



CITY OF SIERRA MADRE
CITY COUNCIL REGULAR MEETING MINUTES

SIERRA MADRE CITY COUNCIL
SUCCESSOR AGENCY AND
PUBLIC FINANCE AUTHORITY

Tuesday, June 23, 2020 - 6:30 pm

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

**DUE TO THE COVID-19 PANDEMIC AND CA GOVERNOR'S STAY AT HOME ORDER,
THE CITY COUNCIL MEETING WAS CONDUCTED VIA ZOOM.**

**The meeting was streamed live on the City's Website at www.cityofsierramadre.com
and broadcast on Government Access Channel 3 (Spectrum).**

**The public was provided with the opportunity to make comments by (1) emailing
comments to PublicComment@cityofsierramadre.com by 6:00 p.m. on the day of the
meeting or (2) calling into the meeting to provide their comments.**

CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor John Capoccia called the meeting to order at 6:31 p.m. City Clerk Sue Spears called the roll.

Present: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members
Gene Goss and John Harabedian

Absent: None

Also Present: Gabe Engeland, City Manager
Aleks Giragosian, Deputy City Attorney
Laura Aguilar, Assistant City Clerk/Administrative Services Manager
Rodrick Armalin, Chief of Police
James Carlson, Management Analyst
Christian Delgado, Senior Network Administrator
Vincent Gonzalez, Planning and Community Preservation Director
Hilary Guirola-Leon, Finance Director
Sophia Kownatzki, Management Analyst
Oscar Milan, IT Manager
Jennifer Peterson, Administrative Analyst
Sue Spears, City Clerk
Kev Tcharkhoutian, City Engineer

PLEDGE OF ALLEGIANCE AND INSPIRATION

Mayor Pro Tem Arizmendi led the Pledge of Allegiance and shared that (1) she has been inspired by our community through the first six months of 2020, which has gone through numerous crises, (2) she is thankful that the Sierra Madre community is strong and resilient, and (3) it takes each and every one of us to keep safe and feel comfortable.

APPROVAL OF MEETING AGENDA

Mayor Capoccia asked for approval of the agenda.

Council Member Harabedian moved to approve the agenda as presented.

Mayor Pro Tem Arizmendi seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the meeting agenda.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian
Noes: None
Absent: None
Abstain: None

The motion to approve the agenda as presented was passed by a unanimous vote.

APPROVAL OF MINUTES

Mayor Capoccia asked for the approval of the Minutes of the Regular Council Meeting of June 9, 2020, and the Minutes of the Special Council Meeting of June 9, 2020.

Council Members Gene Goss moved to approve the Minutes of the Regular Council Meeting of June 9, 2020, and the Minutes of the Special Council Meeting of June 9, 2020, both as presented.

Council Member Harabedian seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the minutes.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian
Noes: None
Absent: None
Abstain: None

The motion to approve the Minutes of the Regular Council Meeting of June 9, 2020, and the Minutes of the Special Council Meeting of June 9, 2020, both as presented, was passed by a unanimous vote.

MAYOR AND CITY COUNCIL REPORTS

Mayor John Capoccia reported that Chief Armalin held a great community event and thanked him.

Mayor Pro Tem Rachele Arizmendi did not make a report.

Council Member Gene Goss reported that he attended the Library Board of Trustees meeting at which membership on the Sierra Madre Library Foundation was discussed.

Council Member John Harabedian did not make a report.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Mayor Capoccia opened the meeting for Public Comment on items not on the agenda. No Public Comment on items not on the agenda were received via call-in or Email so Mayor Capoccia closed Public Comment on items not on the agenda.

