

AGENDA
REGULAR MEETING
SIERRA MADRE CITY COUNCIL, AND
SUCCESSOR AGENCY, AND
PUBLIC FINANCE AUTHORITY

Tuesday, February 9, 2016

Closed Session 5:30 pm / Open Session 6:30 pm

City Hall Council Chambers
232 W. Sierra Madre Boulevard
Sierra Madre, California 91024



*John Capoccia, Mayor
Gene Goss, Mayor Pro Tem
Rachelle Arizmendi, Council Member
Denise Delmar, Council Member
John Harabedian, Council Member*

*Nancy Shollenberger, City Clerk
Richard Mays, City Treasurer*

PUBLIC COMMENT

The Council will listen to the public on any item on the agenda. Under the Brown Act, Council is prohibited from taking action on items not on the agenda, but the matter may be referred to staff or to a subsequent meeting. Each speaker will be limited to three continuous minutes, which may not be delegated. These rules will be enforced but may be changed by appropriate City Council action.

PUBLIC COMMENT FOR ITEMS ON THE AGENDA:

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PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:

Time shall be devoted to audience participation early on the agenda.

CLOSED SESSION

CALL TO ORDER/ROLL CALL

Mayor Capoccia, Mayor Pro Tem Goss, Council Member Arizmendi,
Council Member Delmar, and Council Member Harabedian

PUBLIC COMMENT

Regarding Closed Session Items

RECESS TO CLOSED SESSION REGARDING:

CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Calif. Government Code Section 54957.6

City Negotiators: City Manager Elaine Aguilar and Assistant City Manager Elisa Cox
Employee Organization: Police Association

PERSONNEL

Pursuant to Calif. Government Code Section 54957

Public Employee Performance Evaluation Title: City Manager

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Pursuant to Calif. Government Code Section 54957

Public Employee Performance Evaluation Title: City Manager

OPEN SESSION

CALL TO ORDER/ROLL CALL
MEMBERS OF THE CITY COUNCIL

Mayor Capoccia, Mayor Pro Tem Goss,
Council Members Arizmendi, Delmar, and Harabedian

PLEDGE OF ALLEGIANCE AND
INVOCATION/INSPIRATION

Council Member John Harabedian

REPORT OUT FROM CLOSED SESSION

City Attorney report from the closed session.

APPROVAL OF AGENDA

Vote of the Council to proceed with City business.

APPROVAL OF MINUTES

Approval of minutes from the Regular City Council
meeting on January 26, 2016.

MAYOR AND CITY COUNCIL REPORTS

Council Member activities relating to City business.

PUBLIC COMMENT

Regarding items not on the Agenda.

ACTION ITEMS

1. CONSENT

a) **ADOPTION OF RESOLUTION 16-11 OF
THE CITY COUNCIL OF THE CITY OF
SIERRA MADRE APPROVING CERTAIN
DEMANDS**

Recommendation that the City Council approve
Resolution 16-11 for approval of payment of
City Warrants in aggregate amount of
\$256,710.65; Library warrants in the aggregate
amount of \$710.18, and payroll transfer in the
aggregate amount of \$305,938.01 for fiscal year
ending June 2016.

b) **SECOND READING OF ORDINANCE 1375
AMENDING CHAPTER 17.20, CHAPTER
17.48, AND CHAPTER 17.60 OF TITLE 17
OF THE SIERRA MADRE MUNICIPAL
CODE**

Recommendation that the City Council introduce
and approve for second reading by title only, and
waive further reading, Ordinance 1375 and
designate the City Attorney to prepare a
summary of Ordinance 1375 pursuant to
Government Code Section 36933(c)(1).

c) **CANCELLATION OF APRIL 12, 2016 CITY
COUNCIL MEETING**

Recommendation that the City Council approve
the cancellation of the April 12, 2016 City
Council meeting and direct staff to pay all
necessary expenses.

PUBLIC HEARINGS

2. CONSIDERATION RESOLUTION 16-09 TO APPROVE A MAP AMENDMENT MODIFYING CONDITIONS OF APPROVAL OF TENTATIVE PARCEL MAP 15-01 FOR AFFORDABLE HOUSING INCENTIVES AND A TENTATIVE PARCEL MAP FOR THE ADAPTIVE REUSE AND RENOVATION OF THE PROPERTY AT 186 WEST HIGHLAND AVENUE

Recommendation that the City Council hold a Public Hearing and approve Resolution 16-09, reinstate the prior approval for the use of Affordable Housing Incentives and Tentative Parcel Map 15-01, and amend Public Works Condition of Approval omitting the requirement to provide a meandering sidewalk along Highland Avenue and a new sidewalk along Hermosa Avenue.

3. APPEAL OF PLANNING COMMISSION DECISION DENYING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A NEW TWO-STORY, 1,322-SQUARE-FOOT RECREATION BUILDING AND ALSO ALLOW IT TO ENCROACH INTO THE REQUIRED SIDE YARD SETBACK ALONG THE EASTERN PROPERTY LINE BY NO MORE THAN 10 PERCENT, ON THE PROPERTY LOCATED AT 156 WEST HIGHLAND AVENUE

Recommendation that the City Council hold a Public Hearing, deny the appeal and uphold the decision of the Planning Commission to deny Conditional Use Permit 15-24, pursuant to City Council Resolution 16-10.

4. CONSIDERATION OF RESOLUTION 16-02, ESTABLISHING FEES FOR CITY PLAN CHECK, PERMITTING, AND INSPECTION SERVICES FOR WATER EFFICIENT LANDSCAPES FOR FISCAL YEAR 2015-2016

Recommendation that the City Council hold a Public Hearing and adopt Resolution 16-02, setting plan check, permit, and inspection fees in conjunction with the Water Efficient Landscape Ordinance adopted on January 26, 2016

ITEMS FOR DISCUSSION

5. ELECTIONS CODE 9212 REPORT
REPORT ANALYZING THE IMPACT OF THE "STOP THE UTILITY USERS' TAX" INITIATIVE

Recommendation that the City Council approve the Elections Code 9212 report and direct that the initiative be placed on the April 10, 2018 ballot, unless Council takes action to schedule a Special Election.

6. SIERRA MADRE LAW ENFORCEMENT UPDATE

Recommendation that the City Council receive and file.

7. CONSIDERATION OF OPTIONS FOR ACCESSING WATER FROM THE MAIN SAN GABRIEL BASIN

Recommendation that the City Council direct staff to proceed with implementation of options 2 and 3 as presented in the staff report, with highest priority given to option 3, construction of a new well for the City of Sierra Madre in the Main San Gabriel Groundwater Basin.

8. STRATEGIC PLAN UPDATE

Recommendation that the City Council receive and file.

ACTION ITEMS

Regardless of staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject, or continue such item.

PUBLIC HEARING

The appellant and/or applicant will each be provided a total of ten (10) minutes to address their item. A portion of their allotted time may be reserved for rebuttal or a summary conclusion at the close of public comment. All other speakers will be limited to a total of three continuous minutes, which cannot be delegated.

AVAILABILITY OF AGENDA MATERIALS

Materials related to items on this agenda are available for public inspection on the City's website at www.cityofsierramadre.com, and during normal business hours at City Hall, 232 W. Sierra Madre Blvd. and at the Sierra Madre Public Library, 440 W. Sierra Madre Blvd.

LIVE BROADCASTS

Regular City Council meetings are broadcasted live on Cable Channel 3 and rebroadcast on Wednesday and Saturday at 5:30 p.m.

MEETING ASSISTANCE

If you require special assistance to participate in this meeting, please call the City Manager's office at (626) 355-7135 at least 48 hours prior to the meeting.

ADJOURNMENT

The City Council will adjourn to a Regular Meeting at this same place on Tuesday, February 23, 2016.

