

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

**JUNE 23, 2010
WEDNESDAY
6:00 P.M.**

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

ROLL CALL:

Present: Councilmembers Mark A. Breceda, Larry G. Burrola, Manuel R. Garcia; Mayor Pro Tem David "Chico" Fuentes; Mayor H. Manuel Ortiz

Also present: Sol Benudiz, Interim City Manager; Wayne Hiltz, Interim Chief of Police; Fred Galante, City Attorney; Camille Diaz, Assistant City Manager; Laura Nomura, Director of Finance; Kwok Tam, Director of Public Works/City Engineer; Ray Hamada, Director of Planning; and Armando Hegdahl, Deputy City Clerk

**RECESS TO
CLOSED SESSION**

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

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

Number of Cases: One

ACTION: Not discussed

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

ACTION: Discussed; no reportable action taken

Public Employee Performance Evaluation
Pursuant to California Government Code Section 54957

Title: Interim City Manager

ACTION: Discussed; no reportable action taken

**RECONVENE IN
OPEN SESSION**

At 6:34 p.m., the Council reconvened in Open Session.

**COUNCIL MEMBER
TRAVEL REPORTS**

None

**INTRODUCTION /
SWEARING – IN OF
NEW EMPLOYEES**

None

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

PRESENTATION TO
MERWIN SCHOOL FOR
EXCEEDING THE GOAL
NUMBER OF BOOKS /
NUMBER OF WORDS
READ

PRESENTATION TO MERWIN SCHOOL FOR EXCEEDING THE
GOAL NUMBER OF BOOKS / NUMBER OF WORDS READ

The presentation was made.

PRESENTATION TO
STELLAR BUSINESS
BANK, CHAMBER OF
COMMERCE BUSINESS
OF THE MONTH

PRESENTATION TO STELLAR BUSINESS BANK, CHAMBER OF
COMMERCE BUSINESS OF THE MONTH

The presentation was made.

PRESENTATION TO
RESCUE SERVICES
INTERNATIONAL IN
RECOGNITION OF
THEIR DONATION OF
AN AMBULANCE TO
THE POLICE DEPT.

PRESENTATION TO RESCUE SERVICES INTERNATIONAL IN
RECOGNITION OF THEIR DONATION OF AN AMBULANCE TO
THE POLICE DEPARTMENT

The presentation was made.

PRESENTATION BY
HABIB BALIAN
PROVIDING AN UPDATE
ON THE GOLD LINE
FOOTHILL EXTENSION
PROJECT AND SCHED.

PRESENTATION BY HABIB BALIAN PROVIDING AN UPDATE ON
THE GOLD LINE FOOTHILL EXTENSION PROJECT AND
SCHEDULE

The presentation was made.

**SPONTANEOUS
COMMUNICATIONS**

MARK MONTENEGRO

Mark Montenegro discussed problems with illegal fireworks and
commercial vehicle parking.

LISA BAILEY

Lisa Bailey thanked Mayor Ortiz and Councilmember Burrola for
attending the B & K Electric grand opening; reported that there are
five applicants for the Irwindale Young Citizen competition; Irwindale

Education Foundation application deadline is at 5:00 on June 24th;
Bridging Communities networking event is upcoming.

CONSENT CALENDAR

MOTION

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

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting held June 9, 2010

ITEM NO. 1B
WARRANTS/
DEMANDS/
PAYROLL

WARRANTS/DEMANDS/PAYROLL

The warrants/demands/payroll were approved.

ITEM NO. 1C
AWARD OF
CONTRACT FOR THE
CONSTRUCTION OF
THE IMPROVEMENTS
TO THE AGENCY-
OWNED PROPERTY
LOCATED AT 4342
ALDERSON AVENUE
FOR THE HOUSING OF
THE EMERGENCY
OPERATION CENTER
(EOC) TRAILER

AWARD OF CONTRACT FOR THE CONSTRUCTION OF THE
IMPROVEMENTS TO THE AGENCY-OWNED PROPERTY
LOCATED AT 4342 ALDERSON AVENUE FOR THE HOUSING OF
THE EMERGENCY OPERATION CENTER (EOC) TRAILER

The Interim City Manager was authorized to enter into an agreement with MG Enterprises, Inc., in the amount of \$95,024.80, for the construction of improvements to the Agency-owned property located at 4342 Alderson Avenue for the housing of the Emergency Operation Center (EOC) trailer.

