



CITY OF SIERRA MADRE
CITY COUNCIL REGULAR MEETING MINUTES

SIERRA MADRE CITY COUNCIL
SUCCESSOR AGENCY AND
PUBLIC FINANCE AUTHORITY

Tuesday, October 9, 2018 - 6:30 pm

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

CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

Mayor Denise Delmar called the meeting to order at 6:32 p.m. City Clerk Sue Spears called the roll.

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

Absent: None

Also Present: Gabe Engeland, City Manager
Teresa Highsmith, City Attorney
Laura Aguilar, Assistant City Clerk
James Carlson, Management Analyst
Chris Cimino, Director of Public Works
Vincent Gonzalez, Planning & Community Preservation Director
Miguel Hernandez, Human Resources Manager
Joe Nocella, Interim Finance Director
Joe Ortiz, Police Chief
Jose Reynoso, Utility Services Director
Christine Smart, Library Services Manager
Rebecca Silva-Barrón, Community Services Manager
Sue Spears, City Clerk

PLEDGE OF ALLEGIANCE AND INVOCATION/INSPIRATION

Council Member Arizmendi led the Pledge of Allegiance and commented that October is Filipino American History Month and said that she recently spoke at related events in London and at the White House. Council Member Arizmendi also encouraged everyone to make their voices heard and vote, as it is a civic duty.

APPROVAL OF MINUTES

Mayor Delmar asked for the approval of the Minutes of the Regular Council Meeting of September 25, 2018.

Mayor Pro Tem Harabedian moved to approve the Minutes of the Regular Council Meeting of September 25, 2018 as presented.

Council Member Arizmendi seconded the motion to approve.

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

The motion to approve the Minutes of the Regular Council Meeting of September 25, 2018 as presented was passed by a vote of four (4) yes and one (1) abstain.

REPORT ON THE CLOSED SESSION SPECIAL MEETING

There was no Closed Session Special Meeting.

MAYOR AND CITY COUNCIL REPORTS

- A. Mayor Denise Delmar reported that her grandson, Theo, was born on 9-13-18 and that mother and baby are doing well.
- B. Pro Tem John Harabedian did not make a report.
- C. Council Member Rachelle Arizmendi did not make a report.
- D. Council Member John Capoccia reminded people of the treasure that we have in town, which is the Sierra Madre Playhouse, said that he attended a fantastic performance of “The Gin Game” at the Sierra Madre Playhouse, and encouraged people to attend “A Christmas Story” there, which starts after Thanksgiving.
- E. Council Member Gene Goss did not make a report.

PUBLIC COMMENT ON NON-AGENDA ITEMS

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

- Darlene Papas, Lifeline for Pets, said that (1) Lifeline for Pets is an animal rescue organization, (2) she brought kittens available for adoption, Spunkster, Sweet Pea, and Tiger, (2) the kittens come spayed/neutered and microchipped, (3) Lifeline for Pets is in need of foster homes for dogs and cats, and (4) for more information to sign up as a foster family or to adopt a cat/dog, the website is Lifelineforpets.org.

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

PRESENTATIONS – RECOGNITION OF SIERRA MADRE GIRLS SOFTBALL 12U ALL STARS

Mayor Delmar congratulated the Sierra Madre Girls Softball 12U (Age 12 & Under) All Star Team manager, coaches, and players on their recent victories as (1) Undefeated 1st Place Northern District Champions, (2) 3rd Place Finishers of the Southern California State Championship in Lancaster, (3) 2nd Place winners of the Western Regional Junior Olympics in San Diego, and (4) for being qualified and invited to the State Games of America (National Championship of USA Softball) to be held during the first week of August 2019 in Virginia.

Mayor Delmar read the City Council Proclamation and individually presented, along with Mayor Pro Tem Harabedian, a certificate to Manager Jeff Reisbeck, Coach David Ferrari, Coach, Tom McCarthy, Coach Jeremy Thomas, and the team members as follows:

Nevaeh Covarrubias	Ellie McCarthy
Bella Ferrari	Veronica Meyers
Destinee Kaya	Marissa Moreno
Alexi Lopez	Julie Pevsner
Alyssa Marquez	Madison Soto
Bryanna Marquez	Zoe Thomas

APPROVAL OF AGENDA

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

Council Member Goss moved to approve the agenda as presented.

