

**AGENDA
SPECIAL MEETING
SIERRA MADRE CITY COUNCIL,**

Tuesday, November 12, 2019

Closed Session 5:30 pm

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

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

*Sue Spears, City Clerk
Michael Amerio, 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:

Persons wishing to speak on closed session items have a choice of doing so either immediately prior to the closed session or at the time for comments on items at the open session.

CLOSED SESSION

CALL TO ORDER/ROLL CALL

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

PUBLIC COMMENT

Regarding Closed Session Items

RECESS TO CLOSED SESSION REGARDING:

1. CONFERENCE WITH LEGAL COUNSEL—Existing Litigation (Government Code Section 54956.9 (d)(1)
Case: Stonehouse, LLC v. City of Sierra Madre (case No.'s BS 105770 and BS 106081)
2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Government Code Section 54957
Title: City Manager

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.

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.

**AGENDA
CITY COUNCIL MEETING**

Tuesday, November 12, 2019

6:30 PM

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

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

*Sue Spears, City Clerk
Michael Amerio, City Treasurer*



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

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

PLEDGE OF ALLEGIANCE AND INSPIRATION:

Mayor John Harabedian

APPROVAL OF MEETING AGENDA:

Vote of the Council to proceed with City business.

APPROVAL OF CITY COUNCIL MEETING MINUTES:

Approval of the City Council meeting minutes from October 8, 2019.

Approval of the City Council meeting minutes from October 22, 2019.

MAYOR AND CITY COUNCIL REPORTS:

Reporting of Council Member activities related to City business.

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.

ACTION ITEMS

CONSENT

a) PROFESSIONAL SERVICES AGREEMENT FOR HOUSING ELEMENT UPDATE 2021-2029

Recommendation that the City Council approve a professional services agreement with Karen Warner Associates to prepare the City's 2021-2029 Housing Element Update and authorize the City Manager to execute the contract.

b) CONSIDERATION OF URGENCY ORDINANCE 1420-U REPEALING CHAPTER 9.48 OF THE SIERRA MADRE MUNICIPAL CODE

Recommendation that the City Council repeal chapter 9.48 of the Sierra Madre Municipal Code to conform to current California State Law as directed by the California Supreme Court.

c) CONSIDERATION OF RESOLUTION 19-58 AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

Recommendation that the City Council approve Resolution 19-58 for authorization to submit a 2019 California Senate Bill 2 Planning Grants Program application and to authorize the receipt of program funds once the City's application is approved.

d) CONSIDERATION OF RESOLUTION 19-61 APPROVING CERTAIN DEMANDS

Recommendation that the City Council approve Resolution 19-61 for approval of payment of City warrants in the aggregate amount of \$635,451.90; Sierra Madre Library warrants in the aggregate amount of \$1,738.60; and payroll transfer in the aggregate amount of \$343,471.19; for fiscal year ending June 30, 2019

PUBLIC HEARINGS

1. AB 1600 ANNUAL COMPLIANCE REPORT FOR DEVELOPMENT IMPACT FEE ACTIVITY

Recommendation that the City Council receive and file the annual AB1600 Compliance Report for Fiscal Year 2018-2019 in accordance with California Government Code Section 66006.

DISCUSSION

1. KERSTING COURT GENERAL IMPROVEMENTS PROJECT DESIGN, ADDITIONAL SERVICES AGREEMENT, AND ARTS IN PUBLIC PLACES RECOMMENDATION

It is recommended that the City Council approve the Additional Services Agreement from LRM Associates totaling \$32,100 for the additional trades and services necessary to fully complete the design of the project; and approve conceptual design for the Kersting Court General Improvements Project; and approve the Community Services Commission recommendation for the Arts in Public Places to fund an environmental art piece.

2. CONSIDERATION OF RESOLUTION 19-60 AMENDING THE GENERAL FUND BALANCE POLICY AND AUTHORIZATION FOR A PRE-PAYMENT OF \$3,000,000 TO CalPERS FOR UNFUNDED ACCRUED LIABILITY (UAL)

It is recommended that the City Council adopt Resolution No. 19-60 Amending the General Fund Balance Policy; and authorize a lump sum pre-payment of \$3,000,000 to CalPERS for PERS UAL and the budget amendments necessary to fund the prepayment

3. CONSIDERATION OF RESOLUTION 19-59 APPROVING A PENSION AND OPEB FUNDING POLICY

It is recommended that the City Council adopt Resolution No.19-59 Approving a Pension and Other Post-Employment Benefits (OPEB) Funding Policy

4. CONSIDERATION OF RESOLUTION 19-62 AMENDING THE CITY'S CLASSIFICATION PLAN AND SALARY MATRIX FOR EXECUTIVE MANAGEMENT AND CONFIDENTIAL-EXEMPT POSITIONS

Recommendation that the City Council approve Resolution 19-62, Amending the Classification Plan and Salary Matrix for the following classifications: Executive Management positions and Confidential-Exempt positions (not previously included in the 2.1% Cost of Living increase); and it is recommended that the Police Lieutenant position also be approved for a COLA increase

5. CONSIDERATION OF RESOLUTION 19-63 CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISION OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; AND CONSIDERATION OF URGENCY ORDINANCE NO. 1419-U REPEALING SECTION 2.04.090 OF THE SIERRA MADRE MUNICIPAL CODE RELATING TO "PROCEDURE FOR FILLING A CITY COUNCIL MEMBER VACANCY."

Recommendation that the City Council approve Resolution 19-63 calling and giving notice of the holding of a general municipal election to be held on Tuesday, November 3, 2020 for the election of certain officers as required by the provision of laws of the State of California relating to general law cities; and adopt Urgency Ordinance 1419-U repealing section 2.04.090 of the Sierra Madre Municipal Code relating to "Procedure for filling a City Council Member vacancy."

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.

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 Regular Council meeting scheduled for November 26, 2019 is cancelled. The City Council will adjourn to a Regular meeting at this same place on December 10, 2019.



CITY OF SIERRA MADRE
CITY COUNCIL REGULAR MEETING MINUTES

SIERRA MADRE CITY COUNCIL
SUCCESSOR AGENCY AND
PUBLIC FINANCE AUTHORITY

Tuesday, October 22, 2019 - 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 John Harabedian called the meeting to order at 6:30 p.m. City Clerk Sue Spears called the roll.

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

Absent: None

Also Present: Teresa Highsmith, City Attorney
Laura Aguilar, Assistant City Clerk
James Carlson, Management Analyst
Chris Cimino, Director of Public Works
Rosemary Garcia, Administrative Analyst
Miguel Hernandez, Human Resources Manager
Colby Konisek, Finance Director
Kurt Norwood, Interim Fire Chief
Jose Reynoso, Utility Services Director
Christine Smart, City Librarian
Rebecca Silva-Barrón, Community Services Manager
Sue Spears, City Clerk

PLEDGE OF ALLEGIANCE AND INSPIRATION:

Council Member Goss led the Pledge of Allegiance and introduced Sierra Madre resident John Hiller, who read a prayer about the Bahai faith.

APPROVAL OF MEETING AGENDA:

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

Council Member Goss moved to approve the agenda as presented.

Council Member Arizmendi seconded the motion.

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

Noes: None

Absent: None
Abstain: None

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

MAYOR AND CITY COUNCIL REPORTS:

- A. Mayor John Harabedian (1) reported that the City Council will be holding the “State of the City” at Sierra Madre Middle School in January 2020, with part of the message being that the Sierra Madre Middle School is staying open, (2) said that community voices in support of Sierra Madre Middle School in this process are extremely important, (3) encouraged residents to speak out in support of Sierra Madre Middle School with attendance at the meetings, with letters, etc., whether you have children attending there or not, and (4) said that the new Sierra Madre Middle School is something that the community fought for a long time and, now that we have it, we want to make sure that we keep it.
- B. Mayor Pro Tem John Capoccia (1) reported that he attended the PUSD forum and spoke in favor of keeping Sierra Madre Middle School open, (2) encouraged residents to attend the next PUSD Board meeting on 10/24/19 and to be vocal of their support of keeping Sierra Madre Middle School open, and (3) reported that he attended a Forum on Vector Control and suggested that people learn more about Aedes Mosquitoes and what to do to mitigate exposure, as they are here to stay and are an invasive species, with the Mosquito and Vector Control website as a source of information.
- C. Council Member Rachelle Arizmendi (1) thanked those who participated and spoke at the PUSD forum regarding proposals to close some PUSD schools, (2) reported that a decision will be made on 10-24-19 regarding the five options to close some PUSD schools, with closing SM Middle School as one of the options being considered, (3) expressed that closing SM Middle School is unlikely and is extremely hopeful that will not happen, (3) commented that it has been great to see the community come together and speak on behalf of Sierra Madre Middle School to ensure that it stays open, and (4) reported that she was selected as the Board Chairperson of the Foothill Workforce Development Policy Board (includes Arcadia, Duarte, Monrovia, Sierra Madre, & South Pasadena).
- D. Council Member Denise Delmar thanked the SM Department of Public Works for the work they did on Montecito Avenue to replace the pipes and said that Staff were courteous, polite, and did not cause any problems with the neighbors.
- E. Council Member Gene Goss did not make a report.

PUBLIC COMMENT ON NON-AGENDA ITEMS:

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

- Patricia Krok & Debbie Moser, Sierra Madre Garden Club, spoke about the Sierra Madre Garden Club and presented the City Council with a Fall flower arrangement.
- Pat Alcorn, Sierra Madre, spoke against the recently passed AB 68, which allows two rental units in R-1 zones, regardless of a city’s Master Plan or ordinances.
- De Alcorn, Sierra Madre, spoke against the recently passed AB68.
- Rod Spears, Sierra Madre Library Trustee, invited people to attend the Public Forum on 10-24-19 @ 7:00 pm being held in the SM Council Chambers to hear an update on the plans for the new

Sierra Madre Library by the Friends of the Sierra Madre Library, Sierra Madre Library Trustees, City Librarian, and others.

- Maile Plan, representing US Congress Woman Judy Chu, invited the community to attend the “Healthy Relationships Workshop – How to Help Your Loved Ones” being held on 11-7-19 at All Saints Church in Pasadena.

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

PRESENTATION – RECOGNITION OF LITTLE LEAGUE DISTRICT 17 ALL-STAR CHAMPIONS

Mayor Harabedian congratulated the Sierra Madre Little League manager, coaches, and players on their recent victory as Little League District 17 All-Star Champions. Mayor Harabedian read the City Council Proclamation and individually presented a City Council certificate to Manager Brian Kriebs, Coach Walker Haynes, Coach Tim Shepard, and the team members as follows:

Bode Bertsch	Lucas Kirages
Kayla Buchok	Nicholas Kriebs
Cash Carroll	Josh Proctor
Athan Darlas	Josh Roberts
Jake Garcia	Dane Shepard
Paul Gowen	Morgan Sullivan
Caeden Haynes	Yahir Treto

PRESENTATION – RECOGNITION OF RETIRING FIRE CAPTAIN GREG CHRISTMAS

Interim Fire Chief Norwood spoke about retiring Fire Captain Greg Christmas’ 13-year service and contribution to the Sierra Madre Fire Department and presented him with a “flat badge.” Mayor Harabedian presented Captain Christmas with a City Council proclamation of recognition signed by the members of the City Council.

PRESENTATION – UPDATE FROM SIERRA MADRE CERT

Amber Moyers, Sierra Madre CERT President, provided an update on Sierra Madre CERT, that included a PowerPoint, “Sierra Madre Community Emergency Response Team.” Sierra Madre CERT is a local non-profit dedicated to providing free emergency training to members of the community annually.

Brett Bartlett, on behalf of the Sierra Madre Firefighters Association, presented a check to Sierra Madre CERT for \$2,000.

PRESENTATION – RECOGNITION OF COUNCIL MEMBER DENISE DELMAR

Mayor Harabedian invited local leaders and representatives of elected officials to speak.

Sierra Madre Chamber of Commerce President Luther Tsinoglou, Vice President Carol Canterbury, and Treasurer Susan Henderson thanked Council Member Delmar for her service to the community and her contribution as a member of the Sierra Madre Chamber of Commerce.

On behalf of elected officials, the following people presented Council Member Delmar with certificates of recognition:

- CA Assembly Member Chris Holden – Hector Rodriguez

- CA Senator Anthony Portantino – David Kim
- LA County Supervisor, 5th District, Kathryn Barger – Christian Daly
- US Congress Woman Judy Chu – Maile Plan

Mayor Harabedian, along with the other City Council Members, spoke of Council Member Delmar's 13-year tenure with the City, beginning with serving as the General Plan Chairperson, expressed appreciation of the opportunity to work and serve together, noted that she will be missed, and wished her good luck.

Council Member Delmar expressed that it has been an honor to serve the City of Sierra Madre and recognized working with her City Council colleagues.

Mayor Harabedian opened the meeting up for Public Comment.

- Carol Parker, Sierra Madre, spoke of CM Delmar's great degree of humility, a lot of fun, and their friendship.
- Darlene Papa, Lifeline for Pets, thanked CM Delmar for spearheading the SM City Council presentations for Lifeline for Pets.
- Joe Catalano, Sierra Madre, recognized CM Delmar's service and leadership as Chairperson of the City's General Plan Committee.
- Pat Alcorn, Sierra Madre, spoke of CM Delmar's work on the General Plan Committee and City Council service and as someone who she adores and admires.
- De Alcorn, Sierra Madre, thanked CM Delmar for her service to the City of Sierra Madre.

Mayor Harabedian asked if anyone else would like to speak. Seeing no one come forward, Mayor Harabedian closed Public Comment.

Mayor Harabedian presented a Sierra Madre tile to Council Member Delmar.

Mayor Harabedian recessed the meeting at 7:24 p.m.

Mayor Harabedian reconvened the meeting at 7:39 p.m. Council Member Delmar did not return to the meeting.

AGENDA ACTION ITEMS:

1. CONSENT CALENDAR

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

- a) SECOND READING OF ORDINANCE 1416 – ADOPTION OF THE 2019 CALIFORNIA BUILDING CODE - Staff recommends that the City Council introduce and approve for Second reading by title only, and waive further reading, recommending adoption of Ordinance 1416 pursuant to the 2019 California Building Standards Code amendments
- b) SECOND READING OF ORDINANCE 1417 – ADOPTION OF THE 2019 FIRE CODE - Staff recommends that the City Council introduce and approve for second reading Ordinance 1417 by title only, recommending adoption of Ordinance 1417 pursuant to the 2019 California Fire Code and International Fire Code amendments.

- c) TREASURERS REPORT- QUARTER ENDING JUNE 30, 2019 - Staff recommends that the City Council receive and file the Treasurer's Report- Quarter Ending June 30, 2019
- d) AWARD THE PROFESSIONAL SERVICES CONTRACT TO WEST AND ASSOCIATES FOR ENGINEERING DESIGN SERVICES FOR THE DESIGN OF FY 2019-20 STREET IMPROVEMENTS - Staff recommends that the City Council award a professional services contract to West and Associates Engineering INC. for engineering design service in the amount of \$45,500 and authorize City Manager or their designee to execute the Professional Services Agreement with said firm.
- e) ADOPTION OF RESOLUTION 19-54 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council approve Resolution 19-54 for approval of payment of City warrants in the aggregate amount of \$979,730.07; Sierra Madre Library warrants in an aggregate amount of \$3,929.60; and payroll transfer in the aggregate amount of \$355,105.61 for the fiscal year ending June 30, 2019.

Mayor Harabedian asked if any Member of the Council had questions on Consent Items 1a – 1e. Council Members did not ask any questions.

Mayor Harabedian opened the meeting for Public Comment on the Consent Items. Seeing no one, Mayor Harabedian closed Public Comment and brought the matter back to the Council for discussion. No additional discussion occurred.

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

Mayor Pro Tem Capoccia seconded the motion.

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

Noes: None

Absent: Council Member Denise Delmar

Abstain: None

The motion to approve Consent Items 1a – 1e as presented was passed by a vote of four (4) yes and one (1) absent.

DISCUSSION ITEMS:

1. WATERWORKS AMENITY IMPROVEMENTS

Administrative Analyst Garcia reported on this item with the recommendation that the City Council authorize expenditures on amenity improvements at the Sierra Madre Pool not to exceed \$40,000. Per the Staff Report dated 10-22-19, Waterworks Management, in union with the Community Services Commission and subcommittee, recommend the following amenity improvements, listed in order of priority. Not all items will be funded; however, once expenditures reach \$40,000, the remaining items will be deferred to the next fiscal year:

Priority	Item	Estimated Cost
1	Enclosure from the building to the outdoor pool.	\$ 13,145
2	Upgrade electrical by adding a sub panel.	8,000

3	Electric heaters inside the new enclosure.	4,000
4	Two (2) swimsuit dryers installed.	4,000
5	Four (4) storefront glass doors installed.	10,000
Total Estimated Costs		\$ 39,145

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

In response to a question by Council Member Arizmendi regarding the process of ordering the materials, given that expenditures are not to exceed \$40,000, Admin. Analyst Garcia said that the intention is to begin with the first three items and then move down the list, if monies are remaining.

Mayor Harabedian requested clarification. Community Services Manager Silva-Barrón stated that Water Works had obtained the price quotes, items will be purchased in priority order, and that any items remaining after the \$40,000 cap is reached would be deferred to the next fiscal year.

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

Discussion occurred that there was consensus to authorize the expenditures as presented.

Mayor Pro Tem Capoccia made a motion to authorize the expenditures on amenity improvements to the Sierra Madre Pool facility as presented, not to exceed \$40,000.

Council Member Goss seconded the motion.

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

Noes: None

Absent: Council Member Denise Delmar

Abstain: None

The motion to authorize the expenditures on amenity improvements to the Sierra Madre Pool facility as presented, not to exceed \$40,000, was passed by a vote of four (4) yes and one (1) absent.

2. MASTER LEASE AGREEMENT WITH TOWERPOINT CAPITAL, LLC, FOR THE SALE OF LEASE INTEREST IN WIRELESS COMMUNICATION SITES ON CITY PROPERTY

Finance Director Konisek reported on this item with the recommendation that the City Council (1) execute the letter of intent with TowerPoint Capital, LLC for the exclusive option to purchase lease interest in wireless communication sites on City property and (2) adopt Resolution 19-55, a resolution of the City Council of the City of Sierra Madre, California, authorizing the Mayor to execute master lease agreements and other necessary documents for the assignment of certain specified telecommunications leases to TPA III, LLC.

Per the Staff Report dated 10-22-19, *TowerPoint, a financial services firm that specializes in acquiring and managing macro cell tower leases, has offered to pay the City \$1.228 million for the rights to three existing cell tower agreements. In addition, TowerPoint will provide the City with 55% of any*

new revenues either through a renegotiated lease with the current lessees, or by securing additional customers on the tower. Under the terms of the agreement, TowerPoint would also absorb any rent reductions with no impact to Sierra Madre. Staff is recommending that the City accept the payment of \$1,228 million and make a prepayment to CalPERS for pension obligations.

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

Mayor Pro Tem Capoccia expressed that this is a very good contract and asked for an explanation of the financial benefit and value to the City of the CalPERS pre-payment. Finance Director Konisek explained that (1) the unfunded liability issue is nationwide, (2) the City strategy, led by City Manager Engeland, has been to address the CalPERS liability solidly, because it pays dividends received in terms of cost savings and reduces the unfunded liability, (3) conversely, it increases how well the City is funded, (4) there are plans pending for City Council consideration that will maintain a high percentage of funding, (5) because the City is making a lump sum payment at the beginning, CalPERS is going to offset it, versus a steady stream of payments every year as contributions, (6) the cost savings is money that Staff does not have to otherwise budget, and (7) there are numerous benefits to this plan and, to the extent that the City can continue with this plan, the City will get ahead in many ways.

In response to a question by Council Member Arizmendi regarding contingencies in the contract language, City Attorney Highsmith reported that the contingency has been formally retracted, as of an hour before today's CC meeting. She said that the action before CC tonight is to approve (1) the letter of intent that starts TowerPoint's due diligence and (2) a resolution delegating the City Manager the administrative action of signing all of the real property documents as they come forward to close escrow.

In response to a question by Mayor Harabedian regarding what happens if Sprint were to merge with T-Mobile, City Attorney Highsmith said that the Sprint lease contract would still remain in effect, regardless of any possible merger.

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

Discussion occurred that there was consensus (1) that this is a very good thing for Sierra Madre by allowing the City to reduce its CalPERS liability for future generations, (2) to execute the letter of intent with TowerPoint Capital, LLC for the exclusive option to purchase lease interest in wireless communication sites on City property and (3) to adopt Resolution 19-55 as presented.

Mayor Pro Tem Capoccia made a motion to (1) execute the letter of intent with TowerPoint Capital, LLC for the exclusive option to purchase lease interest in wireless communication sites on City property and (2) adopt Resolution 19-55 as presented.

Council Member Arizmendi seconded the motion.

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

Noes: None

Absent: Council Member Denise Delmar

Abstain: None

The motion to (1) execute the letter of intent with TowerPoint Capital, LLC for the exclusive option to purchase lease interest in wireless communication sites on City property and (2) adopt Resolution 19-55 as presented was passed by a vote of four (4) yes and one (1) absent.

3. CONSIDERATION OF ADOPTING RESOLUTION 19-56 AMENDING THE CITY'S TUITION REIMBURSEMENT PROGRAM AND EDUCATIONAL COSTS ASSISTANCE PROGRAM POLICY

Human Resources Manager Hernandez reported on this item with the recommendation that the City Council adopt Resolution 19-56 amending the Tuition Reimbursement Program and Educational Costs Assistance Program Policy to include the following amendments:

- Provides employee eligibility after 24 months of satisfactory City service.
- Retains the tuition reimbursement policy at \$10,000, but also implements an Educational Costs Assistance Program of up to \$5,000. The implementation of the Educational Costs Assistance Program is intended to provide an advance payment for employees who are not otherwise able to pay for tuition or other eligible costs related to enrollment.
- Allows for reimbursement at the chosen institution not to exceed \$10,000, instead of capping at the California State University tuition rate.
- Allows reimbursement based on receiving credit for completion of approved course(s) instead of reimbursement based on grade received.
- Establishes repayment for the Educational Costs Assistance Program if an employee resigns or retires within two years or is not an employee of the City for at least two years from the date the assistance is received.

Per the Staff Report dated 10-22-19, the purpose of the Tuition Reimbursement Program and Educational Costs Assistance Program is to provide quality services for its residents by encouraging employee development by sharing the expense of approved courses and educational programs. Tuition reimbursement assists employees in broadening their knowledge of their current position or preparing them for possible promotional opportunities within the City.

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

In response to a question by Mayor Pro Tem Capoccia regarding how the \$10,000 cap was determined, HR Director Hernandez said that (1) the \$10,000 cap was discussed, along with an assistance program to up front the money for employee who may have potential barriers to starting, (2) the loan is forgiven after the individual graduates and continues with City employment for at least two years from the date that assistance is received, and (3) it becomes \$15,000 for employees who take full advantage of the program.

In response to a question by Mayor Harabedian as to why eligibility for this program was changed from 18 months to 24 months, HR Manager Hernandez said that Staff determined that (1) 18 months was not sufficient time to evaluate an employee's commitment and organizational benefit and (2) 24 months made more sense.

In response to a question by Mayor Harabedian as to what triggers payback if the employee leaves City employment before 24 months of the assistance HR Director Hernandez stated that the two years begins when the employee receives the first \$1 of any tuition assistance.

In response to a question by Council Member Goss regarding how neighboring cities handle this issue, HR Manager Hernandez said that most neighboring cities have tuition reimbursement/ assistance programs of amounts between \$5,000 to \$20,000, depending on the size of the

municipality, with criteria similar to Sierra Madre. He stated that Staff is unaware of any city that offers an Educational Costs Assistance Program.

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

Discussion occurred that there was consensus to approve the adoption of Resolution 19-56 as presented.

Council Member Arizmendi made a motion to adopt Resolution 19-56 as presented.

Council Member Goss seconded the motion.

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

Noes: None

Absent: Council Member Denise Delmar

Abstain: None

The motion to adopt Resolution 19-56 as presented was passed by a vote of four (4) yes and one (1) absent.

4. OPTIONS FOR FILLING CITY COUNCIL VACANCY

Assistant City Clerk Aguilar reported on this item, including that Council Member Delmar submitted her resignation from the City Council effective 10-23-19, with the recommendation that the City Council provide Staff with direction. Per the City of Sierra Madre Municipal Code, the 60-day clock starts tomorrow for the City Council to determine how it wishes to proceed as follows: (1) to call a special election for the purpose of filling the vacancy for the remainder of the unexpired term of the vacant City Council seat, (2) consider the appointment of a previous mayor to fill the seat or allow the seat to remain vacant until the special election, or (3) consider making changes to the current process/ordinance.

Alternatives provided were as follows:

- The Council may direct Staff to return to the next meeting with an Urgency Ordinance repealing Ordinance 1333 and follow the procedures set forth in California Government Code – GOV Section 36512.
- The Council may choose to not repeal Ordinance 1333 and direct Staff to return to a future meeting with direction regarding the selection process for the Council Member vacancy.

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

In response to a question by Council Member Goss regarding the process to pick someone to fill the position that was not a former mayor, Asst. City Clerk Aguilar stated that (1) the City Council would have to repeal the current ordinance, Ordinance 1333, (2) this could be done at the next City Council Meeting as an emergency ordinance and not affect the 60-day decision period, and (3) at that time, the City Council could decide whether to appoint another Sierra Madre resident or leave the position vacant until November 2020.

In response to a question by Council Member Arizmendi regarding leaving the position vacant until November 2020, Asst. City Clerk Aguilar said that the City Council can make that decision and Ordinance 1333 could remain in effect as is.

In response to a question by Mayor Pro Tem Capoccia regarding the 60-day window and the need to call for an election, City Attorney Highsmith advised that the City Council has 60 days to decide whether to call for a Special Election, which could be March 2020 (depending on the timing) or have the election in November 2020 (next General Election).

Mayor Pro Tem Capoccia summarized that the City Council has 60-days to call for a special election, but that there is no requirement to appoint an individual to fill the position within the 60 days or any time prior to the special election, to which City Attorney Highsmith expressed agreement.

In response to a question by Mayor Harabedian regarding the difference between Ordinance 1333 and State law, City Attorney Highsmith explained that the only difference is with whom the City Council can appoint on an interim basis, and the Government Code does not require that the individual be a former mayor.

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

Discussion occurred and there was consensus (1) to have the election to fill the remainder of CM Delmar's term in November 2020, as a special election in March 2020 is too soon and there is a City cost savings as well, (2) for the need appoint a replacement, and (3) to do away with the existing ordinance and eliminate the language requiring the appointment of a former mayor to fill a vacant Council seat.

Mayor Harabedian said that there will be three City Council seats open at the November 2020, one being to fill the remainder of Council Member's Delmar term (two-year Council seat) and the Mayor and Mayor Pro Tem are up for re-election (two four-year Council seats). Assistant City Clerk Aguilar added that the City Clerk and City Treasurer are also up for re-election in November 2020 and said that people can only pull papers to apply for one City Council seat, which could be for the two-year or four-year term.

Assistant City Attorney Highsmith explained that having an emergency ordinance saves 60 days in the process of appointing a City Council replacement, should the City Council decide to appoint.

City Staff was directed to (1) draft an ordinance to call for a special election to fill CM Delmar's vacant position in November 2020, (2) bring back an emergency ordinance to do away with the requirement to appoint a former mayor, and (3) agendaize those items for the first meeting in December 2019 for City Council discussion and decision.

Mayor Harabedian re-opened this item for Public Comment. Seeing no one, Mayor Harabedian closed Public Comment.

NEW ITEMS PLACED FOR FUTURE AGENDAS:

Mayor Harabedian asked the members of the City Council if there are any new items for future meeting agendas. Mayor Harabedian suggested agendaizing AB68 and additional dwelling units for a future meeting.

City Attorney Highsmith said that the City will likely need an emergency ordinance to conform with AB68

ADJOURNMENT:

Mayor Harabedian made a motion to adjourn the meeting in honor of Council Member Denise Delmar.