Agenda

Regular Meeting of the Sierra Madre City Council,
Successor Agency and Public Finance Authority

Tuesday, February 9, 2016

Closed Session: 5:30 p.m.; Open Session: 6:30 p.m.

City Hall Council Chambers, 232 W. Sierra Madre Blvd.

Mayor, John Capoccia, opened the Regular Meeting of the Sierra Madre City Council, Successor Agency, and Public Finance Authority at 5:30 p.m. The Mayor asked for public comment and there was none so the Mayor immediately adjourned to a Closed Session. The City Council returned from Closed Session at 6:40 p.m. and the Mayor opened the Open Session at 6:42 p.m. City Clerk, Nancy Sue Shollenberger, read the Roll noting that all City Council Members were present.

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

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

Absent: None

Also Present: Elaine Aguilar, City Manager
Teresa Highsmith, City Attorney
Vincent Gonzalez, Director of Planning and Community Preservation
Bruce Inman, Director of Public Works
Larry Giannone, Public Safety Director
Joe Ortiz, Captain, Sierra Madre Police Department
Elisa C. Cox, Assistant City Manager
Steve Heydorff, Fire Chief
Antoinette Buckner, Interim Director of the Library
Marcie Medina, Finance Director
James Carlson, Management Analyst
Nancy Sue Shollenberger, City Clerk

PLEDGE OF ALLEGIANCE AND INVOCATION/INSPIRATION:

Council Member, John Harabedian, led the Pledge of Allegiance and followed with the following quote in memory of Washington's birthday.

"The marvel of all history is the patience with which men and women submit to burdens unnecessarily laid upon them by their governments."

REPORT OUT FROM CLOSED SESSION:

Teresa Highsmith, announced that the City Council held a Closed Session this evening to discuss the following:

Conference with Labor Negotiator
Pursuant to Calif. Government code Section 54957.6
City Negotiators: City Manager Elaine Aguilar and Assistant City Manager Elisa Cox
Employee Organization: Police Officer's Association

The City Attorney reported that direction was given to labor negotiator, but no action was taken.

REGULAR MEETING OF THE SIERRA MADRE CITY COUNCIL,
SUCCESSOR AGENCY AND PUBLIC FINANCE AUTHORITY
February 9, 2016

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Personnel

Pursuant to Calif. Government Code Section 54957
Public Employee Performance Evaluation. Title: City Manager

The City Attorney reported that the City Council did not have time to discuss this item in Closed Session, and would be meeting again after the Open Session this evening.

APPROVAL OF AGENDA:

Council Member, John Harabedian moved and it was seconded by Council Member, Denise Delmar, for approval of the Agenda as presented. The motion passed by unanimous voice vote.

APPROVAL OF MINUTES OF JANUARY 26, 2016:

City Manager, Elaine Aguilar, reported that staff has some changes to the Minutes and Mr. Inman would be giving them to the City Clerk.

Council Member, Rachelle Arizmendi, moved and it was seconded by Council Member, John Harabedian, for approval of the Minutes of January 26, 2016 as amended by staff. The motion passed by unanimous voice vote.

Mr. Inman made changes to Item 4) Consideration of a Community Request for Installation of a four-way stop at the intersection of East Highland Avenue and North Mountain Trail and direct staff to develop a Code Amendment adopting the current California Manual of Uniform Traffic Control Devices. The City Clerk made the changes requested by Mr. Inman.

MAYOR AND CITY COUNCIL REPORTS:

- 1). Council Member, Denise Delmar, announced that she and Mayor Capoccia attended a meeting with Independent Cities regarding CalPERS, etc. It was a very educational meeting. They are working on new formulas, and AB bills were discussed. With regard to crime in cities – we have to look at staffing of the Police Department.
- 2). Council Member, Rachelle Arizmendi, congratulated Clem and Nina Bartolai on their Citizens of Year award.
- 3). Council Member, John Harabedian, did not have a report.
- 4). Gene Goss, Mayor Pro Tem, also wanted everyone to know that the Dinner honoring Clem and Nina Bartolai was packed. They are a very deserving couple as Citizens of the Year.
- 5). John Capoccia, Mayor, also wanted to remark about the conference in Santa Barbara. AB 109 and Prop. 47 which is releasing criminals on the street. The Probation Department does a risk assessment. Low risk is 5% of the people; Medium risk is 35%, Higher risk is 60%. It is a threat in our cities. We need to fight this. Prop 47 makes it no longer a felony of grand theft if less than \$950.00 – our law enforcement officials refer to this as “Catch & Release”.

PUBLIC COMMENT:

George Gardner, St. Rita's 8th Grade class.

Mr. Gardner was present this evening to thank the City Council for their support of schools. Thank you for serving the people of Sierra Madre. He followed by presenting cookies to the City Council.

Debbie Sheridan

Good evening Council Members. You are faced with the demanding task of trying to balance the budget, with or without the passage of the UUT. Please do NOT consider reducing the pay of the City Clerk, as has been suggested. The City Clerk is the backbone of Sierra Madre. We citizens hear about how we must pay our City staff and our Police Force a competitive wage to get and retain high caliber employees. The City Council minutes are the legal document of the city. We've been extremely fortunate to have Nancy Shollenberger as our City Clerk for 32 years. When I was Deputy City Clerk, it took me a week to transcribe the minutes the two times I was called upon to make sure they were correct. From 2004-2008 the City Council gave this task to staff. The residents complained because routinely the staff was four months behind in preparing and presenting the minutes for City Council approval, and demanded the return of Nancy Shollenberger. The City Clerk is responsible for our elections. She must attend classes and briefings before all elections – city, county, state, federal and special elections. She must maintain the integrity of our system. Our City Clerk's position does not earn as much as those in nearby towns. Even though the City Clerk does staff work, she does NOT get the benefits that staff does, and will get nothing when she retires in April. Sierra Madre has been lucky to have Nancy Shollenberger as our City Clerk, and we must value the position. We are getting quite a bargain.

Mayor Capoccia closed public comment portion.

ACTION ITEMS:

1). CONSENT CALENDAR

Elaine Aguilar, City Manager, gave the following report under the Consent Calendar:

1a). WARRANTS - RESOLUTION NO. 16-11

Staff recommends approval of Resolution No. 16-11 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS", and approval for payment City Warrants in the aggregate amount of \$256,710.65; Sierra Madre Library Warrants in aggregate amount of \$710.18 and Payroll Transfer in the aggregate amount of \$305,938.01 for the fiscal year ending June 30, 2016.

1b). SECOND READING OF ORDINANCE NO. 1375

On January 26, 2016, the City Council introduced for first reading Ordinance No. 1375 amending Title 17, Chapter 17.20 (One Family Residential Zoning Ordinance), Chapter 17.48 (Development Standards Ordinance), and Chapter 17.60 (Variances and Conditional Use Permits).

The changes include revisions to the conditional use permit findings, minor conditional use permit noticing requirements, clarification of prevailing front yard setback requirements, specifying chimneys as a permitted encroachment into the angle plane setback requirement, establishment of a maximum allowable height for chimneys, elimination of flag lots and exclusive access easements on newly created or reconfigured lots, and elimination of the modified front yard setback for cul-de-sacs.