Mayor Pro Tem Harabedian seconded the motion to approve.

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

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

AGENDA ACTION ITEMS:

1. CONSENT CALENDAR

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

- a) ISSUANCE OF REQUEST FOR PROPOSAL FOR PROFESSIONAL AUDITING SERVICES FOR THE CITY FISCAL YEARS ENDING 2019, 2020, AND 2021 – Recommendation that the City Council approve the issuance and distribution of the Request for Proposal for Professional Auditing Services for the City for Fiscal Years ending 2019, 2020, and 2021.
- b) CONSIDERATION OF AWARD OF CONTRACT TO LAWRENCE R. MOSS AND ASSOCIATES FOR THE KERSTING COURT REDESIGN PROJECT – Recommendation that the City Council award a contract for the Kersting Court Redesign Project to Lawrence R. Moss and Associates for an amount not to exceed \$63,300.00, contingent upon the City being awarded the Los Angeles County Regional Park and Open Space District Grant Fund in the amount of \$300,000.
- c) SECOND READING OF ORDINANCE 1403 AMENDING SMMC 13.24.060 AND SMMC 13.24.230 TO INCLUDE STATE REQUIRED PROHIBITED WATER USE RESTRICTIONS, EXPAND PROHIBITED IRRIGATION HOURS AND ALLOW FOR THREE DAYS OUTDOOR WATERING AS A PERMANENT CONSERVATION PRACTICE – Recommendation that the City Council read by title only, waive further reading, and adopt Ordinance 1403 amending Section 13.24.060 ("Prohibited Uses Applicable to all Customers") of Chapter 13.24 ("Mandatory Water Conservation Plan") of Title 13 ("Public Services") of the Sierra Madre Municipal Code relating to the Mandatory Water Conservation Plan.
- d) AWARD OF CONTRACT TO MICHAEL BAKER INTL. FOR CONTRACT PLANNING SERVICES FOR ENTITLEMENT PROCESSING OF ONE-CARTER PROJECTS - Recommendation that the City Council award a professional services agreement to Michael Baker International for professional planning services for the One-Carter projects and authorize the City Manager to execute the agreement with said firm in a form acceptable to the City Attorney.
- e) ADOPTION OF RESOLUTION 18-52 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council approve Resolution 18-52 for approval of payment of City warrants in aggregate amount of \$153,097.49; Library warrants in the aggregate amount of \$10,925.36, and payroll transfer in the aggregate amount of \$313,915.24 for fiscal years ending June 2018 and June 2019.
- f) CONSIDERATION OF AWARD OF CONSTRUCTION CONTRACT FOR THE FISCAL YEAR 2018-2019 WATER MAIN REPLACEMENT PROJECT TO T.A. RIVARD, INC., IN AN AMOUNT NOT TO EXCEED \$1,400,000 - Recommendation that the City Council award a construction contract to T.A. Rivard, Inc. for the FY 2018-2019 Water Main Replacement in an amount not to exceed \$1,400,000 plus alternate #1 of the RFP.

Mayor Delmar asked if any Member of the Council had questions on items on the Consent Calendar. There were no questions, but it was decided to pull Consent Item 1b now and wait until after discussion on Agenda Item #3 – Kersting Court Remodel Project Update.

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

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

Council Member Arizmendi seconded the motion to approve.

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

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

2. **PUBLIC HEARING - FIRST READING OF ORDINANCE 1404 AMENDING TITLE 17 ("ZONING"), CHAPTER 17.22 ("SECOND UNITS") OF THE SIERRA MADRE MUNICIPAL CODE, OMITTING THE PERIODIC INSPECTION REQUIREMENT FOR A SECOND UNIT PERMIT - Recommendation that the City Council open a Public Hearing, waive reading in full, and authorize reading by title only Ordinance 1404 amending Title 17 ("Zoning"), Chapter 17.22 ("Second Units") of the Sierra Madre Municipal Code, omitting the Periodic Inspection Requirement for a second unit permit.**

Mayor Delmar opened the issue for Public Hearing.

