declared by Governor Newsom on or about March 4, 2020 remains active and local health agencies continue to recommend measures to promote social distancing, and that the risk of infection due to the Delta and Omicron variants of COVID-19 can cause an imminent risk to attendees to in-person meetings, despite vaccination status, but especially for unvaccinated attendees, and/or those who are immunocompromised, thereby prompting the City Council, Successor Agency Board, and Housing Authority Board to reaffirm, reauthorize, and maintain the existence of a local emergency, as required by Government Code section 54953(e) *et seq.*

SECTION 4. Due to the COVID-19 pandemic, the County of Los Angeles Department of Public Health recommends implementing policies and practices that support physical distancing. Based on such facts, findings, and determinations, the City Council Successor Agency Board, and Housing Authority Board authorize staff to conduct remote hybrid meetings for all public meetings regular and special, including City Council, Successor Agency to the Irwindale Community Redevelopment Agency, and Irwindale Housing Authority Board of Commissioners, all City Commission and committee meetings, and any other meetings that would normally take place in the City Council Chambers under the provisions of Government Code Section 54953 subsection E. As a result, the public meetings are modified as follows:

- a. AB 361, attached hereto as Exhibit A, regarding teleconference requirements allowing City legislative bodies to hold public meetings by teleconferencing or electronically, and in-person, without noticing the teleconferenced locations on the agenda, without making teleconferenced locations accessible to the public,

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Resolution No. SA 2022-21-3271

Resolution No. HA 2022-04-114

Resolution No. RA 2022-01-028

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without making physical locations accessible to the public, without posting agendas at teleconferenced locations, without requiring members of the legislative bodies to be physically present at the meeting, and without requiring a quorum of the members of the legislative body to participate from locations within the City's jurisdiction, as long as the agenda that is posted at least 72 hours in advance indicates that members of the legislative body may be participating electronically, provides the teleconference or webinar access information by which the public may participate electronically, and lists the procedure for individuals with disabilities to request reasonable accommodations;

- b. All public meeting agendas shall be posted at least 72 hours prior to a regular meeting and at least 24 hours prior to a special meeting;
- c. Members of the public will have the ability to access the meeting and directly address the legislative body via a call-in option, an internet-based service provider, or in-person. Members of the public who wish to access the meeting in-person shall comply with all health and safety protocols imposed for in-person attendance to promote social distancing;
- d. In the event of a service disruption that prevents broadcasting of the meeting, the meeting will stop and no further action on the agenda items will occur until (1) an attempt to restore service for a 10-minute period, and (2) adjourning the meeting to a new date and time when an unresolved issue exceeds the 10-minute time period.

SECTION 5. The City Manager/Executive Director or his designee is authorized and directed to take all actions reasonably necessary to carry out the intent and purpose of this Resolution, including, continuing to conduct open and public meetings in-person and remotely in accordance with Government Code section 54953(e) *et seq.*, and other applicable provisions of the Brown Act, for all public meetings.

SECTION 6. Pursuant to Government Code section 54953(e)(4), the local legislative body will verify every 30 days that the exemption from traditional teleconference requirements under the Brown Act is still necessary. The legislative body must make findings no later than 30 days after the first teleconference and every 30 days thereafter that:

- a. The legislative body has reconsidered the state of emergency circumstances; and
- b. Either (1) the state of emergency continues to directly impact the ability to meet safely in person, or (2) state or local officials continue to impose or recommend measures to promote social distancing.

SECTION 7. The Chief Deputy City Clerk/Secretary to the Successor Agency/Authority Assistant Secretary shall certify the adoption of this resolution which shall take effect on March 15, 2022.

PASSED, APPROVED AND ADOPTED this 9th of March 2022.

Larry G. Burrola, Mayor/Chair

ATTEST:

Laura M. Nieto, MMC
Chief Deputy City Clerk/Authority Assistant Secretary
/Assistant Agency Secretary

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 joint Resolution No. 2022-20-3270, Resolution No. SA 2022-21-3271, Resolution No. HA 2022-04-114 and Resolution No. RA 2022-01-028 was duly adopted by the City Council of the City of Irwindale at a regular scheduled meeting thereof held on the 9th day of March 2022, by the following vote:

AYES: Councilmembers/Agency Members:

NOES: Councilmembers/Agency Members:

ABSTAIN: Councilmembers/Agency Members:

ABSENT: Councilmembers/Agency Members:

Laura M. Nieto, MMC
Chief Deputy City Clerk/Authority Assistant
Secretary/Assistant Agency Secretary

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Assembly Bill No. 361

CHAPTER 165

An act to add and repeal Section 89305.6 of the Education Code, and to amend, repeal, and add Section 54953 of, and to add and repeal Section 11133 of, the Government Code, relating to open meetings, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor September 16, 2021. Filed with
Secretary of State September 16, 2021.]

LEGISLATIVE COUNSEL'S DIGEST

AB 361, Robert Rivas. Open meetings: state and local agencies: teleconferences.

(1) Existing law, the Ralph M. Brown Act requires, with specified exceptions, that all meetings of a legislative body of a local agency, as those terms are defined, be open and public and that all persons be permitted to attend and participate. The act contains specified provisions regarding the timelines for posting an agenda and providing for the ability of the public to directly address the legislative body on any item of interest to the public. The act generally requires all regular and special meetings of the legislative body be held within the boundaries of the territory over which the local agency exercises jurisdiction, subject to certain exceptions. The act allows for meetings to occur via teleconferencing subject to certain requirements, particularly that the legislative body notice each teleconference location of each member that will be participating in the public meeting, that each teleconference location be accessible to the public, that members of the public be allowed to address the legislative body at each teleconference location, that the legislative body post an agenda at each teleconference location, and that at least a quorum of the legislative body participate from locations within the boundaries of the local agency's jurisdiction. The act provides an exemption to the jurisdictional requirement for health authorities, as defined. The act authorizes the district attorney or any interested person, subject to certain provisions, to commence an action by mandamus or injunction for the purpose of obtaining a judicial determination that specified actions taken by a legislative body are null and void.

Existing law, the California Emergency Services Act, authorizes the Governor, or the Director of Emergency Services when the governor is inaccessible, to proclaim a state of emergency under specified circumstances.