Staff recommends that the City Council introduce and approve for second reading by title only, and waive further reading, Ordinance No. 1375 "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA EMENDING TITLE 17 ("ZONING") OF THE SIERRA MADRE MUNICIPAL CODE BY AMENDING CHAPTER 17.20 ("R-1 ONE FAMILY RESIDENTIAL"), SECTION 17.20.053 ("ANGLE PLANE"), SUBSECTION 17.20.050.A.2 ("FRONT YARD SETBACKS GREATER THAN 25 FEET"), AND ADDING SECTION 17.20.115 ("FLAG LOTS PROHIBITED"), AMENDING CHAPTER 17.48 ("DEVELOPMENT STANDARDS"), SECTION 17.48.020 ("HEIGHT OF PENTHOUSES AND ROOF STRUCTURES") AND REPEALING SECTION 17.48.080 ("VARIANCES AND CONDITIONAL USE PERMITS") SECTION 17.60.040 ("CONDITIONAL USE PERMITS - BURDEN OF PROOF") SECTION 17.60.041 ("ADDITIONAL BURDEN OF PROOF FOR PERMITS FOR SINGLE-FAMILY HOUSES AS DESCRIBED IN SECTION 17.20.025") AND SUBSECTION 17.60.055.b ("PUBLIC NOTICE"). and designate the City Attorney to prepare a summary of Ordinance No. 1375 pursuant to Government Code Section 36933©(1). A lean copy of Ordinance No. 1375 was attached to the Agenda as Exhibit A. A redline version representing the changes to Ordinance No. 1375 was also included as Exhibit B in the Agenda.

1c). CANCELLATION OF APRIL 12, 2016 CITY COUNCIL MEETING.

It is recommended that the City Council approve the cancellation of the April 12, 2016 City Council meeting and direct staff to pay all necessary expenses during that time.

Sierra Mare Municipal Code Section 2.04.010 requires that meetings of the City Council shall be held at 6:30 p.m. on the second and fourth Tuesdays of each calendar month unless and until the City Council establishes another regular meeting time by resolution. This year, the municipal election falls on the same date as the April 12th City Council meeting. Because the Council Chambers is used to conduct election related activities on Election Day, it is recommended that the regular City Council meeting be cancelled. Currently only one item is scheduled for the April 12th Council meeting; the warrant register.

Mayor Pro Tem, Gene Goss, moved and it was seconded by Council Member, John Harabedian, for approval of the Consent Calendar as presented by staff. The motion passed by unanimous voice vote.

2). CITY COUNCIL CONSIDERATION TO APPROVE A MAP AMENDMENT MODIFYING CONDITIONS OF APPROVAL OF TENTATIVE PARCEL MAP 15-01 FOR AFFORDABLE HOUSING INCENTIVES AND A TENTATIVE PARCEL MAP FOR THE ADAPTIVE REUSE AND RENOVATION OF THE PROPERTY AT 186 WEST HIGHLAND AVENUE

Vincent Gonzalez, Director of Planning and Community Preservation, gave the staff report.

Mr. Gonzalez followed with a slide presentation, On July 28, 2015, the City Council approved entitlements designating the former First Church of Christ Scientist building located at 186 W. Highland Avenue as a Historic Cultural Landmark, approved a Mills Act Contract, Certificate of Appropriateness 15-02, Affordable Housing Incentives, and Tentative Parcel Map 15-01.

The applicant HHP-HIGHLAND< LLC acquired the building from the City of Sierra Madre Housing Successor agency to adaptively reuse the structure to build an affordable ownership project that will consist of three townhouse style units.

Since receiving entitlement approvals, the applicant has obtained construction bids, which exceed anticipated building construction costs. In order to address budget constraints the applicant is requesting to amend a Public Works condition of approval, requiring the replacement of the sidewalk on North Hermosa Avenue and West Highland Avenue and all damaged curbs and gutters. The Public Works condition also requests that the sidewalk along West Highland Avenue shall take a meandering alignment within the parkway.

The applicant's response is that the sidewalk along both Hermosa Avenue and Highland Avenue are in excellent condition and do not require replacement. The applicant agrees to repair the sidewalks, driveway approaches and curb and gutter if damage occurs during construction, but not a total replacement. The applicant also requests an exemption from the requirement to provide a meandering sidewalk along Highland Avenue, stating that a meandering sidewalk is not in character with the historic structure and setting. The construction estimate to replace the existing driveway approaches, all sidewalk and all damaged curb and gutter on the perimeter of the project site including the meandering sidewalk on Wet Highland is \$25,000.

The applicant agrees to remove the existing brick pavers in the parkways on both street frontages and replace the brick with decomposed granite and drought-tolerant plantings, as required by a landscape condition of approval noted during plan check review.

The remaining standard "boiler plate" Public Works Conditions of Approval attached to the Agenda as Exhibit A do not apply or are in conformance to the proposed project as noted below:

Condition 1: Prior to or concurrent with submittal of building construction plans for plan check, submit a drainage plan and hydrology study as required by the Director of Public Works. All standard SUSMP requirements apply to this project as does the current NPDES Permit for Los Angeles County (in-conformance).

Condition 4: Prior to issuance of Certificate of Occupancy, comply with the requirements of the City's Water Efficient Landscape Ordinance (SMMC 15.60) (in-conformance).

Condition 5. Prior to issuance of Certificate of Occupancy, comply with all provisions of the City's Tree Protection Ordinance (SMMC 12.20). (in-conformance).

Condition 7. Prior to issuance of Certificate of Occupancy, comply with the recommendations and mitigation measures issued by the Energy, Environment, and Natural Resources Commission included herein by reference (Condition has been met).

Mr. Gonzalez reviewed he Parcel Map 15-01 for Condominium purposes. Staff recommends that the Planning Commission confirm the findings and Conditions of Approval which were attached to Resolution No. 16-09, Exhibit A and approve Tentative Parcel Map No. 15-01.

Direct cost to the City and Agency includes the transfer of ownership of property estimated at \$230,000, and the waiver of Development Impact Fees totaling \$66,105. All other application and permit fees apply.

Alternatives:

1. The City Council can APPROVE the applicant's request based on the staff report prepared for the project.
2. The City Council can DENY the application, identifying the findings that the Council feels cannot be made and the basis for rejecting those findings.
3. The City Council can CONTINUE the project for further analysis.

Staff recommends that the City Council reaffirm the findings and approve Resolution No. 16-09 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE RECOMMENDING APPROVAL OF TENTATIVE PARCEL MAP 16-01 FOR A CONDOMINIUM DEVELOPMENT TO CONVERT THE EXISTING FIRST CHURCH OF CHRIST SCIENTIST FOR THE PURPOSE OF CONSTRUCTING AFFORDABLE HOUSING UNITS AT 186 WEST HIGHLAND AVENUE AND RECOMMENDING APPROVAL OF AFFORDABLE HOUSING INCENTIVES", reinstate the prior approval for the use of affordable housing incentives and Tentative Parcel Map 15-01, and amend Public Works condition of approval omitting the requirement to provide a meandering sidewalk along Highland Avenue and a new sidewalk along Hermosa Avenue..

The staff is revising the Public Works Condition 2 as follows:

"Prior to Certificate of Occupancy, repair all damaged sidewalks, prepare curb and gutter along North Hermosa Avenue and West Highland Avenue if damaged during construction, remove bricks and replace with gravel or decomposed permeable granite material and landscape".

Mr. Gonzalez announced that Bob Spears from the Planning Commission was present if the City Council had additional questions.

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Mayor Capoccia announced that he walked the area and the sidewalk on the west side – there are two cracks that run through the sidewalk. It will look shabby if not replaced.

Mr. Gonzalez noted that during construction there could be more damage.

Council Member, John Harabedian, remarked that his issue is that this seems to be budget driven. The project is costing more than expected. There are budgetary setbacks. Does staff think we should alter the project to compensate for these costs?

Mr. Gonzalez stated, “Construction price is tight”.

Tim Sales, Heritage Housing Partners

Mr. Sales stated that they want to do a quality project. The new standards in the City is to do meandering sidewalks. We would keep historic setting. We want relief from the meandering requirement at least, as it is not historic. We take pride in doing a good job. We feel that 80% of the sidewalk is in good shape, and we can restore or repair any damaged parts rather than to replace the whole sidewalk.

Mayor Capoccia opened for public comment and there was none so he closed it right away.

The City Council revealed that they received a letter from John Hutt, a member of the Planning Commission.