Planning & Community Preservation Director Gonzalez gave a report on this item concerning provisions of the Second Unit Ordinance, which was a follow-up to direction provided by the City Council at the July 31, 2018 meeting as follows:

- That the covenant and deed restriction be retained in full, stating that the recordation informs new property owners of the covenant requirements upon transfer of ownership, and that such property owners are bound by the provisions of the covenants; and
- That the provision in the covenant and deed restriction to Section 9(h) "Prevailing Party," of said document offers the City certain protections in the event of a potential lawsuit, and
- Directed staff to omit the language authorizing the City to conduct periodic inspections in Section 17.22.130 – Recordation, since the City already has the right to inspect a property when a code violation is suspected.

Director Gonzalez said that Staff is recommending that the City Council introduce, waive reading in full, and authorize reading by title only of Ordinance 1404, Municipal Code Text Amendment 18-02, amending Chapter 17.22 ("Second Units"), Section 17.30.130 ("Recordation"), omitting the periodic inspection requirement for a second unit permit.

Mayor Delmar asked if any member of the Council had any questions. There were no questions.

Mayor Delmar said that this is a Public Hearing and asked if anyone would like to come forward to comment on this item.

- Jim Watson, Sierra Madre, said that he believes the 2nd Unit deed and covenant requirement is unfair, overreaching, and he is requesting that it be rescinded.
- Kathy Watson, Sierra Madre, thanked the Council for the elimination of the periodic inspection requirement and expressed hope that the 2nd Unit deed & recordation requirement be eliminated.

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

In response to a question by Mayor Pro Tem Harabedian, Director Gonzalez said that one of the important reasons for the covenant not only speaks to the way the 2nd unit was built initially, but to ongoing use as well, i.e. to make sure that it is not being used for illegal purposes, short term rentals, a hotel, etc. In addition, he stated that it goes further as to inform a new buyer of the property of the requirements that they have a legal 2nd unit and what that entails.

Council Member Arizmendi commented that she is comfortable for the reasons with keeping the covenant and deed restrictions but is glad that we are able to eliminate the periodic inspection language.

Council Member Goss said that he thinks that the 2nd language covenant language tells people that the City is focused on that, does not believe that 2nd units should be treated differently, and supports eliminating the 2nd Unit deed and recordation requirement, as well as the periodic inspection language.

Council Member Capoccia stated that 2nd units should be treated differently, because we are putting 2nd units in single-family zoning areas. In addition, he commented that the 2nd unit deed & recordation requirement is a generally accepted best practice among our neighboring cities and would be cautious about Sierra Madre going out on its own, without a really compelling reason for so. Furthermore, Council Member Capoccia said that this requirement is not overly burdensome to property owners and supports the amendment to the Municipal Code as written.

Mayor Delmar said that she supports the Staff recommendation.

Mayor Pro Tem Harabedian made a motion to approve Ordinance 1404 as written.

Council Member Arizmendi seconded the motion to approve.

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

Noes: Council Member Gene Goss

Absent: None

Abstain: None

The motion to approve Ordinance 1404 as written was passed with a vote of four (4) yes votes and one (1) no vote.

3. DISCUSSION ITEM – COMMUNITY SERVICES COMMISSION UPDATE REGARDING KERSTING COURT REMODEL PROJECT - Recommendation that the City Council receive and file.

Community Services Manager Silva-Barrón gave a report on this item, which included naming the members of the Kersting Court Remodel Project Steering Committee:

- David Ouch, Community Services Commission Chair
- Tom Sullivan, Community Services Commission Vice-Chair
- Pat Alcorn, Sierra Madre resident
- Michelle Keith, Sierra Madre resident

Manager Silva-Barrón said that Steering Committee has been meeting over the past eight months and introduced David Ouch, who outlined the following Core Goals and Guiding Principles, as established by the Steering Committee:

Core Goals

- Compliance of the ADA Report.
- Use of Public Art Funds.
- Community gathering place.
- Preservation of the existing character and elements.
- Sierra Madre landmark sign.

