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: William Tam, City Manager; Fred Galante, City Attorney; Theresa Olivares, Assistant City Manager; Ty Henshaw, Chief of Police; Eva Carreon, Director of Finance; Mary Hull, Human Resources Manager, and Laura Nieto, Chief Deputy City Clerk

RECESS TO CLOSED SESSION

At 5:30 p.m., the City Council recessed to Closed Session to discuss the following:

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

Name of Case: City of Baldwin Park vs. City of Irwindale
Case Number: BS171622

ACTION: Discussed, update provided; direction provided on status; no further reportable action taken.

Name of Case: Waste Management vs. City of Irwindale
Case Number: BS171509

ACTION: Discussed, update provided; direction provided on status; no further reportable action taken.

Name of Case: Huy Fong Foods, Inc. vs. City of Irwindale
Case Number: BC 621610

ACTION: Not discussed

Conference with Real Property Negotiator
Pursuant to California Government Code Section 54956.8

Name of Case: City of Irwindale vs. Nuway Industries, Inc. et. Al
Case Number: KC068677

ACTION: Discussed, update provided; no further reportable action taken.
Conference with Labor Negotiator
Pursuant to California Government Code Section 54957.6

Agency Designated Representatives: Colin Tanner, Labor Counsel
                                    Fred Galante, City Attorney
                                    Unrepresented Department Heads

ACTION: Not discussed

RECONVENE IN OPEN SESSION
At 6:30 p.m., the City Council reconvened in Open Session.

CHANGES TO THE AGENDA
None.

COUNCILMEMBER TRAVEL REPORTS
None.

ANNOUNCEMENTS
Councilmember Ortiz asked about the feasibility of permitting parking on certain sections of Arrow Highway in order for individuals and families to be able to park their vehicles and enter the Santa Fe Dam Recreation Area, and requested that the matter be placed on a future agenda for discussion.

INTRODUCTION OF NEW EMPLOYEES / PROMOTIONS
None.

PROCLAMATIONS / PRESENTATIONS / COMMENDATIONS
PRESENTATION TO CHAMBER OF COMMERCE BUSINESS OF THE MONTH – SANTA ANITA FAMILY YMCA
The presentation was made.

SPONTANEOUS COMMUNICATIONS
Dena Zepeda commended the excellent street work completed within the city recently, requested that traffic cones along said area be painted a different color so they can be more visible, and stated
her belief about certain property being contaminated and requested that staff check into her concern.

FRED BARBOSA
Fred Barbosa commented on the availability of parking and made suggestions as to possible parking locations.

NICOLE MIKKEL
Nicole Mikkel requested staff assistance for increasing visibility of the street near her residence, to which City Manager Tam advised that staff will work with her on the request.

DENA ZEPEDA
Dena Zepeda asked whether the city would install a gate at the home of a resident in order as a safety precaution for the household's children.

CONSENT CALENDAR

MOTION
A motion was made by Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, to approve the Consent Calendar; reading resolutions and ordinances by title only and waiving further reading thereof, with the exception of Item Nos. 1D and 1J, for separate consideration. The motion was unanimously approved.

ITEM NO. 1A
MINUTES
The following minutes were approved:

1) Regular meeting held June 13, 2018
2) Special meeting held June 6, 2018

ITEM NO. 1B
WARRANTS / DEMANDS
The warrants / demands / were approved.

ITEM NO. 1C
PROPOSED END-OF-YEAR CLOSURE OF CITY FACILITIES FOR 2018
The closure of some City facilities during the period of December 24, 2018, through and including January 6, 2019, was approved, and the City Manager was authorized to implement said closure.

ITEM NO. 1E
REJECTION OF CLAIM: SERGIO CARIAS V. CITY OF IRWINDALE
The claim of Sergio Arias vs. City of Irwindale was rejected and staff was directed to send a standard letter of rejection.

ITEM NO. 1F
DECLARATION OF SURPLUS EQUIPMENT
Resolution No. 2018-54-3048, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE DECLARING A VEHICLE AS SURPLUS AND AUTHORIZING DISPOSITION OF THE SURPLUS VEHICLE," was passed, approved, and adopted.

Item No. 1G

APPROVAL OF FIRST AMENDMENT TO THE EXISTING CONTRACT AGREEMENT WITH RS CONSTRUCTION & DEVELOPMENT FOR THE POLICE DEPARTMENT PUBLIC COUNTER REPLACEMENT PROJECT; P-944

1) The terms and conditions as set forth in the Contract Agreement originally entered into between the City of Irwindale and RS Construction & Development for the Police Department Public Counter Replacement, were accepted, and 2) the City Manager was approved and authorized to execute a contract amendment on behalf of the City Council in the amount of $63,859.00 to cover improvements to the City Hall Lobby.

