

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

**APRIL 11, 2007
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, Suzanne E. Gomez, Julian A. Miranda; Mayor Pro Tem David "Chico" Fuentes; Mayor Manuel H. Ortiz

Also present: Robert Griego, Interim City Manager; David Aleshire, City Attorney; Camille Diaz, Assistant City Manager; Robert Barnes, Police Lieutenant; Abraham De Dios, 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 (b)(1)

Number of Cases: Three

ACTION: One case discussed; no reportable action taken
Two cases not discussed

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

Name of Case: Simpson, Tim v. City of Irwindale
Case No. BS1051001

ACTION: Discussed; no reportable action taken

Public Employee Appointment
Pursuant to California Government Code Section 54957

Title: Interim City Manager

ACTION: Discussed; no reportable action taken

Conference with Labor Negotiator

Pursuant to California Government Code Section 54957.6

Agency Negotiator: Human Resources Manager
Assistant City Manager
City Attorney
Employee Organizations: Irwindale Police Officers'
Irwindale Public Works Employee Assoc.

ACTION: Not discussed

**RECONVENE IN
OPEN SESSION**

At 7:00 p.m., the Council reconvened in Open Session.

ANNOUNCEMENTS

MAYOR ORTIZ

Mayor Ortiz recognized Dolores Holguin, David Sano, and Joseph Armendariz from the Valley County Water District and Laura Jimenez from Assemblymember Ed Hernandez's Office; spoke on a trip to Portland, Oregon that he, along with Assistant City Manager Diaz, and Director of Planning Director Hamada attended, which was funded by the Metro Gold Line.

COUNCILMEMBER
BRECEDA

Councilmember Breceda congratulated Director Dolores Holguin for having received a "Woman of the Year" award from Senator Gloria Romero's Office.

COUNCILMEMBER
MIRANDA

Councilmember Miranda requested to adjourn the meeting in memory of former Councilmember and Planning Commissioner Hans Sulzer.

DIRECTOR OF
PLANNING HAMADA

Director of Planning Hamada presented photos from his recent trip to Portland, Oregon.

**SPONTANEOUS
COMMUNICATIONS**

LAURA JIMENEZ

Laura Jimenez, from Assemblymember Ed Hernandez's Office, provided the summary report of the ideas shared at Assemblymember Hernandez's Transportation Summit on January 20th.

THERESA CHICO

Theresa Chico welcomed Interim City Manager Griego, asked about police patrol on cul-de-sacs, and spoke on graffiti on sidewalks.

LISA BAILEY

Lisa Bailey spoke on recent and upcoming Chamber of Commerce activities.

CONSENT CALENDAR

MOTION

A motion was made by Councilmember Breceda, seconded by Mayor Pro Tem Fuentes, 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 1F, which were removed for separate consideration. The motion was unanimously approved.

ITEM NO. 1A
MINUTES

MINUTES

The following minutes were approved:

- 1) Regular meeting of September 13, 2006

ITEM NO. 1B
WARRANTS /
DEMANDS /
PAYROLL

WARRANTS / DEMANDS / PAYROLL

The warrants / demands / payroll were approved

ITEM NO. 1C
RESOLUTION
ADOPTING A
PARTICIPATION AGMT.
RENEWALS FOR THE
ILLEGAL STREET
RACING AND DUI
ENFORCEMENT
PROGRAM

RESOLUTION NO. 2007-19-2205 ADOPTING A PARTICIPATION AGREEMENT RENEWALS FOR THE ILLEGAL STREET RACING AND DUI ENFORCEMENT PROGRAM

RESOLUTION NO.
2007-19-2205
ADOPTED

Resolution No. 2007-19-2205, entitled:

“A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF IRWINDALE ADOPTING A PARTICIPATION AGREEMENT AMENDMENT FOR THE ILLEGAL STREET RACING AND DUI ENFORCEMENT PROGRAM”, was passed, approved, and adopted.

ITEM NO. 1E
ORDINANCE
AMENDING THE
ZONING CODE TO
INCLUDE PROVISIONS
TO PERMIT THE
DEVELOPMENT OF
RESIDENTIAL
SECOND UNITS

ORDINANCE NO. 611 AMENDING THE ZONING CODE TO INCLUDE PROVISIONS TO PERMIT THE DEVELOPMENT OF RESIDENTIAL SECOND UNITS

ORDINANCE NO. 611
ADOPTED ON
SECOND READING

Ordinance No. 611, entitled:

“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE AMENDING THE CITY ZONING CODE TO INCLUDE PROVISIONS TO PERMIT THE DEVELOPMENT OF RESIDENTIAL SECOND UNITS”, was passed, approved, and adopted on second reading.

END OF CONSENT CALENDAR

ITEM NO. 1D
ORDINANCE NO. 613
ADOPTING INTERIM
DEVELOPMENT
REGULATIONS FOR
13025 LOS ANGELES
STREET AND 13131
LOS ANGELES
STREET

ORDINANCE NO. 613 ADOPTING INTERIM DEVELOPMENT REGULATIONS FOR 13025 LOS ANGELES STREET AND 13131 LOS ANGELES STREET

DIRECTOR OF
PLANNING HAMADA

Director of Planning Hamada discussed the staff report.

CITY ATTORNEY
ALESHIRE

City Attorney Aleshire spoke on the City’s current economic development visioning and public hearing processes.

