

CITY OF IRWINDALE



AGENDA FOR THE
REGULAR MEETING
OF THE

CITY COUNCIL
COMMUNITY REDEVELOPMENT AGENCY
HOUSING AUTHORITY
RECLAMATION AUTHORITY

JUNE 10, 2009

PLEASE
NOTE

CLOSED SESSION - 6:00 P.M.

OPEN SESSION IMMEDIATELY FOLLOWING CLOSED 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**

**Larry G. Burrola - Mayor
H. Manuel Ortiz - Mayor Pro Tem
Mark A. Brededa - Councilmember
David “Chico” Fuentes - 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: 4702 Azusa Canyon Road
(former Calmat Shop Site)
Negotiating Parties: CRA and 7th Street Development /
Huy Fong Foods
Under Negotiation: Price and terms of sale
2. Conference With Legal Counsel – Anticipated Litigation
Pursuant to California Government Code Section 54956.9(b)(1)

Number of Cases: One

ADJOURN

OPEN SESSION – IMMEDIATELY FOLLOWING CLOSED SESSION

- A. CALL TO ORDER
- B. PLEDGE OF ALLEGIANCE
- C. INVOCATION
- D. ROLL CALL: Councilmembers: Mark A. Breceda, David “Chico” Fuentes,
Manuel R. Garcia; Mayor Pro Tem H. Manuel Ortiz;
Mayor Larry G. Burrola
- 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 by El Monte Police Department (Captain George Hopkins
and Officer Bob Muse) – Helicopter Services

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. Requests to Conduct Fireworks Sales – AmVets, Knights of Columbus, Irwindale Lions Club, Irwindale Sister City Association, Joseph Miranda Scholarship Foundation, Irwindale Police Officer’s Association

Recommendation: Approve requests of AmVets, Knights of Columbus, Irwindale Lions Club, Irwindale Sister City Association, Joseph Miranda Scholarship Foundation, and Irwindale Police Officer’s Association, to conduct fireworks sales subject to compliance with all City, County, and State regulations.

D. **Resolution No. 2009-36-2394** Establishing Other Post Employment Benefits (OPEB) Trust – Supplemental Appropriation

Recommendation: Adopt **Resolution No. 2009-36-2394**, entitled: “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING AN AGREEMENT AND ELECTION TO PREFUND OTHER POST EMPLOYMENT BENEFITS (OPEB) WITH THE CALIFORNIA PUBLIC EMPLOYEES’ RETIREMENT SYSTEM (CALPERS) TRUST, CERTIFYING THE CITY’S OPEB FUNDING POLICY, DELEGATION OF AUTHORITY TO REQUEST DISBURSEMENTS, AND SUPPLEMENTAL APPROPRIATION TO FUND THE ANNUAL REQUIRED CONTRIBUTION”

E. **Ordinance No. 635** Adding a New Chapter 8.32 to the Irwindale Municipal Code Relating to Imposing Residency Restrictions on Registered Sex Offenders

Recommendation: Adopt on second reading **Ordinance No. 635**, entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADDING A NEW CHAPTER 8.32 TO THE IRWINDALE

MUNICIPAL CODE RELATING TO IMPOSING RESIDENCY
RESTRICTIONS ON REGISTERED SEX OFFENDERS”

F. **Ordinance No. 636** Amending the Irwindale Municipal Code Relating to Recycling Facilities

Recommendation: Introduce **Ordinance No. 636**, entitled: “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AMENDING SECTIONS 17.08, 17.56.020 AND 17.64.030 AND ADDING SECTIONS 17.56.080, 17.56.090 AND 17.56.100 FOR THE ADDITION OF RECYCLING FACILITIES TO THE CITY OF IRWINDALE MUNICIPAL CODE, WHICH WILL AFFECT PROPERTIES CITYWIDE IN THE M-2 (HEAVY MANUFACTURING) ZONE” reading by title only and waiving further reading thereof

G. Contract Agreement With HCG, LLC for the Preparation of CEQA Documents for Development of the Agency-Owned Site Known as the CalMat Shop Site Located at 4702 Azusa Canyon Road

Recommendation: Authorize the City Manager to enter into an agreement with HCG, LLC in an amount not to exceed \$44,510 for the preparation of CEQA documents for future action on a Disposition and Development Agreement related to the CalMat Site, located at 4702 Azusa Canyon Road (APN 8417-001-916)

2. NEW BUSINESS

A. Reconsideration of IPWEA and Miscellaneous Employees’ Deferral of 7/1/09 Cost of Living Increase

Recommendation: In the interest of employee morale and internal equity, implement the Memorandum of Understanding agreement for a 4% cost of living adjustment for the IPWEA and Miscellaneous employees effective July 1, 2009

B. Collection of Amounts due From Toyota Speedway at Irwindale (Speedway)

Recommendation: 1) Require the Speedway to adhere to collection policies outlined in the Irwindale Municipal Code Chapter 3.0.4 relating to Admissions Tax and Sections E. 1-3 of the Conditions of Approval dated 7/7/05 with the Toyota Speedway (formerly Irwindale Speedway);

2) Require the Speedway to pay the amounts billed for the third officer at Speedway events on March 28, 2009, and all events in April and

May, or

- 3) Should Council decide to allow the Speedway to pay for only two officers for these events, authorize the write-off of approximately \$2,750 to the General Fund revenues

3. OLD BUSINESS

- A. Resolution No. 2009-27-2385 Joining a Joint Powers Authority for Police Helicopter Service (From May 27, 2009)