Guiding Principles

- Preservation of the Pepper Tree.
- Update the existing kiosk.
- Preservation of the Bell Tower, including adding a historical educational component.
- Maintain the flag pole.
- Native drought landscaping and plentiful seating.

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

Council Member Capoccia expressed that any Kersting Court design should take into account the interests of the youth and seniors. He asked about the (1) status of this project, which really started a couple of years ago and included a community member doing drawings, (2) questioned how we went from what was to be a volunteer effort to a request for proposal (RFP) for design services, and (3) requested to know how the design architect would be gathering input from the various focus groups to incorporate that into the design.

Public Works Director Cimino said that he was not around when the volunteer design was done about three years ago, does not know what happened to those drawings, the project may have grown into something bigger than what the volunteer wanted, and the relationship ended there.

Public Works Director Cimino said the design RFP has several hours allotted for the architect to get input from various groups, committees, and the Community Services Commission, in order to prepare the design.

Council Member Arizmendi commented on the importance of engaging the business community around Kersting Court and the surrounding areas in the discussions of the redesign for Kersting Court.

In response to a question from Mayor Pro Tem Harabedian, City Manager Engeland said that Staff is proposing that the City hire a professional architect to prepare a design after receiving feedback from the community, led by the Community Services Commission Steering Committee.

Mayor Delmar invited Pat Alcorn, Steering Committee member, to speak. Ms. Alcorn said that the goal of the committee is to keep the design simple and the same.

Mayor Delmar opened the meeting for Public Comment on this item. Seeing no one, Mayor Delmar closed Public Comment and the report was received and filed.

Council Member Arizmendi made a motion to approve Consent Items 1b as presented.

Council Member Capoccia seconded the motion to approve.

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

The motion to approve Consent Calendar Items 1b as presented was passed unanimously.

4. DISCUSSION ITEM – NOMINATION TO SAN GABRIEL BASIN WATER QUALITY AUTHORITY BOARD - Recommendation that the City Council provide Staff with direction regarding a nomination to the San Gabriel Basin Water Quality Authority Board.

Management Analyst Carlson gave a report regarding a nomination for Board Member to the San Gabriel Basin Water Quality Authority Board, in which the City Council may nominate a Sierra Madre Council Member or nominate or send a letter of support for the nomination of Margaret Clark, Rosemead Mayor Pro Tem.

Mayor Delmar asked if any Member of the Council were interested in serving on the San Gabriel Basin Water Quality Authority Board and no one responded in the affirmative.

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

Discussion occurred and there was consensus among the Council Members to nominate Margaret Clark to serve on the Board.

Council Member Arizmendi made a motion to approve the nomination of Margaret Clark to serve on the San Gabriel Basin Water Quality Authority Board.

Council Member Capoccia seconded the motion to approve.

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

The motion to approve the nomination of Margaret Clark to serve on the San Gabriel Basin Water Quality Authority Board was passed unanimously.

NEW ITEMS PLACED FOR FUTURE AGENDA:

Mayor Delmar asked the members of the City Council if there are any new items for future meeting agendas.

Council Member Capoccia requested to agendize a discussion on how City Council members engage with the various City Commissions.

ADJOURNMENT

Mayor Delmar asked for a motion to adjourn.

Mayor Pro Tem Harabedian made a motion to adjourn the meeting.

The motion to adjourn was seconded by Council Member Goss.

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

Noes: None

Absent: None

Abstain: None

The motion to adjourn was passed unanimously.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 7:36 p.m. to a Regular Meeting to be held on Tuesday, October 23, 2018, in the Sierra Madre City Hall Council Chambers.



Denise Delmar, Mayor

Minutes taken and prepared by:



Sue Spears, City Clerk