ITEM NO. 1E
ORDINANCE
ADOPTING COUNTY
OF LOS ANGELES
ANIMAL CONTROL
CODE BY REFERENCE

ORDINANCE NO. 641 – ADOPTING COUNTY OF LOS ANGELES
ANIMAL CONTROL CODE BY REFERENCE

ORDINANCE NO. 641
ADOPTED ON
SECOND READING

Ordinance No. 641, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
IRWINDALE AMENDING TITLE 6.04 OF THE IRWINDALE
MUNICIPAL CODE AND ADOPTING BY REFERENCE TITLE 10 –

LOS ANGELES COUNTY CODE, AND COUNTY AMENDMENTS AND REPEALING ALL OTHER ORDINANCES OR PORTIONS OF ORDINANCES IN CONFLICT THEREWITH”, was adopted.

ITEM NO. 1F
RESOLUTION
AUTHORIZING
SUBMISSION OF AN
APPLICATION TO THE
DEPARTMENT OF
RESOURCES
RECYCLING AND
RECOVER FOR THE
USED OIL PAYMENT
PROGRAM
(Previously Used Oil
Recycling Block Grant)

RESOLUTION NO. 2010-25-2455 AUTHORIZING SUBMISSION OF AN APPLICATION TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY FOR THE USED OIL PAYMENT PROGRAM (Previously Used Oil Recycling Block Grant)

RESOLUTION NO.
2010-25-2455
ADOPTED

Resolution No. 2010-25-2455, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE DEPARTMENT OF RESOURCES RECYCLING AND RECOVERY (CALRECYCLE) FOR THE USED OIL PAYMENT PROGRAM (OPP)”, was adopted.

ITEM NO. 1G
AWARD OF
CONTRACT FOR THE
CONSTRUCTION OF
CITYWIDE BRIDGE
REPAIR PROJECT

AWARD OF CONTRACT FOR THE CONSTRUCTION OF CITYWIDE BRIDGE REPAIR PROJECT

The Interim City Manager was authorized to enter into an agreement with Sea West Enterprises in the amount of \$79,455, for the construction of the Citywide Bridge Repair Project.

ITEM NO. 1H
RESOLUTION
RATIFYING THE CITY
OF IRWINDALE
INVESTMENT POLICY
AND DELEGATING
AUTHORITY TO THE
CITY TREASURER TO
INVEST THE CITY’S
SURPLUS FUNDS

RESOLUTION NO. 2010-26-2456 RATIFYING THE CITY OF IRWINDALE INVESTMENT POLICY AND DELEGATING AUTHORITY TO THE CITY TREASURER TO INVEST THE CITY’S SURPLUS FUNDS

RESOLUTION NO.
2010-26-2456
ADOPTED

Resolution No. 2010-26-2456, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE RATIFYING THE CITY OF IRWINDALE INVESTMENT

POLICY AND DELEGATING OT THE CITY TREASURER
AUTHORITY TO INVEST THE CITY'S SURPLUS FUNDS", was
adopted.

ITEM NO. 1I
APPROVAL OF PLANS
AND SPECIFICATIONS
FOR LOS ANGELES
STREET
REHABILITATION
PROJECT FROM
LITTLE JOHN
STREET TO WEST
CITY LIMITS

APPROVAL OF PLANS AND SPECIFICATIONS FOR LOS
ANGELES STREET REHABILITATION PROJECT FROM LITTLE
JOHN STREET TO WEST CITY LIMITS

The project was approved and was found to be categorically exempt
from the provisions of the California Environmentally Quality Act
(CEQA) and the plans and specifications for the Los Angeles Street
Rehabilitation Project from Little John Street to west City limits was
approved; and staff was authorized to solicit bids for construction of
the project.

END OF CONSENT CALENDAR

ITEM NO. 1D
ORDINANCE ADOPTING
FISCAL YEAR 2010-11
BUDGET

ORDINANCE NO. 640 – ADOPTING FISCAL YEAR 2010-11
BUDGET

INTERIM CITY
MANAGER BENUDIZ

Interim City Manager Benudiz introduced the staff report.

MAYOR PRO TEM
FUENTES

Mayor Pro Tem Fuentes stated his discomfort with the budget as
presented. He expressed his opinion that more could have been
done to identify ways to save money.

MAYOR ORTIZ

Responding to a question by Mayor Ortiz, Interim City Manager
Benudiz advised that if the budget is not approved, the City cannot
issue payments.

COUNCILMEMBER
BRECEDA

Councilmember Breceda indicated that the projected deficit is
merely a projection and that there is not much more the City can do
to save money. He added that staff is already "holding the line" at
providing only essential services.