Mayor Capoccia suggested getting rid of the requirement for a meandering configuration for the sidewalk. The bricks look shabby. Put something more permeable in there. I would like to replace with all straight sidewalks.

Council Member, John Harabedian, stated that he agrees it is a great project. When we considered the project we made concessions. We waived the \$60,000 fees. Now you want to cut costs. The project would benefit by replacing the sidewalks. I hope Heritage Partners would replace the sidewalks.

Mayor Pro Tem, Gene Goss, asked how expensive would it be? We have gone the extra mile on this project.

Council Member, Rachele Arizmendi, concurs with what has been said. It costs less for straight sidewalks, but still prefers total replacement.

Council Member Delmar agrees with all that has been said.

Mayor Capoccia questioned the replacement of the handicapped curb cut if it is damaged.

City Attorney, Teresa Highsmith, suggested the following wording for Condition 2:

“Prior to Certificate of Occupancy, replace the sidewalk, repair curb and gutter along North Hermosa Avenue and West Highland Avenue if damaged during construction; remove brick and replace with gravel, decomposed granite or equivalent permeable materials and landscape with drought tolerant plants.”

Mr. Inman feels that decomposed granite does work or an equivalent. Sierra Place condos have firm surface to step out of vehicles.

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Council Member, John Harabedian moved and it was seconded by Council Member, Rachelle Arizmendi, for approval of the changes suggested by the City Attorney, as noted above. The motion passed by unanimous voice vote.

3). APPEAL OF PLANNING COMMISSION DECISION DENYING A REQUEST FOR A CONDITIONAL USE PERMIT TO ALLOW A NEW TWO-STORY, 1,322 SQUARE FOOT RECREATION BUILDING AND ALSO ALLOW IT TO ENCROACH INTO THE REQUIRED SIDE YARD SETBACK ALONG THE EASTERN PROPERTY LINE BY NO MORE THAN 10 PERCENT, ON THE PROPERTY LOCATED AT 156 W. HIGHLAND AVENUE.

Mayor, John Capoccia, and Council Member, Denise Delmar, recused themselves from discussion of this item due to their proximity of the project. They left the room.

Vincent Gonzalez, Director of Planning and Community Preservation, gave the staff report.

Mr. Gonzalez presented a slide presentation, with the following Project Summary:

- Appeal of Planning Commission decision denying a request for a Conditional Use Permit (CUP 15-24) for a new two-story recreation and exercise room and to allow the building to encroach into the required side yard setback along the eastern property line.
- The building was constructed without prior building or zoning approvals.
- De Novo Hearing
- Evaluation of conceptual plans to determine conformance with the R-3 Multiple Family Residential Standards.
- Determine that the application complies with the Conditional Use Permit findings to approve or deny the application.
- Not evaluating the project according to the structural integrity of the existing building constructed without building permits.

The Applicant is requesting the following:

- The applicant is requesting approval of a conditional use permit to allow a 2-story, 1,322 sq. ft. structure recently built without permits to be used as a Recreation & Exercise building on an R-3 Zoned property developed with three existing dwelling units.
- The applicant is requesting to approve the bathrooms as originally designed.
- The applicant did not appeal the Commission's decision to deny the request. At the Planning Commission meeting, the applicant stated that he would be willing to modify the building to comply with the required side-yard setback, should the Council approve the project.
- If approved, the City would need a covenant.

The issue before the City Council is an appeal of the Planning Commission decision denying a request for Conditional Use Permit 15-24 (CUP 15-24) to allow a new two-story, 1,322 square foot recreation/exercise building, and to also allow it to encroach into the required side yard setback along the eastern property line by no more than 10 percent, on the property located at 156 W. Highland Avenue. Pursuant to SMMC 17.60.030.G, a conditional use permit is required for all developments in the R-3 Zone.

The Planning Commission denied CUP 11-05 at its November 19, 2015 meeting. This report provides background on the proposed project, the basis for the Planning Commission denial, and the basis for the applicant's appeal to the City Council.

Staff recommends that the City Council deny the appeal and uphold the decision of the Planning Commission to deny CUP 15-24. Resolution No. 16-10 is attached to the Agenda for the City Council's consideration.

Mr. Gonzalez remarked that the project can work as a recreation space. When staff reviewed, the project at the Planning Commission level, staff did not consider it as if the building had not been built and so didn't look at open space that surrounded the property. Staff changed the recommendation at the appeal level because there was adequate space for a recreational project which does not encroach and could have been sited differently.

Council Member Harabedian asked if the City Council is supposed to consider outside recreational space as equivalent to indoor recreational space?

Mr. Gonzalez stated that if the project complies with the zoning, it can be indoor recreation space.

Council Member Harabedian noted that lot coverage is the issue. A big part of the application or required findings is whether there is a need for this? There is plenty of outside space. If it rains, is indoor different than outside space? Does the Code make a distinction?

Mr. Gonzalez stated, no, the code does not make a distinction between indoor and outdoor recreational space.

Council Member, Rachele Arizmendi, stated that both the staff and Planning Commission stated that a CUP is required for R-3 zone.

City Manager, Elaine Aguilar, stated that one distinguishing factor is that when the staff reviewed this project, the building was already there. Staff looked at existing building, but staff would not have recommended a site plan with the building as it is.

Council Member Harabedian stated that if we are to consider the project, we need to consider it as if it was not built. Did the staff have a suggestion on a better spot? The Planning Commission would not have put the building where it is.

Mr. Gonzalez stated that there was sufficient space on the lot that it should have been able to be compliant within setback requirements.

Council Member Harabedian questioned if we are talking substantial change in moving it out of the setback?

Mayor Pro Tem, Gene Goss, stated that the project was not built as a recreation concept.

Mr. Gonzalez stated that the use changed after Code Enforcement red tagged the project. When applicant applied for CUP, they removed the kitchen and bathrooms and changed its use to "recreation". Because that is the only use that can be made under the code. Mr. Steve Salisian, owner of the property, is present to answer questions.

Mayor Pro Tem, Gene Goss, stated, "How could you begin a process like this without permits?" What do you plan to use as recreation?

Mr. Salisian stated that the original building was falling apart. I am not familiar with building process. I never worked with architects before. This has been a good learning experience. When I couldn't live there, I could have a studio and office. The family visits, and we needed a larger room. I didn't know about parking requirements. A recreation area doesn't require parking. It is an awesome property. I would like to apologize. The project has been going on since June 2014. It has been very stressful. Friends have helped me.

Mayor Pro Tem Goss asked if the two-story building impeded anyone's view?

Mr. Gonzalez stated that the building doesn't impede anyone's view.

City Attorney, Teresa Highsmith, stated that the City Council needs to review this as though the building was not there. There was a lot of discussion at the Planning Commission about the fact that the building was constructed without review or permits, and the comment was made that this is a case of it being better to ask for forgiveness than permission. Although the structure was originally built as a residence, there are already three existing house on the property and the lot is too small to allow a fourth residence. If there had been a site plan, this would have been caught. The property is also under-parked. The only way for the applicant to use this structure as a residence would be to tear down one of the smaller existing structures and use the space for parking. As a recreational use, the siting was not what the Planning Commission would have approved and they did not feel they had sufficient information to alter the design.

Mayor Pro Tem Goss asked Mr. Bob Spears from the Planning Commission to speak.

Bob Spears, Planning Commission

Mr. Spears stated that the Planning Commission was asked to approve, but there were encroachments. There is lots of room in back of the lot. Why did they need this building. The applicant made no attempt to explain why they needed the building. It is difficult to know now what would be accepted. The Planning Commission makes sure applications comply with General Plan and are built in compliance with the zoning code.

Council Member, John Harabedian, asked Mr. Spears where he would have put the building - the east side or a little west.