The motion was seconded by Council Member Goss.

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

The motion to adjourn was passed by a vote of four (4) yes and one (1) absent.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 8:38 p.m. to a Regular meeting to be held on Tuesday, November 12, 2019, in the Sierra Madre City Hall Council Chambers.

John Harabedian, Mayor

Minutes taken and prepared by:

Sue Spears, City Clerk



CITY OF SIERRA MADRE
CITY COUNCIL REGULAR MEETING MINUTES

SIERRA MADRE CITY COUNCIL
SUCCESSOR AGENCY AND
PUBLIC FINANCE AUTHORITY

Tuesday, October 8, 2019 - 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 John Harabedian called the meeting to order at 6:30 p.m. City Clerk Sue Spears called the roll.

Present: Mayor John Harabedian, Mayor Pro Tem John Capoccia, and Council Members Rachele Arizmendi, Denise Delmar 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
Miguel Hernandez, Human Resources Manager
Jim Hunt, Interim Police Chief
Christine Smart, City Librarian
Rich Snyder, Fire Captain
Sue Spears, City Clerk

PLEDGE OF ALLEGIANCE AND INSPIRATION:

Council Member Delmar led the Pledge of Allegiance and requested that people get a flu shot by 10-31-19.

APPROVAL OF MEETING AGENDA:

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

Mayor Pro Tem Capoccia moved to approve the agenda as presented.

Council Member Arizmendi seconded the motion.

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

Noes: None

Absent: None

Abstain: None

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

APPROVAL OF MINUTES:

Mayor Harabedian asked for the approval of the Minutes of the Regular Council Meeting of September 24, 2019.

Council Member Arizmendi moved to approve the Minutes of the Regular City Council Meeting of September 24, 2019 as presented.

Council Member Delmar seconded the motion.

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

The motion to approve the Minutes of the Regular City Council Meeting of September 24, 2019 as presented was passed by a unanimous vote.

MAYOR AND CITY COUNCIL REPORTS:

- A. Mayor John Harabedian reported that the Friends of the Sierra Madre Library wine tasting event was very successful.
- B. Mayor Pro Tem John Capoccia reported that he attended the Alverno Heights Academy field renovation dedication and that it is beautiful.
- C. Council Member Rachelle Arizmendi reported that there will be a PUSD Special Board Meeting on 10-10-19 to consider school closures, with the closing of Sierra Madre Middle School as one of the scenarios and encouraged people to attend and be vocal in support of keeping Sierra Madre Middle School open.
- D. Council Member Denise Delmar did not make a report.
- E. Council Member Gene Goss (1) encouraged people to send an email or letter to PUSD Board Member Larry Torres in support of keeping Sierra Madre Middle School open and (2) commended the Friends of the Sierra Madre Library for a wonderful wine tasting event.

PUBLIC COMMENT ON NON-AGENDA ITEMS:

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

- Jo Ann Williams, Sierra Madre, (1) reported on the many activities of the Senior Community Commission, including the *Community Resources Brochure* and *Senior Moments*, (2) requested expanded/improved office space for the Community Services Department staff, (3) thanked Community Services Department staff, Rosemary Garcia, Lawren Heinz, Clarissa Lowe, and Rebecca Silva, for their dedication in doing “the really hard work” to support the activities of the Senior Community Commission, and (4) expressed special thanks to Mayor Pro Tem Capoccia,

in his role as City Council liaison to the Senior Community Commission, for providing advice and answering questions.

- Vickere Murphy, Office of State Senator Anthony J. Portantino, invited the public to attend the Mosquito Forum on 10-19-19, from 2:00 – 4:00 p.m. @ the Pasadena City College Community Education Center.
- Interim Police Chief Jim Hunt, City of Sierra Madre, reported that (1) this is “Pink Patch Month” (with SMPD officers wearing pink patches on their uniforms) to raise awareness for breast cancer research, (2) monies raised go to the *City of Hope*, which does tremendous work in this field, (3) this initiative began in 2015 with Seal Beach PD and has expanded to law enforcement agencies throughout LA County and beyond, expanded to now include 390 agencies across the United States and three foreign country’s agencies participating as well, and (4) in the last three years, “Pink Patch Month” has raised over \$1,000,000 in LA County alone the *City of Hope* for breast cancer research, (5) the SMPD will have patches available for sale for \$10, key chains for \$5, and can accept donations, with all proceeds going directly to the City of Hope.

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

AGENDA ACTION ITEMS:

1. CONSENT CALENDAR

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

- a) AWARD THE PROFESSIONAL SERVICES CONTRACT TO SA ASSOCIATES FOR THE DESIGN OF THE 2020 WATER MAIN REPLACEMENT PROJECT - Recommendation to award a professional services contract to SA Associates for water main replacement design in the amount of \$105,000 and authorize the City Manager or his designee to execute the Professional Services Agreement with said firm.
- b) CONSIDERATION OF NOVEMBER AND DECEMBER CITY COUNCIL MEETING SCHEDULE - Recommendation that the City Council approve the cancellation of the regular City Council meetings on November 26, 2019 and December 24, 2019 and direct staff to pay all necessary expenses during that time.
- c) ADOPTION OF RESOLUTION 19-53 APPROVING CERTAIN DEMANDS - It is recommended that the City Council approve Resolution 19-53 for approval of payment of City warrants in an aggregate amount of \$685,273.12; Library warrants in an aggregate amount of \$5,272.91; and payroll transfer in the aggregate amount of \$353,696.90 for the fiscal year ending June 30, 2020.

Mayor Harabedian asked if any Member of the Council had questions on Consent Items 1a – 1c. Council Members did not ask any questions.

Mayor Harabedian opened the meeting for Public Comment on the Consent Items. Seeing no one, Mayor Harabedian closed Public Comment and brought the matter back to the Council for discussion. No additional discussion occurred.

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

Council Member Goss seconded the motion.

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

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

PUBLIC HEARINGS:

2a. 2019 CALIFORNIA BUILDING CODE ADOPTION OF ORDINANCE 1416

Mayor Harabedian opened this item for Public Hearing.

James Wildan, Contract Building Official, reported on this item with the recommendation that the City Council introduce, for first reading by title only, Ordinance 1416, pursuant to the 2019 California Building Standards Code amendments, with such amendments taking place every three years, as follows:

- Adoption of the California Building Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the California Residential Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the California Mechanical Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the California Electrical Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the California Plumbing Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the 2019 International Existing Building Code.
- Adoption of the California Green Building Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the California Energy Code with specific amendments applicable to the City of Sierra Madre.
- Adoption of the 2019 California Referenced Standards Code.
- Continuance of previous code.
- Enforceability of codes.
- Modifications of California Building Code.
- Severability.
- Effective Date.
- CEQA exemption.
- Publication.
- Certification.

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

Mr. Wildan responded to Council Member questions as follows:

- Any concerns/red flags? - The item of most interest was the Energy Code amendment in which the State is now requiring that all new single-family dwellings permitted after January 1, 2020, must have solar voltaic systems included, the only exception being those who applied for Plan Check prior to 1-1-20.
- Are there any new amendments? – Other than the Energy Code, there are no major changes.

Mayor Harabedian opened this item for Public Comment. Seeing no one, Mayor Harabedian closed Public Comment and brought the matter back to the Council for discussion. No additional discussion occurred.

Mayor Pro Tem Capoccia made a motion to introduce Ordinance 1416 for first reading by title only.

Council Member Delmar seconded the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to introduce Ordinance 1416 for first reading by title only was passed by a unanimous vote.

2b. 2019 FIRE CODE ADOPTION OF ORDINANCE 1417

Mayor Harabedian opened this item for Public Hearing.

Fire Captain Snyder reported on this item with the recommendation that the City Council introduce, for first reading by title only, Ordinance 1417, pursuant to the 2019 California Fire Code amendments. He said that this is similar to the changes in the California Building Code amendments, with the only significant changes being (1) adding an alternative design for fire sprinklers to make it easier and cost effective for residential fire sprinklers and (2) modifying fire sprinklers in trust attics, with a little less restriction.

Mayor Harabedian asked if any Member of the Council had questions on this item. City Council Members did not ask any questions.

Mayor Harabedian opened this item for Public Comment. Seeing no one, Mayor Harabedian closed Public Comment and brought the matter back to the Council for discussion. No discussion occurred.

Council Member Arizmendi made a motion to approve Ordinance 1417 for first reading by title only.

Mayor Pro Tem Capoccia seconded the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to approve Ordinance 1417 for first reading by title only was passed by a unanimous vote.

DISCUSSION ITEMS:

3a. DISCUSSION – CONSIDERATION OF APPOINTMENT TO FILL A VACANCY ON THE SENIOR COMMUNITY COMMISSION

Assistant City Clerk Aguilar reported on this item regarding the appointment to the Senior Community Commission to fill the current full-term vacancy (since June 2019) from the one application received from Jacquie Pergola.

Mayor Harabedian invited Ms. Pergola to speak. Ms. Pergola expressed appreciation for the opportunity to serve on the Senior Community Commission and she looks forward to bringing in a lot of new ideas and leadership.

Mayor Pro Tem Capoccia made a motion to recommend the appointment of Jacquie Pergola to the Senior Community Commission to fill the vacancy for a term ending 6-30-24.

Council Member Arizmendi seconded the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to recommend the appointment of Jacquie Pergola to the Senior Community Commission to fill the vacancy for a term ending 6-30-24 was passed by a unanimous vote.

3b. DISCUSSION - AUTHORIZATION TO PAY EXPENDITURES RELATED TO THE NOVEMBER 5, 2019 SPECIAL ELECTION

Assistant City Clerk Aguilar reported on this item with recommendation that the City Council approve an increase to the fiscal year 2019-2020 budget to include estimated expenditures in the amount of \$110,000 related to the November 5, 2019 Special Election for Citizen's Initiative Measure S, the only item on the ballot.

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

In response to a question by Mayor Pro Tem Capoccia as to whether the City has sufficient funds to include this in the budget, City Manager Engeland said that, if approved, the City will be able to cover the costs involved.

Mayor Harabedian opened this item for Public Comment.

- Pat Alcorn, Sierra Madre, (1) reiterated that Measure S is a citizen's initiative, with 10 – 15 people going door to door, Kersting Court, Downtown Sierra Madre, and community organizations to provide information and obtain sufficient signatures to qualify for the ballot, (2) thanked the City Council for approving the Special Election, and (3) encouraged people to vote "Yes on S."
- Gary Hood, Sierra Madre, (1) also thanked the City Council for approving these funds, (2) said that November 5th is an important day to vote in Sierra Madre, (3) stated that Measure S is important to the community, as it will bring 100% of the increased sales tax revenue, estimated to be about \$200,000 annually, to the City's General Fund, (4) reported that there will be "Yes on S" yard signs posted around town to remind everyone to vote, and (5) encouraged people to get out and vote "Yes on S":

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

Mayor Pro Tem Capoccia thanked and expressed appreciation to Ms. Alcorn and Mr. Hood for their efforts in driving this citizen's initiative.

Mayor Harabedian (1) stressed the importance of people getting out to vote on this measure and getting involved and (2) expressed anticipation to hear more information on Measure S from the Citizen's Initiative Group.

Council Member Goss made a motion to approve an increase to the fiscal year 2019-2020 budget to include estimated expenditures in the amount of \$110,000 related to the November 5, 2019 Special Election.

Council Member Delmar second the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to approve an increase to the fiscal year 2019-2020 budget to include estimated expenditures in the amount of \$110,000 related to the November 5, 2019 Special Election was passed by a unanimous vote.

3c. DISCUSSION - INTERCONNECTION WHEELING AGREEMENT BETWEEN THE CITY OF ARCADIA AND THE CITY OF SIERRA MADRE

City Manager Engeland reported on this item with the recommendation that the City Council approve the interconnection wheeling agreement between the City of Arcadia and the City of Sierra Madre and authorize staff to work with the San Gabriel Valley Municipal Water District and Arcadia on the joint establishment, location, and operation of a well in the main basin.

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

City Manager Engeland or Public Works Director Cimino responded to Council Member questions as follows:

- Is the agreement about the well? - This agreement is not about the well, but a precursor to it, as it is a standard wheeling agreement and is not binding upon either Sierra Madre or Arcadia for the joint operation of the well.
- Is the City saving money by having Arcadia deliver water, instead of getting it from the Metropolitan Water District - (1) the goal of the joint well is to produce 2,000 acre feet of water, as an estimate and could be more or less, (2) the main benefit is that the water would be San Gabriel Main Basin water that can go directly into our system, and (3) the financial advantages are to the SGVM Water District itself.
- Is this is on a yearly or every time we need water basis, which could be an administrative issue - It would be done initially before the City accepts any water for the first time and

thereafter, within a reasonable timeframe, but would probably not be an annual undertaking and would continue for a long time.

- Why this is less expensive for the SGVM Water District? - It is the Water District that is currently supplying the 2 for 1 deal and, under this proposed agreement, with Sierra Madre importing water from Arcadia. This gives the SGVM Water District the ability to re-negotiate with the Metropolitan Water District to make it more of a water delivery agreement, as opposed to the 2 for 1. They are paying in water and we are paying in money. Water is much more valuable, especially when it is scarce.
- Regarding the delivery of treated water - This water is the same water that is going through the Arcadia distribution system now, so it is Arcadia's treated water as they treat it with filtration and chlorination.

Mayor Harabedian invited Miles Prince, SGV Municipal Water District representative, to address the City Council. Mr. Prince concurred with City Manager Engeland's responses and said (1) that everyone at the SGVM Water District is super excited that Sierra Madre negotiated this agreement that benefits the SGVMWD, (2) the number one concern continues to be the supply of water and water is money, (3) this is cheaper because the current agreement is not sustainable and there is a need to diversity water supply, and (4) this is Main Basin water and, for the SGVMWD, this is a huge deal, as providing Main Basin water to Sierra Madre has been a problem for quite some time.

In response to a question by Mayor Pro Tem Capoccia regarding the next steps to move ahead with the well project, Mr. Prince stated that it is better that the Sierra Madre City Council take action first to approve the authorization to begin work toward the joint well and then it would be brought forward to the SGVMWD Board and he thinks that the Board would take some action of support for the project and the Board would look for a report with hard numbers to consider.

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

Discussion occurred and there was consensus (1) that this is an exciting project that has been a long time in coming, (2) to express thanks and good job to City Manager Engeland, Public Works Director Cimino, Utilities Services Director Reynoso, Mr. Prince, and the SGVMWD General Manager for all the work and leadership on this agreement, and (3) to support approval of the interconnection wheeling agreement between the City of Arcadia and the City of Sierra Madre.

Mayor Pro Tem Capoccia made a motion to (1) approve the interconnection wheeling agreement between the City of Arcadia and the City of Sierra Madre as presented and (2) authorize Staff to move forward with pursuing the well.

Council Member Goss seconded the motion.

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

The motion to (1) approve the interconnection wheeling agreement between the City of Arcadia and the City of Sierra Madre as presented and (2) authorize Staff to move forward with pursuing the well was passed by a unanimous vote.

3d. MANAGEMENT COMPENSATION STUDY

City Manager Engeland reported on this item with the recommendation that the City Council discuss and provide direction. The PowerPoint, titled "Compensation Discussion", contained the following topics:

- Background – Staff directed to complete management compensation survey in December 2018 and include peer cities, private sector, non-profit, and other relevant marketplace data.
- Terms – Minimum Rate of Pay, Maximum Rate of Pay, Midrange, Midpoint, Percent of Market, and Increase at Midpoint.
- Survey Process – Survey market to establish peer cities through "similarity scores", determine competitive market midpoint and compare to Sierra Madre midrange of pay, and calculate current percent of market Sierra Madre pays.
- Process, Peer Cities – Most similar cities were San Marino (5.5), Signal Hill (5), and South Pasadena (4).
- Process, Other Sectors – Position comparison for public, private, and non-profit salaries for Community Svcs. Manager, Finance Director, and Human Resources Manager. Public sector only for Police Chief and Public and contracted services for Public Works Director.
- Process, Calculate Market Rate – Listed Current Range and Market Range Average, Minimum, midrange, and Maximum, and Percent of Market – current Midpoint as a percentage.
- Discussion Point – Option 1 – Make no changes to pay range, determine current range is compatible with Sierra Madre Compensation Philosophy.
- Discussion Point – Option 2 – Set Market Rate based on Midpoint of Market (ex. 85%) – Would be more of a maintenance situation.
- Discussion Point – Option 3 – Do not set Market Rate, but increase range based on Market Data (ex. 2 step range increases). – Gives the City Council more control.

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

Council Member Goss prefaced his question by stating that (1) Sierra Madre has a very high quality management team, person by person, (2) those employee remain based on what the City is currently paying, and (3) he would like to keep them and attract other people at least as good as them.

City Manager Engeland responded to Council Member questions as follows:

- Which peer cities did South Pasadena chose? – Was unsure of South Pasadena's process.

- An assessment as to whether the City needs to pay more to attract and keep the kinds of people we have right now - In the past two years, (1) the people the City tends to lose are those who have been with the City awhile, are very talented, provide a very high quality work performance for the City, and they go somewhere else that pays more, (2) the people that replace them tend to have fewer qualifications and/or less of a background in the experience the City is looking for, (3) the philosophy of Sierra Madre that City Manager Engeland has taken is to invest in people early and probably give them positions and titles before they are quite ready and then give them a lot of support so that they can perform to the level that they do, (4) it is a model that has proven successful, (5) however he has had recent conversations with two members of the management team who turned down jobs that would have paid them \$35,000 more annually, which is something to consider and could change, making retention more difficult, and (6) the City has been successful in replacing people that it loses, but the new people tend to need more training, more guidance, more direction, and more time to become fully functional in their role.
- Why does the City use midpoint, instead of maximum and compare that? (1) the City compared midpoint to midpoint so the comparison would not matter if the rate of pay changed and the percentage would be the same, (2) the City pays in ranges, as opposed to one point, and (3) employees' pay across the board is dependent mostly on performance, but also on the amount of time with the City.
- What is the impetus for this? There are management positions where the City is vulnerable right now and into the future because (1) we have directors constantly being recruited for other cities, making retention more difficult and (2) with some directors spending their career here, the City gets a discount now, but when they retire or otherwise leave, it will be nearly impossible to hire someone with the same skill set at the current pay range.

Council Member Delmar added that, when doing a compensation analysis, you do not look at the people, but look at the position only and what the skills/requirements are and that is why you always go with the midpoint, as that is the industry standard.

- Does the City look at internal equity as well? – Yes, the City does because (in addition to Council direction in 2018 and bringing this forward) (1) the management group has not received a COLA or the same pay increases given to other employees for the last four years, (2) the reason being that, when City Manager Engeland was hired four years ago, all of the management team were new directors and he was not quite sure how individuals would perform combined with how the City was going to perform, (3) the internal equity piece is becoming more pressing in that the City has people in supervisory positions that are now making more than those in management positions, and (4) it is not just the compression, but there is also equity to consider as well.
- Are adjustments ever made for years of service for new hires – Yes, City Manager Engeland had that very conversation as late as this afternoon with the Interim Police Chief.
- What is the process following a City Council decision and full implementation - (1) this is separate and apart from any union agreements, as the positions being discussed are unrepresented management positions, (2) this is not asking to give management raises across the board, because the City does pay for performance, (3) if the range is increased, the City Council should not expect that all of the directors/managers would have an automatic pay increase, as they still have to perform and move through the process, and (4) the City Council is approving a range and any raise is under the purview of the City Manager.

Discussion occurred and comments included the following: (1) to commend City Staff on the quality of the compensation analysis, (2) to thank our City Manager and Staff for creating a positive work environment, (3) that it is encouraging that the City has good employees, in spite of the fact that they are being paid less than what the market is showing as comparable, (4) that there is a need to be flexible, with consideration of the need to retain good employees, (5) the City Council wants to make sure that its employees are being treated fairly, (6) there is a need to provide the City Manager with the right tools to manage the staff appropriately and in the interest of Sierra Madre, (7) was gratified that the midpoints are pretty close, as midpoint is always the best, in that it is fair and avoids potential lawsuits for unfairness, internal equity, equal pay, and equal jobs, (8) the City is in a financially stable market now, with compensation settling down over the last 5-6 years, and (9) sometimes it is not so much the dollars, but that employees want to feel valued.

Council Members concurred that there is a need to make changes to the management team pay ranges, but expressed differing opinions and preferences for Option #2 and Option #3, as the same midpoint of market across all management positions could be unnecessarily high for some positions and low for others and desired to know which the City Manager preferred.

City Manager Engeland added that, in setting a market midpoint, the concern would be that, for some positions, it would be too low and other positions would be too high, but it does address the internal equity piece and it does address the maintenance piece. He expressed that the decision is the City Council's to make and that Staff can inform City Council of the benefits and drawbacks of either approach, as there are benefits in both flexibility and certainty.

City Attorney Highsmith advised that the agenda items before City Council tonight is (1) a discussion and (2) to provide guidance to the City Manager, who will then later take City Council direction, look at everything bring it back to the City Council, probably first in Closed Session and ultimately Open Session with recommendations and the cost of any pay adjustments. She added that City Council is not being asked to set an official policy now and no final decision needs to be made tonight.

Direction was provided to the City Manager to calculate Option #2 and Option #3 for each management position and bring those back for City Council discussion and approval.

Mayor Harabedian opened this item for Public Comment.

- Gary Hood, Sierra Madre, recommended that the City create an incentive program for employees who suggest innovations that save the City money.

Mayor Harabedian asked if anyone else would like to speak on this item. Seeing no one, Mayor Harabedian closed Public Comment on this item.

NEW ITEMS PLACED FOR FUTURE AGENDAS:

Mayor Harabedian asked the members of the City Council if there are any new items for future meeting agendas. No new items were suggested.

Under New Business - Council Member Delmar announced that she is leaving the City Council because she will be moving to Yorba Linda at the end of the month, with her last City Council Meeting being on October 22, 2019.

ADJOURNMENT:

Mayor Harabedian asked for a motion to adjourn.

Council Member Goss made a motion to adjourn the meeting.

The motion was seconded by Council Member Delmar.

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

Noes: None

Absent: None

Abstain: None

The motion to adjourn was passed by a unanimous vote.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 8:11 p.m. to a Regular meeting to be held on Tuesday, October 22, 2019, in the Sierra Madre City Hall Council Chambers.

John Harabedian, Mayor

Minutes taken and prepared by:

Sue Spears, City Clerk



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

City of Sierra Madre Agenda Report

*Sue Spears, City Clerk,
Michael Amerio City Treasurer*

TO: Honorable Mayor and Members of the City Council

FROM: Gabe Engeland, City Manager

PREPARED BY: Clare Lin, Associate Planner

REVIEWED BY: Vincent Gonzalez, Director of Planning & Community Preservation

DATE: November 12, 2019

SUBJECT: **PROFESSIONAL SERVICES AGREEMENT FOR HOUSING
ELEMENT UPDATE 2021-2029**

STAFF RECOMMENDATION

Staff recommends Alternative No. 1, to enter into a professional services agreement with Karen Warner Associates and authorize the City Manager to execute the contract to prepare the City's 2021-2029 Housing Element Update.

ALTERNATIVES

1. Enter into a professional services contract with Karen Warner Associates and authorize the City Manager to execute the contract in a form acceptable to the City Attorney.
2. Prepare additional request for proposal to solicit bids from other consulting firms providing similar contract services.

SUMMARY

The purpose of this report is to enter into a Professional Services Agreement with Karen Warner Associates (KWA) to prepare the 2021-2029 Housing Element Update for the City of Sierra Madre under the direction of the Director of Planning and Community Preservation. For the past cycles, KWA has been under contract with the City to provide housing element updates and throughout this duration has demonstrated the range of expertise necessary to bring compliance with the City adopted housing element.

On August 22, 2019, staff sent out a Request for Proposal (RFP) to seek qualified consultants to prepare the 6th Cycle Housing Element Update. There were five housing policy consultants that received the RFP, three declined to submit a proposal, and two responded with a proposal. Staff conducted phone interviews with KWA and Infrastructure Engineers (IF). Both have extensive housing policy experience and are well-versed on recent State law affecting the current housing

element update cycle. Based on experience and knowledge of the Sierra Madre community, staff has selected KWA.

Staff recommends that the City Council award contract services with KWA and authorize the City Manager to execute a professional services agreement to prepare the City's 2021-2029 Housing Element Update.

ANALYSIS

Karen Warner Associates (KWA) has a strong understanding of the Sierra Madre community and develop a focused approach since she prepared the 2001, 2008, and 2014 Housing Element for the City. The proposed 15-month schedule, beginning in January 2020, anticipates the State Housing and Community Development (HCD) review of a draft element by January 2021, and the public hearings and adoption by April 2021. The total project cost is estimated at \$82,930.00.

KWA's proposed scope of work has identified that cost efficiencies can be realized because KWA has maintained much of the data from the 2014 Housing Element, and that further cost efficiencies can be realized by utilizing Planning and Community Preservation staff to compile the program accomplishments from the 2014 Housing Element, identify a new potential sites inventory, and identify new units since the last Element adoption by a research of building permits records, thereby reducing consultant hours on these work tasks.

Infrastructures Engineers, Inc. has extensive experience as well, as they are currently preparing housing element updates for City of Los Angeles, City of Whittier, and other surrounding cities. Their proposed 12-month schedule anticipates the HCD review of a draft element by December 2020. The total project cost is estimated at \$83,980.00, \$1,050 greater than KWA's cost estimate.

Consulting Firm	Karen Warner	Infrastructure Engineers	Kimley-Horn (Declined RFP)	Willdan (Declined RFP)	MIG (Declined RFP)
TOTAL COST	\$82,930	\$83,980			
QUALITY OF PRODUCT	Firm prepared housing elements for other 14 Cities, and prior 3 cycles of housing element for Sierra Madre	Firm prepared four housing element updates			

Consulting Firm	Karen Warner	Infrastructure Engineers	Kimley-Horn (Declined RFP)	Willdan (Declined RFP)	MIG (Declined RFP)
TURNAROUND TIME	14 months estimated	12 Months minimum			
STAFF RESOURCES	staff of 4 & city staff collaboration	staff of 6			
CEQA COMPLETION	Initial Study / Mitigated Negative Declaration	EIR			
DELIVERABLES	Community Workshop Materials PC/CC Study Session Materials PC/CC Public Hearing Materials Administrative Draft Housing Element Revised Administrative Draft Housing Element for PC/CC Public/HCD Review Draft Housing Element Memo Identifying changes to Draft Element in response to HCD Public Hearing draft Housing Element Final Approved Housing Element Administrative Draft IS-ND Public Review Draft IS-ND Final IS-ND	Research & Analysis Administrative Draft Housing Element Public Review Draft Housing Element Administrative Final Housing Element Final Housing Element CEQA Required Documents State Certification of 2021-2029 Housing Element from HCD			

FINANCIAL REVIEW/SOURCE OF FUNDING

The costs to conduct the Housing Element update will be borne by the City. Funds in the amount of \$90,000 have been set aside in the City’s fiscal year 2019/2020 budget.

ENVIRONMENTAL (CEQA)

The Housing Element is subject to review in compliance with CEQA requirements.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City’s website at www.cityofsierramadre.com, at the City Hall public counter, and the Sierra Madre Public Library.

Attachments (3):

1. Professional Services Agreement
2. Exhibit B: KWA Proposal
3. Exhibit C: RFP – City of Sierra Madre Housing Element Update

PROFESSIONAL SERVICES AGREEMENT FOR CONSULTANT SERVICES

(City of Sierra Madre/ Karen Warner Associates)

1. IDENTIFICATION

THIS PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of Sierra Madre, a California municipal corporation (“City”), and Karen Warner Associates a California corporation (“Consultant”).