ORDINANCE NO. 613
ADOPTED – URGENCY
ORDINANCE

Ordinance No. 613, entitled:

“AN INTERIM URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IRWINDALE, CALIFORNIA, ADOPTING INTERIM DEVELOPMENT REGULATIONS FOR 13025 LOS ANGELES STREET (APN NOS. 8535-020-802; 8535-020-803; 8535-020-804; AND 8535-020-805) AND 13131 LOS ANGELES STREET (APN NO. 8535-020-007) PENDING THE COMPLETION OF STUDIES AND THE PREPARATION OF AN UPDATE OF THE CITY’S DEVELOPMENT REGULATIONS FOR THESE AREAS,” was passed, approved, and adopted on first reading, reading by title only and waiving further reading thereof, on the motion of Councilmember Breceda, seconded by Mayor Pro Tem Fuentes, and unanimously approved.

ITEM NO. 1F
LEASE AGREEMENT
WITH IRWINDALE
CHAMBER OF
COMMERCE

LEASE AGREEMENT WITH IRWINDALE CHAMBER OF COMMERCE

- DISCUSSION HELD Discussion was held relating to the expired lease, rent structures, difficulties of the Chamber to meet higher rents, that staff has attempted to negotiate with Chamber representatives over rent but has not come to any type of accord, security deposit, fee waivers, termination clauses, the establishment of staggering rent amounts schedule, and the effective date of the new lease.
- LISA BAILEY Lisa Bailey, President and CEO of the Irwindale Chamber of Commerce, requested to meet again with staff in an attempt to meet on terms and conditions that are acceptable to both parties. She also spoke on the services that the Chamber provides.
- THERESA CHICO Theresa Chico spoke against not requiring a security deposit from the Chamber of Commerce.
- MOTION A motion was made by Mayor Pro Tem Fuentes to approve the lease agreement as is and modify the 120 day termination clause. The motion died due to a lack of a second vote.
- MOTION A motion was made by Councilmember Breceda, seconded by Councilmember Miranda, to postpone the approval of the lease agreement until a presentation is made detailing how the Chamber of Commerce's functions benefit the City. Said presentation is to be made at the City Council meeting of April 25, 2007. The motion was unanimously approved.

NEW BUSINESS

ITEM NO. 2A
DENIAL OF
IRWINDALE CHAMBER
OF COMMERCE
TOASTMASTER CLUB
9811-F CITY FACILITY
FEE WAIVER

DENIAL OF IRWINDALE CHAMBER OF COMMERCE
TOASTMASTER CLUB 9811-F CITY FACILITY FEE WAIVER

HOUSING
COORDINATOR
OLIVARES

Housing Coordinator Olivares discussed the staff report.

DISCUSSION HELD

Discussion was held relating to criteria for fee waivers, issuance of scholarships by the Toastmasters to Irwindale residents, services of the Toastmasters, and participation levels of residents and businesses.

APRIL KELSEY

April Kelsey spoke on the services rendered by the Toastmasters Club.

DOLORAS AMADOR In response to a question by Doloras Amador, April Kelsey advised of the Toastmasters meeting schedule.

MOTION A motion was made by Mayor Pro Tem Fuentes, seconded by Councilmember Gomez, to table this matter for one month. The motion was unanimously approved.

RECESS OPEN The City Council took a short recess at 8:34 p.m.
OPEN SESSION

RECONVENE IN At 8:42 p.m., the Council reconvened in Open Session.
OPEN SESSION

OLD BUSINESS

ITEM NO. 3A WAIVER OF FEES – NEW CHURCH SANCTUARY – OUR LADY
WAIVER OF FEES - OF GUADALUPE
NEW CHURCH
SANCTUARY – OUR
LADY OF GUADALUPE

DIRECTOR OF Director of Planning Hamada discussed the staff report.
PLANNING HAMADA

DISCUSSION HELD Discussion was held relating to the City's fee waiver policy, previous fee waiver requests by the church, legal issues such as gifts of public funds, whether the provision of public assistance would make the project subject to payment of prevailing wages, and whether it would violate the establishment clause as relates to the separation of church and state.

COUNCILMEMBER Councilmember Breceda spoke in support of waiving the fees.
BRECEDA

THERESA CHICO Theresa Chico indicated that, although she encourages the support of the church as much as possible, it does not justify approving an illegal waiver of fees.

MOTION A motion was made by Councilmember Miranda, seconded by Mayor Pro Tem Fuentes, to deny the waiver of fees. The motion was approved; Councilmember Breceda opposed.

PUBLIC HEARINGS

ITEM NO. 4A APPEAL OF THE PLANNING COMMISSION DECISION TO DENY
APPEAL OF THE MODIFICATION NO. 3-06 TO CONDITIONAL USE PERMIT NO. 15-
PLANNING 06; SITE PLAN AND DESIGN REVIEW PERMIT NO. 4-06
COMMISSION DECISION (Continued from March 15, 2007)

TO DENY MODIFICATION

NO. 3-06 TO CUP NO. 15-06; SPDR PERMIT NO. 4-06 The applicant's application withdrawal letter was received and accepted; no action necessary

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:15 p.m., in memory of former Councilmember and Planning Commissioner Hans Sulzer.

Linda J. Kimbro, CMC
Deputy City Clerk

Approved as submitted at the meeting held September 12, 2007.