

CITY OF IRWINDALE



AGENDA FOR THE REGULAR MEETING OF THE

CITY COUNCIL COMMUNITY REDEVELOPMENT AGENCY HOUSING AUTHORITY



JULY 28, 2010

6:00 P.M. - CLOSED SESSION
6:30 P.M. - OPEN SESSION

IRWINDALE CITY HALL / COUNCIL CHAMBER
5050 N. IRWINDALE AVENUE
IRWINDALE, CA 91706
626-430-2200

CLOSED SESSION – CITY HALL CONFERENCE ROOM
REGULAR MEETING – CITY HALL COUNCIL CHAMBER

H. Manuel Ortiz - Mayor
David “Chico” Fuentes - Mayor Pro Tem
Mark A. Breceda - Councilmember
Larry G. Burrola - Councilmember
Manuel R. Garcia - Councilmember

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 comment on items listed on the agenda during discussion of the matter and prior to a vote. The City Council will hear public comment 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 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 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

CLOSED SESSION – 6:00 P.M.

1. Conference With Property Negotiator
Pursuant to California Government Code Section 54956.8
 - A. Property: N/W Intersection of Live Oak Avenue and Arrow Highway – APN 8535-011-911
Negotiating Parties: CRA and Arakelian Enterprises
Under Negotiation: Price and terms of sale
 - B. Property: 5300 block of Rivergrade Road between Stewart Avenue and Arrow Highway
APN 8535-001-034
Negotiating Parties: CRA and The Realty Associates Fund V, LP
Under Negotiation: Price and terms of sale
2. Conference With Legal Counsel – Anticipated Litigation
Pursuant to California Government Code Section 54956.9

Number of cases: One
3. Conference With Salary Negotiator
Pursuant to California Government Code Section 54957.6)

Agency Negotiator: Camille Diaz, Assistant City Manager;
Laura Nomura, Director of Finance
Sharmeen Bhojani, Human Resources Mgr

Employee Organization: Irwindale Police Officers' Association
Irwindale City Employees' Association
Irwindale Management Employees' Association
4. Public Employee Performance Evaluation
Pursuant to California Government Code Section 54957

Title: Interim City Manager

ADJOURN

OPEN SESSION – 6:30 P.M.

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. INVOCATION
- D. ROLL CALL: Councilmembers: Mark A. Breceda, Larry G. Burrola,
Manuel R. Garcia; Mayor Pro Tem David “Chico” Fuentes;
Mayor H. Manuel Ortiz
- E. REPORT FROM CLOSED SESSION
- F. CHANGES TO THE AGENDA
- G. COUNCIL MEMBER TRAVEL REPORTS
- H. ANNOUNCEMENTS
- I. INTRODUCTION / SWEARING-IN OF NEW EMPLOYEES
- J. PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS
 - 1. Presentation to Vulcan Materials - Chamber of Commerce Business of the Month
 - 2. Recognition of 2010 Irwindale Young Citizen Competition Participants
 - Andre Villa - Winner
 - Khalalah Todd - 2nd Place
 - Angelo Villa - 3rd Place
 - Eric Fuentes - Honorable Mention
 - Dominique Diaz - Honorable Mention

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 2 minutes and each subject limited to 6 minutes, unless such time limits are extended.

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

Recommendation: No minutes for approval

B. Warrants/Demands/Payroll

Recommendation: Approve

C. Designation of Voting Delegate for the 2010 League of California Cities Conference – San Diego

Recommendation: Designate Mayor H. Manuel Ortiz as delegate for the League of California Cities annual Conference to be held in San Diego from September 15-17, 2010

D. Investment Quarterly Report – June 30, 2010

Recommendation: Receive and file

- E. **Ordinance No. 643** Pertaining to State Video Franchise Holders Operating Within the City in Accordance With the Digital Infrastructure & Video Competition Act ("DIVCA")

Recommendation: Introduce for first reading **Ordinance No. 643**, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, AMENDING CHAPTERS 5.32 AND 12.04 OF THE IRWINDALE MUNICIPAL CODE PERTAINING TO STATE VIDEO FRANCHISE HOLDERS OPERATING WITHIN THE CITY"

- F. **Resolution No. 2010-36-2466** Establishing the Annual Special Tax for Community Facilities District No. 1 to Fiscal Year 2009-2010