Item No. 1H

SEWER MAINTENANCE AND STREET LIGHTING MAINTENANCE ASSESSMENT DISTRICTS FOR THE IRWINDALE BUSINESS CENTER

Resolution No. 2018-52-3046, entitled:


Resolution No. 2018-53-3047, entitled:

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROVING AN ENGINEER’S REPORT FOR FISCAL YEAR 2018-2019 FOR MAINTENANCE OF STREET LIGHTING LOCATED WITHIN THE IRWINDALE BUSINESS CENTER; DECLARING ITS INTENTION TO LEVY ASSESSMENTS
ITEM NO. 1I
ACCEPTANCE OF TOPO SURVEY CONSULTING FOR EIGHT SAND AND GRAVEL P-979

A professional contract in the amount of $123,400.00 to was awarded to Westland Group Inc. for the Topographic and/or Hydrographic survey of eight (8) sand and gravel mines and the City Manager was authorized to execute the contract on behalf of the city.

ITEM NO. 1K
ACCEPTANCE OF ROAD CONSTRUCTION PROJECT – HIDALGO/JUAREZ STREET CONNECTOR; P-966

1) The improvements and maintenance responsibility for the construction improvements of the Hidalgo/Juarez Street Connector Project, which includes the installation of new asphalt pavement, a retaining wall, sidewalk, storm drains, curb and gutter, street lights, landscaping, irrigation, striping, and signage, were accepted.

END OF CONSENT CALENDAR

ITEM NO. 1D
CANCELLATION OF NOVEMBER 28, 2018, AND DECEMBER 26, 2018, CITY COUNCIL MEETINGS

COUNCILMEMBER ORTIZ

Councilmember Ortiz questioned the need to cancel the November 28th City Council meeting, to which City Manager Tam advised that, should there be numerous urgent matters that the Council should consider that evening, then the meeting would be scheduled. He noted that the meeting is typically cancelled due to staff members’ time off for holiday vacations.

MOTION

A motion was made by Councilmember Ortiz, seconded by Mayor Breceda, to approve the cancellation of the regular City Council (and its agencies) meetings scheduled for November 28, 2018, and December 26, 2018. The motion was unanimously approved.

ITEM NO. 1J
UNCLASSIFIED MANAGEMENT SALARIES AND BENEFITS
COUNCILMEMBER BURROLA

Responding to several questions by Councilmember Burrola, City Manager Tam and City Attorney Galante explained in detail the ramifications of the approval of this item. They: 1) explained that this item is not creating new contracts for employees, 2) discussed how employee pay is calculated based on the current 38-hour work week, and 3) indicated that subject employees frequently work more than the 38 hours per week and do not receive overtime pay after exceeding the 38 hours.

HUMAN RESOURCES MANAGER HULL

Human Resources Manager Hull added that all employee salaries were effectively reduced by 5% in light of staff's 38-hour work week.

COUNCILMEMBER BURROLA

Councilmember Burrola requested to receive this information in writing.

MOTION

A motion was made by Councilmember Burrola to table this matter until he receives the report he requested. The motion was seconded by Councilmember Ortiz.

CITY ATTORNEY GALANTE

Responding to a question by City Attorney Galante, City Manager Tam advised that the information that Councilmember Burrola requested has already been provided to the Council, though staff would be happy to provide the information again.

City Attorney Galante added that the resolution, if approved, would rescind the contracts of the various directors listed in the schedule. However, if the resolution is not approved, the contracts remain in effect.

RESOLUTION NO. 2018-44-3038

Resolution No. 2018-44-3038

"A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, ADOPTING A SCHEDULE OF SALARIES AND BENEFITS FOR UNCLASSIFIED MANAGEMENT EMPLOYEES EFFECTIVE JULY 1, 2018," was passed, approved, and adopted, on a substitute motion made by Mayor Pro Tem Ambriz, seconded by Mayor Breceda, and approved; Councilmember Garcia in favor; Councilmembers Burrola and Ortiz opposed.

NEW BUSINESS

ITEM NO. 2A

APPROVE THE FINAL CITIES OF DUARTE AND IRWINDALE PLAN TO PREVENT AND COMBAT HOMELESSNESS
Assistant City Manager Olivares introduced the staff report and presented Jessica Ripper of LeSar Development, who made a PowerPoint presentation to refresh the Council on the six steps of the plan as well as the implementation of the Council's previous suggestions.

Responding to a question by Councilmember Ortiz, Ms. Ripper indicated that the City of Duarte is exploring potential sites to set up portable showers.

Dena Zepeda spoke on her experiences working with the homeless and suggested purchasing portable showers for the homeless and requested that the city look into providing alternative housing solutions that would also benefit local residents and the elderly.