AGENDA ACTION ITEMS:

1. CONSENT CALENDAR

City Clerk Spears gave the following reports under the Consent Calendar:

- a) ADOPTION OF RESOLUTION 20-44 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS – Recommendation that the City Council approve Resolution 20-44 for approval of payment of City warrants in the aggregate amount of \$761,284.68; Sierra Madre Library warrants in the aggregate amount of \$1,603.30; and payroll transfer in the aggregate amount of \$390,976.68; for fiscal year ending June 30, 2020.
- b) NOTICE OF COMPLETION, FY 19-20 STREET IMPROVEMENT PROJECT – Recommendation that the City Council accept the completed work by Gentry Brothers Inc., on behalf of the City and direct staff to file a Notice of Completion with the County Clerk/Recorder.
- c) NOTICE OF COMPLETION, EXTERIOR PAINTING OF THE COMMUNITY RECREATION CENTER BUILDING (YMCA BUILDING) AND POOL HOUSE – Recommendation that the City Council accept the completed work performed by Inter-

Plan West, on behalf of the City and direct staff to file a Notice of Completion with the County Clerk/Recorder.

- d) PURCHASE NEW FORD INTERCEPTOR PURSUIT RATED HYBRID VEHICLE FOR THE POLICE CHIEF – Recommendation that the City Council approve the purchase of a new Ford Interceptor Hybrid Pursuit Rated Vehicle, with conversions, from the Fleet Internal Service Fund, and amend the budget for the purchase amount.
- e) TREASURER'S REPORT - QUARTER ENDING MARCH 31, 2020 – Recommendation that the City Council receive and file the Treasurer's Report for the cash and investment portfolio for quarter ending March 31, 2020.
- f) AWARD OF THE LANDSCAPE SERVICE CONTRACT TWO YEAR EXTENTION FOR FY 2020-21 THROUGH FY 2021-22 TO MERCHANTS LANDSCAPE SERVICES, INC. – Recommendation that the City Council approve the extension of the existing contract with Merchants Landscape Services for citywide landscape services in the amount of \$148,320.00 per year through June 30, 2022 and request the Mayor to execute the amended agreement.
- g) RESOLUTION NO. 20-45 DECLARING THE PROPERTY LOCATED AT 487 WOODLAND DRIVE, SIERRA MADRE, CALIFORNIA 91024 TO BE EXEMPT SURPLUS PROPERTY – Recommendation that the City Council adopt Resolution No. 20-45 declaring the property located at 487 Woodland Drive, Sierra Madre, California 91024 to be "exempt surplus property".
- h) AMENDMENT TO SOLAR PROJECT AGREEMENT – EXHIBIT H "SPECIAL TERMS AND CONDITIONS" – Recommendation that City Council authorizes the City Manager to enter into a power purchase agreement with Rec Solar Inc. with amendments to Exhibit H, "Special Terms and Conditions".
- i) APPROVAL OF CITY'S BIENNIAL CONFLICT OF INTEREST CODE – Recommendation that the City Council review and approve the City's biennial Conflict of Interest Code as required by the Political Reform Act.

Mayor Capoccia asked if any Council Members had questions on any of the Consent Items 1a – 1i. City Manager Engeland and Chief Armalin responded to City Council Member questions. Council Member Goss made positive comments regarding the street improvement work, as first class and well done.

Mayor Capoccia opened the meeting for Public Comment the Consent Items. No Public Comment on the Consent Items were received either via call-in or Email and Mayor Capoccia closed Public Comment on the Consent Items and asked for a motion.

Mayor Pro Tem Arizmendi made a motion to approve Consent Items 1a – 1i as presented.

Council Member Harabedian seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on Consent Items 1a – 1i.

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

The motion to approve Consent Items 1a – 1i as presented was passed by a unanimous vote.

2. PUBLIC HEARING - 2020-2021 ASSESSMENT DISTRICTS - PUBLIC HEARING AND RESOLUTION OF CONFIRMATION 20-41 AND RESOLUTION 20-42 SETTING ASSESSMENT RATES FOR AD VALOREM MAINTENANCE DISTRICTS 1, 3A, AND 3B

Mayor Capoccia opened this item for Public Hearing.

City Engineer Tcharkhoutian reported on this item with the recommendation that the City Council

- Open the public hearing, receive testimony; and

- Adopt Resolution No. 20-41 confirming assessment proceedings for Assessment Districts 3, and 5, Community Facilities District No 1, E Miramonte Sewer District, and E. Bonita Sewer District for Fiscal Year 2020-2021, and approving the City Engineer's Report; and
- Adopt Resolution No. 20-42 setting tax rates for Ad Valorem Districts No. 1, 3A, and 3B.