2. RECITALS

- 2.1. City has determined that it requires Consultant to provide professional services: Under the direction of the Director of Planning and Community Preservation, Consultant to prepare a Soft Story Building Program including preparation of applicable ordinances, preparation and sending compliance letters to all property owners and follow up inspections, plan checks, permits, and inspection of abatement permits and preparation of final compliance report.
- 2.2. Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.
- 2.3. Consultant represents that it has no known relationships with third parties, City Council members, or employees of City which would (1) present a conflict of interest with the rendering of services under this Agreement under Government Code Section 1090, the Political Reform Act (Government Code Section 81000 *et seq.*), or other applicable law, (2) prevent Consultant from performing the terms of this Agreement, or (3) present a significant opportunity for the disclosure of confidential information.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

3. DEFINITIONS

- 3.1. “Scope of Services”: Such professional services as are set forth in Consultant’s Scope of Services attached hereto as Exhibit A and incorporated herein by this reference.
- 3.2. “Agreement Administrator”: The Agreement Administrator for this project is Vincent Gonzalez, Director of Planning & Community Preservation. The Agreement Administrator shall be the principal point of contact at the City for this project. All services under this

Agreement shall be performed at the request of the Agreement Administrator. The Agreement Administrator will establish the timetable for completion of services and any interim milestones. City reserves the right to change this designation upon written notice to Consultant.

3.3. “Approved Fee Schedule”: Consultant’s compensation rates are set forth in the fee schedule attached hereto as Exhibit B and incorporated herein by this reference. This fee schedule shall remain in effect for the duration of this Agreement unless modified in writing by mutual agreement of the parties.

3.4. “Commencement Date”: January __, 2020.

3.5. “Termination Date”: April __, 2021.

4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Termination Date unless extended by written agreement of the parties or terminated earlier under Section 16 (“Termination”) below. Consultant may request extensions of time to perform the services required hereunder. Such extensions shall be effective if authorized in advance by City in writing and incorporated in written amendments to this Agreement.

5. CONSULTANT’S DUTIES

5.1. **Services.** Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement.

5.2. **Coordination with City.** In performing services under this Agreement, Consultant shall coordinate all contact with City through its Agreement Administrator.

5.3. **Budgetary Notification.** Consultant shall notify the Agreement Administrator, in writing, when fees and expenses incurred under this Agreement have reached eighty percent (80%) of the Maximum Amount. Consultant shall concurrently inform the Agreement Administrator, in writing, of Consultant’s estimate of total expenditures required to complete its current assignments before proceeding, when the remaining work on such assignments would exceed the Maximum Amount.

5.4. **Professional Standards.** Consultant shall perform all work to the standards of Consultant’s profession and in a manner reasonably satisfactory to City. Consultant shall keep itself fully informed of and in compliance with all local, state, and federal laws, rules, and regulations in any manner affecting the performance of this Agreement, including all Cal/OSHA requirements, the conflict of interest provisions of

Government Code § 1090 and the Political Reform Act (Government Code § 81000 et seq.).

- 5.5. **Avoid Conflicts.** During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if such work would present a conflict interfering with performance under this Agreement. However, City may consent in writing to Consultant's performance of such work.
- 5.6. **Appropriate Personnel.** Consultant has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services Vincent Gonzalez shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent.
- 5.7. **Substitution of Personnel.** Any persons named in the proposal or Scope of Services constitutes a promise to the City that those persons will perform and coordinate their respective services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of at least equal competence upon written approval of City. If City and Consultant cannot agree as to the substitution of key personnel, City may terminate this Agreement for cause.
- 5.8. **Permits and Approvals.** Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.
- 5.9. **Notification of Organizational Changes.** Consultant shall notify the Agreement Administrator, in writing, of any change in name, ownership or control of Consultant's firm or of any subcontractor. Change of ownership or control of Consultant's firm may require an amendment to this Agreement.
- 5.10. **Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of City. In addition, pursuant to Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of City, for a period of three (3) years after final payment under this Agreement.

6. SUBCONTRACTING

- 6.1. **General Prohibition.** This Agreement covers professional services of a specific and unique nature. Except as otherwise provided herein, Consultant shall not assign or transfer its interest in this Agreement or subcontract any services to be performed without amending this Agreement.
- 6.2. **Consultant Responsible.** Consultant shall be responsible to City for all services to be performed under this Agreement.
- 6.3. **Identification in Fee Schedule.** All subcontractors shall be specifically listed and their billing rates identified in the Approved Fee Schedule, Exhibit B. Any changes must be approved by the Agreement Administrator in writing as an amendment to this Agreement.
- 6.4. **Compensation for Subcontractors.** City shall pay Consultant for work performed by its subcontractors, if any, only at Consultant's actual cost plus an approved mark-up as set forth in the Approved Fee Schedule, Exhibit B. Consultant shall be liable and accountable for any and all payments, compensation, and federal and state taxes to all subcontractors performing services under this Agreement. City shall not be liable for any payment, compensation, or federal and state taxes for any subcontractors.

7. COMPENSATION

- 7.1. **General.** City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept payment in accordance with the Fee Schedule in full satisfaction for such services.
- 7.2. **Invoices.** Consultant shall submit to City an invoice, on a monthly basis or as otherwise agreed to by the Agreement Administrator, for services performed pursuant to this Agreement. Each invoice shall identify the Maximum Amount, the services rendered during the billing period, the amount due for the invoice, and the total amount previously invoiced. All labor charges shall be itemized by employee name and classification/position with the firm, the corresponding hourly rate, hours worked, a description of each labor charge, and the total amount due for labor charges.
- 7.3. **Taxes.** City shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law. Consultant shall be solely responsible for calculating, withholding, and paying all taxes.
- 7.4. **Disputes.** The parties agree to meet and confer at mutually agreeable times to resolve any disputed amounts contained in an invoice submitted by Consultant.

- 7.5. **Additional Work.** Consultant shall not be reimbursed for any expenses incurred for work performed outside the Scope of Services unless prior written approval is given by the City through a fully executed written amendment. Consultant shall not undertake any such work without prior written approval of the City.
- 7.6. **City Satisfaction as Precondition to Payment.** Notwithstanding any other terms of this Agreement, no payments shall be made to Consultant until City is satisfied that the services are satisfactory.
- 7.7. **Right to Withhold Payments.** If Consultant fails to provide a deposit or promptly satisfy an indemnity obligation described in Section 11, City shall have the right to withhold payments under this Agreement to offset that amount.

8. PREVAILING WAGES

Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., (“Prevailing Wage Laws”), which require the payment of prevailing wage rates and the performance of other requirements on certain “public works” and “maintenance” projects. Consultant shall defend, indemnify, and hold the City, its elected officials, officers, employees, and agents free and harmless from any claim or liability arising out of any failure or alleged failure of Consultant to comply with the Prevailing Wage Laws.

9. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material (“written products” herein) developed by Consultant in the performance of this Agreement shall be and remain the property of City without restriction or limitation upon its use or dissemination by City except as provided by law. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

10. RELATIONSHIP OF PARTIES

- 10.1. **General.** Consultant is, and shall at all times remain as to City, a wholly independent contractor.
- 10.2. **No Agent Authority.** Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant’s employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.

- 10.3. **Independent Contractor Status.** Under no circumstances shall Consultant or its employees look to the City as an employer. Consultant shall not be entitled to any benefits. City makes no representation as to the effect of this independent contractor relationship on Consultant's previously earned California Public Employees Retirement System ("CalPERS") retirement benefits, if any, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation, and other applicable federal and state taxes.
- 10.4. **Indemnification of CalPERS Determination.** In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of the City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

11. INDEMNIFICATION

- 11.1 **Definitions.** For purposes of this Section 11, "Consultant" shall include Consultant, its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement. "City" shall include City, its officers, agents, employees and volunteers.
- 11.2 **Consultant to Indemnify City.** To the fullest extent permitted by law, Consultant shall indemnify, hold harmless, and defend City from and against any and all claims, losses, costs or expenses for any personal injury or property damage arising out of or in connection with Consultant's alleged negligence, recklessness or willful misconduct or other wrongful acts, errors or omissions of Consultant or failure to comply with any provision in this Agreement.
- 11.3 **Scope of Indemnity.** Personal injury shall include injury or damage due to death or injury to any person, whether physical, emotional, consequential or otherwise, Property damage shall include injury to any personal or real property. Consultant shall not be required to indemnify City for such loss or damage as is caused by the sole active negligence or willful misconduct of the City.
- 11.4 **Attorneys Fees.** Such costs and expenses shall include reasonable attorneys' fees for counsel of City's choice, expert fees and all other costs and fees of litigation. Consultant shall not be entitled to any refund of attorneys' fees, defense costs or expenses in the event that it is adjudicated to have been non-negligent.
- 11.5 **Defense Deposit.** The City may request a deposit for defense costs from Consultant with respect to a claim. If the City requests a defense deposit, Consultant shall provide it within 15 days of the request.

- 11.6 **Waiver of Statutory Immunity.** The obligations of Consultant under this Section 11 are not limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City.
- 11.7 **Indemnification by Subcontractors.** Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 11 from each and every subcontractor or any other person or entity involved in the performance of this Agreement on Consultant's behalf.
- 11.8 **Insurance Not a Substitute.** City does not waive any indemnity rights by accepting any insurance policy or certificate required pursuant to this Agreement. Consultant's indemnification obligations apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

12. INSURANCE

- 12.1. **Insurance Required.** Consultant shall maintain insurance as described in this section and shall require all of its subcontractors, consultants, and other agents to do the same. Approval of the insurance by the City shall not relieve or decrease any liability of Consultant Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.
- 12.2. **Documentation of Insurance.** City will not execute this agreement until it has received a complete set of all required documentation of insurance coverage. However, failure to obtain the required documents prior to the work beginning shall not waive the Consultant's obligation to provide them. Consultant shall file with City:
 - Certificate of Insurance, indicating companies acceptable to City, with a Best's Rating of no less than A: VII showing. The Certificate of Insurance must include the following reference: Willdan Professional Services Agreement
 - Documentation of Best's rating acceptable to the City.
 - Original endorsements effecting coverage for all policies required by this Agreement.
 - Complete, certified copies of all required insurance policies, including endorsements affecting the coverage.
- 12.3. **Coverage Amounts.** Insurance coverage shall be at least in the following minimum amounts:

- Professional Liability Insurance: \$1,000,000 per occurrence,
 \$2,000,000 aggregate
- General Liability:
 - General Aggregate: \$2,000,000

- Products Comp/Op Aggregate \$2,000,000
- Personal & Advertising Injury \$1,000,000
- Each Occurrence \$1,000,000
- Fire Damage (any one fire) \$ 50,000
- Medical Expense (any 1 person) \$ 5,000

- Workers' Compensation:
 - Workers' Compensation Statutory Limits
 - EL Each Accident \$1,000,000
 - EL Disease - Policy Limit \$1,000,000
 - EL Disease - Each Employee \$1,000,000

- Automobile Liability
 - Any vehicle, combined single limit \$1,000,000

Any available insurance proceeds broader than or in excess of the specified minimum insurance coverage requirements or limits shall be available to the additional insured. Furthermore, the requirements for coverage and limits shall be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured

- 12.4. **General Liability Insurance.** Commercial General Liability Insurance shall be no less broad than ISO form CG 00 01. Coverage must be on a standard Occurrence form. Claims-Made, modified, limited or restricted Occurrence forms are not acceptable.
- 12.5. **Worker's Compensation Insurance.** Consultant is aware of the provisions of Section 3700 of the Labor Code which requires every employer to carry Workers' Compensation (or to undertake equivalent self-insurance), and Consultant will comply with such provisions before commencing the performance of the work of this Agreement. If such insurance is underwritten by any agency other than the State Compensation Fund, such agency shall be a company authorized to do business in the State of California.
- 12.6. **Automobile Liability Insurance.** Covered vehicles shall include owned if any, non-owned, and hired automobiles and, trucks.
- 12.7. **Professional Liability Insurance or Errors & Omissions Coverage.** The deductible or self-insured retention may not exceed \$50,000. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work. Coverage shall be continued for two years after the completion of the work by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.

- 12.8. **Claims-Made Policies.** If any of the required policies provide coverage on a claims-made basis the Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work. Claims-Made Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Consultant must purchase “extended reporting” coverage for a minimum of five (5) years after completion of contract work.
- 12.9. **Additional Insured Endorsements.** The City, it’s City Council, Commissions, officers, and employees of Sierra Madre must be endorsed as an additional insured for each policy required herein, other than Professional Errors and Omissions and Worker’s Compensation, for liability arising out of ongoing and completed operations by or on behalf of the Consultant. Consultant’s insurance policies shall be primary as respects any claims related to or as the result of the Consultant’s work. Any insurance, pooled coverage or self-insurance maintained by the City, its elected or appointed officials, directors, officers, agents, employees, volunteers, or consultants shall be non-contributory. All endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. General liability coverage can be provided using an endorsement to the Consultant’s insurance at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37.
- 12.10. **Failure to Maintain Coverage.** In the event any policy is canceled prior to the completion of the project and the Consultant does not furnish a new certificate of insurance prior to cancellation, City has the right, but not the duty, to obtain the required insurance and deduct the premium(s) from any amounts due the Consultant under this Agreement. Failure of the Consultant to maintain the insurance required by this Agreement, or to comply with any of the requirements of this section, shall constitute a material breach of this Agreement.
- 12.11. **Notices.** Consultant shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; (3) or the deductible or self-insured retention is increased. Consultant shall provide no less than 30 days’ notice of any cancellation or material change to policies required by this Agreement. Consultant shall provide proof that cancelled or expired policies of insurance have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages. The name and address for Additional Insured Endorsements, Certificates of Insurance and Notices of Cancellation is: City of Sierra Madre, Attn: Miguel Hernandez, Human Resources Manager, 232 W. Sierra Madre Blvd., Sierra Madre, CA 91024.

- 12.12. **Consultant's Insurance Primary.** The insurance provided by Consultant, including all endorsements, shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.
- 12.13. **Waiver of Subrogation.** Consultant hereby waives all rights of subrogation against the City. Consultant shall additionally waive such rights either by endorsement to each policy or provide proof of such waiver in the policy itself.
- 12.14. **Report of Claims to City.** Consultant shall report to the City, in addition to the Consultant's insurer, any and all insurance claims submitted to Consultant's insurer in connection with the services under this Agreement.
- 12.15. **Premium Payments and Deductibles.** Consultant must disclose all deductibles and self-insured retention amounts to the City. The City may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within retention amounts. Ultimately, City must approve all such amounts prior to execution of this Agreement.

City has no obligation to pay any premiums, assessments, or deductibles under any policy required in this Agreement. Consultant shall be responsible for all premiums and deductibles in all of Consultant's insurance policies. The amount of deductibles for insurance coverage required herein are subject to City's approval.

- 12.16. **Duty to Defend and Indemnify.** Consultant's duties to defend and indemnify City under this Agreement shall not be limited by the foregoing insurance requirements and shall survive the expiration of this Agreement.

13. MUTUAL COOPERATION

- 13.1. **City Cooperation in Performance.** City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.
- 13.2. **Consultant Cooperation in Defense of Claims.** If any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require in the defense of that claim or action.
- 13.3. **Records and Inspections**
Consultant shall maintain full and accurate records with respect to all matters covered under this Agreement for a period of three years after the expiration or termination of this Agreement. City shall have the right to access and examine such records, without charge, during normal business hours. City shall further have the right to audit such

records, to make transcripts therefrom and to inspect all program data, documents, proceedings, and activities.

- 13.4. **PERMITS AND APPROVALS** Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.

14. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (I) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City:

Vincent Gonzalez
Planning & Community Preservation
City of Sierra Madre
232 W. Sierra Madre Blvd.
Sierra Madre, CA 91024
Telephone: (626) 355-7138

If to Consultant:

Karen Warner, ACIP
President
Karen Warner Associates
882 North Holliston Avenue
Pasadena, CA 91104
Telephone: (626) 791-5596

With courtesy copy to:

Teresa L. Highsmith, Esq.
Sierra Madre City Attorney
Colantuono, Highsmith & Whatley, PC
790 E. Colorado Blvd., Ste. 850
Pasadena, Angeles, CA 91101
Telephone: (213) 542-5700
Facsimile: (213) 542-5710

15. SURVIVING COVENANTS

The parties agree that the covenants contained in paragraph 5.10 (Records), paragraph 10.4 (Indemnification of CalPERS Determination), Section 11 (Indemnification), paragraph 12.8 (Claims-Made Policies), paragraph 13.2 (Consultant Cooperation in Defense of Claims), and paragraph 18.1 (Confidentiality) of this Agreement shall survive the expiration or termination of this Agreement, subject to the provisions and limitations of this Agreement and all otherwise applicable statutes of limitations and repose.

16. TERMINATION

- 16.1. **City Termination.** City may terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.
- 16.2. **Consultant Termination.** Consultant may terminate this Agreement for a material breach of this Agreement upon 30 days' notice.
- 16.3. **Compensation Following Termination.** Upon termination, Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement. The City shall have the benefit of such work as may have been completed up to the time of such termination.
- 16.4. **Remedies.** City retains any and all available legal and equitable remedies for Consultant's breach of this Agreement.

17. INTERPRETATION OF AGREEMENT

- 17.1. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of California.
- 17.2. **Integration of Exhibits.** All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed on by City and Consultant.
- 17.3. **Headings.** The headings and captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the language of the section or paragraph shall control and govern in the construction of this Agreement.
- 17.4. **Pronouns.** Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).

- 17.5. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and shall be enforceable in its amended form. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 17.6. **No Presumption against Drafter.** Each party had an opportunity to consult with an attorney in reviewing and drafting this agreement. Any uncertainty or ambiguity shall not be construed for or against any party based on attribution of drafting to any party.

18. GENERAL PROVISIONS

- 18.1. **Confidentiality.** All data, documents, discussion, or other information developed or received by Consultant for performance of this Agreement are deemed confidential and Consultant shall not disclose it without prior written consent by City. City shall grant such consent if disclosure is legally required. All City data shall be returned to City upon the termination or expiration of this Agreement.
- 18.2. **Conflicts of Interest.** Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Consultant further agrees to file, or shall cause its employees or subcontractor to file, a Statement of Economic Interest with the City's Filing Officer if required under state law in the performance of the services. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.
- 18.3. **Non-assignment.** Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.
- 18.4. **Binding on Successors.** This Agreement shall be binding on the successors and assigns of the parties.
- 18.5. **No Third-Party Beneficiaries.** Except as expressly stated herein, there is no intended third-party beneficiary of any right or obligation assumed by the parties.

- 18.6. **Time of the Essence.** Time is of the essence for each and every provision of this Agreement.
- 18.7. **Non-Discrimination.** Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation. Employment actions to which this provision applies shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; or in terms, conditions or privileges of employment, and selection for training. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, the provisions of this nondiscrimination clause.
- 18.8. **Waiver.** No provision, covenant, or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing signed by one authorized to bind the party asserted to have consented to the waiver. The waiver by City or Consultant of any breach of any provision, covenant, or condition of this Agreement shall not be deemed to be a waiver of any subsequent breach of the same or any other provision, covenant, or condition.
- 18.9. **Excused Failure to Perform.** Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment that such failure was due to causes beyond the control and without the fault or negligence of Consultant.
- 18.10. **Remedies Non-Exclusive.** Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies.
- 18.11. **Attorneys' Fees.** If legal action shall be necessary to enforce any term, covenant or condition contained in this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs expended in the action.
- 18.12. **Venue.** The venue for any litigation shall be Los Angeles County, California and Consultant hereby consents to jurisdiction in Los Angeles County for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.

TO EFFECTUATE THIS AGREEMENT, the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

“City”
City of Sierra Madre

“Consultant”
Karen Warner Associates

By: _____
Signature

By: _____
Signature

Printed: Gabriel Engeland

Printed: Karen Warner

Title: City Manager

Title: President

Date: _____

Date: _____

Attest:

By: _____
Laura Aguilar, Assistant City Clerk

Date: _____

Approved as to form:

By: _____
Teresa L. Highsmith, City Attorney

Date: _____

SCOPE OF WORK

The 2021-2029 Housing Element will evaluate Sierra Madre's current housing needs and market conditions, constraints and resources, and will assess the effectiveness of the City's current housing programs in addressing these housing issues. The following Scope of Work presents the Element's major tasks, and depicts how these tasks build upon one another to establish a comprehensive housing strategy for the City.

TASK 1. INTRODUCTION

The introductory chapter to the Element sets the stage by describing the purpose of the Housing Element in lay terms and establishes the community's housing context. The Introduction also includes a summary of key housing issues; establishes the Housing Element's relationship with the balance of the General Plan; and describes the public participation process.

TASK 2. EVALUATION OF ACCOMPLISHMENTS UNDER ADOPTED ELEMENT

In order to develop appropriate programs to address the community's housing needs, KWA will work with City staff to determine the achievements under adopted housing programs in the 2014-2021 Sierra Madre Housing Element, and evaluate the effectiveness of these programs in delivering housing services. This evaluation will include a description of the City's track record in producing new affordable housing during the prior planning period, and a comparison of both market rate and assisted housing production with the City's identified regional housing growth needs (RHNA).

The following are among several key program actions in Sierra Madre's Housing Element to be reviewed and evaluated for appropriateness in the Element update:

- ✓ Second unit program
- ✓ Affordable housing development assistance
- ✓ Density bonus update
- ✓ Zoning text amendments for special needs housing

TASK 3. HOUSING NEEDS ASSESSMENT/RHNA

This section of the Housing Element provides a comprehensive analysis of the City's existing and projected housing needs, and serves as a guide for focusing Housing Element policies and programs in response to these needs. The Needs Assessment encompasses an analysis of the following:

- ✓ Population and household characteristics
- ✓ Housing stock characteristics
- ✓ Assisted housing at-risk of conversion to market rate
- ✓ Regional Housing Needs Assessment (RHNA)

Population and Household Characteristics. Data sources including the American Community Survey, 2020 Census (as available), and available local studies will be compiled and evaluated to derive the following demographic and household information:

- ✓ Current population and population growth trends for City and comparable communities.
- ✓ Population characteristics including age distribution and race/ethnicity, and demographic shifts over past 2 decades.
- ✓ Current and projected employment in Sierra Madre.
- ✓ Household characteristics including household type, tenure and size, overcrowding/severe overcrowding by tenure and geographic concentration, and housing overpayment/severe overpayment for owners and renters.
- ✓ Household income for City in comparison to the region and other comparable communities, income differences within the City, identification of persons living in poverty.
- ✓ Special needs populations - including seniors, large families, disabled, single-parent households, homeless. Analysis of the income and tenure characteristics of these groups, and availability of specialized housing in Sierra Madre to meet their needs.

Housing Stock Characteristics. Information on the City's housing stock and current market characteristics will be obtained from a variety of published sources, including CoreLogic sales data, CoStar and internet rent surveys, and local market studies. The following information will be provided:

- ✓ Housing growth trends for Sierra Madre and similar communities.
- ✓ Housing unit mix and tenure, and geographic concentrations of rentals, including single-family rentals.
- ✓ Vacancy rates.
- ✓ Home ownership and rental market analysis.
- ✓ Affordability analysis of City's owner and rental housing to very low, low and moderate income households
- ✓ Housing conditions analysis to assess the magnitude of units requiring rehabilitation or replacement in Sierra Madre.

Regional Housing Needs Assessment (RHNA). HCD and SCAG have been informing communities to expect a significantly higher RHNA allocation in the 6th housing element cycle. In fact, preliminary numbers released by SCAG show a projected need ranging from 130 (Option 3), to 535 (Option 1), to 625 (Option 2) new units for Sierra Madre, compared to 55 units in the prior housing element cycle.

PROJECT SCHEDULE

The following presents a general project schedule for the Sierra Madre Housing Element, subject to refinement based on further discussions with staff. KWA has a strong reputation for keeping projects on track, and offers the full commitment of staff throughout the project to ensure a successful program. The proposed schedule provides for element adoption in April 2021, well before the October 2021 deadline.

1. Project Kick-off	January 2020
2. Update Existing Sites inventory (per AB 1397, building permits issued, entitled projects)	January - February
3. <i>Release of draft RHNA by SCAG</i> Identification of additional sites	February - March 2020
4. Public Outreach and vetting of sites: ✓ Planning Commission/City Council Study Session(s) ✓ Community Workshops (2)	March - July
5. <i>Rezoning and Land Use Element amendment (as req'd)</i> - <i>not part of Housing Element scope</i>	July – September
6. Screen Draft Housing Element	September
7. Revised Screen Draft Element Planning Commission/City Council Study Session	October - November
8. <i>Adoption of final RHNA by SCAG</i>	October
9. Public Review Draft Element HCD 60 day review of Draft Element	December- January 2021
10. CEQA Administrative Draft IS-ND Public Review Draft IS-ND Final IS-ND	December December February 2021
11. Public Hearing Draft Element Planning Commission/City Council Public Hearings Submittal of Adopted Element to HCD	February 2021 - April

PROJECT BUDGET 2021-2029 CITY OF SIERRA MADRE HOUSING ELEMENT

	Staff Person	Warner	Oshimo	Mendez	Graphics	TOTAL
	Hourly Rate	\$150	\$100	\$100	\$80	
Task		# hours	# hours	# hours	# hours	
1	Element Introduction	4				\$600
2	Review of Existing Housing Element	12		16		\$3,400
3	Housing Needs Assessment/RHNA	20		75	8	\$11,140
4	Site Availability	25	25		24	\$8,170
5	Potential Housing Constraints	24	32			\$6,800
6	Housing Resources	8		12		\$2,400
7	Housing Plan	32	40			\$8,800
8	Draft Housing Element/HCD Review	60	24		6	\$11,880
9	Final Housing Element/Submittal to HCD	12	4			\$2,200
10	Public Participation					
	<i>Council/ Commission Study Sessions (2)</i>	20	20		12	\$5,960
	<i>Community Workshops (2)</i>	20	20		12	\$5,960
	<i>Council/Commission Public Hearings (3)</i>	18			4	\$3,020
	<i>Staff Meetings (3)</i>	6	2			\$1,100
	Subtotal	261	167	103	66	\$71,430
	CEQA Compliance: IS-ND					
			<i>estimate - actual cost based on T&M</i>			\$10,000
	Direct Costs					
	Reproduction/Mileage/Miscellaneous					\$1,000
	CoreLogic Purchase					\$250
	CoStar Purchase (est.)					\$250
	TOTAL					\$82,930



Not-to-Exceed Fee Schedule
CITY OF SIERRA MADRE

9/30/2019

INFRASTRUCTURE ENGINEERS TEAM

Task No.	TASK DESCRIPTION	Name: Andre Dupret						TOTAL FEE
		Principal-in-Charge	Project Manager	Environmental Specialist	Senior Planner	Planner	Admin. Staff	
Billing Rate:		\$170	\$155	\$150	\$135	\$100	\$89	
HOURS & COST BY TASK								
1.1	Kickoff Meeting - Project Team Coordination - Review & Evaluate City's 2014-2020 Housing Element	2	8	8	8	8		\$ 4,660
1.2	Document Review and Summarize Conditions, Resources, Constraints, and Funding Options.	2	2	4	4	8		\$ 2,590
2.1	Needs Analysis	1	2	1	4	8		\$ 1,970
2.2	Housing Resource Opportunities	1	2	1	2	8		\$ 1,700
2.3	Housing Constrains	1	2	1	2	8		\$ 1,700
2.4	Housing Goals, Policies, and Implementation Programs	4	4	8	8	12		\$ 4,780
3.1	Draft Housing Element	4	4		18	10		\$ 4,730
3.2	Community Meetings, Planning Commission and City Council Hearings	8	8	8	8	8		\$ 5,680
3.3	Housing Element - Prepare Final Version	2	2	8	4	8		\$ 3,190
3.4	State Certification	1	1	4	2	8		\$ 1,995
4.1	Initial Study and Notice of Intent/Notice of Preparation	2	2	12	4	8		\$ 3,790
4.2	Public Scoping Meeting (EIR Preparation Course)	1	2	3	2	3		\$ 1,500
4.3	Environmental Analysis (Technical Reports)			25				\$ 3,750
4.4	Preparation of Administrative Draft EIR	4	12	88	24	36		\$ 22,580
4.5	Mitigation Monitoring and Reporting Plan (EIR or MND)	1	1	10	1	1		\$ 2,060
4.6	Preparation of Draft EIR and 45-Day Public Review	1	2	16	4	4		\$ 3,820
4.7	Response to Comments (EIR Preparation Course)	1	1	16	1	1		\$ 2,960
4.8	Final Environmental Analysis Document (EIR Preparation Course)	1	2	16	4	4		\$ 3,820
4.9	Environmental Specialist Attends Public Meetings for Environmental Analysis			8				\$ 1,200
5	Deliverables: Research Summaries, matrixes, Draft Housing Element	3	3	2	4	8		\$ 2,615
6	Administrative Timekeeping and Invoicing						10	\$ 890
DIRECT COST SUB-TOTAL:		40	60	239	104	151	10	\$ 81,980
INDIRECT COST SUB-TOTAL:		PUBLIC OUTREACH SUPPLIES, MATERIALS & OTHER ASSOCIATED COSTS						\$2,000
TOTAL PROJECT COST:		\$ 83,980						

PROJECT SCHEDULE

Sierra Madre Housing Element Update for 2021-2029

PROJECT TASKS & TIMING		2020	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER
TASK I - ASSESSMENT														
1.1	Kickoff Meeting - Project Team Coordination - Review & Evaluate City's 2014-2020 Housing Element	●												
1.2	Document Review and Summarize Conditions, Resources, Constraints, and Funding Options		●	●										
TASK II - HOUSING ELEMENT PREPARATION														
2.1	Needs Analysis				●									
2.2	Housing Resource Opportunities				●									
2.3	Housing Constraints				●									
2.4	Housing Goals, Policies, and Implementation Programs				●									
TASK III - PREPARE AND FINALIZE HOUSING ELEMENT														
3.1	Draft Housing Element													
3.2	Community Meetings, Planning Commission and City Council Hearings				●									
3.3	Housing Element - Prepare Final Version													
3.4	State Certification													
TASK IV - ENVIRONMENTAL REVIEW														
4.1	Initial Study and Notice of Intent/Notice of Preparation													
4.2	Public Scoping Meeting (EIR Preparation Course)			●										
4.3	Environmental Analysis (Technical Reports)													
4.4	Preparation of Administrative Draft EIR													
4.5	Mitigation Monitoring and Reporting Plan (EIR or MND)													
4.6	Preparation of Draft EIR and 45-Day Public Review													
4.7	Response to Comments (EIR Preparation Course)													
4.8	Final Environmental Analysis Document (EIR Preparation Course)													
4.9	Environmental Specialist Attends Public Meetings for Environmental Analysis			●										
TASK V - REQUIRED WORK PRODUCTS														
5	Deliverables: Research Summaries, matrixes, Draft Housing Element Update for Staff/Public Review, Final Housing Element Update Documents, HCD Certification Documents.													