A motion was made by Mayor Pro Temp Ambriz, seconded by Councilmember Ortiz, to receive and approve the final Cities of Duarte and Irwindale Plan to Prevent and Combat Homelessness.

Councilmember Ortiz commented that homeless individuals are sporadically seen in different areas of Irwindale.

Responding to a question by Councilmember Ortiz, City Manager Tam indicated that the bus stop near the Skate Park is a city-owned shelter, to which Councilmember Ortiz reported on recent activities at the shelter that has left it in an unsanitary condition.

The above-mentioned motion was unanimously approved.

City Manager Tam made a presentation detailing the staff report.

Councilmember Ortiz asked about the inclusion of the proposed pay-down plan in the budget, to which Director Carreon advised that plan is included in the budget resolution as an appropriation request.

City Manager Tam added that, even with the proposed pay-down plan, the city will enjoy a surplus of $1.42 million for the year.
FRED BARBOSA

Responding to a question by Fred Barbosa, City Attorney Galante indicated that Reclamation Authority payments cannot be used to pay down the city’s PERS obligations. However, the city can borrow the funds as a loan, which is a practice that is consistent with the city’s investment policy. The city guarantees, via a Resolution, a Promissory Note, and through the General Fund, that the Reclamation Authority will be paid back.

Mr. Barbosa then asked when the Reclamation Authority would be paid back, to which City Manager Tam indicated that it would be paid back with interest during the loan’s ten-year term.

CITY ATTORNEY GALANTE

City Attorney Galante advised that the Promissory Note, attached to the Resolution, spells out the loan’s terms.

RESOLUTION NO.
2018-47-3041
ADOPTED

Resolution No. 2018-47-3041, entitled:

“A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AND THE RECLAMATION AUTHORITY BOARD APPROVING A THREE-YEAR PAY DOWN PLAN OF THE CITY’S CALPERS UNFUNDED ACTUARIAL LIABILITY (UAL); APPROVING AN ADDITIONAL APPROPRIATION OF $7 MILLION IN FY 2017-18 FOR THE FIRST YEAR UAL PAYMENT; APPROVING AN ADDITIONAL APPROPRIATION OF $7 MILLION IN FY 2018-19 FOR THE SECOND YEAR UAL PAYMENT; AND APPROVING A LOAN OF $5.53 MILLION FROM THE RECLAMATION AUTHORITY TO THE CITY TO FUND THE GENERAL FUND SHARE OF THE SECOND YEAR UAL PAYMENT,” was passed, approved, and adopted, reading by title only and waiving further reading thereof, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Garcia, and unanimously approved.

ITEM NO. 2C
ADOPTION OF THE FISCAL YEAR 2018-2019 BUDGET

City Manager Tam discussed the staff report. He noted that the Council has just approved the PERS three-year pay-down plan, which is now incorporated into the budget. He also requested additional time to obtain more details to fully address Councilmember Burrola’s concerns over the amount of time necessary to fully pay down the PERS debt. Additionally, staff reached out to Gonsalves & Sons, per the request of Mayor Breceda, to inquire about the feasibility of contracting the firm on an as-needed basis. The firm responded that this is not a service that they are willing or able to provide. He added that the price of the contract is reasonable.
COUNCILMEMBER ORTIZ

Councilmember Ortiz reiterated his desire to cancel the contract, and stated his belief that the city has not retained their services in the past four years, to which City Manager Tam indicated that the city retained their services about two or three years ago during the state’s audit. He noted that the firm provided support and kept the city apprised of all procedures in order to ensure that the city received a fair assessment.

MAYOR PRO TEM AMBRIZ

Mayor Pro Tem Ambriz suggested that the city continue to retain the services of Gonsalves & Sons.

MOTION

A motion was made by Mayor Pro Tem Ambriz to adopt Ordinance No. 725 on second reading.

ASSISTANT CITY MANAGER OLIVARES

Assistant City Manager Olivares discussed an additional request by staff for an increased budget to allow for the participation of ten extra youths in the Day Camp program.

MAYOR PRO TEM AMBRIZ

Mayor Pro Tem Ambriz confirmed that his motion should include the approval of both the contract with Gonsalves & Sons, and the additional funding requested for the participation of the youth in the Day Camp program.

ORDINANCE NO. 725 ADOPTED ON SECOND READING

Ordinance No. 725, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING THE BUDGET FOR FISCAL YEAR 2018-2019," was passed, approved, and adopted on second reading, reading by title only and waiving further reading thereof, on the motion of Mayor Pro Tem Ambriz, seconded by Councilmember Garcia, and unanimously approved (Councilmember Burrola opposed to the $21,200 budget request for the adjustment of salaries and benefits for unclassified management staff, and Councilmember Ortiz opposed to renewing the contract with Gonsalves & Sons).