Mr. Spears stated a little bit to west and south. But there was no reason shown by the applicant why a recreation building needed a bathroom and storage area. There was no public notice on the 2nd story configuration. We were confused and the applicant did not make a good case that he needed this recreation area.

Mayor Pro Tem Goss opened for public comment.

De Alcorn, E. Grand View

Mr. Alcorn stated, "On the surface, this stinks". His father is a contractor. There is inadequate parking. If this project is approved, there will be a kitchen. I don't see how you can approve.

Burt Fair, Pasadena (Development Company)

Mr. Fair works with a development company and he agrees this should not have happened. Somewhere in the framing foundation, etc. it would have been better for everyone if this project would have come to the City. The building is there now, and you need to figure out a way to solve a bad problem. There is nothing saying you can't have a recreation area. The 2nd story doesn't have windows. This is an R-3 zone. The General Plan does talk to these issues. Does it infringe on properties. To be honest, staff presented a good direction to go. What needs done to building to get approval. It is going to cost a lot to correct. Correct the building and find a solution. Work out conditions able to make it work. It was through a friend that I was asked to assist and help a friend out. I am receiving no pay.

Joe Catalano, N. Lima

Mr. Catalano announced that he is a licensed architect. I want to add my objection to people violating. I wanted to voice my objection to the way it is going about. The building is already built, shape could change. If recreation building, why the shape it is now. It could be reshaped. Regardless, this is interesting. We are backing into this, if you go forward with this at the Planning level, we did not address building and safety – without permits, no inspector, construction is covered up. How can you reverse engineer a situation like this. How does building official react? There are options of placement on property.

Debbie Sheridan

Ms. Sheridan stated that the attorney noted that you need to address the building as though it was not there. If you approve, what precedent does it set?

Robert Salisian, Part Owner of Property

Mr. Salisian stated that he lives in the front house. I have helped fund this project. I feel like I should have put an end to it, but I will benefit from it. We have a small family, our house is small. We felt the extra room could be used for our family. Our family enjoys each other. I went into major debt for this project. I am just a partner in name. It has been very stressful. We have family problems. I apologize for what has happened. We love living here.

Barry Gold, Ramona Avenue

Mr. Gold stated that he was at the Planning Commission when this was agendized. He was impressed with the discussion. The Planning Commission made the right decision. I agree with them.

Mayor Pro Tem Goss closed public input portion.

Council Member, John Harabedian, thanked all the speakers. I watched the Planning Commission meeting. The Planning Commission had excellent questions. I reviewed the six findings. Encroachment issue – setback is not grievous. There are no windows on the second floor. I think what we haven't heard is from a neighbor. I talked with a neighbor and he was happy with the project. I looked at encroachment, it is not in a perfect place, but given where it is, east of it, not a horrible place. Maybe a few feet would have been better, but at this stage, I could make the six findings. The property would be enhanced with the recreation room. Considering permits, the property is sound. I don't like, but don't feel it sets a precedent. What we want are reasonable projects. The residents live here. The end result is that I feel the project is okay. Planning Commissioner, John Hutt, noted that the City can increase the amount of CUP fees when done after the fact, and other fees. Put aside and consider on merits of projects. If we deny, is it punitive, should we award CUP? If deny, we are asking them to demolish and maybe come back. We are missing the point of CUP. The building fits in. Are they safe? If approve CUP, the building inspector will come in and inspect.

The City Attorney stated, that is correct – the building would need to pass building inspection. The structure is close to the property line. There may need to be changes to the structure and siting. You could remand to Planning Commission. Whatever decision you make, the City Council must be unanimous because it takes three votes to approve legislation..

Council Member Harabedian remarked about the safety of the building – that needs to be worked out. If we deny, we could talk to the applicant on moving the building, consider soft landing. I think standing here today, I am fine with it. Maybe make changes on encroachment.

Council Member, Rachelle Arizmendi, stated that originally, I was insulted. It is hard for me to understand how anyone could construct an entire building without permits. Looking at merits itself, it doesn't meet our requirements. Setting precedent is the consequence of allowing someone to proceed this way. The Planning Commission did a thorough job. I would deny the CUP.

Mayor Pro Tem, Gene Goss, stated that he came to the meeting this evening straddling the fence. My bias is to make families whole. Most of the findings can be made. I believe in rules. In 2009 and 2010 we went through plans and fees. It was expensive. I have compassion to affected family. The public interest is a concern. It is pretty obvious that the project was not designed for a recreation area. It is with a heavy heart that I have to follow the Planning Commission's decision.

City Attorney Highsmith stated that before you take a vote, the applicant did say he would be willing to make changes. You could remand to Planning Commission and see if he can work with Planning Commission to see if the project can be better sited. The encroachment wall is too close to the property line and must be a fire wall with no windows. So the structure would have to undergo some alterations. Maybe there are some alterations that could be made to the structure in order to salvage the building.

Council Member Harabedian stated that he is open to that.

Robert Spears, Member of Planning Commission

Mr. Spears stated that the project was brought to the Planning Commission as a recreational building. It could not be a rental. Nothing came before us that they needed to exercise. There are parking concerns. There are lots of problems that we could not address. A recreational building is all that they could do. There are no disabilities.

Mayor Pro Tem Goss asked if the building could meet recreational?

Mr. Spears stated that we can only comment on what we have. I can't comment on hypothetical issues. I want our residents to be safe.

Council Member Harabedian stated that proper inspections will be done. If remanded to the Planning Commission, there could be a workable solution. Show me something and I will comment.

Council Member, Rachelle Arizmendi, moved to deny the CUP as recommended by the Planning Commission and uphold the Planning Commission's decision. Mayor Pro Tem Goss seconded the motion, but expressed that he wanted relief for the applicant.

Council Member, John Harabedian stated that it is not ruled out, that there is probably a way to work around this. Why do now and entertain option of soft landing. Why not give the applicant an opportunity. If Planning Commission slays not workable, there was two Planning Commissioners who wanted to deal with it, to allow the building to transform. Rather than tear down, give them the opportunity.

Mayor Pro Tem Goss asked if the building could be changed into recreational building. It doesn't work the way it is built.

The City Attorney stated that the Planning Commission, articulated by Robert Spears, noted that the Planning Commission can't design a building for the applicant. The applicant needs to return with a new design. If you deny tonight the applicant can go back to the Planning Commission with a new application, different from current design. The applicant could tear down one of the smaller existing residential buildings, and create parking and possibly keep the new structure.

Mayor Pro Tem Goss stated that the way the staff presented the project to the City Council tonight, it is not a recreational building. Let's send it back to the Planning Commission.

Council Member, John Harabedian, asked that if it goes back to the Planning Commission, what is the Appeal fee?

The City Attorney stated that there will be an appeal fee because it takes staff time.

Upon voice vote of the City Council, the motion passed 2-1 to deny the appeal with Council Member, John Harabedian voting no.

The City Attorney stated that because there were not three votes on the appeal, the Planning Commission denial stands, and is the final decision.

BREAK: The City Council requested a break at 8:42 and the City Council reconvened at 8:50.

- 4). CONSIDERATION OF RESOLUTION NO. 16-02, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE ESTABLISHING FEES FOR CITY PLAN CHECK, PERMITTING, AND INSPECTION SERVICES FOR WATER EFFICIENT LANDSCAPES FOR FISCAL YEAR 2015-2016.

Bruce Inman, Director of Public Works, gave the staff report.

Staff recommends that the City Council hold a Public Hearing and adopt Resolution 16-02, setting plan check, permit, and inspection fees in conjunction with the Water Efficient Landscape Ordinance adopted January 26, 2016.

On January 26th the City Council adopted Ordinance 1374 replacing the previous Water Efficient Landscape Ordinance (WELO) with a new WELO designed to be consistent with the State's 2015 Model Water Efficient Landscape Ordinance. In order to implement the new ordinance, it is necessary to establish a fee for the review and approval of the plans that will be required for each project and a fee to cover permit issuance and field inspection of the project to ensure compliance with the approved plan.