Executive Order No. N-29-20 suspends the Ralph M. Brown Act's requirements for teleconferencing during the COVID-19 pandemic provided that notice and accessibility requirements are met, the public members are allowed to observe and address the legislative body at the meeting, and that a legislative body of a local agency has a procedure for receiving and swiftly

resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 1, 2024, would authorize a local agency to use teleconferencing without complying with the teleconferencing requirements imposed by the Ralph M. Brown Act when a legislative body of a local agency holds a meeting during a declared state of emergency, as that term is defined, when state or local health officials have imposed or recommended measures to promote social distancing, during a proclaimed state of emergency held for the purpose of determining, by majority vote, whether meeting in person would present imminent risks to the health or safety of attendees, and during a proclaimed state of emergency when the legislative body has determined that meeting in person would present imminent risks to the health or safety of attendees, as provided.

This bill would require legislative bodies that hold teleconferenced meetings under these abbreviated teleconferencing procedures to give notice of the meeting and post agendas, as described, to allow members of the public to access the meeting and address the legislative body, to give notice of the means by which members of the public may access the meeting and offer public comment, including an opportunity for all persons to attend via a call-in option or an internet-based service option, and to conduct the meeting in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body. The bill would require the legislative body to take no further action on agenda items when there is a disruption which prevents the public agency from broadcasting the meeting, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments, until public access is restored. The bill would specify that actions taken during the disruption are subject to challenge proceedings, as specified.

This bill would prohibit the legislative body from requiring public comments to be submitted in advance of the meeting and would specify that the legislative body must provide an opportunity for the public to address the legislative body and offer comment in real time. The bill would prohibit the legislative body from closing the public comment period and the opportunity to register to provide public comment, until the public comment period has elapsed or until a reasonable amount of time has elapsed, as specified. When there is a continuing state of emergency, or when state or local officials have imposed or recommended measures to promote social distancing, the bill would require a legislative body to make specified findings not later than 30 days after the first teleconferenced meeting pursuant to these provisions, and to make those findings every 30 days thereafter, in order to continue to meet under these abbreviated teleconferencing procedures.

Existing law prohibits a legislative body from requiring, as a condition to attend a meeting, a person to register the person's name, or to provide other information, or to fulfill any condition precedent to the person's attendance.

This bill would exclude from that prohibition, a registration requirement imposed by a third-party internet website or other online platform not under the control of the legislative body.

(2) Existing law, the Bagley-Keene Open Meeting Act, requires, with specified exceptions, that all meetings of a state body be open and public and all persons be permitted to attend any meeting of a state body. The act requires at least one member of the state body to be physically present at the location specified in the notice of the meeting.

The Governor's Executive Order No. N-29-20 suspends the requirements of the Bagley-Keene Open Meeting Act for teleconferencing during the COVID-19 pandemic, provided that notice and accessibility requirements are met, the public members are allowed to observe and address the state body at the meeting, and that a state body has a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, as specified.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a state body to hold public meetings through teleconferencing and to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body. With respect to a state body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the state body at each teleconference location. Under the bill, a state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the state body allow members of the public to attend the meeting and offer public comment. The bill would require that each state body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge state bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(3) Existing law establishes the various campuses of the California State University under the administration of the Trustees of the California State University, and authorizes the establishment of student body organizations in connection with the operations of California State University campuses.

The Gloria Romero Open Meetings Act of 2000 generally requires a legislative body, as defined, of a student body organization to conduct its business in a meeting that is open and public. The act authorizes the legislative body to use teleconferencing, as defined, for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law.

This bill, until January 31, 2022, would authorize, subject to specified notice and accessibility requirements, a legislative body, as defined for purposes of the act, to hold public meetings through teleconferencing and

to make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body. With respect to a legislative body holding a public meeting pursuant to these provisions, the bill would suspend certain requirements of existing law, including the requirements that each teleconference location be accessible to the public and that members of the public be able to address the legislative body at each teleconference location. Under the bill, a legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically would satisfy any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. The bill would require that each legislative body that holds a meeting through teleconferencing provide notice of the meeting, and post the agenda, as provided. The bill would urge legislative bodies utilizing these teleconferencing procedures in the bill to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to existing law, as provided.

(4) This bill would declare the Legislature's intent, consistent with the Governor's Executive Order No. N-29-20, to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future emergencies by allowing broader access through teleconferencing options.

(5) This bill would incorporate additional changes to Section 54953 of the Government Code proposed by AB 339 to be operative only if this bill and AB 339 are enacted and this bill is enacted last.

(6) The California Constitution requires local agencies, for the purpose of ensuring public access to the meetings of public bodies and the writings of public officials and agencies, to comply with a statutory enactment that amends or enacts laws relating to public records or open meetings and contains findings demonstrating that the enactment furthers the constitutional requirements relating to this purpose.

This bill would make legislative findings to that effect.

(7) Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

(8) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 89305.6 is added to the Education Code, to read:

89305.6. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a legislative body may hold public meetings through teleconferencing

and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the legislative body.

(b) (1) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the legislative body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a legislative body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the legislative body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the legislative body be physically present at the location specified in the notice of the meeting.

(c) A legislative body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the legislative body allow members of the public to attend the meeting and offer public comment. A legislative body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a legislative body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the legislative body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each legislative body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a legislative body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the legislative body's internet website.

(f) All legislative bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to legislative body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 2. Section 11133 is added to the Government Code, to read:

11133. (a) Notwithstanding any other provision of this article, and subject to the notice and accessibility requirements in subdivisions (d) and (e), a state body may hold public meetings through teleconferencing and make public meetings accessible telephonically, or otherwise electronically, to all members of the public seeking to observe and to address the state body.

(b) (1) For a state body holding a public meeting through teleconferencing pursuant to this section, all requirements in this article requiring the physical presence of members, the clerk or other personnel of the state body, or the public, as a condition of participation in or quorum for a public meeting, are hereby suspended.

(2) For a state body holding a public meeting through teleconferencing pursuant to this section, all of the following requirements in this article are suspended:

(A) Each teleconference location from which a member will be participating in a public meeting or proceeding be identified in the notice and agenda of the public meeting or proceeding.

(B) Each teleconference location be accessible to the public.

(C) Members of the public may address the state body at each teleconference conference location.

(D) Post agendas at all teleconference locations.

(E) At least one member of the state body be physically present at the location specified in the notice of the meeting.

(c) A state body that holds a meeting through teleconferencing and allows members of the public to observe and address the meeting telephonically

or otherwise electronically, consistent with the notice and accessibility requirements in subdivisions (d) and (e), shall have satisfied any requirement that the state body allow members of the public to attend the meeting and offer public comment. A state body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

(d) If a state body holds a meeting through teleconferencing pursuant to this section and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the state body shall also do both of the following:

(1) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and resolving any doubt whatsoever in favor of accessibility.

(2) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to paragraph (2) of subdivision (e).

