



**CITY OF SIERRA MADRE**  
**CITY COUNCIL REGULAR MEETING MINUTES**  
SIERRA MADRE CITY COUNCIL  
SUCCESSOR AGENCY AND  
PUBLIC FINANCE AUTHORITY

**Tuesday, July 10, 2018 - 6:30 pm**  
Sierra Madre City Hall Council Chambers  
232 W. Sierra Madre Blvd., Sierra Madre, CA 91024

**CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL**

Mayor Denise Delmar called the meeting to order at 6:30 p.m. City Clerk Sue Spears called the roll.

Present: Mayor Denise Delmar, Mayor Pro Tem John Harabedian, Council Members Rachelle Arizmendi, John Capoccia, and Gene Goss

Absent: None

Also Present: Gabe Engeland, City Manager  
Teresa Highsmith, City Attorney  
Marcie Medina, Assistant City Manager  
Laura Aguilar, Assistant City Clerk  
James Carlson, Management Analyst  
Chris Cimino, Director of Public Works  
Vincent Gonzalez, Planning & Community Preservation Director  
Joe Ortiz, Police Chief  
Jill Schofield, Acting Library Services Manager  
Christine Smart, Associate Librarian  
Sue Spears, City Clerk

**PLEDGE OF ALLEGIANCE AND INVOCATION/INSPIRATION**

Mayor Pro Tem Harabedian led the Pledge of Allegiance and followed by thanking the “phenomenal” volunteers and City staff who worked on the successful 4<sup>th</sup> of July Parade. He also reflected on the safe survival and rescue of the 12 boys and their Soccer Coach in Thailand as an international effort that resulted in a “real day miracle.”

**APPROVAL OF AGENDA AS PRESENTED**

Mayor Delmar asked for a motion to approve the agenda as presented.

Council Member Arizmendi moved to approve the agenda as presented.

Mayor Pro Tem Harabedian seconded the motion to approve the agenda as presented.

Ayes: Mayor Denise Delmar, Mayor Pro Tem John Harabedian, Council Members Rachelle Arizmendi, John Capoccia, and Gene Goss

Noes: None

Absent: None

Abstain: None

The motion to approve the agenda as presented was passed unanimously.

**APPROVAL OF MINUTES**

Mayor Delmar asked for the approval of the Minutes of the Regular Council Meeting of June 26, 2018.

Mayor Pro Tem Harabedian moved to approve the Minutes of the Regular Council Meeting of June 26, 2018 as presented.

Council Member Arizmendi seconded the motion to approve the Minutes of the Regular Meeting of June 26, 2018 as presented.

Ayes: Mayor Denise Delmar, Mayor Pro Tem John Harabedian, and Council Member Rachelle Arizmendi  
Noes: None  
Absent: None  
Abstain: Council Members John Capoccia and Gene Goss

The motion to approve the Minutes of the Regular Council Meeting June 26, 2018 as presented was passed with three yes votes and two abstain.

### **MAYOR AND CITY COUNCIL REPORTS**

- A. Mayor Denise Delmar reported that tomorrow is the filming of the City of Sierra Madre promotional video and that she is honored to be providing part of the voice over for the video.
- B. Pro Tem John Harabedian did not make a report.
- C. Council Member Rachelle Arizmendi thanked all of the City staff and volunteers who participated in conducting events on both July 3 and 4 and reported that she previously met with the City's new San Gabriel Valley Municipal Water District representative and talked about issues facing the City.
- D. Council Member John Capoccia reported that he had a very fruitful meeting with Planning Commissioner John Hutt and Planning Commission Chairperson Bob Spears that also included City staff. He recommended that other City Council members attend these quarterly meetings with selected Planning Commissioners in the future.
- E. Council Member Gene Goss also thanked the volunteers and City Staff who contributed to the 4<sup>th</sup> of July Parade and reported that City's Water Subcommittee, which included City staff, had a positive meeting today with Mr. Price, the City's new San Gabriel Valley Municipal Water District representative.

### **PUBLIC COMMENT ON NON-AGENDA ITEMS**

Mayor Delmar opened the meeting for Public Comment on items not on the agenda.

- Darlene Papas, Lifeline for Pets, said that (1) Lifeline for Pets is an animal rescue organization, (2) they are looking for a few good homes to foster shy cats, (3) thanked Mayor Delmar and her husband for recently fostering a cat, and (4) for more information to sign up as a foster family or to adopt a cat or dog, the website is Lifelineforpets.org
- Hector Rodriguez, Field Representative representing Chris Holden, Assemblymember 41<sup>st</sup> District, introduced himself as the new Field Representative to Sierra Madre from the Office of Chris Holden, Assemblymember 41<sup>st</sup> District, and said that he is looking forward to working with the City staff and City Council.

Mayor Delmar asked if anyone else would like to come forward on items not on the agenda. Seeing no one come forward, Mayor Delmar closed Public Comment.