Note: ● = Meetings.
 This timeline represents an adoption & certification of a project that receives a Mitigated Negative Declaration. Should the review be expanded from an MND to an EIR during the review of the project, then IE and City staff will meet to determine the extended timeline.

- Project Task In Progress
- Meetings - Including those w/Internal Team, Stakeholder Groups, and/or General Public City Staff/Agency Review of Deliverables
- Public Review of Plan
- City Planning Commission or City Council Meeting/Study Session/Hearing



CITY OF SIERRA MADRE 2021 - 2029 HOUSING ELEMENT UPDATE

REQUEST FOR PROPOSALS

Due Date: September 30, 2019 on or before 3:00 p.m.

Date of release: August 22, 2019

I. OVERVIEW

The City of Sierra Madre's Planning Division is requesting proposals from consultants who are qualified to prepare the City's 2021-2029 Housing Element Update of the General Plan. The selected consultant will review the City's existing Housing Element and will update the document to reflect current conditions, city policies, and methods to meet the housing requirements mandated by the State of California Department of Housing and Community Development.

The following information defines the proposed project, scope of services, proposal requirements, selection process and other information required to prepare and submit a proposal.

II. PROJECT DESCRIPTION

The City's 2014-2021 Housing Element was last updated and adopted by City Council in January 2014, and is deemed in compliance with State Housing Element law by the State Department of Housing and Community Development (HCD).

The City is now seeking to update the current 2021-2029 Housing Element. The update will reassess the community's housing-related goals and objectives and Regional Housing Needs Assessment (RHNA) figures, while addressing issues and establishing objectives with respect to a wide range of possible housing related program changes resulting from the State-wide dissolution of Redevelopment Agencies. The City's RHNA allocation for the planning period of 2021-2029 was 55 dwelling units (Attachment 1). The City's RHNA allocation for the 6th Housing and Community Development Planning Cycle is undetermined at the time of the release of this request for proposals.

III. ABOUT THE CITY OF SIERRA MADRE

Incorporated in 1907, the City of Sierra Madre is one of 29 cities in the San Gabriel Valley region of Los Angeles County. The city encompasses approximately 3.2 square miles with a population of 10,986 people. It is located approximately 17 miles northeast of downtown Los Angeles at the base of the San Gabriel Mountains, as shown in Figure 1-1, Regional Location. The City is bounded by the cities of Arcadia to the east and south, Pasadena to the west, and the Angeles National Forest to the north.

Sierra Madre is one of the few cities in the region that has been able to retain its village quality despite pressures for growth, modernization and diversification in the surrounding communities. The nearest major transportation corridor to the City is Interstate 210 (I-210), which runs east and west a mile south of the City limits. This distance, the lack of “through” arterials, and the fact that the City has been described in the 1996 General Plan and the city’s most recent Housing Element as “built out” since the 1940s has protected Sierra Madre from the pressure of large-scale, commercial, residential and industrial development and helped to retain its small-town character.

IV. RFP SCHEDULE

Release Request for Proposal	August 22, 2019
Proposals Due	September 30, 2019
Consultant Selection	October 7, 2019
City Council Selection and Award	November 12, 2019
Kick-off Meeting	January 8, 2020

V. SCOPE OF WORK

Task 1 – Assessment

1.1 Evaluation of the 2021-2029 Housing Element. Consultant will be required to review and evaluate the current Housing Element and its programs, including:

- A discussion of the effectiveness of the housing programs and policies as well as changes to available programs as a result of the State’s elimination of Redevelopment Agencies;
- A comparison of projected results from the adopted Housing Element to actual accomplishments;
- A summary of how these results are important to a revision of the Housing Element; and
- An evaluation of the existing Housing Element to current State Housing Law.

1.2 Document Review. Consultant will review City documents to aid in understanding local conditions and the community’s housing needs. Documents include, but are not limited to the housing element implemented for the 2014-2021 planning period, second unit ordinance adopted 2016 and all housing programs and ordinances currently in place. In addition, the

Consultant will need to evaluate existing City Housing resources and funding mechanisms and identifying key issues.

Task 2 – Housing Element Preparation

2.1 Needs Analysis. The Consultant will complete the housing assessment and needs analysis to satisfy Government Code Section 65582(a). The Consultant will coordinate with staff to develop a current housing inventory and to evaluate housing conditions using State approved criteria. Where necessary to complete this task, the Consultant will obtain and analyze the most current data available on demographics and housing in the City of Sierra Madre.

The gathered data will be used to draft a housing needs assessment that will identify:

- Population, demographic and employment trends;
- Special housing needs (e.g. large families, seniors, farm workers, homeless, etc.);
- Housing stock characteristics, including at risk units, vacant and underutilized land;
- Adequacy of the City’s public facilities (maintenance) and improvements needed);
- Housing cost and affordability;
- Regional housing needs share; and
- Current vacant and underutilized land inventory.

2.2 Housing Resources and Opportunities. The Consultant will identify housing resources, including programmatic, physical, and financial. In addition, the consultant will prepare an analysis of the relationship between the projected housing needs and the dwelling unit capacity and availability of services to said sites.

2.3 Housing Constraints. The Consultant will identify potential and actual governmental and nongovernmental constraints to housing production. Where constraints exist, the Consultant will develop housing programs to mitigate them or, where appropriate and legally possible, remove them.

2.4 Housing Goals, Policies, and Implementation Programs. The Consultant must build on the existing Housing Element, public input, and the needs and constraints analyses to formulate an eight-year implementation plan with appropriate and implementable housing policies and programs. This work will need to satisfy the requirements of Government Code Section 65583 et seq.

Task 3 – Prepare and Finalize Housing Element

3.1 Draft Housing Element. The Consultant will be required to prepare and submit three (3) copies of the Administrative Draft Housing Element for Staff review and comment. Once staff has reviewed and commented on the draft, the Consultant will modify the Administrative Draft as directed. The Consultant will then prepare and submit twenty (20) copies of a Draft Housing Element for the City to provide to HCD, the City Council, Planning

Commission and the general public for review and comment.

3.2 Community Meetings, Planning Commission and City Council Hearings. In addition to communication with staff via telephone and email, The Consultant must attend two (2) community meetings and three public hearings (one Planning Commission and up to two City Council meetings) to respond to questions during public review of the Draft Housing Element. The Consultant will assist staff in preparing summary notes of the community meetings, responding to any public or agency comments, including comments from HCD, and shall be available to attend additional hearings on a time-and-materials basis. Consultant will review and suggest additions to the mailing list of all appropriate agencies, organizations and individuals to contact for the public outreach and hearings used in previous outreach efforts.

3.3 Housing Element. The Consultant will prepare a final version of the Housing Element, including any changes to the draft required by HCD and City staff and officials, for certification by the State mandated time frame. Consultant will work closely with staff to ensure that the City meets all HCD deadlines and requirements.

3.4 State Certification. The Consultant must follow through with assisting the City in achieving certification of the Housing Element after adoption by the City. The Consultant will work closely with HCD and City of Sierra Madre and serve as the City's representative and liaison to HCD to ensure that City meets State requirements and will recommend modification to the adopted Housing Element, if required to obtain certification.

Task 4 – Environmental Review

4.1 CEQA Completion and submittal of all required documents. The consultant must prepare and process all applicable environmental documents pursuant to CEQA.

Task 5 –Required Work Products

The following products shall be prepared and delivered to the City:

- Research and Analysis;
- Administrative Draft Housing Element (3 Hard Copies, 1 electronic);
- Public Review Draft Housing Element (20 Hard Copies, 1 Compact Disc, 1 PDF)
- Administrative Final Housing Element (3 Hard Copies, 1 PDF);
- Final Housing Element (10 Hard Copies, 1 Compact Disc, and 1 PDF);
- CEQA Required Documents; and
- State Certification of 2021-2029 Housing Element from HCD.

VI. PROPOSAL CONTENT

Proposal responses must adhere to the requirements set forth in this section, both for content and sequence. Failure to adhere to these requirements or the inclusion of conditions, limitations or misrepresentations may be cause for rejection of the submittal. Use 8-1/2 x 11 sheets (foldouts are acceptable for charts, etc.) and font size large enough to be easily legible, but not smaller than 11 point. The original proposal and each subsequent copy must be submitted on paper, properly bound, appropriately tabbed and labeled in the following order:

A. Cover letter: Provide a “Cover Letter” and introduction, including the name and address of the organization or individual submitting the proposal, together with the name, address, telephone and e-mail address of the contact person who will be authorized to make representations for the organization, and an expression of the Consultant’s ability and desire to meet the requirements of this Request for Proposal. The letter must be signed by an individual authorized to bind the firm contractually.

B. Table of Contents: This section shall include a detailed “Table of Contents” and an outline of the submittal, identified by sequential page number and by section reference number and section title as described herein.

C. Consultants Capabilities: Describe the firm’s resources, experience and capabilities as they relate to scope of services described hereinabove. Submit in the order identified below:

1. Executive Summary: An executive summary should briefly describe the Consultant’s qualifications, including experience in Housing Element design and updates, resumes of key staff member(s) assigned to prepare the Housing Element. The executive summary should also include a description of your understanding of the project.

2. Approach and Scope of Work: Discuss each item in Section III, Scope of work Task 1 through Task 4 with a cost estimate and cost proposal for the project including a breakdown of costs by each task. Consultant will also provide a schedule of fees and hours.

D. References: Consultants must provide a minimum of three (3) client references, preferably of city governments, municipalities, or service districts in California, of organizations with whom you currently have contracts with and/or have previously had contracts with for the provision of services of equal type and scope within the last eight (8) years. Each reference shall include company or organization name, contact person, title, telephone number, length of business relationship, and summary of services performed.

E. Additional Data: (This Section shall be limited to five pages.) Include any other data the Consultant deems essential to the evaluation of the qualifications and proposal statements. Where appropriate, please include key data linked to information contained in Section A thru D. If there is no additional data, this section will consist of the statement, “We wish to present no additional data.”

F. Schedule: Consultants must provide a matrix showing tasks and a time frame to ensure completion and submittal of document to the State HCD. Consultant shall propose a schedule to meet HCD timelines for the certification of the 2021-2029 Housing Element.

VII. SELECTION CRITERIA

The City will consider all proposals and award a contract to the Consultant that provides the best value for the City of Sierra Madre. Accordingly, the City will use the following evaluation criteria to select a Consultant (not in any particular order):

1. Experience with fully preparing a Housing Element.
2. Relevant qualifications of personnel.
3. References from current and/or past Cities.
4. Familiarity with applicable state and federal laws.
5. Approach to overall preparation of the housing element document as it relates to the characteristics of Sierra Madre.
6. Proposed scheduling and ability to meet City deadlines.

A materially incomplete or non-responsive proposal will not be considered.

A selection committee comprised of City Staff will review and rank the proposals based on the evaluation criteria above. After discussing and ranking the proposals, the committee will select one consultant. If necessary, an alternate procedure may be to invite the top applicants to an interview before the final selection. The City Council will make the final award of contract.

VII. SELECTION PROCESS

The City of Sierra Madre reserves the right to reject any or all proposals for any reason whatsoever. Interviews will be at the option of the City. The lowest cost proposal will not necessarily be selected. The services to be provided shall be in accordance with the standard City of Sierra Madre Professional Services Agreement (Attachment 2).

Please submit three (3) copies of your Proposal by **September 30, 2019 on or before 3:00 PM** to:

City of Sierra Madre
Attn. Vincent Gonzalez, Director
Planning and Community Preservation Department
232 W. Sierra Madre Blvd

Sierra Madre, CA 91024
Telephone: (626) 355-7138
e-mail: vgonzalez@cityofsierramadre.com

Any questions concerning the Request for proposal should be directed to Vincent Gonzalez, City of Sierra Madre Planning and Community Preservation Department, 232 W. Sierra Madre Boulevard, Sierra Madre, CA 91024 (626) 355-7138.

VII. ON-LINE REFERENCES

Consultants are advised to refer to our website at www.cityofsierramadre.com for a copy of our current Housing Element document as well as our General Plan.

Attachment:

1. RHNA Allocation
2. Sample Professional Services Agreement



City of Sierra Madre Agenda Report

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

Sue Spears, City Clerk
Michael Amerio City Treasurer

TO: Honorable Mayor and Members of the City Council

INITIATED: Jim Hunt, Interim Chief of Police

REVIEWED BY: Gabriel Engeland, City Manager

DATE: Date of Council Meeting

SUBJECT: REPEAL CHAPTER 9.48 OF THE MUNICIPAL CODE

STAFF RECOMMENDATION

Staff recommends that the City Council repeal chapter 9.48 of the Sierra Madre Municipal Code to conform to current California State Law as directed by the California Supreme Court.

ALTERNATIVES

1. Repeal Chapter 9.48 of the Sierra Madre Municipal Code to conform to the California Supreme Court ruling and rely on California State law.
2. Repeal sections 9.48.010, 9.48.030, 9.48.040 and amend section 9.48.020 by removing subsections A, B, C, E, H, L, and N to conform with the California Supreme Court ruling.
3. Leave the ordinance sections in place, but continue with the current policy of non-enforcement of these provisions which are in consistent with the California Supreme Court ruling regarding the application of Jessica's Law.

SUMMARY

In 2006, California voters approved Proposition 83, which is commonly referred to as Jessica's Law. The law created restrictions regarding where registered sex offenders could live. It also authorized local governments to enact ordinances that further restricted the residency of any registered sex offender.

Most cities and counties in California created ordinances which further restricted the residency of any registered sex offender. Sierra Madre enacted Chapter 9.48 of the municipal code to further restrict the residency of any registered sex offender in the City of Sierra Madre. After adoption, the law was challenged through the local ordinance in the County of San Diego. The case eventually went to the California Supreme Court for a ruling. On March 2, 2015, the court ruled that San Diego County's ordinance with a blanket residency restriction was unconstitutional. The court decision applied directly to San Diego County's ordinance.

San Diego County's ordinance mirrored nearly every other city and county ordinance, including the

FOR CITY COUNCIL AGENDA _____

ITEM NUMBER

ordinance here in the City of Sierra Madre. The court ruling makes sections of the City's ordinance unconstitutional and unenforceable. It is important to note that although the City's Jessica's Law ordinance has remained in the Municipal Code, it has not be enforced since the ruling of the California Supreme Court.

ANALYSIS

Staff recommends removing provisions that are inconsistent with changes in state or federal law, rather than relying on non-enforcement policies at the Department level. Residents may also be confused if they read Sierra Madre's ordinance and are not aware of the City's non-enforcement consistent with the California Supreme Court decision. Any enforcement action regarding this ordinance would put the City at risk. Staff conducted a study and found that the other cities in the San Gabriel Valley have either repealed their ordinance completely or removed the sections affected by the Supreme Court's ruling.

By repealing Chapter 9.48 of the Sierra Madre Municipal Code the City would clean up an unenforceable and unenforced ordinance from the Municipal Code.

FINANCIAL REVIEW

There are no fiscal impacts

CEQA / ENVIRONMENTAL

There are no environmental impacts

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at City Hall, at the Sierra Madre Public Library, and can be accessed on the City's website at www.cityofsierramadre.com.

URGENCY ORDINANCE NO.

URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE REPEALING CHAPTER 9.48 (SEX OFFENDER RESIDENCY AND LOITERING RESTRICTIONS) OF TITLE 9 (PUBLIC PEACE, MORALS AND WELFARE) OF THE SIERRA MADRE MUNICIPAL CODE TO COMPLY WITH STATE LAW RESTRICTIONS AND DECLARING THE URGENCY THEREOF IN ACCORDANCE WITH GOVERNMENT CODE SECTIONS 36934 AND 36937

WHEREAS, on November 7, 2006, the voters of the State of California overwhelmingly approved Proposition 83, the Sexual Predator Punishment and Control Act, commonly referred to as "Jessica's Law;" and

WHEREAS, Proposition 83, as codified in subsection (c) of Penal Code section 3003.5, authorizes local governments to enact ordinances that further restrict the residency of any registered sex offender, and as so authorized, the City adopted Chapter 9.48; and

WHEREAS, Since November 22, 2013, pursuant to a Settlement Agreement, the City has stayed enforcement of Chapter 9.48, pending a decision from the California Supreme Court regarding the enforceability of the residency restrictions under Proposition 83; and

WHEREAS, On March 2, 2015, the California Supreme Court in the matter of *In Re: Taylor*, 60 Cal. 4th 1019, struck down the residency restrictions under Proposition 83, which effectively invalidates local ordinances which relied upon this authority to impose such residency restrictions; and

WHEREAS, for avoidance of confusion and potential liability, ordinances which have been deemed unenforceable or unlawful as a result of subsequent changes in the law should be repealed as soon as possible as necessary to protect the public's health, safety, and welfare by complying with state law; and

WHEREAS, Government Code Section 36937(b) authorizes the adoption of ordinances that take effect immediately for the purpose of preserving the public peace, health or safety, provided such ordinances are approved by four-fifths (4/5) vote of the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The recitals above are true and correct and incorporated herein by reference.

SECTION 2. Urgency Findings: The City Council finds as follows, pursuant to Government Code Section 36937(b):

- A. The immediate repeal of Chapter 9.48 is necessary to avoid public confusion, potential inadvertent enforcement of a regulation which has been rendered unenforceable due to subsequent changes in state law and resulting liability.
- B. Without adopting these amendments via an urgency ordinance, the risk of confusion, inadvertent enforcement and resulting liability will continue, which is detrimental to the public health and safety. Accordingly, the adoption of this Urgency Ordinance is necessary to immediately preserve the public peace, health, and safety, pursuant to Government Code Section 36937(b).

SECTION 3. Chapter 9.48 (“Sex Offender Residency and Loitering Restrictions”) or Title 9 (“Public Peace Morals and Welfare”) is repealed in its entirety.

SECTION 4. California Environmental Quality Act. The City Council has considered all of the evidence in the record, including the staff reports, the testimony received during the public hearing on the matter held by the City Council, and hereby determines that that the repeal of an unenforceable regulation will have no effect on the environment and that this Ordinance is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061 (b)(3) of the California Code of Regulations.

SECTION 5. Publication and Effective Date. Upon adoption of this Urgency Ordinance by no less than four-fifths (4/5) vote of the Council, the Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in newspaper of general circulation within fifteen (15) days after its adoption. This Urgency Ordinance shall become effective immediately upon its adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Sierra Madre at the regular meeting of 12th day of November, 2019.

John Harabedian, Mayor

ATTEST:

Sue Spears, City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF SIERRA MADRE)

I, _____, City Clerk of the City of Sierra Madre, hereby certify that the foregoing Urgency Ordinance No. _____ was approved and adopted by said Council at its regular meeting held on the 12th day of November, 2019 by the following vote, to-wit:

AYES:

NOES:

ABSTAIN:

ABSENT:

Sue Spears, City Clerk



City of Sierra Madre Agenda Report

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

Sue Spears, City Clerk
Michael Amerio City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Vincent Gonzalez, Director of Planning and Community Preservation

Prepared by: Sophia Kownatzki, Administrative Intern

REVIEWED BY: Gabe Engeland

DATE: November 12, 2019

SUBJECT: AUTHORIZATION TO SUBMIT SB 2 PLANNING GRANTS PROGRAM APPLICATION

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 19-58 for authorization to submit a 2019 SB 2 Planning Grants Program application and to authorize the receipt of program funds if application is approved.

ALTERNATIVES

1. Approve Resolution 19-58 for authorization to submit a 2019 SB 2 Planning Grants Program application and to authorize the receipt of program funds if application is approved.
2. Direct staff not to submit the SB 2 Planning Grants Application.

SUMMARY

Staff desires to prepare and submit a 2019 application for the Senate Bill 2 Planning Grants Program, which provides funding and technical assistance to local governments to increase housing approvals and accelerate housing production. If accepted, the City is eligible to receive up to \$160,000. Grant funding would be used for three activities: 1) the residential sites inventory component of 2021-2029 Housing Element update; 2) an update of the City's Accessory Dwelling Unit ordinance; and 3) an update to the Density Bonus ordinance. Should any grant funds remain, they will be directed towards updating the City's GIS mapping layers. Upon Council approval of the attached resolution, the City Manager will finalize the grant application and execute any necessary grant agreements between the City and State. The deadline for the non-competitive grant application is November 30, 2019.

ANALYSIS

In 2017, Governor Brown signed a 15 bill housing package aimed at addressing the state's housing shortage and high costs. Included in this package is the Planning Grants Program (PGP) of SB 2, which provides up to \$123 million in grants to all eligible local governments. Under the direction of the Department of Housing and Community Development (HCD), PGP provides one-time funding and technical assistance for eligible local governments to update planning documents to increase housing

approvals and accelerate housing production at all levels of affordability.

Funds are intended to achieve the following objectives:

1. Accelerate housing production
2. Streamline the approval of housing development affordable for owner and renter households at all income levels
3. Facilitate housing affordability for all income groups
4. Promote development consistent with the State Planning Priorities
5. Ensure geographic equity in the distribution and expenditure of allocated funds.

The City is eligible for up to \$160,000 in grant funding if the application is approved by California Housing and Community Development Department (HCD). This grant would be used to fund the following three activities:

1. 2021-2029 Housing Element update residential sites component: sites inventory analysis; community education and outreach on potential rezone sites; rezoning as necessary to address RHNA; CEQA on rezoning; public hearings and adoption of rezoning.
2. Accessory Dwelling Unit Ordinance update: amend Sierra Madre Municipal Code Section 17.22 (Second Units) to conform to recent changes in State ADU/JADU law.
3. Density Bonus Ordinance update: amend Sierra Madre Municipal Code Section 17.34 (Affordable Housing) to conform to recent changes in State density bonus law.
4. Should any grant funds remain, they will be directed towards updating the City's GIS mapping layers.

If awarded the grant, the City would also receive access to technical assistance from the HCD, such as updated models, consulting workshops, online toolkits and best practices to accelerate housing production.

CONSISTENCY WITH GENERAL PLAN

The proposed activities under the SB 2 Planning Grant Application are consistent with the Goals and Objectives of the General Plan in that they would further the goal of developing housing for all income groups in the community consistent with the City's identified housing needs.

FINANCIAL REVIEW/SOURCE OF FUNDING

Under the direction of the Director of Planning and Community Preservation, the Consultant, Karen Warner Associates (KWA) entered into a Professional Services Agreement totaling (60 hours x \$150/hour) to provide professional planning services to prepare and submit a SB 2 (2017) Planning Grants Program (PGP) application to the California Housing and Community Development Department (HCD). The PGP is a one-time component of SB 2 that provides financial and technical assistants to local governments to update planning documents in order to accelerate housing production at all levels of affordability. The maximum grant amount is \$160,000.

ENVIRONMENTAL (CEQA)

The Authorization to submit an SB 2 Planning Grants Application is not subject to CEQA review. The preparation of the Housing Element Update is subject to review in compliance with CEQA requirements.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City's website at www.cityofsierramadre.com, at the City Hall public counter, and the Sierra Madre Public Library.

Attachments:

- Attachment 1 – City Council Resolution 19-58
- Attachment 2 – Planning Grants Program Application
- Appendix B – Nexus to Accelerating Housing Production

RESOLUTION NO. 19-58

A RESOLUTION OF THE CITY OF SIERRA MADRE AUTHORIZING APPLICATION FOR, AND RECEIPT OF, SB 2 PLANNING GRANTS PROGRAM FUNDS

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the City Council of Sierra Madre desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, THE CITY COUNCIL OF SIERRA MADRE RESOLVES AS FOLLOWS:

SECTION 1. The City Council is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application in the amount of \$160,000.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the City Manager is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$160,000, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the City's obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The City shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The City Council hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the

Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

SECTION 4. The City Manager is authorized to execute the City of Sierra Madre Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the City as required by the Department for receipt of the PGP Grant.

APPROVED AND ADOPTED this 12th day of November, 2019.

Mayor, City of Sierra Madre, California

I, Sue Spears, City Clerk of the City of Sierra Madre, hereby certify that the foregoing Resolution Number, 19-58 was adopted by the City Council of City of Sierra Madre at a regular meeting held on the 12th day of November, 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk, City of Sierra Madre, California

SB 2 Planning Grants Program Application



**State of California
Governor Gavin Newsom**

**Alexis Podesta, Secretary
Business, Consumer Services and Housing Agency**

**Ben Metcalf, Director
Department of Housing and Community Development**

2020 West El Camino, Suite 500
Sacramento, CA 95833

Website: <http://www.hcd.ca.gov/grants-funding/active-funding/planning-grants.shtml>

Email: sb2planninggrant@hcd.ca.gov

March 28, 2019

Revised July 10, 2019

SB 2 Planning Grants Application

Planning Grants Program Application Packaging Instructions

The applicant is applying to the Department of Housing and Community Development (Department) for a grant authorized underneath the Planning Grants Program (PGP) provisions of SB 2 (Chapter 364, Statutes of 2017). The PGP program is intended for the preparation, adoption, and implementation of plans that streamline housing approvals and accelerate housing production. Please refer to the SB 2 Planning Grants Program Guidelines and Notice of Funding Availability (NOFA) for detailed information on eligible activities, applicants, and awards. If you have questions regarding this application or the PGP, email sb2planninggrant@hcd.ca.gov.

If approved for funding, this grant application will be a part of your Standard Agreement with the Department. In order to be considered for funding, all sections of this application, including attachments and exhibits if required, must be complete and accurate.