(e) Except to the extent this section provides otherwise, each state body that holds a meeting through teleconferencing pursuant to this section shall do both of the following:

(1) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by this article, and using the means otherwise prescribed by this article, as applicable.

(2) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in the means of public observation and comment, or any instance prior to the effective date of this section in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of the means of public observation and comment, a state body may satisfy this requirement by advertising the means of public observation and comment using the most rapid means of communication available at the time. Advertising the means of public observation and comment using the most rapid means of communication available at the time shall include, but need not be limited to, posting such means on the state body's internet website.

(f) All state bodies utilizing the teleconferencing procedures in this section are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the otherwise applicable provisions of this article, in order to maximize transparency and provide the public access to state body meetings.

(g) This section shall remain in effect only until January 31, 2022, and as of that date is repealed.

SEC. 3. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3.

In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 3.1. Section 54953 of the Government Code is amended to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency in person, except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all otherwise applicable requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body

shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivisions (d) and (e). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter

2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) (1) A local agency may use teleconferencing without complying with the requirements of paragraph (3) of subdivision (b) if the legislative body complies with the requirements of paragraph (2) of this subdivision in any of the following circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(2) A legislative body that holds a meeting pursuant to this subdivision shall do all of the following:

(A) The legislative body shall give notice of the meeting and post agendas as otherwise required by this chapter.

(B) The legislative body shall allow members of the public to access the meeting and the agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3. In each instance in which notice of the time of the teleconferenced meeting is otherwise given or the agenda for the meeting is otherwise posted, the legislative body shall also give notice of the means by which members of the public may access the meeting and offer public comment. The agenda shall identify and include an opportunity for all persons to attend via a call-in option or an internet-based service option. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(C) The legislative body shall conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties and the public appearing before the legislative body of a local agency.

(D) In the event of a disruption which prevents the public agency from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the local agency's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.

(E) The legislative body shall not require public comments to be submitted in advance of the meeting and must provide an opportunity for

the public to address the legislative body and offer comment in real time. This subparagraph shall not be construed to require the legislative body to provide a physical location from which the public may attend or comment.

(F) Notwithstanding Section 54953.3, an individual desiring to provide public comment through the use of an internet website, or other online platform, not under the control of the local legislative body, that requires registration to log in to a teleconference may be required to register as required by the third-party internet website or online platform to participate.

(G) (i) A legislative body that provides a timed public comment period for each agenda item shall not close the public comment period for the agenda item, or the opportunity to register, pursuant to subparagraph (F), to provide public comment until that timed public comment period has elapsed.

(ii) A legislative body that does not provide a timed public comment period, but takes public comment separately on each agenda item, shall allow a reasonable amount of time per agenda item to allow public members the opportunity to provide public comment, including time for members of the public to register pursuant to subparagraph (F), or otherwise be recognized for the purpose of providing public comment.

(iii) A legislative body that provides a timed general public comment period that does not correspond to a specific agenda item shall not close the public comment period or the opportunity to register, pursuant to subparagraph (F), until the timed general public comment period has elapsed.

(3) If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:

(A) The legislative body has reconsidered the circumstances of the state of emergency.

(B) Any of the following circumstances exist:

(i) The state of emergency continues to directly impact the ability of the members to meet safely in person.

(ii) State or local officials continue to impose or recommend measures to promote social distancing.

(4) For the purposes of this subdivision, “state of emergency” means a state of emergency proclaimed pursuant to Section 8625 of the California Emergency Services Act (Article 1 (commencing with Section 8550) of Chapter 7 of Division 1 of Title 2).

(f) This section shall remain in effect only until January 1, 2024, and as of that date is repealed.

SEC. 4. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting

of the legislative body of a local agency, except as otherwise provided in this chapter.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, "teleconference" means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public's right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting,

members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 4.1. Section 54953 is added to the Government Code, to read:

54953. (a) All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, in person except as otherwise provided in this chapter. Local agencies shall conduct meetings subject to this chapter consistent with applicable state and federal civil rights laws, including, but not limited to, any applicable language access and other nondiscrimination obligations.

(b) (1) Notwithstanding any other provision of law, the legislative body of a local agency may use teleconferencing for the benefit of the public and the legislative body of a local agency in connection with any meeting or proceeding authorized by law. The teleconferenced meeting or proceeding shall comply with all requirements of this chapter and all otherwise applicable provisions of law relating to a specific type of meeting or proceeding.

(2) Teleconferencing, as authorized by this section, may be used for all purposes in connection with any meeting within the subject matter jurisdiction of the legislative body. All votes taken during a teleconferenced meeting shall be by rollcall.

(3) If the legislative body of a local agency elects to use teleconferencing, it shall post agendas at all teleconference locations and conduct teleconference meetings in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the

legislative body of a local agency. Each teleconference location shall be identified in the notice and agenda of the meeting or proceeding, and each teleconference location shall be accessible to the public. During the teleconference, at least a quorum of the members of the legislative body shall participate from locations within the boundaries of the territory over which the local agency exercises jurisdiction, except as provided in subdivision (d). The agenda shall provide an opportunity for members of the public to address the legislative body directly pursuant to Section 54954.3 at each teleconference location.

(4) For the purposes of this section, “teleconference” means a meeting of a legislative body, the members of which are in different locations, connected by electronic means, through either audio or video, or both. Nothing in this section shall prohibit a local agency from providing the public with additional teleconference locations.

(c) (1) No legislative body shall take action by secret ballot, whether preliminary or final.

(2) The legislative body of a local agency shall publicly report any action taken and the vote or abstention on that action of each member present for the action.

(3) Prior to taking final action, the legislative body shall orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive, as defined in subdivision (d) of Section 3511.1, during the open meeting in which the final action is to be taken. This paragraph shall not affect the public’s right under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1) to inspect or copy records created or received in the process of developing the recommendation.

(d) (1) Notwithstanding the provisions relating to a quorum in paragraph (3) of subdivision (b), if a health authority conducts a teleconference meeting, members who are outside the jurisdiction of the authority may be counted toward the establishment of a quorum when participating in the teleconference if at least 50 percent of the number of members that would establish a quorum are present within the boundaries of the territory over which the authority exercises jurisdiction, and the health authority provides a teleconference number, and associated access codes, if any, that allows any person to call in to participate in the meeting and the number and access codes are identified in the notice and agenda of the meeting.

(2) Nothing in this subdivision shall be construed as discouraging health authority members from regularly meeting at a common physical site within the jurisdiction of the authority or from using teleconference locations within or near the jurisdiction of the authority. A teleconference meeting for which a quorum is established pursuant to this subdivision shall be subject to all other requirements of this section.