### **PRESENTATION – RECOGNITION OF JILL SCHOFIELD, RETIRING CITY EMPLOYEE**

City Manager Engeland introduced Jill Schofield and complemented her service as Acting Library Services Manager during a time of recent turmoil this past year. Mayor Delmar presented a Sierra Madre Certificate of Recognition to Ms. Schofield on her retirement from the City of Sierra. Ms. Schofield said that she is honored to have worked for the City of Sierra Madre and expressed her appreciation to the Sierra Madre City Council for this recognition. Attending the presentation with Ms. Schofield were her husband, Tim Schofield, and her youngest son, Peter Schofield.

### **1. AGENDA ACTION ITEM: CONSENT CALENDAR**

City Manager Engeland gave the following reports under the Consent Calendar:

- a) SECOND READING OF ORDINANCE 1399 REAUTHORIZING THE CITY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS SUPPORT FEE - Recommendation that the City Council read Ordinance No. 1399 by title only, for second reading, waive further reading, and adopt Ordinance 1399, an ordinance of the City Council amending Ordinance 1398 and reauthorizing the City's , an ordinance amending and reauthorizing the City's Public, Educational, and Governmental (PEG) Access Support Fee.

- b) CANCELLATION OF BOTH REGULAR AUGUST 2018 CITY COUNCIL MEETINGS – Recommendation that the City Council approve the cancellation of both the August 7 and August 21, 2018 City Council meetings and direct staff to pay all necessary expenses during that time.
- c) CONSIDERATION OF AMENDINGMENT TO THE RAFTELIS FINANCIAL CONSULTANTS PROFESSIONAL SERVICES AGREEMENT TO COVER ADDITIONAL COSTS RELATED TO THE WATER AND WASTEWATER RATE STUDY - Recommendation that the City Council approve a payment of \$22,471 for additional consultant costs associated with the preparation of the City's Water and Wastewater Cost of Services Analysis and appropriate said amount from the Fiscal Year 2017-2018 Water Enterprise Fund.
- d) CONSIDERATION OF RESOLUTION NO. 18-34: AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE 2017 INSTALLMENT PURCHASE AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS AND THE TAKING OF ALL OTHER ACTIONS REQUIRED IN CONNECTION THEREWITH – Recommendation that the City Council approve Resolution 18-34 authorizing the execution and delivery of a First Amendment to the 2017 Installment Purchase Agreement and authorizing the execution and delivery of documents and the taking of all other actions required in connection therewith.
- e) ADOPTION OF RESOLUTION 18-38 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council approve Resolution 18-38 for approval of payment of City warrants in aggregate amount of \$120,398.52; Library warrants in the aggregate amount of \$6,694.44, and a payroll transfer in the aggregate amount of \$394,737.68 for fiscal years ending June 2018 and June 2019.

Mayor Delmar asked if any Member of the Council had questions on items on the Consent Calendar.

Mayor Pro Tem Harabedian noted a typographical error only in the lease agreement related to Consent Item 1d, which did not change Resolution 18-34.

Mayor Delmar opened the meeting for Public Comment on the Consent Calendar. Seeing no one, Mayor Delmar closed Public Comment and brought the matter back to the Council for discussion.

Concerning Consent Item 1c, Mayor Pro Tem Harabedian said (1) that paying RAFTELIS for tasks completed outside the original Scope of Work was the right thing to do, (2) that per the contract, RAFTELIS should have obtained prior written City approval prior to performing such work, and (3) that this is a lesson learned for the future.

Mayor Delmar concurred with Mayor Pro Tem Harabedian's comments.

Council Member Capoccia made a motion to approve Consent Items 1a, 1b, 1c, 1d, and 1e as presented.

Council Member Arizmendi seconded the motion for approval.

Ayes: Mayor Denise Delmar, Mayor Pro Tem John Harabedian, Council Members Rachelle Arizmendi, John Capoccia, and Gene Goss

Noes: None

Absent: None

Abstain: None

The motion to approve Consent Calendar Items 1a, 1b, 1c, 1d, and 1e as presented was approved unanimously.

**2. AGENDA DISCUSSION ITEM – SAFE, CLEAN WATER PROGRAM – LOS ANGELES COUNTY PROPOSED SPECIAL PARCEL TAX**

Management Analyst Carlson gave a report on this item and provided a summary and analysis of the Program's components. Staff has been informed this is the final draft of the Program and that there will not be any substantial changes before the County of Los Angeles Board of Supervisors takes the item into consideration on July 17, 2018. Staff is seeking direction from the City Council. Management Analyst Carlson turned the discussion of this item over to Council Member Capoccia.