Pursuant to Section X of the NOFA, all applicants must submit a complete, signed, original application package and an electronic copy on CD or USB flash drive containing the following documentation, in the order listed below, to the Department by the specified due date in the Notice of Funding Availability (NOFA) in order to be considered for award:

- 1) A complete, signed, original application (the Department will only accept this **fillable pdf** as the application) with the following attachments:
 - a. **Attachment 1: State and Other Planning Priorities** (All applicants must submit this form to self-certify compliance)
 - b. **Attachment 2: Nexus to Accelerating Housing Production - NOTE:** if the applicant is proposing only Priority Policy Areas (PPA), as defined in section VIII, subsection (3) of the NOFA, do not fill out Attachment 2. However, if the applicant is proposing to fund PPAs AND other activities that are not considered PPAs, the application must demonstrate how these other activities have a nexus to accelerating housing production by filling out Attachment 2 of this application.
- 2) A fully executed resolution authorizing application for, and receipt of, PGP funds (see Attachment 3: Sample Resolution).
- 3) A fully executed Government Agency Taxpayer ID Form (available as a download from the SB 2 Planning Grants webpage at <http://www.hcd.ca.gov/grants-funding/active-funding/planning-grants.shtml>).
- 4) If the applicant is partnering with another local government or other entity pursuant to Article II, Section 200 of the SB 2 Planning Grant Program Guidelines (the "Guidelines"), include a copy of the legally binding agreement.
- 5) Other documentation (e.g., letters of support, scope of work, etc.) if needed.

NOTE: All local governments must submit a separate, signed application package, notwithstanding whether it will partner with another form of government or entity. Only one application per locality will be accepted by the Department. Joint applications are not allowed.

SB 2 Planning Grants Application

A. Applicant Information

Pursuant to Article II, Section 200 of the Guidelines, local governments may partner through legally binding agreements with other forms of governments or entities. However, all local governments must submit separate, signed application packages that identify their respective responsibilities and deliverables, even if partnering with other entities.

Is the applicant partnering with another eligible local government entity?		
<input type="checkbox"/>	*Yes	*If Yes, the application package must include a fully executed copy of the legally binding agreement. Provide the partners' name(s) and type(s) below for reference only.
<input checked="" type="checkbox"/>	No	

Complete the following Applicant information			
Applicant's Name		City of Sierra Madre	
Applicant's Agency Type		City	
Applicant's Mailing Address		232 W. Sierra Madre Boulevard	
City		Sierra Madre	
State	California	Zip Code	91024
County		Los Angeles	
Website		www.cityofsierramadre.com	
Authorized Representative Name		Gabriel Engeland	
Authorized Representative Title		City Manager	
Phone	626-355-7135	Fax	
Email	gengeland@cityofsierramadre.com		
Contact Person Name		Vincent Gonzalez	
Contact Person Title		Director of Planning and Community Preservation	
Phone	626-355-7138	Fax	
Email	vgonzalez@cityofsierramadre.com		
Partner(s) Name (if applicable)			
Partner Agency Type			
Partner(s) Name (if applicable)			
Partner Agency Type			
Proposed Grant Amount	\$	160,000	

B. Applicant Certification

As the official designated by the governing body, I hereby certify that if approved by HCD for funding through the Planning Grants Program (PGP), the City of Sierra Madre assumes the responsibilities specified in the 2019 Notice of Funding Availability and PGP guidelines, and certifies that the information, statements, and other contents contained in this application are true and correct.

Signature: _____ Name: Gabriel Engeland

Date: _____ Title: City Manager

SB 2 Planning Grants Application

C. Threshold Requirements

Pursuant to Section 201(a) through (d) of the Guidelines, all applicants must meet the following threshold criteria in items 1-4 below to be eligible for an award.

1. Does the applicant have an adopted housing element found to be in substantial compliance by the Department on or before the date of the applicant's submission of their SB 2 Planning Grant application?		
<input checked="" type="checkbox"/>	Yes	Date of HCD Review Letter: 3/21/14
<input type="checkbox"/>	No	
<input type="checkbox"/>	The Applicant requests HCD to consider housing element compliance threshold as met due to significant progress achieved in meeting housing element requirements.	

2. Has the applicant submitted to the Department the Annual Progress Report (APR) for the current or prior year on or before the date of submission of their SB 2 Planning Grant application?			
<input type="checkbox"/>	Yes	APR	Date Submitted
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2017 CY Report	4/3/18
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2018 CY Report	6/12/19
<input type="checkbox"/>	No		

3. Is the applicant utilizing one of the Priority Policy Areas listed below (as defined in section VIII, subsection (3) of the NOFA)?						
<input type="checkbox"/>	*Yes	*If the applicant is proposing only Priority Policy Areas, <u>do not fill out Attachment 2</u> . However, if the applicant is proposing to fund PPAs AND other activities that are not considered PPAs, the application must demonstrate how these other activities have a nexus to accelerating housing production by filling out Attachment 2 of this application.				
	Rezone to permit by-right	Objective design and development standards	Specific Plans or form based codes coupled with CEQA streamlining	Accessory Dwelling Units or other low-cost building strategies	Expedited processing	Housing related infrastructure financing and fee reduction strategies
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	No	If an applicant is not proposing Priority Policy Areas, the application must include an explanation and document the plans or processes' nexus and impact on accelerating housing production based on a reasonable and verifiable methodology and must submit Attachment 2 in the Application pursuant to section VIII, subsection (3) of the NOFA.				
<input type="checkbox"/>	The applicant is proposing PPAs and other activities not considered PPAs and is demonstrating how these activities have a nexus to accelerating housing production by submitting Attachment 2.					

4. Does the applicant demonstrate that the locality is consistent with State Planning or Other Priorities, as certified in Attachment 1?	Yes	<input checked="" type="checkbox"/>	*No	<input type="checkbox"/>
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**If No, consistency may be demonstrated through activities (not necessarily proposed for SB 2 funding) that were completed within the last five years, as certified in Attachment 1.*

5. Is a completed and signed resolution included with the application package? See Attachment 3, "Sample Resolution"	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
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SB 2 Planning Grants Application

D. Proposed Activities Checklist (Section VI, items (1) through (17) of the NOFA)

Check all activities the locality is undertaking for their PGP efforts below. Activities must match Section E. Project Description, and Section F. Timeline and Budget.

1	<input checked="" type="checkbox"/>	updates to general plans, community plans, specific plans, local planning related to implementation of sustainable communities strategies, or local coastal plans
2	<input checked="" type="checkbox"/>	updates to zoning ordinances
3	<input type="checkbox"/>	environmental analyses that eliminate the need for project-specific review
4	<input type="checkbox"/>	local process improvements that improve and expedite local planning
5	<input type="checkbox"/>	a smaller geography with a significant impact on housing production including an overlay district, project level specific plan or development standards modifications proposed for significant areas of a locality, such as corridors, downtown or priority growth areas
6	<input type="checkbox"/>	the creation or enhancement of a housing sustainability district pursuant to AB 73 (Chapter 371, Statutes of 2017)
7	<input type="checkbox"/>	workforce housing opportunity zone pursuant to SB 540 (Chapter 369, Statutes of 2017)
8	<input type="checkbox"/>	zoning for by-right supportive housing, pursuant to Government Code section 65651 (Chapter 753, Statutes of 2018)
9	<input type="checkbox"/>	zoning incentives for housing for persons with special needs, including persons with developmental disabilities
10	<input type="checkbox"/>	rezoning to meet requirements pursuant to Government Code Section 65583.2(c) and other rezoning efforts to facilitate supply and affordability
11	<input type="checkbox"/>	rezoning for multifamily housing in high resource areas (according to Tax Credit Allocation Committee/Housing Community Development Opportunity Area Maps)
12	<input type="checkbox"/>	pre-approved architectural and site plans
13	<input type="checkbox"/>	regional housing trust fund plans
14	<input type="checkbox"/>	funding plans for SB 2 Year 2 going forward
15	<input type="checkbox"/>	infrastructure financing plans
16	<input type="checkbox"/>	environmental hazard assessments; data collection on permit tracking; feasibility studies, site analysis, or other background studies that are ancillary and part of a proposed activity with a nexus to accelerating housing production
17	<input type="checkbox"/>	Other activities demonstrating a nexus to accelerating housing production

SB 2 Planning Grants Application

E. Project Description

*Provide a description of the project and the scope of work to be performed below. Use Appendix A for additional information if necessary. **Note:** If partnering with another local government or entity, be sure to clarify the responsibilities and deliverables of your locality pursuant to such partnership.*

1. 2021-2029 Housing Element update: sites inventory analysis, community education and outreach on potential rezone sites, rezoning as necessary to address RHNA, CEQA on rezoning, public hearings and adoption of rezoning. (refer to Project Description in Attachment 2, Appendix B)
 - a. Update existing Housing Element sites inventory based on building permits issued during the prior planning period and current projects with entitlements. Refine inventory and eliminate sites that fail to meet the criteria established under AB 1397.
 - b. Evaluate updated sites inventory in terms of providing adequate sites to address City's draft RHNA allocation. Identify shortfall in sites by density levels, including a sufficient buffer (per SB 166) to offset any sites developed at lower densities or higher income levels than assumed in the Housing Element.
 - c. Conduct land use survey to identify potential additional sites as necessary to meet regional needs.
 - d. Conduct a joint Planning Commission/City Council study session to present potential housing element sites and strategies to address the RHNA.
 - e. Conduct two community workshops to discuss housing element site options, and provide maps and photos of potential sites for review and vetting by the community. Prepare summary report of community comments and recommendations.
 - f. Conduct second joint study session before the Planning Commission and City Council to present community site recommendations, and finalize sites for rezoning.
 - g. Prepare draft amendments to Zoning Map and Land Use Map.
 - h. Prepare an Initial Study/Mitigated Negative Declaration per CEQA on the rezoning and Land Use amendment.
 - i. Conduct Planning Commission and City Council public hearings for adoption.

Projected Outcome: Provide for increase in multi-family housing units at 20 du/acre densities from 16 units to 122 units to address lower income RHNA.
2. Accessory Dwelling Unit Ordinance Update
 - a. Prepare draft amendments to Sierra Madre Municipal Code Section 17.22 (Second Units) to conform with recent changes in State ADU/JADU law.
 - b. Conduct study session(s) with Planning Commission to review proposed changes and to consider community comments, and to direct staff to to finalize a new ADU/JADU ordinance.
 - c. Conduct Planning Commission and City Council public hearings for adoption.

Projected Outcome: Reduce project processing times from x weeks to x weeks by eliminating requirement for design review permit for ADUs that exceed floor area maximums.
3. Density Bonus Ordinance Update
 - a. Prepare draft amendments to Sierra Madre Municipal Code Section 17.34 (Affordable Housing) to conform with recent changes in State density bonus law.
 - b. Conduct study session(s) with Planning Commission to review proposed changes and to consider community comments, and to direct staff to to finalize a new affordable housing ordinance.
 - c. Conduct Planning Commission and City Council public hearings for adoption.

Projected Outcome: Reduce project processing times from x weeks to x weeks by establishing clear application procedures and time lines for density bonus requests, and eliminating any requirement to prepare a special report to qualify for incentives/concessions.
4. Optional Task

SB 2 Planning Grants Application

F. Project Timeline and Budget

Project Name								
Objective	Responsible Party	Est. Cost	Begin	End	Deliverable	*PPA	Notes	
Housing Element sites inventory update	Applicant (consultant)	\$ 20,000	1/13/20	3/31/20	booklet of potential site alternatives	No		
Public outreach on potential rezone sites	Applicant	\$ 10,000	3/31/20	6/30/20	summary report of community comments and recommendations	No		
Planning Commission/City Council review and selection of sites	Applicant	\$ 5,000	7/1/20	7/31/20	finalize list of sites for rezoning	No		
Draft amendments to Zoning Map and Land Use Map	Applicant	\$5,000	8/1/20	8/31/20	Land Use and Zoning Map amendments	No		
Prepare CEQA Initial Study/ Mitigated Negative Declaration	Applicant	\$ 20,000	7/31/20	9/30/20	Mitigated negative Declaration	No		
Planning Commission/City Council Public Hearings for Adoption	Applicant	\$ 10,000	10/1/20	11/30/20	Public hearing and rezones completed	No		
	Other					N/A		
Update of ADU/JADU Ordinance	Applicant	\$ 25,000	12/1/19	2/1/20	draft Ordinance update	No		
Planning Commission Study Session and public outreach	Applicant	\$ 10,000	2/1/20	4/1/20	summary report of community comments and recommendations	No		
Adoption hearings	Applicant	\$ 10,000.00	4/1/20	6/1/20	Adoption of updated ADU/JADU Ordinance	Yes		
	Other					N/A		
Update of Density Bonus Ordinance	Applicant	\$ 25,000	12/1/19	2/1/20	draft Ordinance update	No		
Planning Commission Study Session and public outreach	Applicant	\$ 10,000	2/1/20	4/1/20	summary report of community comments and recommendations	No		
Adoption hearings	Applicant	\$ 10,000	4/1/20	6/1/20	Adopted of updated density bonus ordinance	No		
	Total Est. Cost \$	160000						

*Priority Policy Area (PPA)

SB 2 Planning Grants Application

G. Legislative Information

District	#	Legislator Name
Federal Congressional District	27	Judy Chu
State Assembly District	41	Chris Holden
State Senate District	25	Anthony Portantino

Applicants can find their respective State Senate representatives at <https://www.senate.ca.gov/>, and their respective State Assembly representatives at <https://www.assembly.ca.gov/>.

SB 2 Planning Grants Application

Attachment 1: State and Other Planning Priorities Certification (Page 1 of 3)

Pursuant to Section 201(d) of the Guidelines, all applicants must demonstrate that the locality is consistent with State Planning or Other Planning Priorities by certifying that at least one activity was completed in 1) State Planning Priorities (i.e., Infill and Equity, Resource Protection, Efficient Development Patterns) or 2) Other Planning Priorities (i.e., Affordability, Conservation, or Climate Change). Consistency may be demonstrated through activities (not necessarily proposed for SB 2 funding) that were completed within the last five years.

Complete the following self-certification by selecting one or more of the policy areas in the following tables by inserting the date completed for each applicable action, briefly describing the action taken, and certifying.

State Planning Priorities

Date Completed	Brief Description of the Action Taken
Promote Infill and Equity	
	<i>Rehabilitating, maintaining, and improving existing infrastructure that supports infill development and appropriate reuse and redevelopment of previously developed, underutilized land that is presently served by transit, streets, water, sewer, and other essential services, particularly in underserved areas.</i>
	<i>Seek or utilize funding or support strategies to facilitate opportunities for infill development.</i>
	<i>Other (describe how this meets subarea objective)</i>
Promote Resource Protection	
	<i>Protecting, preserving, and enhancing the state's most valuable natural resources, including working landscapes such as farm, range, and forest lands; natural lands such as wetlands, watersheds, wildlife habitats, and other wildlands; recreation lands such as parks, trails, greenbelts, and other open space; and landscapes with locally unique features and areas identified by the state as deserving special protection.</i>
	<i>Actively seek a variety of funding opportunities to promote resource protection in underserved communities.</i>
	<i>Other (describe how this meets subarea objective)</i>
Encourage Efficient Development Patterns	
	<i>Ensuring that any infrastructure associated with development, other than infill development, supports new development that does the following:</i>
	<i>(1) Uses land efficiently.</i>

SB 2 Planning Grants Application

Attachment 1: State and Other Planning Priorities Certification (Page 2 of 3)

	<i>(2) Is built adjacent to existing developed areas to the extent consistent with environmental protection.</i>
	<i>(3) Is located in an area appropriately planned for growth.</i>
	<i>(4) Is served by adequate transportation and other essential utilities and services.</i>
	<i>(5) Minimizes ongoing costs to taxpayers.</i>
	<i>Other (describe how this meets subarea objective)</i>

Other Planning Priorities

Affordability and Housing Choices	
	<i>Incentives and other mechanisms beyond State Density Bonus Law to encourage housing with affordability terms.</i>
	<i>Efforts beyond state law to promote accessory dwelling units or other strategies to intensify single-family neighborhoods with more housing choices and affordability.</i>
	<i>Upzoning or other zoning modifications to promote a variety of housing choices and densities.</i>
	<i>Utilizing surplus lands to promote affordable housing choices.</i>
11/21/17	Completed adaptive reuse of former City-owned Youth Activity Center to develop 3 moderate income family housing units. (Appendix A)
	<i>Efforts to address infrastructure deficiencies in disadvantaged communities pursuant to Government Code Section 65302.10.</i>
	<i>Other (describe how this meets subarea objective)</i>

SB 2 Planning Grants Application

Attachment 1: State and Other Planning Priorities Certification (Page 3 of 3)

Conservation of Existing Affordable Housing Stock	
<i>Policies, programs or ordinances to conserve stock such as an at-risk preservation ordinance, mobilehome park overlay zone, condominium conversion ordinance and acquisition and rehabilitation of market rate housing programs.</i>	
<i>Policies, programs and ordinances to protect and support tenants such as rent stabilization, anti-displacement strategies, first right of refusal policies, resources to assist tenant organization and education and "just cause" eviction policies.</i>	
<i>Other (describe how this meets subarea objective)</i>	
Climate Adaptation	
<i>Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.</i>	
10/22/19	The City continues to adopt the California Building Standards Code and California Fire Code Amendments. The City is expected to update the 2019 Hazard Mitigation Plan (see Appendix A).
<i>Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.</i>	
3/25/14	City adopted the Managed Forest Mitigation Plan to minimize fire risk in the high fire hazard severity zone. The City is updating the Hazard Mitigation Plan (completion expected 12/2019). (Appx. B)
<i>Community engagement that provides information and consultation through a variety of methods such as meetings, workshops, and surveys and that focuses on vulnerable populations (e.g., seniors, people with disabilities, homeless, etc.).</i>	
<i>Other (describe how this meets subarea objective)</i>	

State and Other Planning Priorities Certification

I certify under penalty of perjury that all of the information contained in this PGP State Planning and Other Planning Priorities certification form (pages 9, 10, and 11 of this application) is true and correct.

Certifying Officials Name: _____

Certifying Official's Title: _____

Certifying Official's Signature: _____

Certification Date: _____

SB 2 Planning Grants Application

Attachment 2: Application Nexus to Accelerating Housing Production

Fill out Attachment 2 only if the applicant answered “No” to item 3 in Section C or is utilizing Policy Priority Areas AND other activities not designated as such. Applicants answering “Yes” to question 3 in Section C and utilizing ONLY Priority Policy Areas are automatically deemed to demonstrate a nexus to accelerating housing production, and do not need to complete this form.

Pursuant to section VIII, subsection (4) of the NOFA, applicants shall demonstrate how the application includes a nexus to accelerating housing production. Please complete the following chart by providing information about the current conditions and expected outcomes with respect to the planned activity and housing production. Please attach documentation as necessary and see the NOFA for additional details.

Quantify how the activity accelerates production below and use Appendix B to explain the activity and its nexus to accelerating housing production if necessary.

Type (Select at least one)	*Baseline	**Projected	***Difference	Notes
Timing (e.g., reduced number of processing days)	120 Days	60 Days	60 Days	Eliminate design review reqmt on ADUs > DR threshold
Development cost (e.g., land, fees, financing, construction costs per unit)	\$5,159*	\$2,342**	\$2,817	Eliminate design review fee* (ADU fee)**
Approval certainty and reduction in discretionary review (e.g., prior versus proposed standard and level of discretion)	190 Days	130 Days	60 Days	Allow ADU concurrent plan check and ministerial review
Entitlement streamlining (e.g., number of approvals)	7 Appl. / yr	12 Appl / yr	5 Appl / yr	Elimination of design review requirement for ADUs
Feasibility of development				
Infrastructure capacity (e.g., number of units)				
Impact on housing supply and affordability (e.g., number of units)	16 dus @ 20	122 dus @ 20	106 dus @ 20	Sites inventory and Housing Element update
Timing (e.g., reduced number of processing days)	190 Days	130 Days	60 Days	Allow concurrent plan check for density bonus projects

*** Baseline – Current conditions in the jurisdiction**
(e.g. 6-month development application review, or existing number of units in a planning area)

****Projected – Expected conditions in the jurisdiction because of the planning grant actions**
(e.g. 2-month development application review)

*****Difference – Potential change resulting from the planning grant actions**
(e.g., 4-month acceleration in permitting, creating a more expedient development process)

SB 2 Planning Grants Application

Attachment 3: Sample Resolution

**RESOLUTION NO. 2019-XX
A RESOLUTION OF THE [CITY COUNCIL/COUNTY BOARD OF SUPERVISORS] OF
_____[CITY, COUNTY NAME]_____
AUTHORIZING APPLICATION FOR, AND RECEIPT OF,
SB 2 PLANNING GRANTS PROGRAM FUNDS**

WHEREAS, the State of California, Department of Housing and Community Development (Department) has issued a Notice of Funding Availability (NOFA) dated March 28, 2019, for its Planning Grants Program (PGP); and

WHEREAS, the [City Council/County Board of Supervisors] of _____ (City/County) desires to submit a project application for the PGP program to accelerate the production of housing and will submit a 2019 PGP grant application as described in the Planning Grants Program NOFA and SB 2 Planning Grants Program Guidelines released by the Department for the PGP Program; and

WHEREAS, the Department is authorized to provide up to \$123 million under the SB 2 Planning Grants Program from the Building Homes and Jobs Trust Fund for assistance to Counties (as described in Health and Safety Code section 50470 et seq. (Chapter 364, Statutes of 2017 (SB 2)) related to the PGP Program.

NOW, THEREFORE, THE [CITY COUNCIL/COUNTY BOARD OF SUPERVISORS] OF _____
RESOLVES AS FOLLOWS:

SECTION 1. The [City Council/County Board of Supervisors] is hereby authorized and directed to apply for and submit to the Department the 2019 Planning Grants Program application released March 28, 2019 in the amount of \$ _____.

SECTION 2. In connection with the PGP grant, if the application is approved by the Department, the [insert designee title, e.g. City Manager, Executive Office, etc] is authorized to enter into, execute, and deliver a State of California Agreement (Standard Agreement) for the amount of \$ _____, and any and all other documents required or deemed necessary or appropriate to evidence and secure the PGP grant, the [City/County's] obligations related thereto, and all amendments thereto (collectively, the "PGP Grant Documents").

SECTION 3. The [City/County] shall be subject to the terms and conditions as specified in the Standard Agreement, the SB 2 Planning Grants Program Guidelines, and any applicable PGP guidelines published by the Department. Funds are to be used for allowable expenditures as specifically identified in the Standard Agreement. The application in full is incorporated as part of the Standard Agreement. Any and all activities funded, information provided, and timelines represented in the application will be enforceable through the executed Standard Agreement. The [City Council/County Board of Supervisors] hereby agrees to use the funds for eligible uses in the manner presented in the application as approved by the Department and in accordance with the Planning Grants NOFA, the Planning Grants Program Guidelines, and 2019 Planning Grants Program Application.

SECTION 4. The [insert the title of City Council/County Board of Supervisors Executive or designee] is authorized to execute the [City/County] of _____ Planning Grants Program application, the PGP Grant Documents, and any amendments thereto, on behalf of the [City/County] as required by the Department for receipt of the PGP Grant.

ADOPTED _____, 2019, by the [City/County] Board of Supervisors of the County of _____
by the following vote:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

County Executive
ATTEST: APPROVED AS TO FORM:

County Clerk County Attorney

SB 2 Planning Grants Application

Appendix A

Use this area for additional information if necessary.

Other Planning Priorities

Affordability and Housing Choices -- Utilizing surplus lands to promote affordable housing choices

The City in association with non-profit Heritage Housing Partners, completed the adaptive reuse of the former Youth Activity Center building in 2017. The City donated land and applied regulatory incentives to create three deed restricted moderate-income condominium units at 186 W. Highland Avenue.

Other Planning Priorities

Climate Adaptation -- Building standards, zoning and site planning requirements that address flood and fire safety, climate adaptation and hazard mitigation.

The City continues to adopt the California Building Standards Code, California Fire Code and the International Fire Code Amendments. Properties located within the high fire hazard severity zone are required to provide one-hour rated buildings, use of heavy timber for exposed rafters and safety glass windows.

Other Planning Priorities

Climate Adaptation -- Long-term planning that addresses wildfire, land use for disadvantaged communities, and flood and local hazard mitigation.

Landscape plans comply with State Water Efficient Landscape requirements. A Managed Community Forest Mitigation Plan was adopted by Resolution on March 25, 2014 to regulate tree species in the high fire hazard severity zone.

The City is expected to update the Hazard Mitigation Plan by December 2019 to document the mitigation planning process, and identify hazards, potential losses, mitigation needs, goals, and strategies.

SB 2 Planning Grants Application

Appendix B

Use this page to explain the nexus to accelerating housing production or for project description.

See attached description for Application Nexus to Accelerating Housing Production.

Appendix B

Application Nexus to Accelerating Housing Production

Type

Impact on housing supply and affordability (e.g., number of units)

Baseline

Incorporated in 1907, the City of Sierra Madre is one of 29 cities in the San Gabriel Valley region of Los Angeles County. The City encompasses approximately 3.2 square miles with a population just under 11,000. Sierra Madre is one of the few cities in the region that has been able to retain its village quality despite pressures for growth, modernization and diversification in the surrounding communities.

The predominant land use in the City is residential. Ninety- three percent of the land is zoned for residential purposes. Of that, 85 percent is residential low density, one percent is medium density, and seven percent is medium/high density. The higher density housing is located around the downtown area near Baldwin Avenue, Sierra Madre Boulevard and adjacent streets.

Sierra Madre's land use pattern is well established and not likely to change over time. The developable areas of the City are built out, with just a handful of scattered vacant parcels remaining. Future growth will likely consist of limited residential development in the mostly undeveloped hillside areas along the City's northern boundary, and limited infill opportunities that may occur in the non-hillside areas of the City.

The residential sites inventory conducted for Sierra Madre's 2014-2021 Housing Element identifies the potential for development of just 87 additional dwelling units on vacant and underutilized sites. An estimated 20 additional units were anticipated to be provided through the creation of secondary (accessory) dwelling units. The preliminary regional housing needs assessment (RHNA) published by SCAG for the 2021-2029 Housing Element assigns Sierra Madre a regional housing need for 212 additional units, indicating the City will need to identify additional sites as part of the Housing Element update.

SB 2 funds are provided to eligible jurisdictions to provide updates to general plans, including the housing element, where a nexus can be demonstrated to accelerating housing production. Providing adequate sites in the Housing Element will be essential to addressing the City's regional growth needs and accelerating housing production.

Projected

Sierra Madre is preparing to update its current Housing Element for the 2021-2029 planning period, as mandated by state law. The Housing Element update provides a timely and extensive process by which the City can collectively and comprehensively plan for the development of housing on specific sites throughout the community. This process and the resulting documentation will expedite future processing, identify and zone specific housing sites, and remove uncertainty and risk for property owners and developers, thereby expanding capacity and leading to greater housing production.

For example, as part of the Housing Element update, Sierra Madre must identify ways to reduce regulatory, physical, and environmental constraints to the production of housing and identify a sufficient

amount of developable land that can accommodate its regional housing needs. The Housing Element update also includes outreach to obtain input, allay concerns, and identify solutions from the local community --- bringing the public along with the overall planning effort and reducing future public opposition to new housing projects. Without the Housing Element update, Sierra Madre is unlikely to obtain sufficient community support to expand the capacity for and approval of new housing projects.

Moreover, a Housing Element update can be particularly helpful in maintaining such housing capacity throughout the 8-year planning cycle, giving property owners more time and flexibility to assemble the necessary financial resources without running the risk of many identified sites converting to a non-residential use. Overall, the Housing Element provides a policy-level foundation to expand housing production coupled with a strong implementation plan that includes specific quantified objectives and programs with some mandates for execution in the first part of the planning period (e.g., within the first three years for any rezoning needed to accommodate the RHNA, Section 65583(c)(1)(A) and 65583.2(c) of Government Code).

The updated Housing Element will provide increased site capacity to address the City's draft RHNA of 212 units, including sites with minimum densities of 20 units/acre to address the City's need for 122 lower income units. Currently, the City's R-3 zone only allows densities of up to 13 units/acre. As part of the 2014-2021 Housing Element, the City established a new zone, R-3H, to accommodate 20 unit/acre densities. One site is currently designated R-3H, with capacity for 16 units. Additional sites will need to be designated R-3H to address the lower income RHNA shortfall of 106 units (122 lower income RHNA minus 16 unit existing 20 unit/acre site capacity).