Mayor Capoccia asked if any Council Members had questions on this item. No questions were asked.

Mayor Capoccia opened this item for Public Comment. No public comment via call-in or Email was received. Mayor Capoccia closed Public Comment on this item and brought the matter back to the City Council for a motion.

Council Member Harabedian made a motion to approve Resolution 20-41 as presented and Resolution 20-42 as presented.

Mayor Pro Tem Arizmendi seconded the motion.

City Clerk Spears called the names of each City Council Member to determine their individual vote on the motion.

Ayes: Mayor John Capoccia, Mayor Pro Tem Rachele Arizmendi, and Council Members Gene Goss and John Harabedian
 Noes: None
 Absent: None
 Abstain: None

The motion to approve Resolution 20-41 and Resolution 20-42, as presented was passed by a unanimous vote.

3. DISCUSSION - 2021-2029 HOUSING ELEMENT – OPPORTUNITY SITES UPDATE

Planning & Community Preservation Director Gonzalez reported on this item with the recommendation that the City Council receive the presentation, allow for public comment, and direct staff to initiate the public outreach process designating the combination of opportunity sites R3-H (20 du/acre) and R3-H (30 du/acre within the Measure V boundary) to address the RHNA allocations.

Karen Warner, President, Karen Warner Associates, gave a PowerPoint presentation, "2021-2029 6th Cycle Housing Element Update." In the PowerPoint and Staff Report dated 6-23-20, the opportunity sites inventory identified were as follows:

- (1) 400 Block of W Mariposa Ave – Includes Library parking access lot (proposed as replacement parking for the Library expansion) + 3 addresses
- (2) 200 Block of W Mariposa @ Lima (Northeast corner) – 9 addresses
- (3) W Mariposa Ave. and S Baldwin Ave – Includes SM Post Office (within Measure V), vacant lot, + address on Esperanza
- (4) Suffolk Ave and Baldwin Ave (Southside) – 9 addresses
- (5) Taylor's Market site + parking lots (would require Measure V vote).
- (6) Mariposa Parking Lots – Combination of City owned and private parking lots (would require a Measure V vote).

Per the Staff Report dated 6-23-20, pending approval by the Governor, proposed legislation (SB899) would allow conversion of vacant church-owned parcels to residential use at minimum 50 du/acre densities and a height of up to 55 feet. Residential uses would be permitted by-right and must be restricted to households with an average income of 80% AMI. The rent/sales price must be at least 20% below market rate for a unit of similar size in the same neighborhood. Staff identified six church sites as potential candidates for residential infill.

Mayor Capoccia asked if any Council Members had questions on this item. Planning Director Gonzalez, Asst. City Attorney Giragosian, and Ms. Warner responded to Council Member questions.

Mayor Capoccia opened this item for Public Comment. Public Comment via call-in was made by the following person:

- Deb Sheridan, Sierra Madre – questions regarding public input and concerns regarding the Taylor's Market and parking lot site.

Public Comment Emails from the following persons were received and filed as part of Public Record:

- Gary Hood, Sierra Madre – concern that more units will cause considerable congestion for the entire City and put an even greater burden on what little water the City has.
- Marie Senese, Sierra Madre – expressed that since the voters in town voted Measure V into law, we should abide by the voters' decision and limit the units as the voters made clear.
- Deb Sheridan, Sierra Madre – concern that the downtown area is "again" in danger of overdevelopment, as Measure V was to limit the number of dwelling units in the downtown area to 13 housing units per acre.

Mayor Capoccia asked if there were any other public comments had been submitted this item. No other call-in comments or other emails were received so Mayor Capoccia closed Public Comment on this item and brought the matter back to the City Council for discussion.

Mayor Capoccia explained the Measure V process and voter's choice. Ms. Warner said that the Measure V vote would be to rezone the determined density.