Recommendation: Adopt **Resolution No. 2009-27-2385**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE JOINING A JOINT POWERS AUTHORITY KNOWN AS THE FOOTHILL AIR SUPPORT TEAM AMONG THE CITIES OF PASADENA, MONROVIA, ARCADIA, COVINA, WEST COVINA, ALHAMBRA, SOUTH PASADENA, GLENDORA, SAN MARINO, LA VERNE AND SIERRA MADRE FOR POLICE HELICOPTER SERVICE"

4. PUBLIC HEARINGS

- A. Adoption of Fiscal Year 2009-10 Budgets

Recommendation: Introduce **Ordinance No. 637**, entitled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING THE BUDGET FOR FISCAL YEAR 2009-2010," reading by title only and waiving further reading thereof; and

Adopt **Resolution No. 2009-34-2392**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ESTABLISHING THE APPROPRIATIONS LIMIT FOR FISCAL YEAR 2009-2010," reading by title only and waiving further reading thereof; and

Adopt **Resolution No. 2009-35-2393**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE APPROPRIATING FUNDS FOR AND APPROVING THE PAYOFF OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM (CalPERS) SAFETY EMPLOYEE PLAN SIDE FUND LIABILITY," reading by title only and waiving further reading thereof; and

Adopt **Resolution No. 2009-37-2395**, entitled: "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AUTHORIZING THE CITY OF IRWINDALE TO BE REIMBURSED FOR EXPENSES INCURRED ON BEHALF OF THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY; AND AUTHORIZING A LOAN TO THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY," reading by title only and waiving further reading thereof

5. **CITY MANAGER'S REPORT**
6. **FUTURE AGENDA ITEM REQUESTS BY COUNCIL MEMBERS**
7. **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

C. Request by Irwindale Lions Club to Use Agency-Owned Property at 16331 Arrow Highway; and, Request of Irwindale Sister City Association to Use Agency-Owned Property at the Southeast Corner of Irwindale Avenue and Arrow Highway for Fireworks Sales

Recommendation: Authorize Irwindale Lions Club use of Agency-owned property at 16331 Arrow Highway (former Jeffries property); authorize Irwindale Sister City Association use of Agency-owned property at the southeast corner of Irwindale Avenue and Arrow Highway (16022 Arrow

Highway), subject to securing insurance with Agency as additional insured, compliance with all City and State regulations, with any costs resulting from this use (utilities, etc.) being paid by the respective applicants

D. **Resolution No. CRA 2009-09-515 Deferring 20% Housing Set Aside Payment for Parque Del Norte and Nora Fraijo Redevelopment Projects for FY 2008-09**

Recommendation: Adopt **Resolution No. CRA 2009-09-515**, entitled: "A RESOLUTION OF THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY DEFERRING PAYMENT OF TAX INCREMENT REVENUES INTO THE LOW AND MODERATE INCOME HOUSING FUND FOR THE PARQUE DEL NORTE AND NORA FRAIJO REDEVELOPMENT PROJECTS FOR FISCAL YEAR 2008-09"

2. **NEW BUSINESS**
3. **OLD BUSINESS**
4. **PUBLIC HEARINGS**

A. **Adoption of Fiscal Year 2009-10 Budgets**

Recommendation: Adopt **Resolution No. CRA 2009-07-513**, entitled: "A RESOLUTION OF THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY ADOPTING THE BUDGET FOR FISCAL YEAR 2009-2010; AMENDING RESOLUTION NO. CRA 2008-08-501 AUTHORIZING REIMBURSEMENT TO THE CITY OF IRWINDALE FOR EXPENSES INCURRED ON BEHALF OF THE AGENCY; AND ACCEPTING AND AUTHORIZING REPAYMENT OF AN ANNUAL LOAN FROM THE CITY OF IRWINDALE," reading by title only and waiving further reading thereof; and

Adopt **Resolution No. CRA 2009-10-516**, entitled: "A RESOLUTION OF THE IRWINDALE COMMUNITY REDEVELOPMENT AGENCY AUTHORIZING REIMBURSEMENT TO THE CITY OF IRWINDALE FOR EXPENSES INCURRED ON BEHALF OF THE AGENCY; AND ACCEPTING AND AUTHORIZING THE REPAYMENT OF A LOAN FROM THE CITY OF IRWINDALE," reading by title only and waiving further reading thereof

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

A. Adoption of Fiscal Year 2009-10 Budgets

Recommendation: Adopt **Resolution No. HA 2009-03-024**, entitled: "A RESOLUTION OF THE IRWINDALE HOUSING AUTHORITY ADOPTING THE BUDGET FOR FISCAL YEAR 2009-2010," reading by title only and waiving further reading thereof

5. ADJOURN

RECLAMATION 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: Approve the following minutes:

1. Regular meeting held April 22, 2009

2. NEW BUSINESS

3. OLD BUSINESS

4. PUBLIC HEARINGS

A. Adoption of Fiscal Year 2009-10 Budgets

Recommendation: Adopt **Resolution No. RA 2009-01-09**, entitled: "A RESOLUTION OF THE IRWINDALE RECLAMATION AUTHORITY APPROVING THE BUDGET FOR FISCAL YEAR 2009-2010," reading by title only and waiving further reading thereof

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, Housing Authority, and Reclamation Authority to be held on June 10, 2009, to be posted at the City Hall, Library, and Post Office on June 3, 2009.

Linda J. Kimbro, MMC
Deputy City Clerk