ITEM NO. 2D AGREEMENT FOR SERVICES WITH THE IRWINDALE CHAMBER OF COMMERCE FOR FY 2018/19

Assistant City Manager Olivares presented the staff report.

MOTION

A motion was made by Mayor Pro Tem Ambriz, seconded by Councilmember Ortiz, to approve the Services Agreement between the City of Irwindale and the Irwindale Chamber of Commerce. The motion was unanimously approved.
ITEM NO. 2E

Assistant City Manager Olivares discussed the staff report.

COUNCILMEMBER ORTIZ

Councilmember Ortiz asked about the proposed amendment, to which Assistant City Manager Olivares indicated that the contract would cover on-call services, as needed.

MOTION

A motion was made by Councilmember Ortiz, seconded by Mayor Breceda, to amend the existing contract services agreement with the City of Brea to upgrade, support, and maintain the City's IT system, in an amount not to exceed $64,260, billed on a time-and-material basis at $117 per office hour and $127 per call-out, and to authorize the City Manager to execute same. The motion was unanimously approved.

ITEM NO. 2F

Ordinance No. 729, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, AMENDING CHAPTER 3.40 OF THE IRWINDALE MUNICIPAL CODE RELATING TO THE DELEGATION OF AUTHORITY TO SETTLE CLAIMS," was introduced for first reading, reading by title only and waiving further
reading thereof, on the motion of Councilmember Ortiz, seconded by Mayor Pro Tem Ambriz, and unanimously approved.

ITEM NO. 2G
STREET NAME ASSIGNMENT FOR THE NEW HIDALGO/JUAREZ STREET CONNECTOR; P966

MAYOR BRECEDA
Mayor Breceda requested additional time to consider this matter, to which City Manager Tam noted that there is no urgency to decide the matter immediately.

CITY ENGINEER HANNA
City Engineer Hanna discussed the staff report.

MOTION
A motion was made by Mayor Breceda, seconded by Councilmember Ortiz, to table this matter to a future meeting. The motion was unanimously approved.

PUBLIC HEARINGS

ITEM NO. 3A
PUBLIC HEARING, FIRST READING OF ORDINANCE NO. 726, AND ADOPTION OF RESOLUTION NO. 2018-49-3043 FOR ESTABLISHING DEVELOPMENT IMPACT FEES

DIRECTOR CARREON
Director Carreon introduced Mr. James Edison of Willdan, who made a presentation outlining: 1) mitigation fee act findings, 2) basic methodology, 3) impact fee categories, 4) major planned facilities, and 5) the maximum justified impact fee schedule.

COUNCILMEMBER ORTIZ
Responding to a question by Councilmember Ortiz, Mr. Edison provided an additional explanation regarding the proposed fees for the construction of single family and multi-family homes.

OPEN PUBLIC HEARING
At 8:02 p.m., Mayor Breceda opened the public hearing.

CLOSE PUBLIC HEARING
There being no comments, Mayor Breceda closed the public hearing at 8:02 p.m.
ORDINANCE NO. 726
INTRODUCED FOR FIRST READING

Ordinance No. 726, entitled:

"AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, ADDING CHAPTER 3.50 (DEVELOPMENT IMPACT FEES) TO TITLE 3 OF THE IRWINDALE MUNICIPAL CODE TO ESTABLISH DEVELOPMENT IMPACT FEES FOR NEW DEVELOPMENT," was introduced for first reading, reading by title only and waiving further reading thereof, and

RESOLUTION NO. 2018-49-3043
ADOPTED

Resolution No. 2018-49-3043, entitled:

"A RESOLUTION OF THE CITY OF IRWINDALE, CALIFORNIA, ADOPTING DEVELOPMENT IMPACT FEES IN ACCORDANCE WITH CHAPTER 3.50 (DEVELOPMENT IMPACT FEES) OF TITLE 3 OF THE IRWINDALE MUNICIPAL CODE," was passed, approved, and adopted, on the motion of Councilmember Ortiz, seconded by Councilmember Burrola, and unanimously approved.

CITY MANAGER'S REPORTS

CITY MANAGER TAM

City Manager Tam reported on the upcoming Music in the Park concerts, and noted that the street resurfacing project is ongoing. He added that Morada Street is scheduled for restriping this week, and that Morada Street residents may park their vehicles adjacent to the rock church.

COUNCILMEMBER ORTIZ

Councilmember Ortiz asked about the replacement of speed limit signs on Morada Street, to which City Manager Tam advised that signs that have faded will be replaced.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 8:05 p.m.

Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held July 25, 2018.