Discussion took place and comments included the following: (1) the issue is difficult, as the community desires to retain the character of Downtown Sierra Madre, (2) there is a need for a realistic balance between the RNHA numbers and the quaint nature of SM, (3) this precludes Sites 1 & 5, (4) it is highly unlikely that voters will approve the 30 du/acre within Measure V on the six sites identified, (5) it will difficult to pass a Measure V vote without a specific project(s), (6) there is a need to look at the E Montecito area as potential sites, which would not change the character of Sierra Madre, (7) there is a need for backup sites in case Measure V does not pass, and (7) maybe the religious properties can be added at a later date.

Staff was provided with direction to explore more sites outside of Measure V area and include the E Montecito area as part of Measure V. Sites 1 & 5 were removed from further consideration, leaving Sites 2, 3, 4 & 6 still under consideration.

Ms. Warner clarified that the Housing Element is required to be adopted in October 2021 and the RHNA is scheduled to be adopted by SCAG in February 2021. Once the RHNA is adopted, the City can then submit the draft Housing Element to the State for consideration. A determination regarding whether SB899 becomes law is anticipated by September 2020.

4. DISCUSSION - CITY OF SIERRA MADRE POLICE DEPARTMENT "#8 CAN'T WAIT" POLICY COMPARISON

City Manager Engeland introduced this item, citing that LA County Supervisors Hahn and Ridley-Thomas filed a motion with the Board of Supervisors asking each of the 46 local police departments in LA County to review their use of force policies and, if necessary, adapt them to include the eight policies recommended by Campaign Zero, collectively named 8 Can't Wait. Police Chief Armalin reported on this item with the recommendation that the City Council receive and discuss the report.

Per the report, SMPD policies related to each of the 8 Can't Wait policies are as follows:

- (1) Require De-escalation – SMPD supports and de-escalation has been part of SMPD procedures for several years.
- (2) Duty to Intervene – SMPD has strict policies regarding an officer's obligation to intercede to prevent the use of unreasonable use of force and requires any officer to promptly report any excessive force.
- (3) Require All Use of Force to be Reported – SMPD policy requires any use of force to be documented promptly, completely, and accurately, as well as the requirement to notify a supervisor when a use of force or an allegation of a use of force occurs.
- (4) Establish Use of Force Continuum – SMPD Officers are trained to only use force necessary to effect an arrest, not as a "ladder" that must be followed, but with options available to choose from that are reasonable and necessary, under the circumstances.
- (5) Exhaust All Alternatives Before Shooting – Officers are required to adhere to the mandates established in Penal Code 835a(a)(2). Officers are trained to only use force which is reasonable to make an arrest.
- (6) Ban Chokeholds and Strangleholds – Existing SMPD policy does not authorize the use of a "chokehold." Beginning 6-7-20, the SMPD suspended the use of the Carotid Restraint Control Hold.
- (7) Ban Shooting at Moving Vehicles – SMPD policy requires that officers make every effort to

get out of the path of a moving vehicle before shooting and only after all other options have been considered to protect the lives of innocent people, including the public and officers.

- (8) Require Warning Before Shooting – SMPD policy requires warning prior to use of deadly force, when feasible.

Mayor Capoccia asked if any Council Members had questions on this item. Chief Armalin responded to City Council Member questions.

Mayor Capoccia opened this item for Public Comment. Call-in comments were received from the following person:

- Robert Parkhurst, Sierra Madre – spoke about the need to encourage ongoing dialogue regarding public safety and for the City Council to look at the provisions of the “#8 Can’t Wait” provisions closely, as he is not advocating defunding or abolition of the SMPD.

Email comments were received by the following persons:

- Susan Hoskins, Sierra Madre – support for 8 Can’t Wait.
- Stanton Hunter, Sierra Madre – concern against ticket quotas, support for duties requiring professional and compassionate help, not force (for homeless), and the need to require restructuring, as well as retraining (and proper vetting), of police to protect and serve.
- Jane Nelsen, Sierra Madre – suggestion that the City stop contracting with the LA County Sherriff’s Department and that City Council adopt 8 Can’t Wait policies, to reduce what police do in Sierra Madre to save money or allow it to be spent in a more pro-social community focused manner.

