

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

**JANUARY 25, 2023
WEDNESDAY
7:33 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 Albert F. Ambriz; Mayor H. Manuel Ortiz

Also Present: Julian A. Miranda, City Manager; Adrian Guerra, City Attorney; Robert Castro, Interim Chief of Police; Theresa Olivares, Assistant City Manager; Kambiz Borhani, Director of Finance / City Treasurer; Arsanious Hanna, Director of Engineering / Building Official; Marilyn Simpson, Community Development Director; Mary Hull, Human Resources Manager, and Laura Nieto, Chief Deputy City Clerk

AB 2449 DISCLOSURES None.

**CHANGES TO THE
AGENDA**

CITY MANAGER
MIRANDA

City Manager Miranda advised that item nos. 2B and 2C will be pulled from the agenda and would not be considered.

**COUNCILMEMBER
TRAVEL REPORT**

None.

**COUNCILMEMBER
COMMENTS**

MAYOR ORTIZ

Mayor Ortiz commended the company that performs the maintenance at the Irwindale Business Center, noting that they have kept the site very clean, in contrast to how the site used to appear. He also reported a non-functioning digital speed sign at Azusa Canyon Road, north of Cypress Street.

**INTRODUCTION OF
NEW EMPLOYEES /
PROMOTIONS**

None.

**PROCLAMATIONS /
PRESENTATIONS /
COMMENDATIONS**

CHAMBER OF
COMMERCE BUSINESS
OF THE MONTH –
VULCAN MATERIALS

CHAMBER OF COMMERCE BUSINESS OF THE MONTH –
VULCAN MATERIALS

The presentation was made.

**SPONTANEOUS
COMMUNICATIONS**

ANONYMOUS

An email received by an anonymous individual was read into the record, wherein the individual wrote about the claims against the city submitted by Robert and Mariela Avila. The individual questioned why the Avilas, who work for the Police Department, were not placed on administrative leave, while other employees have recently placed on leave. The individual alleged that the Avilas are attempting to sue the city to secure their financial freedom outside of employment.

ANONYMOUS

An email received by an anonymous individual was read into the record, wherein the individual complained that two Police Department employees were placed on administrative leave unfairly last year and suggested that the Councilmembers that have conflicts of interest regarding the claims submitted by the Avilas should abstain from participating in discussing them.

CARMEN ROMAN

Carmen Roman concurred that Councilmembers that have conflicts of interest regarding the claims submitted by the Avilas should not participate in their discussions. She also suggested that the Avilas be fired since they brought shame upon the city and their families.

DENA ZEPEDA

Dena Zepeda complained that residents were not asked for their permission for the extramarital affairs of members of the Police Department. She noted that she was disgusted in her son's own sexual activities with a minor and suggested that no affairs be permitted on worktime. Regarding the vacant Las Casitas senior apartments, she stated that it is cruel to keep seniors waiting for them. She also made allegations that an Irwindale employee is improperly awarding senior apartments to her family members. She then stated that she has a vendetta against the city's law firm.

ROBERT DIAZ

Robert Diaz stated his belief that the city "did the right thing" with regard to the lawsuit by Five Points and stated that the city should reconsider how it conducts its business so that the city avoids being forced to cooperate with a developer. Further, he suggested that residents be given the opportunity to voice their concerns on projects even before they are addressed by the Planning Commission.

FRED BARBOSA

Fred Barbosa stated his belief that the Five Points project, when coupled with other businesses, would cause pollution all day every day, and would result in health complications for residents.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Burrola, seconded by Councilmember Breceda, to approve the Consent Calendar. The motion was unanimously approved.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Special joint meeting held December 14, 2022
- 2) Regular meeting held December 14, 2022

ITEM NO. 1B
WARRANTS

WARRANTS

The warrants were approved.

ITEM NO. 1C
INVESTMENT
QUARTERLY
REPORT FOR FISCAL
QUARTER ENDING
DECEMBER 31, 2022

INVESTMENT QUARTERLY REPORT FOR FISCAL QUARTER
ENDING DECEMBER 31, 2022 (Joint Item on Successor Agency and
Housing Authority)

The Investment Quarterly Report for the fiscal quarter ending
December 31, 2022, was received and filed.

ITEM NO. 1D
CLAIM REJECTION –
NATALIE DIAZ

CLAIM REJECTION – NATALIE DIAZ

The claim of Natalie Diaz vs. City of Irwindale was rejected and staff
was directed to send a letter of rejection.

