

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

FEBRUARY 14, 2018
WEDNESDAY
6:00 P.M.

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

ROLL CALL:

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

Also present: Fred Galante, City Attorney; Theresa Olivares,
Assistant City Manager; Ty Henshaw, Chief of Police; William Tam,
Development Services Director / City Engineer; Eva Carreon,
Director of Finance; Mary Hull, Human Resources Manager, and
Armando Hegdahl, Deputy City Clerk

**RECESS TO
CLOSED SESSION**

At 6:00 p.m., the City Council recessed to Closed Session to
discuss the following:

Conference with Real Property Negotiators

Pursuant to California Government Code Section 54956.8

Property: United Rock Products Corporation Pit No. 3
Negotiating Parties: City of Irwindale and United Rock Products
Corporation
Under Negotiation: Price and terms of sale

ACTION: Update provided; no further reportable action taken

Public Employee Appointment

Pursuant to California Government Code Section 54957

Title: City Manager

ACTION: Update provided; deliberation on appointment held; no
further reportable action taken.

Conference with Legal Counsel – Existing Litigation

Pursuant to California Government Code Section 54956.9

Name of Case: USA Waste of California, Inc. v. City of
Irwindale, et al.

Case Number: LASC Case Number KC 066276

ACTION: A motion was made by Mayor Breceda, seconded by
Councilmember Ortiz, and unanimously approved, to
hire the firm of Carpenter, Rothans, and Dumont to
defend against the depositions the city has received,
per a contract approved by the City Attorney not to
exceed \$225 per hour.

**RECONVENE IN
OPEN SESSION**

At 6:37 p.m., the City Council reconvened in Open Session.

MOMENT OF SILENCE

COUNCILMEMBER
ORTIZ

Councilmember Ortiz requested that a moment of silence be observed in memory of those who were affected by today's shooting at Marjory Stoneman Douglas High School in Florida.

MAYOR BRECEDA

Mayor Breceda requested that tonight's meeting be adjourned in memory of those who passed away due to this tragedy.

**CHANGES TO THE
AGENDA**

ASSISTANT CITY
MANAGER OLIVARES

Assistant City Manager Olivares noted that the city has received a fee waiver request by Assemblywoman Rubio for the use of the Community Center for the 2018 Woman of the Year event. She added that the request was submitted after the posting of the agenda.

MOTION

A motion was made by Mayor Breceda, seconded by Mayor Pro Tem Ambriz, to add the request to the Consent Calendar as Item No. 1K. The motion was unanimously approved.

**COUNCILMEMBER
TRAVEL REPORTS**

None.

ANNOUNCEMENTS

COUNCILMEMBER
ORTIZ

Councilmember Ortiz commended the Police Department for the awards ceremony event it held last month, and asked about the status of implementing a Neighborhood Watch program, to which Chief Henshaw advised that staff is still working on gauging the community's interest and will provide additional information to the Council by July.

Councilmember Ortiz also spoke on his attendance at today's workshop held by the San Gabriel Valley Economic Partnership, and spoke very highly of the workshop's content. He suggested that the city send a staff member to attend once administration finalizes staff's reorganization.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz also commended the Police Department for its awards ceremony.

COUNCILMEMBER
BURROLA

Councilmember Burrola also spoke highly of the awards ceremony and commended all police officers for their amazing work.

MAYOR BRECEDA Mayor Breceda echoed these sentiments and thanked the Police Department. He also wished everybody a happy Valentine's Day and Ash Wednesday.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

None.

**SPONTANEOUS
COMMUNICATIONS**

MARLENE CARNEY Marlene Carney, President and CEO of the Irwindale Chamber of Commerce, thanked the Council for attending its recent installation dinner, and spoke on upcoming Chamber events.

JOE GUARRERA Joe Guarrera, representing the Citrus College Veterans Success Center, spoke about the organization's fundraising efforts to provide harmonicas to active and veteran members of the military.

CONSENT CALENDAR

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

**ITEM NO. 1A
MINUTES**

MINUTES

None for approval

**ITEM NO. 1B
WARRANTS / DEMANDS
PAYROLL**

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved.

**ITEM NO. 1D
AWARD OF CONTRACT
FOR SIGNING AND
STRIPING
IMPROVEMENTS ON
ARROW HIGHWAY,
FROM FOURTH
STREET TO MAINE
AVENUE; P-950**

**AWARD OF CONTRACT FOR SIGNING AND STRIPING
IMPROVEMENTS ON ARROW HIGHWAY, FROM FOURTH
STREET TO MAINE AVENUE; P-950**

The Assistant City Manager was authorized to 1) enter into an agreement with PCI in the amount of \$74,516.50 for the Signing and Striping Improvements on Arrow Highway Project; and 2) approve the plans and specifications for Police Department Public Counter Replacement Project; and 3) authorize staff to solicit bids for construction of the project.