MAYOR PRO TEM
FUENTES

In response to a question by Mayor Pro Tem Fuentes, Interim City
Manager Benudiz advised that the budget projections are based on
revenue assumptions, trends and analyses and that the projections
are adjusted as actual amounts are determined.

DIRECTOR OF
FINANCE NOMURA

Director of Finance Nomura indicated that the projections are
calculated based on worst case scenarios. She added that staff
projected a deficit of about 2.7 million dollars for the 2008/09 fiscal
year; however, time revealed that the year actually enjoyed savings.

MAYOR PRO TEM FUENTES Responding to a comment by Mayor Pro Tem Fuentes, Interim City Manager Benudiz advised that, in order to have a balanced budget for this fiscal year, significant staffing and program cuts would be necessary. However, the Council did not give that direction to staff.

COUNCILMEMBER BRECEDA Councilmember Breceda advised that the funds held in reserve must be used when necessary on “rainy days”. He added that staff has made as many budgetary adjustments as possible and that, in comparison to other cities, Irwindale’s financial problems are not very large. He also stated that the budget must be passed in order to pay bills.

CITY ATTORNEY GALANTE City Attorney Galante reminded the Council that the budget, as presented, is a fluid document and can be modified by the Council on a majority vote.

COUNCILMEMBER BURROLA Councilmember Burrola suggested continuing this discussion in Closed Session.

COUNCILMEMBER GARCIA Councilmember Garcia stated that staff has worked very hard on this budget and that the Council had previous opportunities to discuss it in detail. He suggested obtaining quarterly financial reports to be informed of the City’s financial state.

COUNCILMEMBER BRECEDA In response to a question by Councilmember Breceda, Director of Finance Nomura stated that it would not be beneficial to the City’s bond rating if a budget is not approved.

COUNCIL CONSENSUS Council consensus was reached to discuss this matter during Closed Session.

ORDINANCE NO. 640 ADOPTED ON SECOND READING After having discussed this item in Closed Session, **Ordinance No. 640**, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING THE BUDGET FOR FISCAL YEAR 2010-11,” was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Councilmember Breceda, seconded by Councilmember Garcia, and approved; Mayor Pro Tem Fuentes opposed and Mayor Ortiz abstaining.

NEW BUSINESS

ITEM NO. 2A
RESOLUTIONS
REFINANCING OF
1998 SPECIAL TAX
BONDS

RESOLUTION NOS. 2010-27-2457 AND 2010-28-2458 –
REFINANCING OF 1998 SPECIAL TAX BONDS

INTERIM CITY
MANAGER BENUDIZ

Interim City Manager Benudiz introduced the staff report.

SUZANNE HARRELL

Suzanne Harrell made a PowerPoint presentation relating to the refinancing of the bonds.

COUNCIL DISCUSSION

Council discussion was held to clarify questions relating to the 17 acre site and property taxes on the site.

RESOLUTION NO.
2010-27-2457
ADOPTED

Resolution No. 2010-27-2457, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, ACTING IN ITS CAPACITY AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 1 OF THE CITY OF IRWINDALE, AUTHORIZING THE ISSUANCE OF ITS SPECIAL TAX REFUNDING BONDS, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$8,500,000; AND APPROVING CERTAIN DOCUMENTS AND TAKING CERTAIN OTHER ACTIONS IN CONNECTION THEREWITH;” and

RESOLUTION NO.
2010-28-2458
ADOPTED

Resolution No. 2010-28-2458, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, ON BEHALF OF COMMUNITY FACILITIES DISTRICT NO. 1 OF THE CITY OF IRWINDALE, APPROVING AND DIRECTING THE EXECUTION OF AN IN-LIEU SPECIAL TAX AGREEMENT AND ACTIONS RELATED TO THE ISSUANCE OF BONDS BY THE DISTRICT,” were passed, approved, and adopted; reading by title only and waiving further reading thereof, and the refinancing of the Community Facilities District No. 1 of the City of Irwindale 1998 Special Tax Refunding Bonds was authorized and an In-Lieu Special Tax Agreement was approved.

OLD BUSINESS

None.

PUBLIC HEARINGS

None.

**CITY MANAGER'S
REPORT**

The report was presented.

RECESS TO
CLOSED SESSION

At 8:05 p.m., the City Council recessed to Closed Session.

RECONVENE IN
OPEN SESSION

At 10:34 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 10:35 p.m.

Linda J. Kimbro, MMC
Deputy City Clerk

Approved as submitted at the meeting held July 14, 2010.