Resolution No. 16-02 establishes the fees to cover the necessary city services relative to each project. Those fees are as follows:

Water Efficient Landscape Plan Check Fee \$ 399.00
(Includes 3 plana reviews. Additional reviews, if required, will be charged at hourly rate of \$205.00).

Landscape Permit and Inspection Fee \$ 299.00

Mayor Capoccia opened for public comment and there was none so he closed it immediately.

Council Member, John Harabedian, moved and it was seconded by Council Member, Rachelle Arizmendi, for approval of staff's recommendation as follows: Staff recommends that the City Council hold a Public Hearing and adopt Resolution No. 16-02 "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE ESTABLISHING FEES FOR CITY PLAN CHECK, PERMITTING, AND INSPECTION SERVICES FOR WATER EFFICIENT LANDSCAPES FOR FISCAL YEAR 2015-2016", in conjunction with the Water Efficient Landscape Ordinance adopted January 26, 2016.

5). ELECTIONS CODE 9212 REPORT – REPORT ANALYZING THE IMPACT OF THE "STOP THE UTILITY USERS' TAX".

Elaine Aguilar, City Manager, gave the staff report.

Two Sierra Madre residents, Mr. Earl Richey and Mr. David McMonigle (Proponents) have circulated a petition to have an initiative measure entitled, "Stop the Utility Users' Tax" placed on the ballot in an upcoming election. On January 12, 2016, the Sierra Madre City Clerk presented her certification to the City Council that a sufficient number of valid voter signatures had been collected in order to place the initiative measure on the ballot.

At the January 12, 2016 meeting, the City Council referred the initiative to staff for preparation of a "30-day report" as outlined in Elections Code Section 9212 for an analysis on the impacts and effects of the initiative ordinance. The Council deferred the decision on the date the initiative would go before the voters.

The 30-day report has been prepared by City staff and reviewed by the City Attorney. The analysis discusses the impacts and effects of the initiative pursuant to Elections Code Section 9212. The 30-day report is hereby presented on February 9, 2016, within the 30-day time frame.

The analysis discusses the impacts and effects of the initiative. The financial impact is estimated at a \$2.5M loss in General Funds. The analysis discusses the City's funding sources and the City's budget. There were three basis options to address the revenue loss, the Council could decide to:

1. Take No Action – This requires the use of General Fund Reserves to balance the City's budget. This option is not sustainable and was not recommended.
2. Reduce Operating Costs – This requires the reduction of General Fund expenditures by \$2.5M. This is the option that Staff used in preparing the report, and two alternatives were examined. Alternative A represents a 25% reduction in General Fund expenditures for all Departments. Alternative B attempts to restore some funding to the Fire Department (but assumes the City-operated Paramedic program was discontinued) and restores some funding to Public Works and the Planning Departments. Under both alternatives, it was not possible to continue in-house Police services while still maintaining other non-public safety services.

3. Generate Additional Revenue – This alternative required that new revenue enhancement measures be implemented, and because most revenue enhancement measures of the magnitude needed to generate \$21.5M would require voter approval, this alternative option was not evaluated.

Both alternatives in the report result in a significant reduction in staff. City staff provides City services and to achieve a reduction in General Fund expenditures of \$2.5M is the equivalent of a 52% reduction in total full-time staffing, and more than a 71% reduction in General Fund staffing.

There are some variations in service under the two alternatives. Depending on the alternative, City Hall hours (open to the public) are reduced to approximately 4 hours a day, four days a week, the Planning Counter is open approximately 2 hours per day, four days a week; City special events are significantly reduced or eliminated. Police services are contracted to another agency, the Fire Department is staffed entirely with part-time staff, and under Alternative B, the City would no longer provide Paramedic services (Paramedic services would be returned to the County). Depending upon the alternative, Public Works staffing is reduced such that there would be reduced sidewalk and street repairs an little to no staffing for community events. Lastly, the Library would be open to the public for as much as 50% fewer hours, and Library programming would be significantly reduced.

The estimated reduction in FY 2015-2016 General Fund revenues is approximately \$1,996,000, and an additional \$529,527 is needed to balance this fiscal year's budget. The General Fund reduction target is \$2,525,527 to balance the budget. The analysis presents two alternatives that reach a \$2.5M reduction in expenditures.

Alternatives:

- 1). The City Council may approve the Elections Code 9212 report, and direct that the initiative be placed on the April 10, 2018 ballot, unless the council takes action to schedule a Special Election.
- 2). The City Council may modify the Elections Code 9212 report, approve the report, and direct that the initiative be placed on the April 10, 2018 ballot, unless the Council takes action to schedule a Special Election.

Staff recommends the City Council approve the Elections Code 9212 report, and direct that the initiative be placed on the April 10, 2018 ballot, unless the Council takes action to schedule a Special Election.

The slide presentation presented by the City Manager is available at City Hall should anyone want a copy.

Council Member, Denise Delmar, wanted the public to know that if the Sheriff's Department comes to the City, they would be stationed in Temple City. The Police Department building would be closed.

Council Member, John Harabedian asked staff what an election, special election would cost?

City Manager stated somewhere between \$20,000-\$30,000 range.

Council Member Delmar stated that it could not get on the April election.

Mayor Capoccia opened for public comment and there was none. The Mayor closed it immediately.

Council Member, John Harabedian, stated that the analysis speaks for itself. When do we put on ballot? Sooner is fairest? It is fair to the community to be at April or June 2016 election.

Council Member, Rachelle Arizmendi, thanked the staff for the report. I would like to see what other elections we will see in June and November. June is next, maybe we can bear the cost with other entities. Voters elected to put on ballot. We need to consider costs.

Council Member, Denise Delmar, thanked staff for analysis. If passes, as far as election, do in June, but then I reread the initiative, and we don't want government money wasted. Proponents did not ask for a special election. But I am willing to go for June election.

Mayor Pro Tem, Gene Goss, noted that Council Member Delmar's point is a good point. My feeling is that this is really bad medicine we have to take. It is a pure waste of \$20,000-\$30,000. June is okay with me.

Mayor, John Capoccia, stated that he doesn't care and isn't willing to rush. Why spend \$30,000 for people in left field. They are getting legal help. We must fight to keep our independence. I am not rushed to spend \$30,000.

The City Manager stated that March 11th is the date to get the resolution to the County for the June Primary.

Mayor Capoccia stated that if we do nothing, it will be scheduled for April 2018.

The City Manager noted that staff can get an estimate to consolidate in June.

Council Member Arizmendi asked staff to get information and cost for a special election. Otherwise, it will be scheduled for April 2018.

The City Attorney stated that the City Council needs to decide "yes or no" to put on April 2018 election. The five members of the City Council agreed on April 2018 election.

Council Member, Rachelle Arizmendi, moved and it was seconded by Mayor Pro Tem, Gene Goss, for approval of the Elections Code 9212 report, and direct that the initiative be placed on the April 10, 2018 ballot unless the Council takes a later action to schedule for a special election.. The motion passed by unanimous voice vote.

6). SIERRA MADRE LAW ENFORCEMENT UPDATE

Larry Giannone, Public Safety Director, gave the staff report.

The City of Sierra Madre currently has nine full-time vacancies in the Police Department. This report provides information about the current status of police services in the community, timing of the vacancies and possible causes, and what the City is doing to recruit new staff. Information is also provided regarding temporary patrol assistance while the City recruits and fills vacant positions in the Police Department.

The Sierra Madre Police Department is budgeted for 20-full-time employees, including the Police Chief and Captain. In addition there are several part-time employees who complement the full-time staff. Over the course of several months eight full-time employees (in addition to one previous vacancy), three part-time, Community Service Officers, and one part-time Police Officer, have resigned. There is the possibility that the SMPD may lose a few more employees in the upcoming months.