(3) For purposes of this subdivision, a health authority means any entity created pursuant to Sections 14018.7, 14087.31, 14087.35, 14087.36, 14087.38, and 14087.9605 of the Welfare and Institutions Code, any joint

powers authority created pursuant to Article 1 (commencing with Section 6500) of Chapter 5 of Division 7 for the purpose of contracting pursuant to Section 14087.3 of the Welfare and Institutions Code, and any advisory committee to a county-sponsored health plan licensed pursuant to Chapter 2.2 (commencing with Section 1340) of Division 2 of the Health and Safety Code if the advisory committee has 12 or more members.

(e) This section shall become operative January 1, 2024.

SEC. 5. Sections 3.1 and 4.1 of this bill incorporate amendments to Section 54953 of the Government Code proposed by both this bill and Assembly Bill 339. Those sections of this bill shall only become operative if (1) both bills are enacted and become effective on or before January 1, 2022, but this bill becomes operative first, (2) each bill amends Section 54953 of the Government Code, and (3) this bill is enacted after Assembly Bill 339, in which case Section 54953 of the Government Code, as amended by Sections 3 and 4 of this bill, shall remain operative only until the operative date of Assembly Bill 339, at which time Sections 3.1 and 4.1 of this bill shall become operative.

SEC. 6. It is the intent of the Legislature in enacting this act to improve and enhance public access to state and local agency meetings during the COVID-19 pandemic and future applicable emergencies, by allowing broader access through teleconferencing options consistent with the Governor's Executive Order No. N-29-20 dated March 17, 2020, permitting expanded use of teleconferencing during the COVID-19 pandemic.

SEC. 7. The Legislature finds and declares that Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, further, within the meaning of paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the purposes of that constitutional section as it relates to the right of public access to the meetings of local public bodies or the writings of local public officials and local agencies. Pursuant to paragraph (7) of subdivision (b) of Section 3 of Article I of the California Constitution, the Legislature makes the following findings:

This act is necessary to ensure minimum standards for public participation and notice requirements allowing for greater public participation in teleconference meetings during applicable emergencies.

SEC. 8. (a) The Legislature finds and declares that during the COVID-19 public health emergency, certain requirements of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) were suspended by Executive Order N-29-20. Audio and video teleconference were widely used to conduct public meetings in lieu of physical location meetings, and public meetings conducted by teleconference during the COVID-19 public health emergency have been productive, have increased public participation by all members of the public regardless of their location in the state and ability to travel to physical meeting locations, have protected the health and safety of civil servants and the public, and have reduced travel costs incurred by members of state bodies and reduced work hours spent traveling to and from meetings.

(b) The Legislature finds and declares that Section 1 of this act, which adds and repeals Section 89305.6 of the Education Code, Section 2 of this act, which adds and repeals Section 11133 of the Government Code, and Sections 3 and 4 of this act, which amend, repeal, and add Section 54953 of the Government Code, all increase and potentially limit the public's right of access to the meetings of public bodies or the writings of public officials and agencies within the meaning of Section 3 of Article I of the California Constitution. Pursuant to that constitutional provision, the Legislature makes the following findings to demonstrate the interest protected by this limitation and the need for protecting that interest:

(1) By removing the requirement that public meetings be conducted at a primary physical location with a quorum of members present, this act protects the health and safety of civil servants and the public and does not preference the experience of members of the public who might be able to attend a meeting in a physical location over members of the public who cannot travel or attend that meeting in a physical location.

(2) By removing the requirement for agendas to be placed at the location of each public official participating in a public meeting remotely, including from the member's private home or hotel room, this act protects the personal, private information of public officials and their families while preserving the public's right to access information concerning the conduct of the people's business.

SEC. 9. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to ensure that state and local agencies can continue holding public meetings while providing essential services like water, power, and fire protection to their constituents during public health, wildfire, or other states of emergencies, it is necessary that this act take effect immediately.

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

SA Item 1A1

FEBRUARY 9, 2022
WEDNESDAY
8:10 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 Mark A. Breceda, Manuel R. Garcia,
H. Manuel Ortiz; Mayor Pro Tem Albert F. Ambriz;
Mayor Larry G. Burrola

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 Councilmember Breceda, 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.

ITEM NO. 1A1
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting held January 12, 2021

ITEM NO. 1B
WARRANTS

WARRANTS

The warrants were approved.

END OF CONSENT CALENDAR

NEW BUSINESS

None.

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:11 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

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

FEBRUARY 23, 2022
WEDNESDAY
8:31 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 Mark A. Breceda, H. Manuel Ortiz;
Mayor Pro Tem Albert F. Ambriz; Mayor Larry G. Burrola

Absent: Councilmember Manuel R. Garcia

Present: Julian A. Miranda, 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 Councilmember Breceda, 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 Garcia absent.

ITEM NO. 1A1
MINUTES

MINUTES

The following minutes were approved:

- 1) Special meeting held January 26, 2022
- 2) Regular meeting held January 26, 2022

ITEM NO. 1B
WARRANTS

WARRANTS

The warrants were approved.

END OF CONSENT CALENDAR

NEW BUSINESS

None.

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:32 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
76333	ALESHIRE	Aleshire & Wynder, LLP	02/28/2022	298.76
Report Total (1 checks):				298.76

Electronic Payments

Successor Agency

February 2022

February 1- 28, 2022



Reference Number	Vendor Name	Date	Amount
3079863	Los Angeles County Treasurer & Tax Collector	2/15/2022	10,184,702.16

Report Total: 10,184,702.16

JANUARY 12, 2022

WEDNESDAY

9:35 P.M.

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

The Irwindale **HOUSING AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Mark A. Breceda, Manuel R. Garcia,
Vice Chair Albert F. Ambriz; Chair Larry G. Burrola

Absent: Board Member H. Manuel Ortiz

Also present: William Tam, Executive Director; Theresa Olivares, Assistant Executive Director; Adrian Guerra, Board 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 Assistant Authority Secretary

**SPONTANEOUS
COMMUNICATIONS**

DENA ZEPEDA

Dena Zepeda asked about the status of the vacant Las Casitas Senior apartments, asked whether staff is "accommodating" resident applicants who cannot prove their residency, asked about suing the former City Attorney, and requested that Chair Burrola and Vice Chair Ambriz accompany her to speak to Senator Rubio.

CARMEN ROMAN

Carmen Roman complained that the housing questionnaire mailed to residents was too complicated, asked about unauthorized individuals living at Las Casitas, and stated that she understood fairness but requested that applicants from other cities not be allowed to move into the senior apartments.