ITEM NO. 1E
APPROVAL OF PLANS
AND SPECIFICATIONS
FOR THE 2022-2023
RESURFACING
PROGRAM;
RESIDENTIAL
RESURFACING
PROJECT

APPROVAL OF PLANS AND SPECIFICATIONS FOR THE 2022-
2023 RESURFACING PROGRAM; RESIDENTIAL RESURFACING
PROJECT – PHASE II; P-1043

The plans and specifications for the 2022-2023 Resurfacing
Program: Residential Resurfacing Project – Phase II, was approved,
and staff was authorized to solicit bids for the construction of the
project.

END OF CONSENT CALENDAR

NEW BUSINESS

ITEM NO. 2A
DIRECTION
REGARDING UNITED
ROCK PRODUCTS
REQUEST TO SUBMIT
AN APPLICATION TO
MODIFY THE
DEVELOPMENT
AGREEMENT FOR
THE OLIVE PIT

DIRECTION REGARDING UNITED ROCK PRODUCTS REQUEST
TO SUBMIT AN APPLICATION TO MODIFY THE DEVELOPMENT
AGREEMENT FOR THE OLIVE PIT

DIRECTOR SIMPSON

Director Simpson presented the staff report.

- MAYOR ORTIZ Replying to a question by Mayor Ortiz, Director Simpson advised that the item before the Council tonight, if approved, would grant United Rock the authorization to submit an application. She added that the application for the amendment to the Development Agreement would be addressed at a future date.
- CARMEN ROMAN Carmen Roman asked about United Rock's extended work hours, to which Director Simpson indicated that the hours were extended as follows: 7 am to 3 pm Monday through Friday, and 7 am to 5 pm on the second and fourth Saturday of each month.
- FRED BARBOSA Fred Barbosa asked about ingress and egress at the Azusa Canyon Road portion of the site, to which Jeff Cameron, who represented United Rock, advised that ingress would be at Azusa Canyon Road; egress would not be permitted at this location.
- JEFF CAMERON Jeff Cameron advised that United Rock is working on the traffic signal project that had been requested by the Council. A schedule for the installation of the signal light has been provided to city staff. Equipment is scheduled to arrive in February.
- COUNCILMEMBER
BURROLA Councilmember Burrola thanked Mr. Cameron for the information provided.
- JEFF CAMERON Jeff Cameron indicated that United Rock provides updates regarding the other traffic signal at Azusa Canyon Road and Los Angeles Street and noted that this signal has an adjoining city trying to obtain an easement related to the signal and the railroad crossing.
- MAYOR PRO TEM
AMBRIZ Mayor Pro Tem Ambriz noted that the Council has generally approved the extensions and amendments requested by United Rock since 2014, but has not seen the development of the traffic signal that the Council has repeatedly requested for years. He asked whether United Rock would commit in writing to develop the traffic signal, to which Mr. Cameron stated that the project is already moving forward, though he also noted the challenges that have so far delayed the project.
- COUNCILMEMBER
BRECEDA Responding to a question by Councilmember Breceda, Mr. Cameron indicated that United Rock is seeking a signature by the city on the application and that, once signed, United Rock can submit the application which allows for environmental studies to take place so that United Rock can evaluate the options they are proposing.
- MAYOR ORTIZ In reply to a question by Mayor Ortiz, Mr. Cameron indicated that United Rock would probably not set a date in writing for the completion of the traffic signal. He noted, however, that progress has been made with regard to the installation of the traffic signal, and stated that United Rock will fulfill its obligation.

Mayor Ortiz hoped that the application from United Rock would include a deadline for the installation of the traffic signal. He noted that the city has been waiting a long time for it, and that a clear traffic problem exists at the intersection. He stated that including a deadline date for the installation on the application would be helpful.

COUNCILMEMBER
BRECEDA

Councilmember Breceda stated that United Rock prefers not to provide a deadline date due to the ongoing issues with the railroad and the City of West Covina, to which Mr. Cameron concurred and added that certain factors are out of United Rock's control. He noted that United Rock regularly meets with the cities of Irwindale and West Covina, as well as representatives from the railroad. He further stated that, although United Rock would not be able to expedite the processes from the other agencies, they would continue to provide status updates to city staff.

MAYOR ORTIZ

Responding to a question by Mayor Ortiz, Director Hanna advised that representatives from the cities of Irwindale and West Covina, along with reps from the Southern California Railroad Authority, Iteris, Coory Engineering, and United Rock Products have met to discuss the issue of the traffic signal. The work is being held up due to the Railroad Authority's demand for \$2.8 million for other improvements in the area, which was not anticipated by either United Rock or the City of Irwindale when the project was first visualized. The parties involved attempted to reach an alternative solution, but the proposal was rejected by the City Council. The second signal, to be located at the entrance of the Olive Pit at Los Angeles Street, should be completed before June.