Employees are leaving for a variety of reasons including retirement, opportunity to work for higher paying departments, and a perceived lack of job security in light of the scheduled decrease of the Utility Users Tax (UUT) and the pending revenue measure on the April ballot.

The timing for most of the resignations coincide with Budget reduction discussions associated with the decrease in the UUT and discussions regarding possible service level reductions including the decision to further evaluate contracting with the Los Angeles County Sheriff's Department (Phase 2 Review) in October 2015. A chart was provided in the Agenda showing the Primary Titles and Termination Dates of employees of the Police Department. A chart also showed the 2014 Average Police Officer Compensation reported to state Controller. A chart showing cities current recruiting showed a high of \$75,670 to a low of \$53,221 for Police Officers.

The City has hired a part-time retired Police Sergeant to mainly focus on recruiting staff for the Police Department. The City is currently publicly recruiting for Police Recruit. It should be noted that the City is generally not permitted to hire CalPERS retired annuitants. However, the law has a few exceptions, one of which allows the City Council to appoint a retired annuitant for an interim or temporary basis to provide extra help during an emergency to prevent stoppage of public business or to perform work of limited duration, special projects, and have specialized skills required to perform the needed work. The City's current staffing shortage in the Police Department qualifies an emergency. Under this clause the City is currently looking for qualified retired Police personnel to temporarily assist while the City recruits and trains full-time staff.

The Sierra Madre Police Department is currently policing the City 24 hours a day, seven days a week with its current staff.

Staff originally reached out to the Cities of Arcadia and Monrovia to patrol the city from 6:00 p.m. to 6:00 a.m.. Staff had a tentative agreement with the City of Arcadia, but due to a recent up-tic in burglaries in Arcadia and the Arcadia PD not being fully staffed, the Arcadia City Council determined that they needed all of their available resources in their city.

Staff has reached out to the cities of Monrovia, Irwindale, Azusa, South Pasadena, San Gabriel and San Marino, and they are all facing Police Department staffing shortages and are unable to provide consistent coverage for the City of Sierra Madre. As of this report, staff is still waiting to hear if the City of Pasadena could provide patrol services to the City of Sierra Madre.

Staff has contacted the Los Angeles Sheriff's Department (LASD), who is well equipped and prepared to provide this temporary service to cities in Los Angeles County. LASD was not staff's first call as the City Council had previously directed staff to work with LASD on a Phase 2 Review, as an alternative service provider should the City's General Fund Revenues decline to the point where the city could no longer offer in-house policing services. As a general business practice it would be better to keep the temporary staffing completely separate from the Phase 2 Review; however, the City's only option may be to have the LASD provide the temporary staffing. LASD is drafting a plan for Sierra Madre's services along with the cost of such services.

Staff anticipates bringing a Supplemental Service Contract for night-time patrol, to the City Council for consideration at the February 23, 2016 meeting. At this time, the contract will most likely be with the Sheriff's Department.

Staff recommends the City Council receive and file this informational report.

Council Member, Denise Delmar, thanked the Police Chief for the report. There is a police shortage. I commend our officers – they are doing a great job. We will have dedicate Sheriffs. I would like to see the contract.

Mayor Pro Tem, Gene Goss, reported that with the sacrifices, we have full coverage 24/7.

Police Chief Giannone stated that we are here and our staff is sacrificing.

Mayor Pro Tem Goss asked the Police Chief to tell the officers we appreciate it. Council Member Delmar and the Mayor discussed their meeting - property crimes apply to us. We are expecting ore criminals on the street.

Police Chief Giannone noted that transients come through our town. Residents, please observe "See something, say something", it is very important.

Council Member, John Harabedian asked the Police Chief if they heard from the Pasadena Police Department?

Police Chief Giannone stated that we did not get a report for this meeting.

Council Member Harabedian wanted the public to know that we can't have our Police Chief and Captains working the evening shift to maintain coverage.

Police Chief Giannone stated first and foremost, we need night-time coverage. We need to expedite training and recruitment. We brought back retired officers. We need staff back in regular mode. Officers are leaving which coincides with Stage 2.

Police Chief Giannone reported that Stage 2 brings morale down.

Elisa Cox, Assistant City Manager, remarked that Phase 2 is a hindrance. The officers don't know if their job will exist.

Council Member, Rachelle Arizmendi, commended the Police Department and media coverage – we received concern. The schedule now is not sustainable. My question, we will receive the supplement contract for the February 23th City Council Meeting. We can get through March. When will Sheriffs come in?

Police Chief Giannone hopes that our Police Department can get through February and the Sheriff will start February 28, 2016.

Mayor Capoccia thanked the Police Chief and his Police Department for their commitment.

Mayor Capoccia opened for public comment.

Carol Canterbury

Ms. Canterbury announced that if we say yes to the UUT, we won't lose our police services? Right? Preserve all services? We lost the pool.

Mayor Capoccia stated that with a 10% UUT, if we can balance the budget, we will see.

Ms. Canterbury feels that the people do not see what is happening. We don't want to lose our services. I hope we receive "yes" on UUT.

Mayor Capoccia stated that we are projecting a \$1M deficit.

Ms. Canterbury stated that with regard to the slide show – can we see in other venues?

Council Member, Denise Delmar stated that the power point was to show the impact of No UUT. A 10% UUT will maintain service level. Educational materials will be mailed.

Ms. Canterbury asked if material will be available for the Wistaria Festival on March 13th. We can hand it out.

Allen Wolf, Grand View

Mr. Wolf showed the brochure he received in the mail. Make people aware of the pending disaster.

Mayor Capoccia stated that the City staff cannot take a position on the ballot measure at a community event.

Council Member Delmar stated that there will be two mailers, post cards, and town hall meetings. We outlined a plan.

Council Member Arizmendi stated that historically, you have residents taking positions.

Rich Proctor, Citizen and Taxpayer

Mr. Proctor remarked about the importance of supporting the Police and Fire Department. There is a crisis, but we have a great opportunity. We have something special here. It is worth saving. I work in Burbank. Everybody loves Sierra Madre that lives here. We love everything about it. What is foundation of love – Police and Fire. We know we are safe. That is important. We will affirm our love for this City.

Joan McQuire, San Gabriel

Ms. McQuire remarked that the Library and Fire – what I have learned the last few months – I finally got it. Let people know what is going on. I have lived here for 33 years. The Police Department is great and needs help. I want it all – we will work on passing UUT – one-on-one. We will keep doing it. I love this City. It is a passionate time, with love and excitement. Thank you for all you do.

Mayor Capoccia closed public input.

Mayor Capoccia wanted to point out the fact that we pay our Police Officer 20% below other cities. We are currently in negotiations with the Police Association. The public needs to know we can keep our Police Department with salaries 20% below.

Mayor Capoccia thanked everyone for speaking this evening and remarked that this agenda item is a “receive and file”.

7). CONSIDERATION OF OPTIONS FOR ACCESSING WATER FROM THE MAIN SAN GABRIEL BASIN.

Bruce Inman, Director of Public Works, gave the staff report.

Mr. Inman presented a slide presentation that is available at City Hall.

The October 20, 2015 Strategic Plan lists as a goal “Restore High Quality Water, Supply and Independence.” Under that goal, a stated task is “Recommend to the City Council for Action, Options as an Additional source of Water Supply from the Main San Gabriel Basin.” This report provides that recommendation, that the City Council direct staff to proceed with implementation of the Alternative actions 2 and 3 as provided in this report, with highest priority given to Alternative 3, construction of a new well for the City of Sierra Madre in the Main San Gabriel Groundwater Basin.