Council Member Capoccia said that he is asking for the creation of a City Council letter or resolution to the Los Angeles County Board of Supervisors opposing the proposed parcel tax for the following reasons: (a) any monies paid from this tax will not benefit Sierra Madre, as 95% of San Gabriel

Valley water is already percolated, either at the Santa Fe Spreading Grounds or as far south as the Whittier Narrows, (b) the two basic justifications for the proposed tax are flawed, (c) funding for MS4 compliance via a county-wide parcel tax is premature because of the inappropriateness of the MS4 permit itself, (d) the current interpretation of the original intent of the Clean Water Act is a perversion, as it was meant to prevent industrial discharges into "Navigable Water of the US" (example: Cuyahoga River fire in the past), (e) a "permit" suggests that the permittee can stop the activity that is under the jurisdiction of the permit and a municipality does not have the option of stopping storm water discharges, (f) EPA guidelines only require that, to achieve compliance, a municipality must follow an approved Storm Water Management Plan and must apply "best practices" via an interactive process only if an exceedance is detected, (g) aside from water capture, the Regional Board has created requirements that are in excess of the Clean Water Act, (h) litigation is pending, (i) the compliance costs are remarkably excessive, and (j) our Enhanced Watershed Management Plan (EWMP) group (with Arcadia, Duarte, and other cities) has revised it to reduce costs dramatically, but logically, we should be able to take no action and just use storm water conveyance channels at Santa Fe and Whittier Narrows spreading grounds. Council Member Capoccia emphasized that this proposed parcel tax is incredibly and phenomenally ridiculous.

Council Member Goss acknowledged that there is a lot of insanity with this MS4 Permit, but that the City is committed to a very high cost in the future, at least theoretically in the \$20M - \$30M range. He asked why this proposed parcel tax would not help the City fund that expense if we have no other options. Council Member Capoccia said that it would help fund it but referred the issue to Management Analyst Carlson for response. Management Analyst Carlson reminded the Council that Sierra Madre is included as a party of interest in the pending litigation, referenced the Staff Report regarding a possible alternative to a very complex and overly layered LA County effort, and said that the Culver City-model local fee would be more efficient and retain more local control of our residents' tax dollars. In addition, he said that, despite Council Member Capoccia's correct arguments, it is still the standing regulation and unless the Council wants to voluntarily get out of compliance or determine at some point that the City can no longer afford compliance, Staff is recommending that we keep going on this path, keep an eye on the litigation, and keep an eye on this legislation, but do so from a perch of compliance.

Mayor Delmar asked if any Member of the Council had questions on this item.

In response to Council Member Arizmendi's question regarding the MS4 Permit and pending litigations, Management Analyst Carlson that, after the 2012 MS4 Permit came out, some people said that it was too strict while some entities said that it was too lax, and that those issues are being worked out now in the courts. In addition, he said, where judgements are being made, people are looking at how those judgements may affect what is happening in LA County because work on the next generation MS4 Permit has already begun.

Mayor Pro Tem Harabedian said that the Staff Report and Council Member Capoccia's comments were very enlightening. He asked, if the City is stuck with the MS4 Permit, what should the City do. Council Member Capoccia responded that the Culver City-model is better and would ensure that the tax payers are getting the most from their dollars and be locally controlled.

In response to a question from Mayor Pro Tem Harabedian, Management Analyst Carlson said that, if the proposed parcel tax were to pass, the City would get about 40 cents for every \$1 paid in taxes.

Mayor Delmar clarified that the City Council is not discussing the MS 4 Permit (as the City is obligated to do that now) and that Staff and Council Member Capoccia are asking that the City Council send a letter to the LA Board of Supervisors opposing this proposed parcel tax. In response to a question from Mayor Delmar, Management Analyst Carlson said that, if the LA Board of Supervisors moves forward with the parcel tax proposal and it passes by a 2/3 vote, the City cannot opt out of the resulting parcel tax.

Mayor Delmar opened the meeting for Public Comment on this item.

- Steve Stafford, Temple City, said that the City needs to make sure that, when there is an accident, the tow company cleans up all debris/residual gasoline from the street and does not wash it into the storm drain.

Mayor Delmar asked if anyone else would like to speak on this item. Seeing no one, Mayor Delmar closed Public Comment and brought the matter back to the Council for discussion.

Discussion among the Council Members took place expressing that Council Members Capoccia's points were compelling, the tax is not well thought out, this proposed parcel tax is premature, that

this proposed parcel tax is not the correct way to fund the stated issue to be addressed, and that the proposed parcel tax appears to be complicated and unfinished.

Mayor Delmar provided Staff with direction to immediately send a letter signed by all five Council members names opposing the proposed parcel tax to the LA Board of Supervisors, with an opposition resolution to be adopted at the next City Council meeting on July 24, 2018.

### ADJOURNMENT

Mayor Delmar asked for a motion to adjourn.

Council Member Arizmendi made a motion to adjourn the meeting.

The motion to adjourn was seconded by Mayor Pro Tem Harabedian.

Ayes: Mayor Denise Delmar, Mayor Pro Tem John Harabedian, Council Members Rachelle Arizmendi, John Capoccia, and Gene Goss.

Noes: None

Absent: None

Abstain: None

The motion to adjourn was passed unanimously.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 7:13 p.m. to a Special Session of the City Council and Library Board of Trustees to be held on Tuesday, July 10, 2018, in the Sierra Madre City Hall Council Chambers.



Denise Delmar, Mayor

Minutes taken and prepared by:

  
Sue Spears, City Clerk