MAGGIE GUZMAN

Maggie Guzman submitted a letter where she described her perspective of an incident that occurred at the Las Casitas Senior Apartments on January 10.

CHAIR BURROLA

Chair Burrola requested an update on the status of the vacant apartment at Las Casitas, and a general "housing update."

CONSENT CALENDAR

MOTION

A motion was made by Board Member Garcia, seconded by Board Member Breceda, to approve Consent Calendar, reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved; Board Member Ortiz absent.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Special meeting held October 13, 2021
- 2) Regular meeting held October 13, 2021
- 3) Regular meeting held November 10, 2021

NEW BUSINESS

ITEM NO. 2A
RESOLUTION TO
RE-RATIFY THE
EXISTENCE OF A
LOCAL EMERGENCY
AND AUTHORIZE
REMOTE MEETINGS
OF THE LEGISLATIVE
BODIES OF THE CITY
OF IRWINDALE FOR
THE 30-DAY PERIOD
BEGINNING
JANUARY 13, 2022,
THROUGH
FEBRUARY 12, 2022

A RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZE REMOTE MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING JANUARY 13, 2022, THROUGH FEBRUARY 12, 2022 (joint item for all agencies)

CHIEF ASSISTANT
AUTHORITY
SECRETARY NIETO

Chief Assistant Authority Secretary Nieto presented the staff report.

CARMEN ROMAN

Carmen Roman spoke in favor of maintaining hybrid legislative meetings.

DENA ZEPEDA

Dena Zepeda questioned why Board Member Ortiz was unable to participate virtually in tonight's meeting, to which Board Attorney Guerra advised that the meeting agendas must identify that the proceedings are being held in accordance with AB361 to allow for the remote participation of a Councilmember. When the agenda for tonight's meeting was prepared, it was assumed that all Board Members would attend the meeting in person; as such, the agenda did not contain this language. However, staff learned on Monday that Board Member Ortiz would potentially not meet in person, and so staff amended the special meeting agenda to invoke AB361 in order to permit his off-site virtual attendance. However, due to technical errors, the agenda was not uploaded to the city's website. This is the reason Board Member Ortiz was unable to participate in tonight's meeting.

VICE CHAIR AMBRIZ
AMBRIZ

Replying to Vice Chair Ambriz's question, Board Attorney Guerra explained that the Council previously authorized hybrid meetings per AB361 through January 8. Unfortunately, Board Member Ortiz was unable to join tonight's meeting since the meeting was not noticed as an AB361 meeting. In order to avoid this happening again in the future, the Council will continue holding meetings every two weeks in order to meet the 30-day AB361 deadlines.

BOARD MEMBER
BRECEDA

Board Member Breceda noted that a majority of cities are beginning to shut down again due to the pandemic, and expressed his preference that meetings be held via teleconference for the safety and protection of staff and residents.

CARMEN ROMAN

Carmen Roman again spoke on her preference of hybrid meetings.

DENA ZEPEDA

Dena Zepeda spoke highly of Chief Assistant Authority Secretary Nieto, and stated that the people deserve to have their elected Board Members attend the meetings in person.

CHAIR BURROLA

Chair Burrola expressed concern for the safety of employees and residents.

MOTION

A motion was made by Vice Chair Ambriz, seconded by Chair Burrola, to adopt:

Resolution No. HA 2022-01-111, entitled:

"A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, AND THE BOARD OF THE HOUSING AUTHORITY AND THE RECLAMATION AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING JANUARY 13, 2022, THROUGH FEBRUARY 12, 2022, PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361." The motion was unanimously approved; Board Member Ortiz absent

PUBLIC HEARINGS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 9:48 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

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

HA Item 1A2

JANUARY 26, 2022
WEDNESDAY
10:33 P.M.

The Irwindale **HOUSING AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Manuel R. Garcia, H. Manuel Ortiz,
Vice Chair Albert F. Ambriz; Chair Larry G. Burrola

Absent: Board Member Mark A. Breceda

Also present: William Tam, Executive Director; Theresa Olivares, Assistant Executive Director; Adrian Guerra, Board 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 Assistant Authority Secretary

SPONTANEOUS
COMMUNICATIONS

CARMEN ROMAN

Carmen Roman requested that Maggie Guzman's expenses in painting her apartment be reimbursed.

CONSENT CALENDAR

MOTION

A motion was made by Vice Chair Ambriz, seconded by Board Member Ortiz, to approve Consent Calendar, reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved; Board Member 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
INVESTMENT
QUARTERLY REPORT

INVESTMENT QUARTERLY REPORT (Joint Item for all agencies)

The Investment Quarterly Report for all agencies was received and filed.

ITEM NO. 1C
CONSIDERATION OF
APPROVAL -
SUBORDINATION OF

CONSIDERATION OF APPROVAL – SUBORDINATION OF
SUBSTANTIAL REHABILITATION HOUSING IMPROVEMENTS
LOAN AT 16169 PROGRESS LANE

SUBSTANTIAL
REHABILITATION
HOUSING
IMPROVEMENTS
LOAN AT
16169 PROGRESS LN

1) The request by Marco P. Romero and Magdalena R. Romero for the Housing Authority to subordinate its loan to a new loan made in a refinancing which is subject to all conditions established by the Irwindale Housing Authority's Subordination Policy, was approved, and 2) the Executive Director was authorized to execute the Subordination Agreement subject to Authority Counsel approval as to form.

NEW BUSINESS

ITEM NO. 2A
LAS CASITAS
SENIOR AFFORDABLE
HOUSING APARTMENT
COMPLEX

LAS CASITAS SENIOR AFFORDABLE HOUSING APARTMENT
COMPLEX

DIRECTOR SIMPSON

Director Simpson presented the staff report and made a PowerPoint presentation.

VICE CHAIR AMBRIZ

Vice Chair Ambriz thanked all staff involved in preparing this report.

DENA ZEPEDA,
CARMEN ROMAN,
FRED BARBOSA

Dena Zepeda, Carmen Roman, and Fred Barbosa all thanked everyone involved in this subject.

MOTION

A motion was made by Vice Chair Ambriz to purchase the lease agreement for the Las Casitas Senior Apartments from Northridge Management. The motion died due to a lack of a second.

BOARD MEMBER
GARCIA

Board Member Garcia noted that his concerns regarding the financial component of the proposed deal have not been addressed. He expressed his worry that the proposal would cost millions to fund additional staffing and operational costs, among other things. He emphasized that he was not opposed to the proposal, but felt that these questions must be answered before proceeding.