CARMEN ROMAN

Carmen Roman asked whether the city had a liaison that would represent its interests before United Rock.

AMBRIZ

A motion was made by Mayor Pro Tem Ortiz, seconded by Councilmember Breceda, to authorize the City Manager to sign the application for the modification of the Development Agreement for the Olive Pit, located at 4407 Azusa Canyon Road. The motion was unanimously approved.

ITEM NO. 2B
APPROVAL OF
SETTLEMENT AGMT.
BETWEEN FIVE
POINTS, LP AND
CITY OF IRWINDALE

APPROVAL OF SETTLEMENT AGREEMENT BETWEEN FIVE POINTS, LP AND CITY OF IRWINDALE REGARDING SETTLEMENT OF THE LAWSUIT FIVE POINTS, LP VS. CITY OF IRWINDALE, LOS ANGELES COUNTY SUPERIOR COURT, CASE NO. 22STCV01394

This report was pulled from the agenda and no action was taken.

ITEM NO. 2C
REQUEST TO
APPROVE
AMENDMENT NO. 3

REQUEST TO APPROVE AMENDMENT NO. 3 TO THE PROFESSIONAL CONSULTING CONTRACT WITH DENOVO PLANNING GROUP FOR THE PREPARATION OF AN ADDITIONAL AIR QUALITY ANALYSIS FOR THE ENVIRONMENTAL IMPACT

TO THE CONTRACT REPORT FOR THE CONSTRUCTION OF A ±495,000 SQUARE-FOOT TILT-UP BUILDING AND ASSOCIATED PARKING AT 5175 VINCENT AVENUE (APNS: 8417-034-015 AND 8417-034-016 AS PER THE 2018 ASSESSOR'S PARCEL MAP (FORMERLY APNS: 8417-034-904, 8417-034-910, 8417-034-911))

This report was pulled from the agenda and no action was taken.

PUBLIC HEARINGS

None.

CITY MANAGER'S REPORT

CITY MANAGER
MIRANDA

City Manager Miranda reported the following:

- 1) Irwindale Community Foundation currently has a board vacancy.
- 2) He provided an update regarding Prop. 218.
- 3) He also discussed upcoming winter classes and events at the Recreation Department.

CARMEN ROMAN

Carmen Roman asked whether residents would receive payment for the state-mandated recycling requirements of Prop. 218.

DENA ZEPEDA

Dena Zepeda stated that seniors "want their \$200,000 back," and said that "it's not right" that residents are not able to choose their preferred waste hauler.

PATSY GONZALES

Patsy Gonzales discussed her understanding of SB 1383 and noted that the state enacted the law, not Athens, and that residents still may do their own recycling.

ROBERT DIAZ

Robert Diaz suggested that residents be provided with four waste bins, not just three.

**AGENDA ITEMS
REQUESTED BY
COUNCILMEMBERS**

MAYOR PRO TEM
AMBRIZ

Mayor Pro Tem Ambriz stated that some residents have hung their clothes to dry on walls that separate properties instead of drying them on clotheslines or in dryers, and stated that Code Enforcement should address this since it is a public nuisance. He requested that the City Manager look into the matter.

CITY MANAGER
MIRANDA

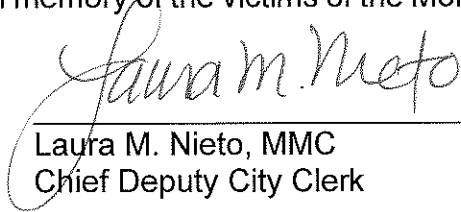
City Manager Miranda responded by indicating that the issue was addressed last summer, and that he understood that these are civil issues between private parties where the city does not become involved.

MAYOR PRO TEM AMBRIZ Mayor Pro Tem Ambriz expressed his skepticism and stated that the issue is a public nuisance.

ROBERT ESCOVEDO Robert Escovedo stated his belief that all cities have ordinances against drying clothes on walls separating private properties.

CITY MANAGER MIRANDA City Manager Miranda stated that staff will look into the matter and report back.

ADJOURNMENT There being no further business to conduct, the meeting was adjourned at 8:40 p.m., in memory of the victims of the Monterey Park shooting this week.



Laura M. Nieto, MMC
Chief Deputy City Clerk

Approved as submitted at the meeting held February 22, 2023.