Difference

The Housing Element update will provide for an increase in multi-family housing units at 20 unit/acre densities from 16 units to 122 units.

Type

Timing (e.g., reduced number of processing days)

Baseline

The City currently requires a design review permit for new development, including the addition of an accessory dwelling unit, that would exceed the following maximum allowable gross floor area of all structures on a single lot:

Lot areas up to 7,500 SF: 2,500 SF of floor area;

Lot areas from 7,501 SF to 11,000 SF: 3,000 SF of floor area;

Lot areas from 11,001 SF and up: 3,500 SF of floor area.

Implementation of this provision is in direct conflict with ADU law. ADU law specifies that projects should comply with objective criteria, such as setbacks, height, maximum allowable floor area, building and safety requirements, etc. The law does not identify "design review" as an objective criterion.

In Sierra Madre, a design review permit requires a public hearing before the Planning Commission. An ADU subject to design review would take between 130 to 190 days from application review to building permit issuance.

Projected

In order to carry out the objectives of ADU law and to facilitate the goals and policies of the City of Sierra Madre Housing Element—specific to affordable housing development, ADU's that comply with the underlying zoning requirements and do not exceed the allowable gross floor area pertaining to lot size shall receive ministerial approval. Design Review shall not apply unless it is associated with another discretionary entitlement application. Elimination of the Design Review requirement would result in ADU applications being able to meet the 60 day review and approval time now mandated under AB 68.

Difference

The updated ADU Ordinance will reduce ADU processing time from 120 to 60 days, to a maximum of 60 days.

Type

Timing (e.g., reduced number of processing days)

Baseline

The City last updated its density bonus ordinance in 2004. Since that time, numerous bills have been signed into law aimed at better facilitating the use of density bonus incentives. New provisions aimed at providing expeditious processing for density bonus applications include requirements for jurisdictions to do all of the following:

- a) Adopt clear procedures and timelines for processing a density bonus application;
- b) Provide a list of all documents and information required to be submitted with the density bonus application in order for the density bonus application to be deemed complete, consistent with density bonus law; and,
- c) Notify the applicant for a density bonus whether the application is complete in a manner that is consistent with the Permit Streamlining Act (Act). If the application is deemed complete, the jurisdiction must provide the applicant with the following:
 - ✓ The amount of density bonus for which the applicant is eligible.
 - ✓ If the applicant requests a reduced parking ratio, the parking ratio for which the applicant is eligible.
 - ✓ If the applicant requests incentives or concessions, or waivers or reductions of development standards, indication whether the applicant has provided adequate information for the local government to make a determination.
 - ✓ The jurisdiction shall adjust the amount of density bonus and parking ratios awarded pursuant to this section based on any changes to the project during the course of development.

In addition, new State law prohibits jurisdictions from conditioning the submission, review, or approval of an application for a density bonus on the preparation of an additional report or study not otherwise described in density bonus law.

In Sierra Madre, a density bonus application currently requires Planning Commission review as a non-public hearing item. A small (<20 unit) density bonus project is estimated to take between 120 to 190 days from application review to building permit issuance.

Projected

Establishing clear, written procedures for density bonus applications, and providing more certainty to the applicant on the density and other regulatory benefits once the application is deemed complete will help to streamline the application and approval process. With more clarity on the size of the project earlier, applicants will be able to secure funding earlier and with more certainty.

Difference

Updating Sierra Madre's density bonus ordinance to comply with current State law is expected to reduce the processing time of density bonus applications from 190 to 130 days.

RESOLUTION NUMBER 19-61

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE
APPROVING CERTAIN DEMANDS**

WHEREAS, the following demands have been reviewed and approved by the Finance Director; and,

WHEREAS, the Finance Director has verified that appropriated funds are available for payment thereof; and,

WHEREAS, the register of audited demands has been submitted to the City Council for approval; and

WHEREAS, City Warrants are the payment of bills, invoices and contractual obligations incurred by the City of Sierra Madre during the period enumerated therein, based on the approved fiscal year budget and existing budgetary authority, Municipal Code authority, or prior policy direction by the City Council; and

WHEREAS, Payroll Transfer is the transfer of funds to cover the payroll costs for all City employees for the period enumerated therein.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Sierra Madre does hereby approve payment of City Warrants in the aggregate amount of **\$635,451.90**; Sierra Madre Library Warrants in the aggregate amount of **\$1,738.60**; and Payroll Transfer in the aggregate amount of **\$343,471.19** for the fiscal year ending June 30, 2020.

APPROVED AND ADOPTED this 12th day of November, 2019.

Mayor, City of Sierra Madre, California

I hereby certify that the foregoing Resolution Number **19-61** was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 12th day of November, 2019.

AYES:

NOES:

ABSTAIN:

ABSENT:

City Clerk, City of Sierra Madre, California

**City of Sierra Madre
Department of Finance
Warrant Register Recap
City Council Meeting of November 12, 2019**

CITY OF SIERRA MADRE AND SIERRA MADRE LIBRARY

City of Sierra Madre Warrants\$635,451.90

Sierra Madre Library Warrants.....\$1,738.60

Payroll
Transfer.....\$343,471.19

Warrant Register 11/12/19

Attachment 1A

Fiscal Year	Description	Amount	Page #
FY1920	Manual Warrants	310.68	1
FY1920	Manual Warrants	565.02	2
FY1920	Manual Warrants	1,124.04	3
FY1920	Manual Warrants	94.00	4
FY1920	Manual Warrants	60.00	5
FY1920	Manual Warrants	286,835.52	6
FY1920	Manual Warrants	359.24	7
FY1920	General Warrants	264,832.51	8-12
FY1920	General Warrants - Utility Bills	79,205.82	13
FY1920	General Warrants - Utility Bills	2,065.07	14
	Total	635,451.90	

FY1920	Library Warrants	1,738.60	15
	Total	1,738.60	

Date:			
11/12/2019	Payroll #22 Electronic Tansfers	\$343,471.19	
	From: City of Sierra Madre-General Acct. To: City of Sierra Madre-Payroll Acct.		
	Total	343,471.19	



Packet: APPKT04805 - MANUAL CHECK 10/08/19
Vendor Set: 01 - Vendor Set 01

Check Date: 10/17/2019

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
VEN03072	CA DEPT OF TAX AND FEE ADMINISTRATION				310.68
APBWEST	Check	INV025700	JUL - SEP 2019 REPORT OF DIESEL FUEL TRANSA	60000.83100.55001	310.68
Report Total:					310.68



Packet: APPKT04814 - MANUAL CHECK 11/22/19

Check Date: 10/21/2019

Vendor Set: 01 - Vendor Set 01

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
0279	L. A. CO. TAX COLLECTOR				565.02
APBWEST	Check	58620152701900079	PROPERTY TAX 1ST INSTALLMENT	60002.30000.52200	115.75
		58620152711900069	PROPERTY TAX 1ST INSTALLMENT	60002.30000.52200	310.65
		58620152721900059	PROPERTY TAX 1ST INSTALLMENT	60002.30000.52200	55.18
		58620152731900049	PROPERTY TAX 1ST INSTALLMENT	60002.30000.52200	83.44
			Report Total:		565.02



Packet: APPKT04822 - 11/22/19 MANUAL CHECK
Vendor Set: 01 - Vendor Set 01

Check Date: 10/24/2019

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
VEN02792	FRONTIER CALIFORNIA INC				64.84
APBWEST	Check	INV025722	626-351-3285-091319-5 10/14/19-11/13/19	10000.50000.55005	64.84
VEN03195	GREATAMERICA FINANCIAL SERVICES				397.44
APBWEST	Check	25711478	LASERCARE HP MFP	60003.30000.53210	397.44
1439	TIME WARNER CABLE				661.76
APBWEST	Check	0164625101219	8448 30 022 0164625 10/12/19-11/11/19	60003.30000.52200	661.76
Report Total:					1,124.04



Packet: APPKT04824 - MANUAL CHECK 11/22/19
Vendor Set: 01 - Vendor Set 01

Check Date: 10/24/2019

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
1121	COLANTUONO, HIGHSMITH & WHATLEY, PC				94.00
APBWEST	Check	39486	PROFESSIONAL SERVICES	50003.30000.52201	94.00
Report Total:					94.00



Packet: APPKT04828 - MANUAL CHECK 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 10/28/2019

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
0394	STATE WATER RESOURCES CONTROL				60.00
APBWEST	Check	INV025731	EDUCATION HOURS DOCUMENTATION	71000.81100.52205	60.00
Report Total:					60.00



Packet: APPKT04831 - EFT CHECK 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 10/29/2019

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
VEN03147	BANNER BANK				286,835.52
AP EFT WEST	Electronic Funds Transfer	INV025732	2017 Installment Pymt/Ln#72198478	71000.00000.27200	161,568.21
				71000.30000.58002	125,267.31
Report Total:					286,835.52



Packet: APPKT04837 - MANUAL CHECK 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 10/30/2019

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
1497	MOUNTAIN VIEWS NEWS				359.24
APBWEST	Check	CM140598	FY 2019-20 PUBLICATION OF NOTICES	10000.12000.52206	359.24
Report Total:					359.24



Packet: APPKT04841 - GEN 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 11/05/2019

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
<u>VEN01796</u>	ADAMSON POLICE PRODUCTS				815.78
APBWEST	Check	INV314063	EQUIPMENT MAINTENANCE	10000.50000.52302	815.78
<u>0109</u>	AIRGAS USA				841.92
APBWEST	Check	9093973456	FY 2019-2020 MEDICAL OXYGEN	10000.64000.53300	841.92
<u>0433</u>	ALLSTAR FIRE EQUIPMENT, INC.				2,367.42
APBWEST	Check	219032	FY 2019-2020 SUPPRESSION EQUIPMENT	10000.61000.53300	2,367.42
<u>1644</u>	AMAZON				6,431.52
APBWEST	Check	434778383675	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	469.72
		448544849648	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	50.32
		458957465494	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.56010	1,149.99
		463936679437	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	236.51
		466943877753	EVENT SUPPLIES	10000.70000.53999	58.07
		474968586465	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	865.58
		573374693743	SENIOR CRAFT SUPPLIES	37006.72000.53999	6.15
		773496758874	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53801	843.12
		783373934496	SENIOR CRAFT SUPPLIES	37006.72000.53999	4.99
		837775453488	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.56010	1,659.98
		876453479376	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	767.70
		949855757396	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	18.01
		966736436634	FY 19-20 BPO - COMPUTER PERIPHERALS AND P	60003.30000.53103	289.90
		994697496397	MOVIES IN THE PARK	10000.79008.52999	11.48
<u>0859</u>	AQUA METRIC				29,136.31
APBWEST	Check	INV0075181	Water Meter Purchase Installation Infrastructure	71000.81100.56011	3,832.50
		INV0075319	Water Meter Purchase Installation Infrastructure	71000.81100.56011	25,303.81
<u>VEN02961</u>	ARAMARK UNIFORM & CAREER APPAREL GROUP INC				371.40
APBWEST	Check	534600758	FY 19/20 Uniform	60001.83200.53303	92.85
		534617916	FY 19/20 Uniform	60001.83200.53303	92.85
		534635198	FY 19/20 Uniform	60001.83200.53303	92.85
		534652226	FY 19/20 Uniform	60001.83200.53303	92.85
<u>1552</u>	ARNOLD'S FRONTIER HARDWARE - Fire				15.32
APBWEST	Check	091189	FY 2019-2020 HARDWARE SUPPLIES	10000.61000.53204	15.32
<u>1553</u>	ARNOLD'S FRONTIER HARDWARE - Police				1.96
APBWEST	Check	091628	Hardware Supplies	10000.50000.53204	1.96
<u>VEN03203</u>	BALLARD AND BALLARD INVESTIGATIONS				5,518.38
APBWEST	Check	2019-021	Background Investigations	60007.70101.52100	1,835.40
		2019-022	Background Investigations	60007.70101.52100	1,835.40
		2019-023	Background Investigations	60007.70101.52100	1,847.58
<u>1200</u>	BLUE DIAMOND MATERIALS				1,695.71
APBWEST	Check	1665586	STREET MAINTENANCE	71000.81100.53206	217.50
		1665681	STREET MAINTENANCE	71000.81100.53206	108.00
		1665754	STREET MAINTENANCE	71000.81100.53206	113.03
		1665844	STREET MAINTENANCE	71000.81100.53206	383.46
		1670847	STREET MAINTENANCE	71000.81100.53206	109.68
		1676655	STREET MAINTENANCE	71000.81100.53206	162.75
		1681051	STREET MAINTENANCE	71000.81100.53206	218.34
		1688865	STREET MAINTENANCE	71000.81100.53206	111.36
		1689815	STREET MAINTENANCE	71000.81100.53206	163.59
		1689903	STREET MAINTENANCE	71000.81100.53206	108.00
<u>0485</u>	CITY OF MONROVIA				900.00
APBWEST	Check	2000870	Range Firearm Qualification	10000.50000.52200	900.00
<u>VEN02061</u>	COUNTY OF SAN BERNARDINO-SHERIFF				185.00
APBWEST	Check	EVC54018	DRIVER TRAINING	10000.50000.52205	185.00
<u>VEN02953</u>	CPACINC.COM				29,278.06
APBWEST	Check	SI-1288106	FY19/20 BPO SOFTWARE AND HARDWARE	60003.30000.53103	264.45

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
APBWEST	Check	SI-1288288	FY19/20 BPO SOFTWARE AND HARDWARE	60003.30000.52200	3,172.00
		SI-1288566	NETWORK ATTACHED STORAGE	60003.30000.56010	12,190.64
		SI-1288591	FY19/20 BPO SOFTWARE AND HARDWARE	60003.30000.52200	1,718.75
		SI-1288597	NETWORK ATTACHED STORAGE	60003.30000.56010	11,932.22
0893	CREATIVE FORMS & CONCEPTS, INC				579.28
APBWEST	Check	117331	LASER A/P CHECKS	60002.30000.53102	579.28
1428	DAN GINTER				404.32
APBWEST	Check	INV025720	RETIREE HEALTH INSURANCE DEC 2019	60007.70100.51302	404.32
VEN03084	DAVID SPERNOW/DEVLYNE NETWORKS LLC				2,640.00
APBWEST	Check	CoSM013	SERVER AND NETWORK SUPPORT	60003.30000.52100	2,640.00
0190	DECCO AWARDS INC				343.70
APBWEST	Check	19-12062	SIGN SUPPLIES	60002.30000.53999	30.15
				60007.70100.53403	64.22
		19-12133	STAFF NAME PLATE	60002.30000.53999	249.33
0193	DELL COMPUTER				23,555.59
APBWEST	Check	10340327298	Dell Servers - Physical Server Replacement Proje	60003.30000.56010	23,555.59
1181	DELTA DISTRIBUTING				113.88
APBWEST	Check	147371	MAINTENANCE SUPPLIES	60001.83200.53200	113.88
0713	DEPT OF JUSTICE				239.00
APBWEST	Check	408944	State related items SEPT 2019	10000.50000.52200	239.00
VEN03180	DICKS AUTO SUPPLY				136.21
APBWEST	Check	175099	MAINTENANCE MATERIAL	60000.83100.53208	115.85
		175300	VEHICLE MAINTENANCE	60000.83100.53208	20.36
VEN01236	DONNA CLINE				220.00
APBWEST	Check	INV025707	PD SUPPLIES	10000.50000.52200	220.00
VEN02997	DYNAMIC BUILDING MAINT INC				2,919.00
APBWEST	Check	30	FY 19/20 Monthly Janitorial Services OCT 2019	60001.83200.52200	2,919.00
VEN02986	EKCOS INNOVATIONS				1,542.31
APBWEST	Check	EKCOS-13534	MAINTENANCE SUPPLIES	60001.83200.53200	1,542.31
0578	ENTENMANN-ROVIN COMPANY				175.98
APBWEST	Check	0147058-IN	UNIFORMS	10000.61000.53303	175.98
1462	FASCHING'S CAR WASH				213.40
APBWEST	Check	INV025725	FY 19-20 CAR WASH SERVICES AUG & SEPT 2019	10000.50000.52302	213.40
1455	FIRST TRANSIT INC				12,337.92
APBWEST	Check	11621864	FY 19/20 Dial A Ride Services	37004.80000.52203	12,337.92
VEN02778	FORMLA LANDSCAPING INC				833.33
APBWEST	Check	32334	FY 19/20 City Hall Landscape Maintenance	10000.83300.52200	833.33
VEN01613	GANAHL LUMBER COMPANY				93.10
APBWEST	Check	141246383	MAINTENANCE SUPPLIES	60001.83200.53200	18.72
		141252262	MATERIAL SUPPLIES	60001.83200.53200	56.76
		141254485	MAINTENANCE MATERIAL	60001.83200.53200	17.62
0814	HDL, COREN & CONE				2,168.10
APBWEST	Check	0027233-IN	PROPERTY TAX OCT-DEC 2019	60002.30000.52100	2,168.10
0243	HOSE MAN				46.82
APBWEST	Check	2369919-0001-02	VEHICLE MAINTENANCE	60000.83100.53208	46.82
1334	HP MECHANICAL INC.				1,619.00
APBWEST	Check	2661	A/C SERVICE CALL	60001.83200.53200	321.00
		2667	A/C SERVICE CALL	60001.83200.53200	950.00
		2686	MAINTENANCE SUPPLIES	60001.83200.53200	348.00
VEN01969	INLAND EMPIRE STAGES				913.04
APBWEST	Check	54782	Senior Excursion Transportation	37006.72000.52200	913.04
VEN01500	INLAND WATER WORKS SUPPLY CO.				17,291.91
APBWEST	Check	S1026055.002	FY 19/20 Distribution Supplies	71000.81100.53200	1,067.63
		S1027236.002	FY 19/20 Distribution Supplies	71000.81100.53200	607.73
		S1027327.005	FY 19/20 Distribution Supplies	71000.81100.53200	52.56
		S1027819.001	FY 19/20 Distribution Supplies	71000.81100.53200	851.54
		S1027819.002	FY 19/20 Distribution Supplies	71000.81100.53200	109.05
		S1027819.003	FY 19/20 Distribution Supplies	71000.81100.53200	2,424.06
		S1028087.001	FY 19/20 Distribution Supplies	71000.81100.53200	5,304.02
		S1028087.002	FY 19/20 Distribution Supplies	71000.81100.53200	191.63
		S1028176.001	FY 19/20 Distribution Supplies	71000.81100.53200	180.08

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
APBWEST	Check	S1028236.001	FY 19/20 Distribution Supplies	71000.81100.53200	53.66
		S1028482.001	FY 19/20 Distribution Supplies	71000.81100.53200	1,385.97
		S1028743.001	FY 19/20 Distribution Supplies	71000.81100.53200	918.71
		S1028743.002	FY 19/20 Distribution Supplies	71000.81100.53200	1,007.40
		S1028774.001	FY 19/20 Distribution Supplies	71000.81100.53200	12.87
		S1028985.001	FY 19/20 Distribution Supplies	71000.81100.53200	943.23
		S1029158.001	FY 19/20 Distribution Supplies	71000.81100.53200	489.99
		S1029161.001	FY 19/20 Distribution Supplies	71000.81100.53200	1,691.78
0937	INTERSTATE BATTERY SYSTEM OF				126.39
APBWEST	Check	50147583	VEHICLE MAINTENANCE	60000.83100.53208	126.39
1454	JDS TANK TESTING & REPAIR INC				140.00
APBWEST	Check	13805	DESIGNATED OPERATOR OCT 2019	60000.83100.55001	140.00
1044	JESSE TORIBIO				202.16
APBWEST	Check	INV025716	RETIREE HEALTH INSURANCE DEC 2019	60007.70100.51302	202.16
1156	JOHN FORD				283.02
APBWEST	Check	INV025718	RETIREE HEALTH INSURANCE DEC 2019	60007.70100.51302	283.02
VEN03424	JOHNSON INVESTIGATIONS				3,000.00
APBWEST	Check	2019-016	Background Investigation	60007.70101.52100	1,000.00
		2019-017	Background Investigation	60007.70101.52100	1,000.00
		2019-18	Background Investigation	60007.70101.52100	1,000.00
VEN02967	KAESER & BLAIR INC				115.86
APBWEST	Check	90619346b	SHIPPING & HANDLING	60002.30000.53999	115.86
1185	KEYSTONE UNIFORM				1,405.91
APBWEST	Check	066966	Uniforms	10000.50000.53303	628.09
		066967	Uniforms	10000.50000.53303	653.40
		066993	Uniforms	10000.50000.53303	124.42
1717	LACMTA				280.00
APBWEST	Check	104531	Senior Disable Tap Card	37004.80000.52001	226.00
				37006.72000.52200	54.00
0515	LANDSCAPE WAREHOUSE				1,013.78
APBWEST	Check	2605888	FY 19/20 Maintenance Supplies	10000.83300.53001	19.39
		2608068	FY 19/20 Maintenance Supplies	10000.83300.53001	21.58
		2609941	FY 19/20 Maintenance Supplies	10000.83300.53001	768.00
		2610897	FY 19/20 Maintenance Supplies	10000.83300.53001	105.02
		2611411	FY 19/20 Maintenance Supplies	10000.83300.53001	37.20
		2611599	FY 19/20 Maintenance Supplies	10000.83300.53001	62.59
VEN03196	LASERCARE				1,364.13
APBWEST	Check	AR126695	PRINTER SERVICE	60003.30000.53210	758.42
		AR128721	PRINTER SERVICE	60003.30000.53210	605.71
2008	LEXIPOL LLC				6,516.00
APBWEST	Check	31199	ANNUAL POLICY MANUAL SUBSCRIPTION	10000.61000.52100	6,516.00
0277	LIEBERT CASSIDY WHITMORE				2,914.00
APBWEST	Check	1486909	FY 19-20 Legal Services Billing SEPT 2019	60007.70100.52201	2,382.00
		1486910	FY 19-20 Legal Services Billing SEPT 2019	60007.70100.52201	532.00
1708	LIEBERT CASSIDY WHITMORE				97.00
APBWEST	Check	INV025708	FLSA COMPLIANCE GUIDE	60007.70100.52100	97.00
0640	LIFE-ASSIST INC.				1,168.87
APBWEST	Check	950456	RETURNED GOODS	10000.64000.53300	-25.67
		950856	FY 2019-2020 EMS SUPPLIES	10000.64000.53300	90.34
		952521	FY 2019-2020 EMS SUPPLIES	10000.64000.53300	1,104.20
VEN01660	LISA VOLPE				323.45
APBWEST	Check	INV025717	RETIREE HEALTH INSURANCE DEC 2019	60007.70100.51302	323.45
0290	MARX BROS FIRE EXTINGUISHERS				944.50
APBWEST	Check	E52501	FIRE EXTINGUISHER MAINTENANCE	60001.83200.52200	944.50
VEN02976	MEDICO PROFESSIONAL LINEN SERVICE				52.00
APBWEST	Check	20111243	FY 2019-20 MEDICAL WASTE	10000.64000.53300	52.00
1278	MICHAEL E POWERS & ASSOC. INC.				1,022.57
APBWEST	Check	6906	PD CONFERENCE TABLE	60001.83200.53200	1,022.57
1608	MUNICIPAL MAINTENANCE EQUIP IN				7,458.11
APBWEST	Check	0141862-IN	VACCON Repair	60000.83100.53208	7,458.11
0786	OFFICE DEPOT, INC				500.48

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
APBWEST	Check	385684215001	OFFICE SUPPLIES	10000.40000.53100	6.33
				60002.30000.53100	48.82
				71000.81100.53100	8.52
		388957720001	OFFICE SUPPLIES	10000.61000.53100	207.43
				60002.30000.53100	39.28
		391345883001	OFFICE SUPPLIES	60002.30000.53100	26.92
		391345883001b	FY 19/20 Office Supplies - Planning	10000.40000.53100	86.77
		391346051001	FY 19/20 Office Supplies - Planning	10000.40000.53100	64.59
		391346052001	FY 19/20 Office Supplies - Planning	10000.40000.53100	11.82
1531	P.F. PETTIBONE & CO				519.95
APBWEST	Check	177712	SUPPLIES	10000.12000.52204	519.95
VEN01558	PAT'S TIRE SERVICE				30.00
APBWEST	Check	42348	VEHICLE MAINTENANCE	60000.83100.53208	30.00
0332	PETTY CASH FUND-ADMIN				293.74
APBWEST	Check	INV025734	RV INTERVIEW PANEL	60007.70100.53999	66.78
		INV025735	AM REFUND/UUT	10000.00000.42003	7.96
		INV025736	RG SENIOR EXCURSION/PARKING	10000.79003.52999	30.00
		INV025737	RG SENIOR EXCURSION/DRIVER TIP	10000.79003.52999	54.00
		INV025738	RG CPRS AGING SENIOR SYMPOSIUM	10000.70000.52205	50.00
		INV025739	LA MTG W/LA CO. REGISTRAR RECORDER/PKING	60002.30000.53402	12.00
		INV025740	RG SENIOR EXCURSION/DRIVER TIP	10000.79003.52999	58.00
		INV025741	LA CITY CLERK WORKSHOP/PKNG	60002.30000.53402	15.00
					2,660.41
VEN01608	PHOENIX GROUP INFORMATION SYSTEMS				2,660.41
APBWEST	Check	092019200	FY 19-20 BPO- PARKING CITATION SERVICE SEPT	10000.50000.52200	2,660.41
VEN03464	POLI-DOT LLC				660.00
APBWEST	Check	002	PD CONSULTANT SEPT 2019	10000.50000.52200	660.00
0336	POST ALARM SYSTEMS				441.37
APBWEST	Check	1206471	FY 19/20 Alarm Monitoring NOV 2019	60001.83200.52200	48.92
		1209183	FY 19/20 Alarm Monitoring NOV 2019	60001.83200.52200	43.26
		1212348	FY 19/20 Alarm Monitoring NOV 2019	60001.83200.52200	52.40
		1212489	FY 19/20 Alarm Monitoring NOV 2019	60001.83200.52200	39.15
		1213019	FY 19/20 Alarm Monitoring CHANGE ORDER	60001.83200.52200	257.64
					1,373.10
0447	RAYMOND BASIN MANAGEMENT BOARD				488.10
APBWEST	Check	9-19-0006	FY 19/20 Annual Assesment Water Rights Aug 2019	71000.81100.52001	488.10
		INV025723	SALVAGE CREDIT EXPENSE	71000.81100.52001	885.00
					541.31
0346	RED WING SHOES				203.98
APBWEST	Check	989-1-18867	FY 19/20 SAFETY BOOTS	60001.83200.53303	203.98
		989-1-19320	FY 19/20 SAFETY BOOTS	60001.83200.53303	187.40
		989-1-19610	FY 19/20 SAFETY BOOTS	60001.83200.53303	149.93
					72.00
0267	REGIONAL TAP SERVICE CENTER				72.00
APBWEST	Check	6010799	TAP SERVICE	37004.80000.52001	72.00
VEN02829	RINGCENTRAL INC				5,059.95
APBWEST	Check	CD 000066908	VOIP TELEPHONE SERVICES	60003.30000.55005	5,059.95
1113	RUBEN ENRIQUEZ				404.32
APBWEST	Check	INV025719	RETIREE HEALTH INSURANCE DEC 2019	60007.70100.51302	404.32
1264	RWP				2,800.46
APBWEST	Check	184092	Wood chips for playground	10000.83300.53202	2,800.46
2012	SAPPHOS ENVIRONMENTAL				4,788.24
APBWEST	Check	1485015-01	FY 19/20 Historic Evaluation/DPR consultant	10000.40000.52200	1,197.06
		1485016-01	FY 19/20 Historic Evaluation/DPR consultant	10000.40000.52200	1,197.06
		1485017-01	FY 19/20 Historic Evaluation/DPR consultant	10000.40000.52200	1,197.06
		1485018-01	FY 19/20 Historic Evaluation/DPR consultant	10000.40000.52200	1,197.06
					259.00
VEN01941	SIRCHIE				259.00
APBWEST	Check	0421005-IN	PD SUPPLIES	10000.50000.53304	259.00
VEN03443	SO CAL COMPTON PIPE SUPPLY CO INC				1,730.66
APBWEST	Check	1122	PIPE SUPPLIES	71000.81100.52200	1,730.66
0382	SOUTH COAST A Q M D				1,893.27
APBWEST	Check	3540350	ANNUAL RENEWAL FEES	71000.81100.52401	1,756.87
		3541797	EMISSIONS FEES	71000.81100.52401	136.40
					35,735.00
VEN01396	STEPHEN DORECK EQUIP RENTALS				35,735.00
APBWEST	Check	19MS51-01	Repair of leaking water main under Grandview B	71000.81100.53212	35,735.00