BOARD MEMBER
ORTIZ

Responding to several questions by Board Member Ortiz, Director Simpson advised that: 1) staff is not certain at this time the amount of additional staffers that would need to be hired as well as their relevant qualifications under the proposal; 2) there are certain elements in the operation of the complex that would need to be addressed due to the change from private to public operations, and 3) she is currently coordinating all housing-related activities, with assistance from Jesus Hernandez.

BOARD MEMBER
GARCIA

Board Member Garcia suggested looking into how other communities run their housing programs, such as Pico Rivera, to gain their input and knowledge.

- VICE CHAIR AMBRIZ Vice Chair Ambriz stated that he understood the concerns, but that he felt that the proposal to purchase the lease agreement and its related mechanisms would be handled well by staff, and spoke in favor of moving the proposal forward.
- CHAIR BURROLA Chair Burrola concurred with Vice Chair Ambriz that the project was manageable.
- DIRECTOR SIMPSON Director Simpson requested clear direction by the Council, and advised that additional details would be presented to the Council as the project moves forward. She added that staff would look into the processes set in place by other communities to see if Irwindale could benefit from similar functions.
- DENA ZEPEDA Dena Zepeda expressed her confidence in staff's abilities to properly manage the apartment complex, but spoke against looking into other cities' processes since Irwindale is unique. She also suggested recruiting residents to perform maintenance at the complex since they would probably not charge as much as other contractors.
- CHAIR BURROLA Chair Burrola thanked staff for looking into the request.
- MOTION A motion was made by Vice Chair Ambriz, seconded by Chair Burrola, to direct staff to work with Northridge Management to develop a Purchase and Sale Agreement and all related acquisition documents for the purchase of the lease agreement for Las Casitas Senior Apartment Complex, for presentation to the Council for additional consideration. The motion was unanimously approved; Board Member Garcia abstaining and Board Member Breceda absent.
- PUBLIC HEARINGS** None.
- ADJOURNMENT** There being no further business to conduct, the meeting was adjourned at 11:08 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

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

SEPTEMBER 8, 2021
WEDNESDAY
7:37 P.M.

The Irwindale **RECLAMATION AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Albert F. Ambriz, Mark A. Breceda, Manuel R. Garcia; Vice Chair Larry G. Burrola; Chair H. Manuel Ortiz

Also present: William Tam, Executive Director; Adrian Guerra, Board Attorney; Theresa Olivares, Assistant Executive Director; 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, Assistant Authority Secretary

ANNOUNCEMENT

ASSISTANT
 AUTHORITY
 SECRETARY NIETO

Assistant Authority Secretary Nieto announced the following:

"As required by Government Code Section 54954.3, members of the City Council are also members of the Reclamation Authority, which is concurrently convening with the City Council this evening and each Council Member is paid an additional stipend of \$300 for attending the Reclamation Authority meeting."

**SPONTANEOUS
 COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Board Member Breceda, seconded by Vice Chair Burrola, to approve the Consent Calendar; reading resolutions and ordinances by title only and waiving further reading thereof. The motion was unanimously approved.

ITEM NO. 1A
 MINUTES

MINUTES

The following minutes were approved:

1) Regular meeting held June 9, 2021

ITEM NO. 1B
 INVESTMENT
 QUARTERLY REPORT
 FOR JUNE 30, 2021

INVESTMENT QUARTERLY REPORT FOR JUNE 30, 2021

The Investment Quarterly Report for June 30, 2021, was received and filed.

ITEM NO. 1C
2021 3RD QUARTER
MINING REPORT OF
NINE SMARA PITS

2021 3RD QUARTER MINING REPORT OF NINE SMARA PITS

The report was received and filed.

END OF CONSENT CALENDAR

NEW BUSINESS

ITEM NO. 2A
INTRODUCTION AND
FIRST READING OF
ORDINANCE
PERTAINING TO AN
AMENDMENT OF THE
RECLAMATION FUND
ANNUAL DEPOSIT

INTRODUCTION AND FIRST READING OF ORDINANCE NO. 758
PERTAINING TO AN AMENDMENT OF THE RECLAMATION
FUND ANNUAL DEPOSIT (Joint Item with City Council)

DIRECTOR CARREON

Director Carreon presented the staff report.

CHAIR ORTIZ

Responding to questions by Chair Ortiz, Director Carreon clarified the reason for the reclamation fund cap reduction to \$13.4 million was due to three quarries either having been completed or near completion. She further explained how interest on the fund is earned.

MOTION

A motion was made by Board Member Ambriz, seconded by Board Member Garcia, to receive and file the report. The motion was unanimously approved.

PUBLIC HEARINGS

None.

FUTURE AGENDA
ITEMS REQUESTED
BY BOARD MEMBERS

None.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:38 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

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

DECEMBER 8, 2021
WEDNESDAY
11:26 P.M.

The Irwindale **RECLAMATION AUTHORITY** met in regular session at the above time and place.

ROLL CALL:

Present: Board Members Mark A. Breceda, Manuel R. Garcia, H. Manuel Ortiz; Vice Chair Albert F. Ambriz; Chair Larry G. Burrola

Also present: William Tam, Executive Director; Adrian Guerra, Board Attorney; Theresa Olivares, Assistant Executive Director; Ty Henshaw, Police Chief; Arsanious Hanna, Director of Engineering / Building Official; Jeanette Duran, Interim Director of Finance / City Treasurer; Marilyn Simpson, Community Development Manager; Mary Hull, Human Resources Manager, Elizabeth Rodriguez, Public Works Services Manager; Jeff Wagner, Information Technology Manager; Iris Espino, Economic Development Coordinator; and Laura Nieto, Assistant Authority Secretary

ANNOUNCEMENT

ASSISTANT
 AUTHORITY
 SECRETARY NIETO

Assistant Authority Secretary Nieto announced the following:

"As required by Government Code Section 54954.3, members of the City Council are also members of the Reclamation Authority, which is concurrently convening with the City Council this evening and each Council Member is paid an additional stipend of \$300 for attending the Reclamation Authority meeting."

**SPONTANEOUS
 COMMUNICATIONS**

There were no speakers.

CONSENT CALENDAR

MOTION

A motion was made by Chair Burrola, seconded by Board Member Ortiz, to approve the Consent Calendar; reading resolutions and ordinances by title only and waiving further reading thereof, with the exception of Item No. 1B, which was removed for separate consideration. The motion was unanimously approved.

ITEM NO. 1A
 MINUTES

MINUTES

None for approval

ITEM NO. 1C
 INVESTMENT

INVESTMENT QUARTERLY REPORT – SEPTEMBER 30, 2021

QUARTERLY REPORT –
 SEPTEMBER 30, 2021

The Investment Quarterly Report for September 30, 2021, was received and filed.