No other call-in or email comments were received and Mayor Capoccia closed Public Comment. Regarding issues brought up during Public Comment, City Manager Engeland said officers do not have ticket quotas and that the City does not contract with the LA County Sheriff’s Department.

Mayor Capoccia said that this was a receive and file report.

City Council discussion occurred there was consensus to bring this item back to the City Council for consideration of a resolution, not to include defunding or abolishment of the SMPD.

8:57 p.m. – Mayor Capoccia called for a meeting break.

9:05 p.m. – Mayor Capoccia called the meeting to order.

5. DISCUSSION – USE OF TRAILS AND NEIGHBORHOOD IMPACTS

City Manager Engeland reported on this item with the recommendation that the City Council discuss and provide direction. Per the Staff Report dated 6-23-20, the closure of access to the Chantry Flat Area and limit to access in the Eaton Canyon Natural Area have caused an increase in traffic in Sierra Madre neighborhoods, notice noticeably around the Mt. Wilson Trailhead and the area adjacent to the gate to Chantry Flat.

Per the Staff Report dated 6-23-20, City Council options for the management of trail use are as indicated below. For each option, City Council Members were provided with Potential Drawback, Potential Benefit, and Comments.

(1) Close the trails to use, either on weekends or throughout the entire week, until use returns to normal and other nearby recreation areas lift restrictions on use, and/or;
(2) Prohibit on-street parking temporarily in the impacted areas for weekends, which would apply to all vehicles regardless of city of residence, and/or;
(3) Continue the current plan of action by authorizing overtime expenditures of police and non-sworn personnel to monitor and enforce parking and moving violations in the identified areas, and to enforce the closure of the gate to Chantry Flat, and/or;
(4) Enact parking restrictions based on neighborhood/address through the creation and implementation of a neighborhood parking ordinance, and/or;
(5) Create a reservation system for use of the trails limiting total capacity, thereby reducing traffic congestion, use, and parking (it is possible this option could be used as a temporary solution), and/or;

(6) Hire park ranger(s) or similar personnel to regularly monitor Sierra Madre trails and enforce parking and other trail regulations.

Mayor Capoccia asked if any Council Members had questions on this item. City Manager Engeland responded to Council Member questions.

Mayor Capoccia opened this item for Public Comment. Public Comment via call-in was made by the following persons:

- John Fullinwider, Sierra Madre - expressed concerns regarding parking issues near the Chantry Flat Gate.
- Carol Canterbury, Sierra Madre - commented about the various solutions discussed and the related difficulties involved.
- Jacob Krikorian, Sierra Madre - cited problems of parking and the need to put barricades on narrow streets and questioned who is responsible for monitoring trails against removal from Chantry Flat Gate.
- Bob Spears, Sierra Madre - offered suggestions for parking enforcement and expressed that trail use on Mt. Wilson Trail will be less as the weather gets warmer.
- David Gordon, Sierra Madre - said the problems are near Mt. Wilson Trail and Chantry Flats Gate, not Bailey Canyon Trail.
- Douglas & Dionne Townsend, Sierra Madre - disagreed with other comments and do not believe that the parking has increased, as this has been a crisis situation over the last 5 – 10 years.
- Gary Hood, Sierra Madre - suggested that hikers be issued a tracking device when using Mt. Wilson Trail.
- Sandy Maheshwari, Sierra Madre - expressed concerns regarding parking near Mt. Wilson Trail.
- Cheryl Galbraith, Sierra Madre - expressed concerns regarding the increase in parking and the need to seek long term solutions.
- Lynn Dean, Sierra Madre – spoke about safety concerns and the need for long term solutions for a long-term problem.

Public Comment Emails from the following persons were received and filed as part of Public Record:

- Bob Spears, Sierra Madre - offered suggestions for parking enforcement and expressed that trail use on Mt. Wilson Trail will be less as the weather gets warmer.
- Robert Vlcek, Sierra Madre - concern regarding parking issues on streets adjacent to Mt. Wilson Trail and the need to enforce the laws in place.