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Vendor Total
Bank Code	Payment Type				Distribution Amount
<u>2016</u>	STEVE POCK				404.32
APBWEST	Check	INV025721	RETIREE HEALTH INSURANCE DEC 2019	60007.70100.51302	404.32
<u>VEN02444</u>	SUPERIOR COURT OF CA, CO OF L. A.				395.50
APBWEST	Check	INV025724	FY 19-20 BPO- COUNTY FEES DISTRIBUTION SEP'	10000.50000.52200	395.50
<u>VEN02863</u>	THE COUNSELING TEAM INTERNATIONAL				600.00
APBWEST	Check	73506	PSYCHOLOGICAL ASSESSMENT	60007.70101.52100	300.00
		73561	PSYCHOLOGICAL ASSESSMENTS	60007.70101.52100	300.00
<u>0404</u>	TOM'S UNIFORMS				1,364.28
APBWEST	Check	14817	FY 2019-20 EMS AND SUPPRESSION UNIFORMS	10000.61000.53303	597.83
		14893	FY 2019-20 EMS AND SUPPRESSION UNIFORMS	10000.61000.53303	766.45
<u>0403</u>	TRIANGLE TRUCK PARTS				286.34
APBWEST	Check	452168	VEHICLE MAINTENANCE	60000.83100.53208	286.34
<u>VEN02639</u>	TURNOUT MAINTENANCE COMPANY				677.00
APBWEST	Check	21579	MAINTENANCE FOR FIRE DEPARTMENT TURNOU	10000.61000.52302	677.00
<u>1799</u>	TYLER TECHNOLOGIES INC				15,738.44
APBWEST	Check	025-232182	MAINT CLOCK JULY 2018-JAN 2019	60003.30000.52200	-107.22
		025-232184	MAINT CLOCK JULY 2018-JAN 2019	60003.30000.52200	-1,934.78
		025-238665	CUSTOM PROGRAM WATER BILLING	71000.32000.52200	5,000.00
		025-275330	Tyler Annual Maintenance 19/20	60003.30000.52200	12,555.44
		025-276341	MONTHLY/UB ONLINE WEB SITE, INSITE TRANS/	71000.32000.52200	180.00
				72000.32000.52200	45.00
<u>0410</u>	UNDERGROUND SERVICE ALERT				273.50
APBWEST	Check	18dsbfe5377	FY 19/20 Underground Alert Services - Digalert	71000.81100.52200	44.05
		920190674	FY 19/20 Underground Alert Services - Digalert	71000.81100.52200	229.45
<u>1243</u>	USA BLUEBOOK				904.59
APBWEST	Check	028406	WATER TREATMENT SUPPLIES	71000.81100.53209	904.59
<u>0158</u>	VULCAN MATERIALS COMPANY				483.16
APBWEST	Check	72365416	ASPHALT MATERIAL	71000.81100.53206	483.16
<u>0335</u>	WATERLINE TECHNOLOGIES				2,928.13
APBWEST	Check	5474676	FY 19/20 Chlorine Gas Water Treatment	71000.81100.53209	2,928.13
<u>VEN03456</u>	WCT PRODUCTS INC				328.20
APBWEST	Check	W7972	SMALL TOOLS	71000.81100.53205	328.20
<u>0425</u>	WILLDAN ASSOCIATES				1,193.00
APBWEST	Check	00221661	Engineering Consultant Unreinforced Masonry S	10000.40000.52200	1,193.00
<u>1053</u>	WITTMAN ENTERPRISES, LLC				5,120.37
APBWEST	Check	1909056	FY 2019-20 EMS BILLING SERVICES	10000.64000.52200	5,120.37
Report Total:					264,832.51



Packet: APPKT04813 - UB 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 10/21/2019

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
0129	AT&T				285.35
APBWEST	Check	INV025706	818 291-0241 661 1 SVC 10/4/19-11/3/19	10000.50000.55005	285.35
VEN02792	FRONTIER CALIFORNIA INC				2,243.33
APBWEST	Check	INV025704	626-355-0264-012498-5 SVC 10/04/19-11/03/19	10000.50000.55005	229.33
		INV025705	209-188-3757-030707-5 SVC 10/04/19-11/03/19	10000.50000.55005	2,014.00
0384	SOUTHERN CALIF. EDISON CO.				75,725.53
APBWEST	Check	INV025713	2-03-752-0756 SVC 8/7/19-10/7/19	32008.83000.55003	352.10
				38005.83500.55003	21.08
				60001.83200.55003	9,587.11
				71000.81100.55003	58,049.99
		INV025714	2-03-661-3305 SVC 9/3/19-10/29/19	60001.83200.55003	1,787.45
		INV025715	2-01-194-6423 SVC 8/1/19-10/01/19	32005.83500.55003	136.69
				32006.83000.55003	231.73
				32007.83000.55003	964.22
				38005.83500.55003	4,215.90
				60001.83200.55003	379.26
0216	THE GAS COMPANY				172.69
APBWEST	Check	INV025709	135 119 3500 2 SVC 9/6/19-10/7/19	60001.83200.55004	65.54
		INV025710	195 918 7100 9 SVC 9/8/19-10/4/19	60001.83200.55004	19.40
		INV025711	168 618 7700 5 SVC 9/8/19-10/4/19	60001.83200.55004	87.75
1439	TIME WARNER CABLE				778.92
APBWEST	Check	0027467100119	8448 30 022 0027467	60003.30000.52200	65.00
		0131806101119	8448 30 022 0131806 SVC 10/11/19-11/10/19	60003.30000.52200	448.94
		0137019100619	8448 30 022 0137019 SVC 10/6/19-11/05/19	60003.30000.52200	264.98
Report Total:					79,205.82



Packet: APPKT04843 - UB 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 11/05/2019

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
VEN02792	FRONTIER CALIFORNIA INC				101.01
APBWEST	Check	INV025733	310-169-9845-061906-5 10/16/19-11/15/19	10000.50000.55005	101.01
VEN03086	GC PIVOTAL LLC				1,557.52
APBWEST	Check	INV2771654	BACKUP INTERET SVC DEC 2019	60003.30000.52200	1,557.52
0942	TELEPACIFIC COMMUNICATIONS				406.54
APBWEST	Check	122501992-0	T1 BACK UP SVC 10/23/19-11/22/19	60003.30000.55005	406.54
Report Total:					2,065.07



Packet: APPKT04842 - LIB 11/12/19
Vendor Set: 01 - Vendor Set 01

Check Date: 11/05/2019

Vendor Number	Vendor Name				Vendor Total
Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>1644</u>	AMAZON				656.11
APBWEST	Check	434955659633	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53406	22.66
		447638646538	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53999	27.24
		448358888998	LIBRARY-various(Books/Ref/Prog/Media/Supplie	10000.90000.53406	17.45
		456985546734	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53406	23.13
		457846489749	LIBRARY-various(Books/Ref/Prog/Media/Supplie	10000.90000.53406	15.34
		463567555473	LIBRARY-various(Books/Ref/Prog/Media/Supplie	10000.90000.53406	6.00
		466849397379	LIBRARY-various(Books/Ref/Prog/Media/Supplie	10000.90000.53100	7.53
		467347839763	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53999	103.25
		468876688984	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53406	16.38
		473764588874	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53999	35.22
		494784969566	LIBRARY-various(Books/Ref/Prog/Media/Supplie	10000.90000.53406	71.97
		533358977934	LIBRARY-various(Books/Ref/Prog/Media/Supplie	39006.90000.53999	22.96
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		H40322690	BOOKS & REFERENCE, PROCESSING FEES & MED	39006.90000.53406	18.86
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<u>1578</u>	PETTY CASH FUND-LIBRARY				76.34
APBWEST	Check	INV025727	DT ADULT CRAFT SUPPLIES	39006.90000.53999	8.98
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		INV025730	DS TASTING PROGRAM	39006.90000.53999	15.08
Report Total:					1,738.60



City of Sierra Madre Agenda Report

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

Sue Spears, City Clerk
Michael Amerio City Treasurer

TO: Honorable Mayor Harabedian and Members of the City Council

FROM: Colby Konisek, Finance Director

REVIEWED BY: Gabe Engeland, City Manager

DATE: November 12, 2019

**SUBJECT: AB 1600 ANNUAL COMPLIANCE REPORT FOR DEVELOPMENT
IMPACT FEE ACTIVITY**

STAFF RECOMMENDATION

Staff recommends that the City Council receive and file the annual AB 1600 Compliance Report for fiscal year 2018-19 in accordance with California Government Code 66006.

ALTERNATIVES

1. Provide staff with other directions.

SUMMARY

California Government Code Section 66006 requires cities imposing public facility fees to prepare an annual accounting of the revenue and expenditures in each of the funds as well as an explanation as to the use of the funds. The city received no new development impact fees in fiscal 2018-19, had an active expenditure program for eligible projects during the fiscal year, and received interest income.

ANALYSIS

Government Code Section 66006 requires reporting on the activities within the public facility fee funds to be made available to the public within 180 days of the end of the fiscal year. The report is then presented at the next regularly scheduled public meeting not less than 15 days after this information is made available to the public.

Attached is the report outlining activity within the City of Sierra Madre's public facility fee funds. The city had no new fee collections in fiscal year 2018-19. Revenue was comprised of interest received and allocated on fund balances for each of the public

FOR CITY COUNCIL AGENDA _____

ITEM NUMBER _____

facility fee categories. These funds are accumulated until they are sufficient for projects to mitigate the impacts of development on city facilities.

FINANCIAL REVIEW / SOURCE OF FUNDING

During the fiscal year of 2018-19, no additional fees were received. Project expenditures of \$386,761 occurred and interest income of \$24,186 was received and ratably assigned to applicable categories for future projects. Total funds remaining at the end of FY2018-19 were \$1,003,609.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, at the Sierra Madre Public Library, and can be accessed on the City's website at www.cityofsierramadre.com.

Attachments:

Attachment A: AB 1600 Compliance Report for FY 2018-19

Attachment B: Continued, Approved and Pending Projects for FY 2019-20 to date

Project Expenditures – FY2018-19

Public Facility Fee Categories

The City has seven categories of Public Facilities Fees. They include General Government, Library, Public Safety, Parks, Transportation, Water and Sewer fees. Fees are charged based on the type of development occurring, such as single-family, multi-family or non-residential uses. The following pages outline the proposed projects for each of the facilities categories that were active during FY2018-19. Some of the projects extended into, or did not start until FY2019-20. The following sections show the project titles and cost for each of the seven categories.

See Attachment B for a listing of projects continued or initiated in FY2019-20.

General Government

The purpose of the General Government Public Facility Fee is to ensure that new development funds its fair share of general government facilities. Revenues are used to finance construction, expansion, and to upgrade public facilities. General government facilities include, but are not limited to, government administrative offices, city-owned vehicles, and city storage facilities.

Projects

Description	Cost
City Hall ADA Compliant Restrooms	\$28,000
Upgrade Council Chambers, General Seating, ADA Compliant Seating Accommodation Areas, Carpeting and AV Equipment	\$21,390
Total	\$49,390

Library

The purpose of the Library Public Facility Fee is to ensure that new development funds its fair share of library facilities. Revenue is used to help fund expanded library facilities and for other projects to serve new development.

Projects

Description	Cost
No projects	
Total	

Project Expenditures – FY2018-19

Public Safety

The purpose of the Public Safety Facility Fee is to ensure that new development funds its fair share of public safety facilities. Facilities include both police and fire facilities. Revenue is used to expand public safety facilities including fire suppression apparatus, police vehicles, public safety communication systems and for other projects to serve new development.

Projects

Description	Cost
No projects	
Total	

Parks and Parkland (Quimby)

The purpose of the Park and Parkland Public Facility Fee is to ensure that new development funds its fair share of park facilities. Revenue is used to expand park facilities and for other projects to serve new development in order to maintain a standard of 3.0 acres per 1,000 residents.

Projects

Description	Cost
No projects	
Total	

Transportation

The purpose of the Transportation Public Facility Fee is to ensure that new development funds its fair share of street and transportation facilities. Revenue is used to fund improvements to the street network, increase the number of local transit stops and for other projects to serve new development.

Projects

Description	Cost
State Mandated Traffic Study	\$10,453
Total	\$10,453

Project Expenditures – FY2018-19

Water

The purpose of the Water Public Facility Fee is to ensure that new development funds its fair share of the water facilities. Revenue is used to expand reservoir capacity, groundwater pumping capacity and pipeline size and for other projects to serve increased demand by new development.

Projects

Description	Cost
Maintenance Yard Office Expansion (50%)	\$56,959
AMI Project (Funds charged)	\$213,000
Total	\$269,959

Sewer

The purpose of the Sewer Public Facility Fee is to ensure that new development funds its fair share of the sewer facilities. Revenue is used to increase the size of the current sewer lines and for other projects to serve increased demand by new development.

Projects

Description	Cost
Maintenance Yard Office Expansion (50%)	\$56,959
Total	\$57,250

Grand Total, All Projects:	\$386,761
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See Attachment B for a listing of projects continued or initiated in FY2019-20.

Continued, Approved and Pending Capital Projects – FY2019-20

Public Facility Fee Categories

The following pages outline the proposed projects for each of the facilities categories that were active or pending during FY2019-20, up to the date of this report. The following sections show the project titles and cost for each of the seven categories.

General Government

The purpose of the General Government Public Facility Fee is to ensure that new development funds its fair share of general government facilities. Revenues are used to finance construction, expansion, and to upgrade public facilities. General government facilities include, but are not limited to, government administrative offices, city-owned vehicles, and city storage facilities.

Projects

Description	Cost
Upgrade Council Chambers, General Seating, ADA Compliant Seating Accommodation Areas, Carpeting and AV Equipment (remaining amount)	\$8,610
Emergency Operations Room Carpet	\$9,000
Total	\$17,610

Library

The purpose of the Library Public Facility Fee is to ensure that new development funds its fair share of library facilities. Revenue is used to help fund expanded library facilities and for other projects to serve new development.

Projects

Description	Cost
No projects	
Total	

Continued, Approved and Pending Capital Projects – FY2019-20

The following project list was approved during the City Council Meeting of June 25, 2019.

Public Safety

The purpose of the Public Safety Facility Fee is to ensure that new development funds its fair share of public safety facilities. Facilities include both police and fire facilities. Revenue is used to expand public safety facilities including fire suppression apparatus, police vehicles, public safety communication systems and for other projects to serve new development.

Projects

Description	Cost
Debt Service Funds for Fire Engine	\$50,000
Total	\$50,000

Parks and Parkland (Quimby)

The purpose of the Park and Parkland Public Facility Fee is to ensure that new development funds its fair share of park facilities. Revenue is used to expand park facilities and for other projects to serve new development in order to maintain a standard of 3.0 acres per 1,000 residents.

Projects

Description	Cost
Pool Improvements	\$40,000
Total	\$40,000

Transportation

The purpose of the Transportation Public Facility Fee is to ensure that new development funds its fair share of street and transportation facilities. Revenue is used to fund improvements to the street network, increase the number of local transit stops and for other projects to serve new development.

Projects

Description	Cost
State Mandated Traffic Study (remaining amount)	\$3,547
Road Resurfacing	\$20,000
Total	\$23,547

Continued, Approved and Pending Capital Projects – FY2019-20

Water

The purpose of the Water Public Facility Fee is to ensure that new development funds its fair share of the water facilities. Revenue is used to expand reservoir capacity, groundwater pumping capacity and pipeline size and for other projects to serve increased demand by new development.

Projects

Description	Cost
Construct new Fencing and Gate at City Yard Spreading Grounds (Water share)	\$50,000
Total	\$50,000

Sewer

The purpose of the Sewer Public Facility Fee is to ensure that new development funds its fair share of the sewer facilities. Revenue is used to increase the size of the current sewer lines and for other projects to serve increased demand by new development.

Projects

Description	Cost
Construct new Fencing and Gate at City Yard Spreading Grounds (Sewer share)	\$25,000
Total	\$25,000

Grand Total, All Projects, FY2019-20 (to date):	\$206,157
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John Harabedian, Mayor
John Capoccia, Mayor Pro Tem
Rachelle Arizmendi, Council Member
Gene Goss, Council Member

Sue Spears, City Clerk
Michael Amerio City Treasurer

City of Sierra Madre

Agenda Report

TO: Honorable Mayor and Members of the City Council

FROM: Rebecca Silva-Barrón, Community Services Manager
Chris Cimino, Public Works Director

REVIEWED BY: Gabriel Engeland, City Manager

DATE: November 12, 2019

SUBJECT: **KERSTING COURT GENERAL IMPROVEMENTS PROJECT
DESIGN, ADDITIONAL SERVICES AGREEMENT, AND ARTS IN
PUBLIC PLACES RECOMMENDATION**

STAFF RECOMMENDATION

At their July 15, 2019 meeting, the Community Services Commission (CSC) unanimously approved the design for recommendation to the City Council on the rendering for the Kersting Court Project.

Staff recommends City Council:

1. Approve the respective Additional Services Agreement from LRM Associates totaling \$32,100 for the additional trades and services necessary to fully complete the design of the project (Attachment 1);
2. Approve conceptual design for the Kersting Court General Improvements Project (Attachment 2);
3. Approve Commission recommendation for the Arts in Public Places to fund an environmental art piece consisting of one or combination of the following options:
 - (a) pavement design beautifully capturing the original peoples that lived in Sierra Madre and the red trolley that started there;
 - (b) pavement design with different inlaid pavers and stones paying tribute to historical aspects;
 - (c) design benches and pavement walkways with colorful geometric mosaic patterns or murals on the backs or seats of the seating walls and stonework paying historical tribute;
 - (d) outdoor lighting fixture with imposed art design.

ALTERNATIVES

1. The City Council may approve the Additional Services Agreement from LRM for \$32,100 for the added trades and services necessary to complete the design of the project (which a percentage may be charged towards the grant with approval from Regional Park and Open Space District).
2. The City Council may direct staff and the board to return to a future Council meeting with more information on the project design elements, including the recommended art components.

SUMMARY

Following meetings over the course of the past two years with the Steering Committee and consequent

discussions before the Community Services Commission, residents, stakeholders and businesses, the Sierra Madre Chamber of Commerce joined with city management to facilitate the Kersting Court Project Town Hall Meeting on Monday, July 8, 2019 at City Hall Council Chambers.

This open forum encouraged all community members to share their valuable feedback which included:

- 1) Keeping the seating wall within the project scope;
- 2) Creating a stage by using a raised platform (with non-fixed seating), wiring with lights and electrical; framing two trees around the stage;
- 3) ADA accessible entrances/exits and an open middle area for additional heavy non-fixed seating and graffiti-resistant outdoor furniture (i.e. chairs and tables with umbrellas);
- 4) Not removing parking, but working to make the parking lot more pedestrian friendly, potentially through decorative pavers, and easier to block off during events by means of removable barricades;
- 5) Maximizing kiosk usage by creating a history of Sierra Madre component to the project, including high resolution historic photos and descriptions of important town events; and
- 6) Consider not incorporating a marquee sign into the project.

Enhancing the overall park with more shade and seating, improving pedestrian access, keeping parking, and adding electrical with lighting were also the majority of comments shared.

The regularly scheduled meeting with Community Services Commission on Monday, July 15, 2019 allowed the board to recap on the stated project considerations presented at the town hall meeting and exchange feedback with community stakeholders before their vote. As a result, the final 3-dimensional design received by the landscape architect was presented and approved in September (attachment 1).

Arts in Public Places Program

Community Services Commission recommends an environmental art component for Kersting Court through the Arts in Public Places Fund, which currently totals \$60,300.

The board concurred there are two blank canvases within the project scope including seating walls and the walkway pavement. Therefore, the proposed options include the following or combination thereof:

- (a) pavement design beautifully capturing the original peoples that lived in Sierra Madre and the red trolley that started there;
- (b) pavement design with different inlaid pavers and stones paying tribute to historical aspects;
- (c) design benches and pavement walkways with colorful geometric mosaic patterns or murals on the backs or seats of the seating walls and stonework paying historical tribute;
- (d) outdoor lighting fixture with imposed art design.

The City intends to collaborate with Historical Preservation Society and the Library to determine approved descriptions, designs, and pictures.

ANALYSIS

The Kersting Court General Improvement Project Grant No. 58J7-19-2686 in the amount of \$300,000 was executed on January 16, 2019 between the City (Grantee) and LA County Regional Park and Open Space District.

Under said grant, the city agrees to budget and appropriate annually, in each fiscal year until completion of the Project, an amount equal to the total estimated cost of the Project. Therefore, \$300,000 was approved by City Council to be utilized during fiscal year 2019-2020. Additional funding through Arts in Public Places is available in the amount of \$60,300.

LRM Associates, Inc. has submitted the change order for \$32,100 to include the additional trades and services listed:

Original Contract Additional Services

1. Completed Surveying	\$7,500
2. Additional Structural for the flagpole and banner footings	\$3,750
3. Additional Electrical	\$3,750

Additional Services for Kersting Court Street Improvements

4. Schematic Design including 3-D Rendering	\$4,000
5. Design Development	\$3,000
6. Civil Drawings and Design	\$3,100
7. Construction Drawings	\$7,000

Any additional meetings after the eight (8) proposed in the original contract will be charged \$175 per hour.

In keeping with the underlying Core Goals and Guiding Principles set forth below and established for Kersting Court, LRM Associates has followed the framework of creating a community gathering place, while upholding the existing character and elements of the mini-park, preserving the Bell Tower, maintaining the Flag Pole, and conserving the pepper trees.

Core Goals

1. Compliance of ADA
2. Use of the Public Art Funds
3. Community Gathering Place
4. Preservation of Existing Character & Elements
5. Sierra Madre Landmark Sign

Guiding Principles

1. Preservation of the Pepper Tree
2. Update Existing Kiosk
3. Preservation of the Bell Tower including adding Historical Educational Component
4. Maintain Flag Pole
5. Native Drought Landscaping and Plentiful Seating

FINANCIAL REVIEW/ SOURCE OF FUNDING

2019-20 Fiscal Year Budget includes \$300,000 awarded through the Regional Park and Open Space District (RPOSD) Excess Funds Grant received and executed by the City Council. Additionally, funding through Arts in Public Places is available in the amount of \$60,300.

The change order issued in the amount of \$32,100 for the additional trades and services from LRM Associates may be submitted for reimbursement through the RPOSD. Although, no more than twenty-five percent (25%) of the Grant may be used for administrative costs.

This percentage may be increased to thirty percent (30%) if a detailed project cost estimate, including actual costs incurred and anticipated additional costs, demonstrates to the satisfaction of the District that the higher percentage is justified.

ENVIRONMENTAL (CEQA)

N/A

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, at the Sierra Madre Public Library, and can be accessed on the City's website at www.cityofsierramadre.com

ATTACHMENTS:

1. Kersting Court Additional Services Agreement (LRM)
2. Kersting Court 3-D Schematic Presentation



LRM Associates, INC
3458 OCEAN VIEW BLVD
GLENDALE, CA 91208
TEL 818 248-5200
CALIF. LICENSE #4016

Date: September 10, 2019

Dear Mr. Gabriel Engeland:

As we discussed our services did not include a few additional trades or services necessary to fully complete this project. I have added those trades to the following list below and also included the additional services requested for the Kersting Court side street you wish to add. Please add this to our existing Professional Services Contract signed and dated the 6th of December 2018.

Original Contract Additional Services

Surveying (Completed)	7,500
Additional Structural for flagpole & banner footings	3,750
Additional Electrical.....	<u>3,750</u>
	\$15,000

Additional Services for Kersting Court street improvements

Schematic design including 3d rendering	4,000
Design Development.....	3,000
Civil Drawings and Design.....	3,100
Construction Drawings.....	<u>7,000</u>
	\$17,100

Any additional meetings after the eight proposed in the original contract will be charged @ \$175 per hour.