ITEM NO. 1D
A RESOLUTION TO
RE-RATIFY THE
EXISTENCE OF A
LOCAL EMERGENCY
AND AUTHORIZE
REMOTE HYBRID
MEETINGS OF THE
LOCAL LEGISLATIVE
BODIES OF THE CITY
OF IRWINDALE FOR
THE MONTH OF
DECEMBER 2021

A RESOLUTION TO RE-RATIFY THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZE REMOTE HYBRID MEETINGS OF THE LOCAL LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE MONTH OF DECEMBER 2021 (Joint with City Council and Housing Authority)

RESOLUTION NO.
RA 2021-03-028
ADOPTED

Resolution No. RA 2021-03-028, entitled:

“A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, SUCCESSOR AGENCY TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY, THE BOARD OF THE HOUSING AUTHORITY AND THE RECLAMATION AUTHORITY BOARD OF THE CITY OF IRWINDALE, CALIFORNIA, RE-RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY GOVERNOR NEWSOM ON MARCH 4, 2020, AND AUTHORIZING REMOTE HYBRID MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF IRWINDALE FOR THE 30-DAY PERIOD BEGINNING DECEMBER 9, 2021, THROUGH JANUARY 8, 2022, PURSUANT TO THE RALPH M. BROWN ACT AND ASSEMBLY BILL NO. 361,” was adopted.

END OF CONSENT CALENDAR

ITEM NO. 1B
2021 4TH QUARTER
MINING REPORT OF
NINE (9) SMARA PITS

2021 4th QUARTER MINING REPORT OF NINE (9) SMARA PITS

DIRECTOR HANNA

Director Hanna presented the staff report.

BOARD MEMBER
ORTIZ

Board Member Ortiz questioned the calculations behind the average tonnage to be excavated, to which Director Hanna advised that staff has met with representatives of United Rock as well as the Board's counsel to determine how to calculate the average tonnage. Board Member Ortiz expressed his concern over the air quality impacts from the increased amount of trucks in operation.

DISCUSSION HELD

Discussion was held regarding how “average tonnage” is calculated.

RECLAMATION AUTHORITY MINUTES
REGULAR MEETING

DECEMBER 8, 2021
PAGE 3

BOARD MEMBER ORTIZ	Board Member Ortiz disputed the calculation and requested that the matter be placed on the agenda for a meeting in January for further discussion.
DIRECTOR HANNA	Director Hanna advised that staff has contacted the Air Quality Management District and requested that they examine the air quality in the area. To date, the results have not been provided. However, staff will provide the results to the Council as soon as they are made available.
BOARD MEMBER ORTIZ	Board Member Ortiz expressed his worry that United Rock is using trucks from out of state that may not be permitted for use in California, to which Director Hanna said he would request that the Chief of Police contact the California Highway Patrol to follow-up.
DIRECTOR HANNA	Director Hanna noted that United Rock plans to install wheel washers by March 2022.
MOTION	A motion was made by Board Member Ortiz to receive and file the 2021 4 th Quarter Mining Report of Nine (9) SMARA Pits.
DENA ZEPEDA	Dena Zepeda complained about dust and noise issues and requested that truck traffic be re-routed to travel through Baldwin Park.
ROLL CALL	The above-mentioned motion, which was seconded by Vice Chair Ambriz, was unanimously approved.
<u>NEW BUSINESS</u>	None.
<u>PUBLIC HEARINGS</u>	None.
<u>ADJOURNMENT</u>	There being no further business to conduct, the meeting was adjourned at 11:37 p.m.

Laura M. Nieto, MMC
Chief Assistant Authority Secretary

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

City of
IRWINDALE
AGENDA REPORT

Date: March 9, 2022
To: Reclamation Authority Board
From: Julian A. Miranda, City Manager/Executive Director
Issue: Investment Quarterly Report for December 31, 2021.

City Manager/Executive Director's Recommendation:

For the Reclamation Board to receive and file the Investment Quarterly Report for December 31, 2021.

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/Authority Counsel

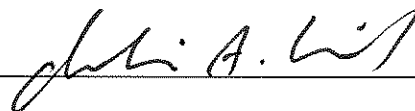
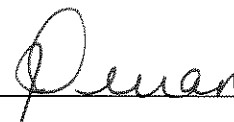
Jeanette Duran
Interim Finance Director /City Treasurer

Approved by:

Julian A. Miranda, City Manager/Executive Director



Electronically Approved



Background and Analysis:

California Government Code Section 53646 requires that the City Treasurer submit a quarterly report of investments (Investment Report) to the City Council/Board Members for review and compliance with the City's adopted investment policy (City's Investment Policy).

The City's Investment Policy applies to all funds held by the City, Housing Authority, Successor Agency, and Reclamation Authority. The Reclamation Authority's funds are included in the City's cash and investment balances. The Investment Report for the quarter ending December 31, 2021 was presented to the City Council, Housing Authority, and Successor Agency Board on January 26, 2022. The Reclamation Authority was not scheduled to meet on that date, and therefore it is appropriate to present the same Quarterly Investment Report to the Reclamation Authority during their next regularly scheduled meeting.

The attached Investment Report summarizes the cash balances and investments as of December 31, 2021 for each agency. The City of Irwindale's balances include investments of all funds of the City and its agencies, which are pooled to maximize the interest yield. The cash balances in the general account with Bank of the West also include all funds of the City and its agencies, which also earn interest on the pooled cash balances. All investments comply with the City's Investment Policy.

Fiscal Impact:

There is no fiscal impact to receive and file this report.

Attachment:

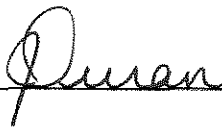
City of Irwindale Investment Report – December 31, 2021