Recommendation: Adopt **Resolution No. 2010-36-2466**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ESTABLISHING THE ANNUAL SPECIAL TAX FOR THE COMMUNITY FACILITIES DISTRICT NO. 1 FOR FISCAL YEAR 2009-2010"

2. NEW BUSINESS

- A. **Resolution No. 2010-35-2465** Adopting a Supplemental Retirement Program Through the Public Agency Retirement System and Appointing the City Manager as the Plan Administrator

Recommendation: Adopt **Resolution No. 2010-35-2465**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING A SUPPLEMENTAL RETIREMENT PROGRAM THROUGH THE PUBLIC AGENCY RETIREMENT SYSTEM AND APPOINTING THE CITY MANAGER AS THE PLAN ADMINISTRATOR," reading by title only and waiving further reading thereof

3. OLD BUSINESS

4. PUBLIC HEARINGS

- A. Street Lighting and Sewer Maintenance Assessment Districts for the Irwindale Business Center

Recommendation: Adopt **Resolution No. 2010-33-2463**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011, WITHIN THE EXISTING IRWINDALE BUSINESS CENTER STREET LIGHTING AND MAINTENANCE

DISTRICT;” *and*

Adopt **Resolution No. 2010-34-2464**, entitled: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, ORDERING THE LEVY AND COLLECTION OF ASSESSMENTS FOR THE FISCAL YEAR BEGINNING JULY 1, 2010, AND ENDING JUNE 30, 2011, WITHIN THE EXISTING IRWINDALE BUSINESS CENTER SEWER MAINTENANCE DISTRICT,” reading by title only and waiving further reading thereof

B. **Ordinance No. 642 Approving Change of Zone Designation From C-3 and A-1 to R-1 for Property Located at 4804 Irwindale Avenue**

Recommendation: Introduce for first reading **Ordinance No. 642**, entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, APPROVING CHANGING THE ZONE DESIGNATION FROM C-3 (HEAVY COMMERCIAL – RESIDENTIAL) AND A-1 (AGRICULTURAL) TO R-1 (SINGLE-FAMILY RESIDENTIAL) FOR PROPERTY LOCATED AT 4804 IRWINDALE AVENUE (NORTHEAST CORNER OF IRWINDALE AVENUE AND CALLE BRECEDA – APN 8417-003-953 AND 8417-033-954), reading by title only and waiving further reading thereof

C. **Resolution No. 2010-32-2462 Approving a Site Plan and Design Review Permit for a Parking Structure and Three Solar Canopies Located at 6000 Irwindale Avenue (Gateway Business Center)**

Recommendation: Adopt **Resolution No. 2010-32-2462**, entitled: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING A SITE PLAN AND DESIGN REVIEW PERMIT FOR THE CONSTRUCTION OF A 44,220 SQUARE FOOT PARKING STRUCTURE AND THREE SOLAR CANOPIES TOTALING 6,800 SQUARE FEET ON PROPERTY ZONED M-2 (HEAVY MANUFACTURING) LOCATED AT 6000 IRWINDALE AVENUE (GATEWAY BUSINESS CENTER) SUBJECT TO CONDITIONS AS SET FORTH HEREIN AND MAKING FINDINGS IN SUPPORT THEREOF,” reading by title only and waiving further reading thereof

5. **CITY MANAGER’S REPORT**

6. **ADJOURN**

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

1. CONSENT CALENDAR

The Consent Calendar contains matters of routine business and is to be approved with one motion unless a member of the Agency 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

Recommendation: No minutes for approval

B. Warrants

Recommendation: Approve

2. NEW BUSINESS

3. OLD BUSINESS

4. PUBLIC HEARINGS

5. 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

Recommendation: No minutes for approval

- 2. NEW BUSINESS**
- 3. OLD BUSINESS**
- 4. PUBLIC HEARINGS**
- 5. ADJOURN**

AFFIDAVIT OF POSTING

I, Linda J. Kimbro, Deputy City Clerk, certify that I caused the agenda for the regular meeting of the City Council, Community Redevelopment Agency, and Housing Authority to be held on July 28, 2010, to be posted at the City Hall, Library, and Post Office on July 21, 2010.

Linda J. Kimbro, MMC
Deputy City Clerk