Alternative 1 – Activate Existing System Interconnection

Activation of the existing system interconnection is the simplest of the the proposed options. This can literally be done at any time with an email to Arcadia city staff by Sierra Madre staff. This is an informal arrangement: there is no formal, binding agreement in place, no agreed upon price for the water, and it cannot provide enough flow (due to system hydraulics) to meet Sierra Madre's entire demand. The interconnection would be subject to shutdown at any time by Arcadia should their own system demand or require them to do so. Also, there is no clarity as to where the water we receive is actually coming from. Water from Main Basin and the East Raymond Basin can mix within Arcadia's system; as a result water that Sierra Madre receives from the interconnection could consist of East Raymond Basin water. While Arcadia could balance that ERB production with Main Basin production, there is no instrument to accurately allocate the production between the basins.

Alternative 2 – Share an Existing Well in Main Basin (Camino Real)

Under Alternate 2, Sierra Madre would purchase a percentage share in an existing Arcadia well. While a determination has not been made which well Sierra Madre would purchase a share of, Arcadia's Camino Real #3 well has been frequently mentioned by Arcadia staff as being the likely selection. That well was built with federal assistance in about 2008. The well produced 2,394 acre/feet in 2014-15 according to Watermaster Records.

Alternative 3 – Construct New Well in Main Basin

This alternate assumes that a new well would be created within the Main Basin for Sierra Madre's exclusive use. The City has requested assistance from SGVMWD in constructing the well and it appurtenant pipeline to Sierra Madre at an estimated cost of \$6,441,065. This would provide the City with its own direct connection to the imported water supply provided by the District (In the past, there has been discussion of extending the District's pipeline to Sierra Madre. This option would be more cost effective, utilizing the groundwater basin as the conduit rather than constructing over seven miles of pipeline.

The only Alternate listed that provides for true water independence for Sierra Madre is the third alternative, and most costly alternate.

Staff recommends that the City Council direct staff to proceed with implementation of the Alternative actions 2 and 3 as provided in this report, with highest priority given to Alternative 3, construction of a new well for the City of Sierra Madre in the Main San Gabriel Groundwater Basin.

Mayor Pro Tem Goss stated that Federal money is a wish list – is the Water District our funding source?

Mr. Inman stated that Tom Love is here this evening to answer questions. We need to start the process with the Corp of Engineers.

Tom Love, Consultant and representative for Sierra Madre

Mr. Love stated that we have consultants to help cities. Water District funding – our goal is to supply water to our cities. There is no conduit for Sierra Madre. Supplement water is not permanent. We have \$8M to build project and deliver water. We need to extend the pipeline from Azusa, it would cost more than \$20M. To put a well in the main basin is best. With regard to the District funding, the General Manager has offered support. We received a letter opening dialog. Staff will correspond with us on grant funding.

Mayor, John Capoccia, thanked Mr. Love, for all he has done for us. I am impressed with the creative deal. Your job is supplying supplement water for 55 years, but we have had water for 30 years in MWD connection. I don't care if we go with a well, but I want guaranteed source of water. My opinion, either option is fine as long as you deliver. Why would you want to spend millions more to satisfy your obligation. You need to negotiate with Arcadia, and if you can't negotiate, build a well. I only want a guaranteed water source. I feel the District has this responsibility.

Mr. Love stated that we need to work closely together with both cities. We are willing to broker an arrangement with Arcadia. We can deliver water to main basin for Sierra Madre.

Mayor Capoccia thanked Mr. Love for what he has done – we need a low-cost option to get water.

Council Member, John Harabedian, questioned with regard to the \$8M set-a-side to build a well – if you don't use, can we use the money?

Mr. Love stated that the use of reserve funds are determined by San Gabriel Board.

Council Member Harabedian asked if another city could come along and use these funds?

Mr. Love remarked that there is the potential to use fund for other services. We had \$10M and we helped cities. Funds will remain available.

Council Member Arizmendi stated that the \$8M is not for Sierra Madre. \$8M is for infrastructure projects and where it can be used for all four cities.

Mr. Love noted that the \$8M was set-a-side if we moved forward with pipeline.

Mayor Capoccia asked what other pressures the District is seeing?

Mr. Love stated that as it stands now, is the ability to opt in or out on projects. With regard to State Water Project – if built, it is the liability of allocation 40-42% with projects, with 65% reliability. Is it worth increased liability. Sierra Madre is taking more water than previously.

Mayor Capoccia opened for public comment.

De Alcorn, E. Grand View

Mr. Alcorn stated that some years ago, he talked with City Council Members, I was told we have our water. Arcadia has a problem now. The whole state has a problem. How sustainable is the whole thing. We need to take some steps. I would like to see an overall sustainable solution.

Mayor Capoccia stated, "We want our share".

Mayor Capoccia closed public comment.

Council Member, John Harabedian, stated that it is time to go forward and get our own well. It is a win – we have paid in for 55 years. Now is critical point with District to get this done. We then have a reliable water source. We can then control our own destiny. If we can get the money, it would be great. Reach out to the District and request money for our own well.

Mayor Pro Tem, Gene Goss, noted that we have a benefit there and should put it to use. MWD saved us, even though it was treated water. It gives us more independence. We don't have guarantee now that we will always have water.

Council Member, Rachel Arizmendi requested that we consider Alt. 3. We aren't highest priority city on grant money.

Council Member, Denise Delmar, also agrees on Option 3.

Mayor Capoccia stated that he is not optimistic that money will be available. We have MWD.

Council Member Harabedian stated, "At this point, pursue, then reassess".

Mayor Capoccia stated that if Arcadia is willing participant, we can consider them.

Council Member Harabedian stated that he would rather our City be self-sufficient.

Mayor, John Capoccia, stated, "How long have we talked about this. What progress have we made – I am not confident".

Council Member Harabedian noted that we have been discussing this for four years. We need Option 3 as highest priority, then 1 or 2 is great.

Mayor Capoccia asked, "If we say Option 3, what is next step?"

City Manager, Elaine Aguilar, remarked that we need to secure funding for it – grants, Corp of Engineers – it could be lengthy – 2-3 years.

Council Member Arizmendi stated that her priority is Option 3, but could pursue Option 2.

Council Member, Denise Delmar, moved and it was seconded by Council Member, John Harabedian, moved for staff's recommendation, and added a friendly amendment to give direction to put funding before the District Board and see reaction and set timeline for April. The motion passed by unanimous voice vote.

Mr. Tom Love stated that the District may not need contingencies necessary, given circumstance, District could meet mission statement. If 100% of project, work diligently to get funds. Encourage staff to come forward with the project.

Mr. Inman stated that staff will approach Arcadia one more time to see if they are interested in fine line cost estimate. If we can't use Arcadia site, we will need to do well site study, then proceed with cost analysis. Ideally, we could use District money from WRDA.

Mayor Capoccia stated, "Arcadia has to agree".

Mr. Inman stated that staff will get with Arcadia and see what we can do by April.

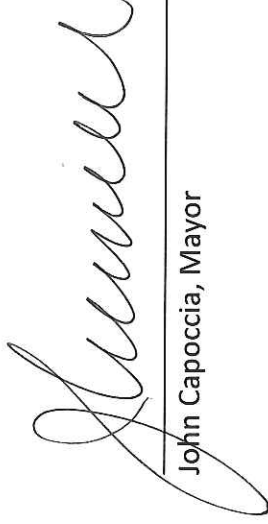
8). STRATEGIC PLAN FROM OCTOBER 20, 2015 RETREAT

This item was postponed due to late hour.

FUTURE AGENDA ITEMS: None

ADJOURNMENT

The City Council adjourned to Closed Session at 10:55 p.m. The City Attorney reported that due to the lateness of the hour, it was decided to continue the Annual Performance Evaluation of the City Manager.


John Capoccia, Mayor

Minutes taken and typed by:


Nancy Sue Shollenberger
City Clerk