**CITY OF IRWINDALE
INVESTMENT REPORT
December 31, 2021**

DESCRIPTION OF SECURITY	PAR VALUE/ ORIGINAL COST	CURRENT YIELD TO MATURITY	PURCHASE DATE	MATURITY DATE	MARKET VALUE	INVESTMENT RATING
<u>CITY OF IRWINDALE (POOLED - ALL FUNDS, INCLUDING RECLAMATION AUTHORITY)</u>						
BANK OF THE WEST GENERAL ACCOUNT	\$ 3,360,222	0.36%			\$ 3,360,222	
LOCAL AGENCY INVESTMENT FUND (LAIF)	40,375,981	0.21%			\$ 40,375,981	
US GOVERNMENT AGENCIES						
FEDERAL HOME LN BKS CONS BD (FHLB)	5,000,000	0.52%	07/28/21	01/28/25	4,922,150	AAA
FEDERAL FARM CR BKS CONS SYSTEMWIDE (FFCB)	5,000,000	0.58%	06/23/21	06/23/25	4,892,600	AA+
FEDERAL FARM CR BKS CONS SYSTEMWIDE (FFCB)	3,000,000	0.90%	06/15/21	06/15/26	2,950,440	AAA
FEDERAL HOME LN BKS CONS BD (FHLB)	5,000,000	1.00%	06/30/21	06/26/26	4,930,450	AAA
FEDERAL HOME LN BKS CONS BD (FHLB)	5,000,000	0.50%	06/30/21	06/30/26	4,923,150	AAA
FEDERAL FARM CR BKS CONS SYSTEMWIDE (FFCB)	5,000,000	0.87%	07/28/21	07/28/26	4,920,600	AAA
FEDERAL HOME LN BKS (FHLB)	5,000,000	0.50%	07/29/21	07/29/26	4,953,200	AAA
Sub-Total US Government Agencies:	33,000,000				32,492,590	
CERTIFICATES OF DEPOSIT						
FIRST ST BANK (FRSTE)	240,000	2.00%	06/30/17	04/29/22	241,399	
BRIDGEWATER BK (BRDGW)	240,000	2.00%	06/29/17	06/29/22	242,088	
MARLIN BUSINESS BK (MRLN)	240,000	2.05%	06/29/17	06/29/22	242,146	
COMENITY CAP BK (ADSK)	240,000	2.25%	06/30/17	06/30/22	242,398	
Sub-Total Certificates of Deposit:	960,000				968,030	
Total City of Irwindale Investments (Pooled Funds):	77,696,203				77,196,824	
<u>HOUSING AUTHORITY (Funds 11 & 12)</u>						
BANK OF THE WEST GENERAL ACCOUNT	13,995	0.36%			13,995	
LOCAL AGENCY INVESTMENT FUND (LAIF)	7,938,520	0.21%			7,938,520	
	7,952,516				7,952,516	
<u>SUCCESSOR AGENCY (Funds 50-66)</u>						
BANK OF THE WEST GENERAL ACCOUNT	451,609	0.36%			451,609	
LOCAL AGENCY INVESTMENT FUND (LAIF)	25,560,694	0.21%			25,560,694	
	26,012,303				26,012,303	
GRAND TOTAL OF INVESTMENTS	111,661,022				111,161,642	

This investment portfolio is in conformity with the City of Irwindale's Investment Policy which was approved by City Council on June 9, 2021. The City Treasurer's cash management program and cash flow analysis indicates that sufficient liquidity is on hand to meet estimated future expenditures for a period of six months. The weighted average of maturity of the City's pooled investment portfolio is 1.23 years, and the weighted average yield of the City's pooled investments at cost is 0.372%. Market prices of securities are obtained directly through Bank of the West. Due to timing, Bank of the West General Account balances are pre-reconciled and yield rates are based on the prior month account analysis statement.

Approved by _____



Jeanette Duran, Interim Finance Director/City Treasurer

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

City of
IRWINDALE
AGENDA REPORT

Date: March 09, 2022
To: Honorable Chairman and Members of the Irwindale Reclamation Authority
From: Julian Miranda, Executive Director
Issue: 2022 First Quarter Mining Report of Nine (9) SMARA Pits

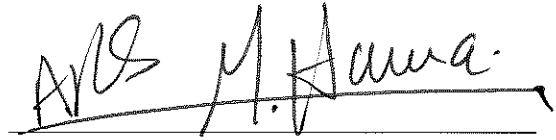
Executive Director's Recommendation:

That the Irwindale Reclamation Authority receive and file this report.

Administrative Action:

Submitted by:

Arsanious Hanna
Authority Engineer/Building Official



Prepared by:

Francisco Carrillo
Construction Compliance Manager
Phone: (626) 430-2251

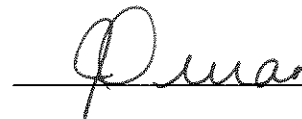


Reviewed by:

Adrian R. Guerra, Authority Counsel

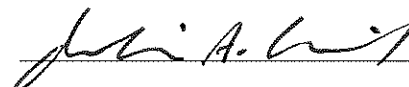
Electronically Approved
by Authority Counsel

Jeanette Duran
Interim Authority Finance Director /
Authority Treasurer



Approved by:

Julian Miranda, Executive Director



Background and Analysis:

The table below summarizes the 2022 first quarter estimated mining production of five (5) pits governed by the Surface Mining and Reclamation Act of 1975 (SMARA Pits) currently conducting mining activity in the City.

Mine Site	Estimated Production December 2021 through February 2022 (Tons)	Estimated Remaining Reserve (Tons)
Lehigh Hanson Pit	571,039	53,759,119
Peck Road Gravel Pit	13,000	225,000
Vulcan Reliance I	389,500	24,788,666
Vulcan Durbin	417,300	32,037,700
Olive Pit	512,204	30,602,183

A total of approximately *1,903,043 tons* of material were produced during the reporting period, December 2021 through February 2022, from the five (5) SMARA Pits listed above. This is approximately *68,928 tons more* than reported in the previous quarter.

Below is a summary of the first quarter and current activity of the remaining four (4) SMARA Pits in the City.

Mine Site	Status	Activity
United Pit No. 2	Under Reclamation	Fill Operations for Mine Reclamation
United Pit No. 3	Under IMP Review**	Inactive
United Pit No. 4	Active	Processing Plant
Azusa Western Pit	Idle (IMP)	Inactive

**United Pit No. 3 applied for an Interim Management Plan (IMP), which is currently under review. Thus, no production was reported and it is estimated that 370,470 tons of reserves remain for future mining.

During the 2022 first quarter reporting period, reclamation activity was reported from three (3) SMARA Pits. Following is a summary of the reclamation activity at these three SMARA Pits:

Mine Site	Estimated Fill Placed December 2021 through February 2022 (C.Y.)
Lehigh Hanson Pit	No Fill Placed - Preparation of next Phase
United Pit No. 2	261,368
Vulcan Durbin Pit	147,500

As to the status of the City owned Olive Pit, CA Mine ID # 91-19-0052:

The mining operator, United Rock Products, has reengaged with its traffic engineer to review the traffic signal plan for the intersection of Los Angeles Street and Azusa Canyon Road and reinstated negotiations with SCRRA-Metrolink. The negotiations of the easements that are needed for pedestrian crossing at the railroad crossing has also been reinitiated. The drainage and erosion control plans for this site are currently being updated.

Fiscal Impact:

None