- ITEM NO. 1E
APPROVAL OF PLANS AND SPECIFICATIONS FOR THE POLICE DEPARTMENT PUBLIC COUNTER REPLACEMENT PROJECT; P-944
- 1) The Police Department Public Counter Replacement Project was approved and found to be categorically exempt from the provisions of the California Environmental Quality Act; 2) the plans and specifications for Police Department Public Counter Replacement Project, was approved; and 3) staff was authorized to solicit bids for construction of the project.
- ITEM NO. 1F
CONSIDERATION OF REJECTION OF BIDS RECEIVED FOR THE 2017/2018 RESURFACING PROJECT; P953
- 1) All bids for the 2017/2018 Resurfacing Project were rejected; 2) the City Engineer was directed to modify the plans and specifications of this project; and 3) the City Engineer was directed to re-advertise this project.
- ITEM NO. 1G
AWARD OF CONTRACT FOR CITY HALL AND POLICE FACILITY BUILDING HVAC IMPROVEMENT PROJECT; P-956
- 1) The City Manager was authorized to enter into an agreement with P & P Develop Inc., in the amount of \$194,770 for the City of Irwindale City Hall and Police Facility Building HVAC Improvement Project and 2) a 20% project contingency in the amount of \$38,954 was approved to cover any unforeseeable conditions that may arise during construction.
- ITEM NO. 1H
APPROVE APPROPRIATION OF ASSET FORFEITURE FUNDS
- Resolution No. 2018-09-3003**, entitled:
"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROPRIATING FEDERAL AND STATE ASSET FORFEITURE FUNDS FOR USE BY THE POLICE DEPARTMENT," was adopted.
- ITEM NO. 1I
ADOPTION OF RESOLUTION APPROVING THE GENERAL SERVICES AGREEMENT WITH LOS ANGELES COUNTY
- ADOPTION OF RESOLUTION NO. 2018-11-3005 ENTITLED," A RESOLUTION OF THE CITY COUNCIL OF IRWINDALE APPROVING THE GENERAL SERVICES AGREEMENT BETWEEN THE CITY OF IRWINDALE AND LOS ANGELES COUNTY FOR A PERIOD OF FIVE YEARS, COMMENCING JULY 1, 2018, THROUGH JUNE 30, 2023.

RESOLUTION NO.
2018-11-3005
ADOPTED

Resolution No. 2018-11-3005, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING THE GENERAL SERVICES AGREEMENT BETWEEN THE CITY OF IRWINDALE AND LOS ANGELES COUNTY FOR A PERIOD OF FIVE YEARS, COMMENCING JULY 1, 2018 THROUGH JUNE 30, 2023”, was adopted; the Mayor was authorized to execute the General Services Agreement on behalf of the City; 3) the Chief Deputy City Clerk was directed to forward three signed originals to the Office of Intergovernmental and External Affairs, Chief Administrative Office, Room 723, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012, together with a certified copy of the approved resolution indicating the approval of this item.

ITEM NO. 1J
REQUEST TO APPROVE A CONTRACT WITH HCG, LLC, FOR THE PREPARATION OF CEQA DOCUMENTS (INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION) FOR REMEDIATION AND RECLAMATION OF THE NORTH KINCAID PIT

REQUEST TO APPROVE A CONTRACT WITH HARVEY CONSULTING GROUP, LLC (HCG) FOR THE PREPARATION OF CEQA DOCUMENTS (INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION) FOR REMEDIATION AND RECLAMATION OF THE NORTH KINCAID PIT (APN NO. 8616-022-906)

The contract with HCG for the preparation of an Initial Study and public review Draft and Final Mitigated Negative Declaration to be prepared in association with a land use entitlement application and remediation and grading work for the proposed remediation and reclamation of North Kincaid Pit, was approved.

ITEM NO. 1K
APPROVAL OF ASSEMBLYWOMAN BLANCA E. RUBIO'S CITY OF IRWINDALE FACILITY FEE WAIVER REQUEST

APPROVAL OF ASSEMBLYWOMAN BLANCA E. RUBIO'S CITY OF IRWINDALE FACILITY FEE WAIVER REQUEST (Added as an urgency item, noting that the need arose subsequent to the posting of the agenda)

RESOLUTION NO.
2018-13-3007
ADOPTED

Resolution No. 2018-13-3007, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, FINDING THAT THE PUBLIC PURPOSE WOULD BE SERVED BY THE DONATION OF COMMUNITY CENTER FOR USE BY ASSEMBLYWOMAN BLANCA E. RUBIO FOR THE 2018 WOMAN OF THE YEAR EVENT,” was adopted.