Mayor Capoccia asked if there were any other public comments had been submitted this item. No other call-in comments or other emails were received and Mayor Capoccia closed Public Comment on this item and brought the matter back to the City Council for discussion.

Discussion took place and there was consensus to direct Staff to (1) study the problem, as to whether it is long term, (2) continue working with LA County and US Forest Service regarding keeping the Chantry Flat Gate open, (3) look at short term solutions, such as trash receptacles, painting curbs near fire hydrants, greater parking enforcement, etc., & (4) meet with residents.

6. DISCUSSION – CONSIDERATION OF REVIEW OF TITLE 2 OF THE SIERRA MADRE MUNICIPAL CODE AS IT PERTAINS TO CITY COMMISSIONS

Administrative Analyst Peterson reported on this item with the recommendation that the City Council provide direction to Staff regarding amendments to Title 2 of the Sierra Madre Municipal Code, as it pertains to City Commissions.

Mayor Capoccia asked if any Council Members had questions on this item. City Manager Engeland and Admin. Analyst Peterson responded to Council Member questions.

Mayor Capoccia opened this item for Public Comment. Public Comment via call-in was made by the following persons:

- Robert Parkhurst, Sierra Madre/EENR Commissioner – expressed support for reducing the number of commissioners to 5, the number of applications from 3 to 2, and the need to have consistent terms.
- Bob Spears, Sierra Madre/Planning Commissioner – spoke against reducing the number of Planning Commissioners from the current 7 and for the need to keep Planning Commission terms at four years.

Public Comment Emails from the following persons were received and filed as part of Public Record:

- Patrick Holland, Sierra Madre – (1) support the reduction of 7 commissioners to 5 commissioners, (2) support terms of 3 years and not 4 years in duration, with the option of electing to serve an additional term of 3 years, and (3) suggested that the number of applications required be according to the number of vacancies, i.e. 1 vacancy = 2 applications required, 2 vacancies = 3 applications required, with the option for modification if there are insufficient applications filed.
- Bob Spears, Sierra Madre – requested that the number of members on the Planning Commission remain at 7.

Mayor Capoccia asked if there were any other public comments had been submitted this item. No other call-in comments or other emails were received and Mayor Capoccia closed Public Comment on this item and brought the matter back for City Council discussion.

Discussion took place and there was consensus regarding the following: (1) Reduce # of Commissioners to 5 (from the current 7) for the Community Services Commission, Energy, Environment and Natural Resources Commission, Planning Commission, and Senior Commission, (2) Apply consistent term limits of 4 years for all Commissions, and (3) Keep the limit of two terms for all Commissions. Staff was directed to bring back a resolution to change the SM Municipal Code accordingly.

7. DISCUSSION – APPOINTMENTS AND RE-APPOINTMENTS TO CITY BOARDS AND COMMISSIONS

Postponed until next meeting.

8. DISCUSSION - USE OF FUNDS FOR POTENTIAL DOWNTOWN ASSESSMENT DISTRICT

Postponed until next meeting.

ADJOURNMENT:

Mayor Capoccia asked for a motion to adjourn the meeting.

Council Member Goss made a motion to adjourn the meeting.

The motion was seconded by Mayor Pro Tem Arizmendi.

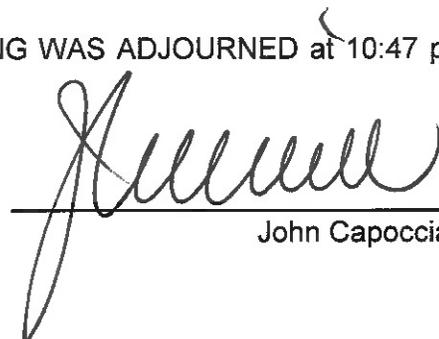
Ayes: Mayor John Capoccia, Mayor Pro Tem Rachelle Arizmendi, and Council Members Gene Goss and John Harabedian

Noes: None

Absent: None

The motion to adjourn was passed by a unanimous vote.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 10:47 p.m. to a Regular Meeting to be held on July 14, 2020.



 John Capoccia, Mayor

Minutes taken and prepared by:



 Sue Spears, City Clerk