END OF CONSENT CALENDAR

ITEM NO. 1C
ALLOCATING FUNDS
FOR NEW
PLAYGROUND
EQUIPMENT FOR ALL
CITY PARKS

ALLOCATING FUNDS FOR NEW PLAYGROUND EQUIPMENT
FOR ALL CITY PARKS

COUNCILMEMBER
BURROLA

Responding to a question by Councilmember Burrola, Councilmember Garcia advised that the city of Monrovia recently installed pour-in-place type of surfacing at one of its facilities, and that he has observed that the material is very durable and does not require the maintenance that sand requires. He advised that other dangerous objects are not a concern with pour-in-place surfacing.

Councilmember Burrola stated that he was comfortable with Councilmember Garcia's recommendation, as well as the Parks & Recreation Commission's recommendation.

RESOLUTION NO.
2018-06-3000
ADOPTED

Resolution No. 2018-06-3000, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE WAIVING THE FORMAL BIDDING PROCEDURES, APPROPRIATING \$716,483.00, AND APPROVING THE CONTRACT FOR THE REPLACEMENT OF THE PLAYGROUND EQUIPMENT AND SURFACING IN ALL FOUR CITY PARKS," was adopted, subject to approval as to form by the City Attorney, 2) the Assistant City Manager was authorized to enter into an agreement with GameTime (Great Western Recreation) for the playground replacement project and issue a purchase order for approved funds; 3) a 10% contingency in the amount of \$65,135 was approved to cover any unforeseeable conditions that may arise during construction, on the motion of Councilmember Burrola, seconded by Mayor Breceda, and unanimously approved.

NEW BUSINESS

ITEM NO. 2A
EMPLOYMENT
AGREEMENT – CITY
MANAGER AND
APPROPRIATION OF
FUNDS RELATED TO
CITY MANAGER
TRANSITION

EMPLOYMENT AGREEMENT – CITY MANAGER AND
APPROPRIATION OF FUNDS RELATED TO CITY MANAGER
TRANSITION

CITY ATTORNEY
GALANTE

City Attorney Galante discussed the staff report.

- COUNCILMEMBER BURROLA Responding to several questions by Councilmember Burrola, Human Resources Manager Hull advised that the proposed salary for this position matches the salary of prior City Manager Davidson when he retired. Councilmember Burrola also asked about the retirement benefits for this position, to which Human Resources Manager Hull indicated that Mr. Tam is a Tier 1 level employee, and that \$10,500 was requested to be appropriated to cover the retirement benefit for the remainder of this fiscal year. This appropriation covers both PERS and PARS benefits.
- COUNCILMEMBER ORTIZ Councilmember Ortiz asked about the differences between PERS Tier 1 and Tier 2, which Human Resources Manager Hull elaborated on. Councilmember Ortiz also asked about Section 3.5 of the contract, titled "Temporary Right of Re-Appointment to Development Services Director / City Engineer or Comparable Position", which City Attorney Galante discussed and clarified. Councilmember Ortiz expressed his opinion that this clause was unnecessary.
- Councilmember Ortiz then asked about the position's bereavement leave clause, to which Assistant City Manager Olivares indicated that the position would be entitled to four days bereavement leave. City Attorney Galante added that this mirrors the memoranda of understanding with all employees.
- COUNCILMEMBER BURROLA Councilmember Burrola expressed his hope that the vacant City Engineer position would be filled right away, since Mr. Tam would be very occupied in his role of City Manager.
- COUNCILMEMBER ORTIZ Councilmember Ortiz asked how long it would take to fill the City Engineer position, to which Mr. Tam advised that there is no current staff member that holds the necessary certification to fill the role. Staff plans on conducting a recruitment right away.
- HUMAN RESOURCES MANAGER HULL Human Resources Manager Hull added that a job description for the position has already been prepared, though staff would still need to research salary information.
- MOTION A motion was made by Mayor Pro Tem Ambriz, seconded by Mayor Breceda, to authorize the execution of the City Manager Employment Agreement and appoint William Tam to the position of City Manager, effective February 15, 2018, and adopt
- RESOLUTION NO. 2018-12-3006 ADOPTED **Resolution No. 2018-12-3006**, entitled:
"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING CITY MANAGER EMPLOYMENT AGREEMENT AND APPROVING AN APPROPRIATION OF FUNDS FOR HIGHER PAYROLL BENEFIT COSTS FOR NEWLY APPOINTED CITY MANAGER". The motion was unanimously approved.

ITEM NO. 2B
PROPOSED
AMENDMENT OF SEX
OFFENDER
RESIDENCY
RESTRICTION
ORDINANCE

PROPOSED AMENDMENT OF SEX OFFENDER RESIDENCY
RESTRICTION ORDINANCE

CITY ATTORNEY
GALANTE

City Attorney Galante discussed the staff report.

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz noted his reluctance in approving the proposed ordinance, stating his opinion that individuals that commit sex crimes deserve no protections. However, in discussing the matter with Police Chief Henshaw and City Attorney Galante, he felt assuaged and is more willing to support its approval.

ORDINANCE NO. 721
INTRODUCED FOR
FIRST READING

Ordinance No. 721, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, REPEALING AND REPLACING IRWINDALE MUNICIPAL CODE CHAPTER 8.32 (SEX OFFENDER RESIDENCY AND LOITERING RESTRICTIONS) OF TITLE 8 (HEALTH AND SAFETY) REGARDING REGISTERED SEX OFFENDERS,” was approved for first reading, reading by title only and waiving further reading thereof, on the motion of Councilmember Ortiz, seconded by Mayor Breceda, and unanimously approved.

ITEM NO. 2C
PROJECT UPDATE:
MANNING PIT GRADING
AND REMEDIATION

PROJECT UPDATE: MANNING PIT GRADING AND
REMEDICATION

DIRECTOR TAM

Director Tam presented the update, which included information regarding project compliance and reporting requirements, general information, before and after pictures, and information relating to geotechnical evaluations and fill and operations plans, along with a project summary.

CITY ATTORNEY
GALANTE

As requested by City Attorney Galante, Director Tam discussed past compaction efforts.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz asked about the anticipated use of the land, to which Principal Planner Simpson indicated that staff anticipates that it will be geared toward light industrial use. There are no current proposals for retail use. Councilmember Ortiz then suggested that consideration also be given to the type of use for the city's 10-acre site.

- COUNCILMEMBER BURROLA Responding to a question by Councilmember Burrola, Director Tam advised that the agreement for this project was executed in 2009. However, the economy's downturn played a significant role in delaying the project.
- COUNCIL CONSENSUS Council consensus was reached to receive and file the report regarding the status of the current activities of the Manning Pit Grading and Remediation Project.
- ITEM NO. 2D
OLIVE PIT MANNING AND RECLAMATION PROJECT – 2017 FOURTH QUARTER PROGRESS REPORT OLIVE PIT MANNING AND RECLAMATION PROJECT – 2017 FOURTH QUARTER PROGRESS REPORT
- PROJECT MANAGER CARRILLO Project Manager Carrillo presented the update, which included information regarding the construction of the south boundary access ramp, the west boundary concrete block wall, landscaping on Olive Street, and the design of two traffic signals.
- COUNCILMEMBER GARCIA Responding to a question by Councilmember Garcia, Project Manager Carrillo advised that the contractor will remove any leftover blocks close to Olive Street.
- COUNCILMEMBER BURROLA Councilmember Burrola asked whether the dead vegetation on the southside of Olive Street could be cleaned up, to which Project Manager Carrillo advised that the landscaping work is being completed in phases. Once the city returns the responsibility of maintaining the landscaping, it will be up to the operator to maintain it.
- COUNCILMEMBER ORTIZ Responding to several questions by Councilmember Ortiz, Project Manager Carrillo discussed the paving of the access ramp. Councilmember Ortiz noted the improvement in the cleanup of dust along the streets, and thanked the Police Department for speed limit enforcement.
- COUNCIL CONSENSUS Council consensus was reached to receive and file the updated quarterly progress report for Olive Pit Mining and Reclamation Project.
- PUBLIC HEARINGS None.
- CITY MANAGER'S REPORT
- ASSISTANT CITY MANAGER OLIVARES Assistant City Manager Olivares noted that most city departments will be closed to the public on February 19 for its annual cleanup day, the amount of fliers mailed to the residential households has

been reduced from 405 to 77, with the rest of the households having opted to receive the information via the city website or social media, and noted that the first class of the CERT training was held last night.

COUNCILMEMBER
ORTIZ

Councilmember Ortiz requested that a cancer awareness report be prepared and presented to the Council in the near future.

COUNCILMEMBER
GARCIA

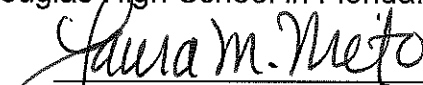
Councilmember Garcia stated that the fees to rent facilities, along with the purchase of insurance for their private events, can be quite burdensome and requested that staff research ways to decrease the expenses attached to renting the facility, possibly by transferring the insurance costs from the renter, or by eliminating the insurance requirement altogether.

ASSISTANT CITY
MANAGER OLIVARES

Assistant City Manager Olivares advised that, although it is standard policy for city facilities to require insurance, staff will research the request.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:01 p.m., in memory of the victims of today's shooting at Marjory Stoneman Douglas High School in Florida.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held February 28, 2018.