APPROVED AND ACCEPTED in accordance with the General Terms of Agreement for Consulting Services:

Bron K. Ruf, President
LRM ASSOCIATES INC.,

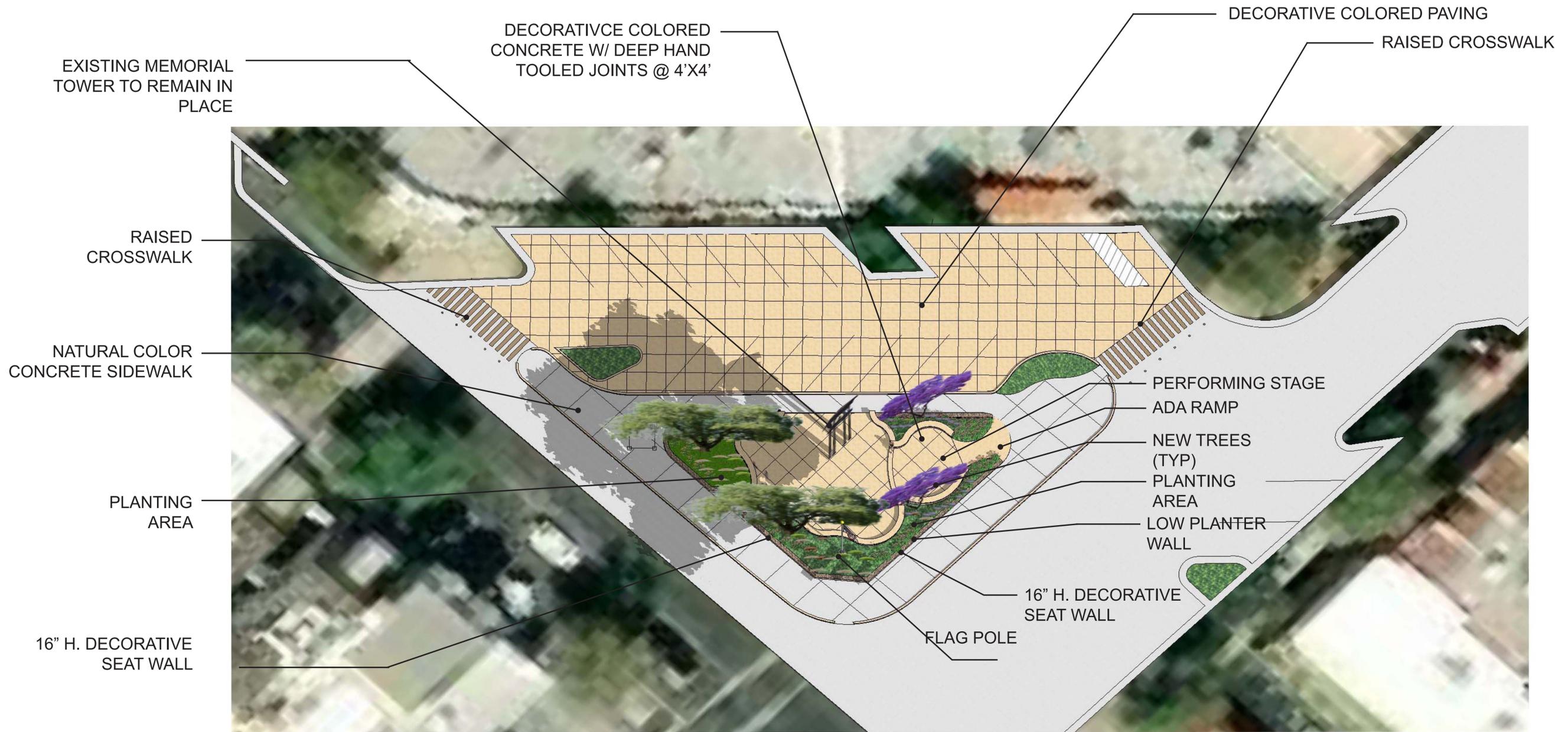
A.S.L.A; License #4016

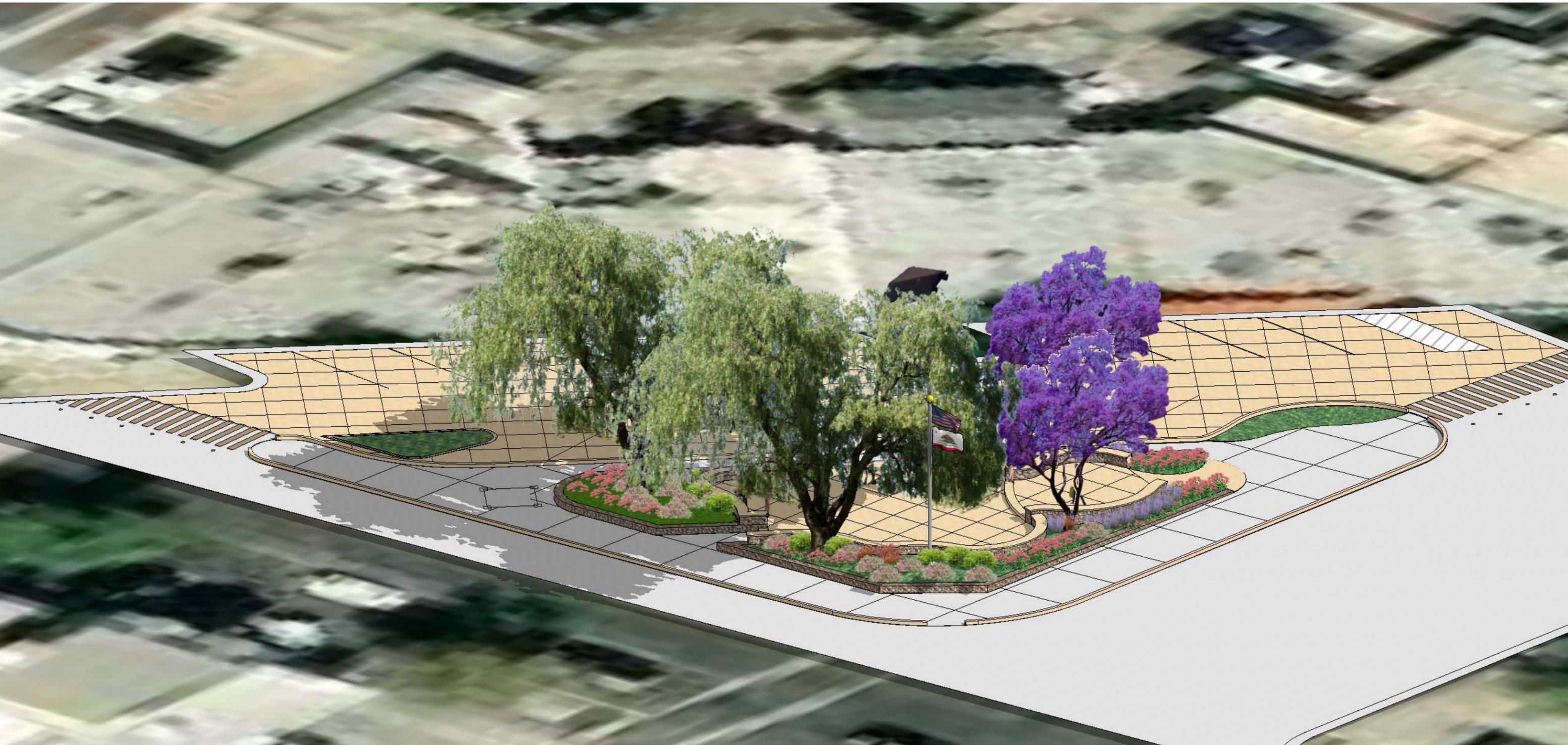
Date: 9.10.2019

Gabriel Engeland, City Manager
232 W. Sierra Madre, Sierra Madre. CA.
626-355-7135

Date:





























City of Sierra Madre Agenda Report

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

*Sue Spears, City Clerk,
Michael Amerio City Treasurer*

TO: Honorable Mayor and Members of City Council

FROM: Hillary Guirola-Leon, Finance and Budget Manager

REVIEWED BY: Gabe Engeland, City Manager

DATE: November 12th, 2019

SUBJECT: PENSION RATE STABILIZATION PLAN & GENERAL FUND BALANCE POLICY

STAFF RECOMMENDATION

Staff recommends the City Council approve the following:

1. Resolution No. 19-60 Amending the General Fund Balance Policy
2. Authorize a lump sum pre-payment of \$3,000,000 to CalPERS for PERS UAL and the budget amendments necessary to fund the prepayment

ALTERNATIVES

1. City Council may decline to approve any of the recommendations above.
2. City Council may provide staff with direction.

SUMMARY

City staff has researched options to stabilize pension costs which are projected to continue to increase over time. Staff recommends the prepayment of \$3 million to CalPERS for Unfunded Accrued Liability (UAL) beyond the annual required contribution to occur in FY 19/20.

The current General Fund Balance policy sets the General Fund Unassigned Fund Balance at 25% of operating revenues. Staff recommends the Fund Balance policy to be changed to 25% of general fund operating expenditures. The choice of expenditures over revenues is dictated by what is more predictable for the City.

The recommended funding for the pension stabilization comes from excess General Fund balance above the General Fund Balance Policy, the Water Fund, and the previously approved funding from TowerPoint.

ANALYSIS

The City of Sierra Madre has four pension plans (two Classic and two PEPRAs). The City has continued to address the increasing pension obligations by taking steps towards ensuring future retirement benefits continue to be funded in the most prudent manner.

Pension Plans: Additional Discretionary Prepayment July 2018

On July 24, 2018, City Council approved a \$5 million prepayment to CalPERS for UAL beyond the annual required contribution. The funded ratio is provided by CalPERS in the annual Actuarial Valuation.

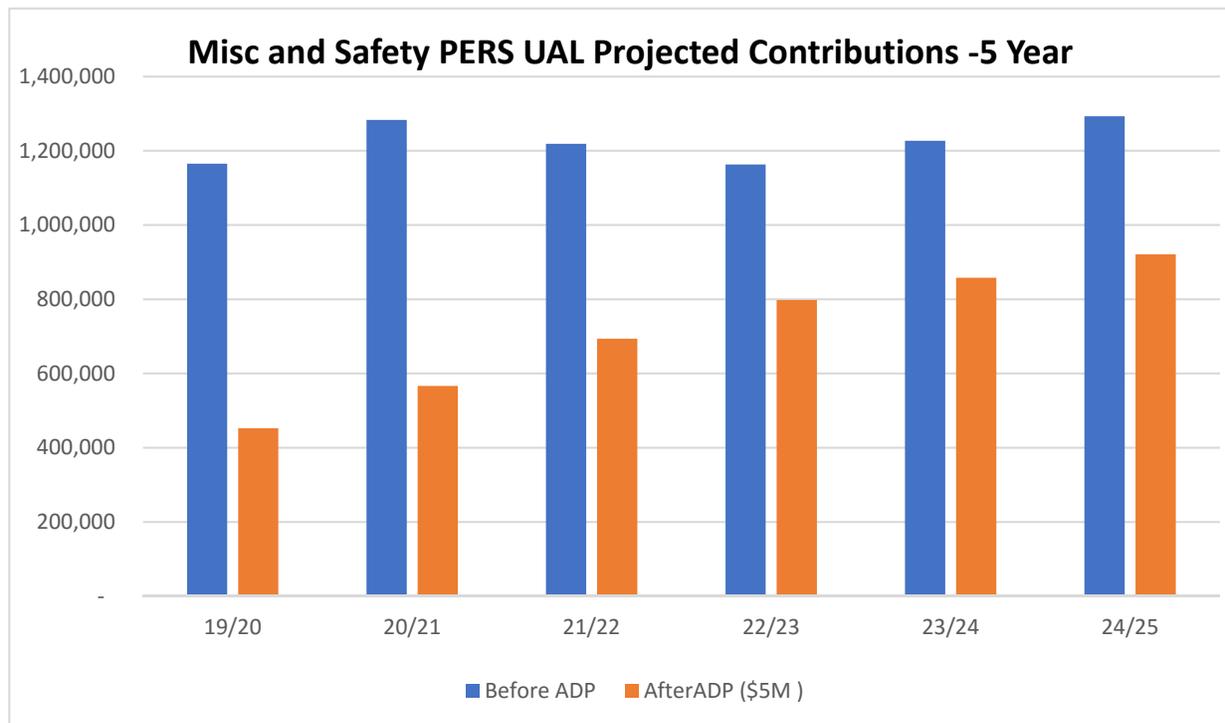
Before the \$5 million prepayment, the Miscellaneous and Safety plans had a 72% and 70.5% funded ratio, respectively. The City’s Actuary provided an estimated funded ratio for valuation ending 6/30/19 of 84.2% and 80.5% respectively. This estimate may vary depending on demographic gains and losses that will be disclosed in the 6/30/19 valuation released August 2020.

Funded Ratio Historical Trends by Pension Plan

Classic Plan	Valuation Measurement Date 2015-2019				
	6/30/2015	6/30/2016	6/30/2017	6/30/2018	6/30/19- Post prepayment of \$5M (est.)
Safety	75.3%	70.1%	72.9%	72.0%	84.2%
Miscellaneous	73.1%	68.6%	71.2%	70.5%	80.5%

The prepayment of \$5 million provided a total savings of about \$700,000 for FY 19/20 by reducing the Annual Required Contribution from \$1.16M to \$460K.

Based on the 6/30/18 (Measurement date) actuarial valuation, the prepayment of \$5M decreased the projected required annual contributions by 42% across a 5-year period.



CalPERS UAL \$3 Million Lump Sum Prepayment

The City's CalPERS Pension costs are made of two components: The Employer Rate (normal cost) and Unfunded Accrual Liability (UAL). The UAL is a metric calculated as market value of assets minus actuarial accrued liabilities. The UAL can vary based on external factors and are projected to increase as changes to actuarial assumptions are made.

The lump sum prepayment of \$3 million may result in a projected funded ratio of 90%. The annual required UAL payments would also be significantly reduced due to the recalculation of the UAL amortization schedule. Reductions in annual required contributions are key in maintaining sustainability.

FINANCIAL REVIEW/SOURCE OF FUNDING

The recommended funding for the lump sum prepayment of \$3 million to CalPERS is \$1.2M from TowerPoint lease sale and \$1.8M from General Fund and Water Fund.

The Water Fund's share of pension expenditures is 19% of the miscellaneous plan, however, to allow the Water Fund to continue increasing expenditures on infrastructure, the General fund will subsidize a portion of the Water Fund's prepayment to the miscellaneous plan, charging only \$100,000 to the Water Fund.

ENVIRONMENTAL (CEQA)

The adoption of a General Fund Balance Policy is exempt from the California Environmental Quality Act ("CEQA"). Pursuant to section 15378(b)(2) of the CEQA Guidelines, the adoption of a "general policy" is not a project for purposes of CEQA. Further, pursuant to section 15378(b)(4) of the CEQA Guidelines, "government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment" is not a project for purposes of CEQA.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, at the Sierra Madre Public Library, and can be accessed on the City's website at www.cityofsierramadre.com.

Attachments

Resolution No. 19-60 Amending the General Fund Balance Policy

RESOLUTION NO. 19-60

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE AMENDING THE GENERAL FUND BALANCE POLICY

WHEREAS, the City of Sierra Madre (City) wishes to be proactive in its fiscal responsibilities; and

WHEREAS, the Government Finance Officers Association and recognized national bond rating institutions recommend that government agencies adopt a Fund Balance Policy; and

WHEREAS, the City Council believes that a Fund Balance Policy is in the best interest of the City; and

WHEREAS, the City Council adopted the General Fund Balance Policy Resolution 18-40 on the 24th day of July, 2018; and

WHEREAS, operating expenditures are an appropriate measure for the unassigned fund balance reserve calculation; and

NOW, THEREFORE, THE CITY OF SIERRA MADRE DOES RESOLVE AS FOLLOWS: That the General Fund Balance Reserve is calculated at 25% of operating expenditures and shall take effect immediately.

PASSED, APPROVED AND ADOPTED, this 12th day of November 2019.

John Harabedian, Mayor
City of Sierra Madre, California

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 12th day of November 2019, by the following vote.

AYES:

NOES:

ABSENT:

Sue Spears, City Clerk
City of Sierra Madre, California



City of Sierra Madre Agenda Report

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

*Sue Spears, City Clerk,
Michael Amerio City Treasurer*

TO: Honorable Mayor and Members of City Council
FROM: Hillary Guirola-Leon, Finance and Budget Manager
REVIEWED BY: Gabe Engeland, City Manager
DATE: November 12th, 2019
SUBJECT: **PENSION & OPEB FUNDING POLICY**

STAFF RECOMMENDATION

Staff recommends the City Council approve the following:

1. Resolution No.19-59 Approving a Pension and OPEB Funding Policy

ALTERNATIVES

1. City Council may decline to approve the Pension and OPEB Funding Policy
2. City Council may provide staff with direction.

SUMMARY

Adopting a Pension and OPEB Funding Policy will ensure the funded ratio does not fall below 85% at any given year and the annual contributions to each plan meets the minimum per the policy. The funding policy will help maintain sustainability in growing obligations.

ANALYSIS

The Government Finance Officers Association (GFOA) has recommended that every local government formally adopt a funding policy that provides reasonable assurance that the costs of those benefits will be funded in an equitable and sustainable manner.

City staff recommends using the plans' funded ratio as a fiscal metric in determining the funded status of each plan. The ratio compares the actual assets based on market rates of return against accrued liabilities. The recommended funding policy sets the target funding at 100% with a minimum funded ratio of 85% at any given fiscal year for both pension plans and Other post-employment benefits (OPEB). The funding policy also sets the minimum annual contribution to each plan.

The recommended policy also requires an analysis of projected annual required contributions to ensure the City can reasonably make the payments.

FINANCIAL REVIEW/SOURCE OF FUNDING

There is no financial impact from approving a Pension and OPEB Funding Policy

ENVIRONMENTAL (CEQA)

None

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at the City Hall public counter, at the Sierra Madre Public Library, and can be accessed on the City's website at www.cityofsierramadre.com.

Attachments

Resolution No.19-59 Approving a Pension and OPEB Funding Policy

Exhibit A: Pension & OPEB Funding Policy

RESOLUTION NO. 19-59

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING PENSION AND OPEB FUNDING POLICY

WHEREAS, the City of Sierra Madre (City) wishes to be proactive in its fiscal responsibilities; and

WHEREAS, the Government Finance Officers Association recommends that every local government formally adopt a funding policy; and

WHEREAS, the City Council believes that a funding policy for retirement benefits is in the best interest of the City; and

NOW, THEREFORE, THE CITY OF SIERRA MADRE DOES RESOLVE AS FOLLOWS:
That the following attached Pension and OPEB Funding Policy shall take effect immediately.

PASSED, APPROVED AND ADOPTED, this 12th day of November 2019.

John Harabedian, Mayor
City of Sierra Madre, California

I hereby certify that the foregoing Resolution was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 12th day of November 2019, by the following vote.

AYES:

NOES:

ABSENT:

Sue Spears, City Clerk
City of Sierra Madre, California

EXHIBIT A

CITY OF SIERRA MADRE PENSION AND OPEB FUNDING POLICY

1. Purpose

The City of Sierra Madre (City) has an important responsibility to evaluate the funded status of pension and OPEB plans. This pension and OPEB funding policy aims to promote sustainability and help fund the long-term cost of the benefits promised to participants. Managing pension and OPEB costs can also help with operating expenses by reducing the annual required contributions to each plan.

The City currently has four pension plans (2 classic and 2 PEPRAs) and other post-employment benefits. The purpose of this policy is to identify a fiscal metric to use for the analysis of each plan. By analyzing the trends and funded status of each plan, the City will be able to manage these increasing obligations. The fluctuating cost of an UAL (Unfunded Accrued Liability) causes strain on the City's budget and may affect our ability to provide services.

This funding policy sets the target & minimum funded ratio, and the minimum annual contribution made to each plan.

2. Definitions

Unfunded Accrued Liability (UAL)- the difference between the plans' value of assets less its Accrued liability

Funded Ratio: Ratio that compares actual assets based on market rates of return against accrued liability

3. Guidelines

The funded ratio is the fiscal metric used by the City to determine the funded status of each plan. The ratio should be calculated using the most recent actuarial valuation report for each plan.

The target funded ratio for pension and OPEB liabilities is set at 100%. Each plan the City offers should not fall below a minimum of 85% funded ratio at any given fiscal year.

Pension Plans:

Each fiscal year, the City Manager and Finance Director should

- Analyze the funded ratio and determine if it meets the minimum annual percentage per this policy
- Analyze the 5-year projected annual required contributions (using the most recent actuarial valuation) and determine if the City can reasonably make the estimated payments
- Present the findings of this analysis to City Council

Minimum Funded Ratio: Each pension plan must have a minimum funded ratio of 85%.

Minimum Annual Contribution: The minimum contribution made to each plan must be the Annual required contribution as provided by CalPERS.

Other Postemployment Benefits:

Each fiscal year, the City Manager and Finance Director should

- Analyze the funded ratio and determine if it meets the minimum annual percentage per this policy
- Analyze the 2-year projected Actuarially Determined Contribution (ADC) (using the most recent actuarial valuation) and determine if the City can reasonably make the estimated payments
- Present the findings of this analysis to City Council

Minimum Funded Ratio: OPEB plan must have a minimum funded ratio of 85%.

Minimum Annual Contribution: The minimum contribution made to the plan is the ADC as determined in the most recent OPEB valuation.

2.1 If, at the most recent actuarial valuation, the funded ratio is below 85%, the City Manager and Finance Director should present the following:

- The reason why the funded ratio is below the minimum percentage
- Provide a plan of action to raise the funded ratio in the upcoming year(s) or
 - The reason why it is not financially reasonable to take steps toward meeting the minimum funded ratio.

Approval required: City Council shall approve the financial plan or make the exemption of a funded ratio below 85%.

2.2 If, at any fiscal year, the annual contribution to each plan falls below the minimum required per this policy, the City Manager and Finance Director shall prepare and present a report to City Council that analyzes the effect of the underfunding. Persistent underfunding will ultimately jeopardize the plans' sustainability.

Approval required: Each year where the annual contribution is below the minimum set by this policy, City Council shall approve the underfunding of the plan.

3.3 The funding policy should be evaluated at least once every 5 years to determine whether the minimum funded ratio should be increased/decreased or whether another fiscal metric will be used to assess funding levels. A detailed explanation justifying the change to this policy should be presented to City Council for approval.

Approval required: City Council shall approve any amendments to this policy.



John Harabedian, Mayor
John Capoccia, Mayor Pro Tem
Rachelle Arizmendi, Council Member
Gene Goss, Council Member
Sue Spears, City Clerk
Michael Amerio City Treasurer

City of Sierra Madre Agenda Report

TO: Honorable Mayor and Members of the City Council

FROM: Miguel Hernandez, Human Resources Manager
Gabriel Engeland, City Manager

DATE: November 12, 2019

SUBJECT: **Consideration of Resolution 19-62 Amending the City's Classification Plan and Salary Matrix for Executive Management and Confidential-Exempt Positions**

STAFF RECOMMENDATION

Staff recommends City Council approve Resolution 19-62, Amending the Classification Plan and Salary Matrix for the following classifications: Executive Management positions and Confidential-Exempt positions not included in the 2.1% Cost of Living increase adopted in Resolution 19-49.

Additionally, staff is recommending including the Police Lieutenant position to receive the 2.1% COLA increase similar to that of the other Confidential-Exempt positions that were included in Resolution 19-49.

ALTERNATIVES

1. The City Council may adopt Resolution 19-62, approving amending the Classification Plan and Salary Matrix
2. City Council may choose to provide alternate direction to staff.
3. City Council may choose to have staff return to a future Council meeting with additional information.

SUMMARY

On September 24, 2019, the City Council discussed options in determining compensation for management positions within the City of Sierra Madre. As mentioned in the September 24th staff report, the City Council determines the rate and range of pay for all positions in the City. To assist the City Council in determining rate of pay as related to the market place, staff presented a study that compared pay rates with peer cities as well as comparable jobs in the private sector, healthcare, and non-profit industries.

ANALYSIS

At the September 24, 2019 City Council meeting, the City Council discussed options in determining the pay rate for management positions of the City. At the direction of City Council, staff presented a

compensation study that identified comparisons from 11 peer cities that were assigned a “similarity score” based on population, general fund budget, services provided, and geography. In addition to the 11 peer cities, pay rates were also compared to private sector, healthcare industry, and non-profit organizations.

The City Council provided direction to increase the pay range for management positions to more closely align with peer cities, and private and non-profit sectors for similar positions.

Staff is recommending the City Council approve Resolution 19-62 modifying the City’s Classification Plan and Salary Matrix modifying the Executive Management and Confidential-Exempt positions as outlined in the attached Executive Management and Confidential-Exempt Classification Plan and Salary Matrix.

FINANCIAL REVIEW/SOURCE OF FUNDING

Amendments to the Executive Management and Confidential-Exempt Classification Plan and Salary Matrix will increase the range of pay for the positions identified in the salary matrix. The proposed modifications will not have a financial impact and/or exceed any budgeted line item on the 2019-2020 budget.

ENVIRONMENTAL (CEQA)

N/A

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of this report are available at City Hall, at the Sierra Madre Public Library, and can be accessed on the City’s website at www.cityofsierramadre.com.

Attachments

Attachment A: Resolution 19-62

Attachment B: Executive Management and Confidential-Exempt Classification Plan and Salary Matrix

**RESOLUTION NO. 19-62
MODIFYING EXECUTIVE MANAGEMENT AND CONFIDENTIAL-EXEMPT
CLASSIFICATION PLAN AND SALARY MATRIX**

THE CITY COUNCIL OF THE CITY OF SIERRA MADRE DOES HEREBY
RESOLVE:

WHEREAS, the City of Sierra Madre employs full-time employees who are not represented by an employee association; and

WHEREAS, the City of Sierra Madre employs full-time employees who are members of the Executive Management and Confidential-Exempt management group; and

WHEREAS, the City Council is authorizing changing the Executive Management and Confidential-Exempt salary schedule in the Classification Plan and Salary Matrix excluding Confidential-Exempt positions that received a 2.1% COLA increase; and

WHEREAS, in the amended Classification Plan and Salary Matrix, the information contained within the plan in regard to duties, responsibilities, training, and experience for all other positions remain status quo;

WHEREAS, in the amended Classification Plan and Salary Matrix, the salary information contained within the plan for full-time positions remains status quo;

NOW, THEREFORE, BE IT RESOLVED

SECTION 1. That the amended pages of the City of Sierra Madre Classification Plan and Salary Matrix be and the same are hereby attached hereto and made a part thereof.

SECTION 2. That the changes to the Executive Management and Confidential-Exempt Classification Plan and Salary Matrix take effect November 12, 2019.

Passed, Approved and Adopted on the 12th day of November, 2019.

Mayor, City of Sierra Madre, CA

I, the undersigned, hereby certify that the foregoing Resolution was duly adopted at a regular meeting of the City of Sierra Madre City Council on the 12th day of November, 2019 by the Sierra Madre City Council following a roll call vote:

Ayes

Noes

Absent

City Clerk, City of Sierra Madre, CA

Range	Position Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
39	Fire Chief	Annual Salary \$ 110,802	\$ 113,572	\$ 116,411	\$ 119,321	\$ 122,305	\$ 125,362	\$ 128,496	\$ 131,709	\$ 135,001	\$ 138,376
		Hourly \$ 53.27	\$ 54.60	\$ 55.97	\$ 57.37	\$ 58.80	\$ 60.27	\$ 61.78	\$ 63.32	\$ 64.90	\$ 66.53
40	Planning & Community Preservation Director Utilities Director Public Works Director	Annual Salary \$ 112,096	\$ 114,898	\$ 117,770	\$ 120,715	\$ 123,732	\$ 126,826	\$ 129,996	\$ 133,246	\$ 136,577	\$ 139,992
		Hourly \$ 53.89	\$ 55.24	\$ 56.62	\$ 58.04	\$ 59.49	\$ 60.97	\$ 62.50	\$ 64.06	\$ 65.66	\$ 67.30
43	Police Chief	Annual Salary \$ 119,905	\$ 122,903	\$ 125,975	\$ 129,125	\$ 132,353	\$ 135,661	\$ 139,053	\$ 142,529	\$ 146,093	\$ 149,745
		Hourly \$ 57.65	\$ 59.09	\$ 60.56	\$ 62.08	\$ 63.63	\$ 65.22	\$ 66.85	\$ 68.52	\$ 70.24	\$ 71.99
44	Finance Director	Annual Salary \$ 130,327	\$ 133,585	\$ 136,925	\$ 140,348	\$ 143,857	\$ 147,453	\$ 151,140	\$ 154,918	\$ 158,791	\$ 162,761
		Hourly \$ 62.66	\$ 64.22	\$ 65.83	\$ 67.48	\$ 69.16	\$ 70.89	\$ 72.66	\$ 74.48	\$ 76.34	\$ 78.25

Salary Matrix
Confidential-Exempt - 1

Range	Position Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	
25	Water Superintendent	Annual Salary	\$ 60,348	\$ 61,857	\$ 63,403	\$ 64,988	\$ 66,613	\$ 68,278	\$ 71,735	\$ 73,528	\$ 75,366	
		Hourly	\$ 29.01	\$ 29.74	\$ 30.48	\$ 31.24	\$ 32.03	\$ 32.83	\$ 33.65	\$ 34.49	\$ 35.35	\$ 36.23
26	Human Resources Manager Accounting Manager Senior Planner	Annual Salary	\$ 74,972	\$ 76,835	\$ 78,757	\$ 80,726	\$ 82,744	\$ 84,813	\$ 86,933	\$ 89,107	\$ 91,334	\$ 93,618
		Hourly	\$ 36.04	\$ 36.94	\$ 37.86	\$ 38.81	\$ 39.78	\$ 40.78	\$ 41.79	\$ 42.84	\$ 43.91	\$ 45.01
28	Administrative Services Manager Assistant City Clerk Community Services Manager Library Services Manager/City Librarian	Annual Salary	\$ 70,601	\$ 72,367	\$ 74,176	\$ 76,030	\$ 77,931	\$ 79,879	\$ 81,876	\$ 83,923	\$ 86,021	\$ 88,171
		Hourly	\$ 33.94	\$ 34.79	\$ 35.66	\$ 36.55	\$ 37.47	\$ 38.40	\$ 39.36	\$ 40.35	\$ 41.36	\$ 42.39
29	Planning Manager Finance and Budget Manager IT Manager	Annual Salary	\$ 96,763	\$ 99,182	\$ 101,662	\$ 104,203	\$ 106,808	\$ 109,478	\$ 112,215	\$ 115,020	\$ 117,896	\$ 120,843
		Hourly	\$ 46.52	\$ 47.68	\$ 48.88	\$ 50.10	\$ 51.35	\$ 52.63	\$ 53.95	\$ 55.30	\$ 56.68	\$ 58.10
41	Police Captain	Annual Salary	\$ 110,802	\$ 113,571	\$ 116,411	\$ 119,322	\$ 122,305	\$ 125,361	\$ 128,495	\$ 131,707	\$ 135,000	\$ 138,375
		Hourly	\$ 53.27	\$ 54.60	\$ 55.97	\$ 57.37	\$ 58.80	\$ 60.27	\$ 61.78	\$ 63.32	\$ 64.90	\$ 66.53

November 22, 2019 Resolution 19-62, Amendment to Confidential-Exempt positions not included in the 2.3% COLA increases (adopted 9-24-2019 Reso 19-49).

Salary Matrix
Confidential-Exempt - 2

Range	Position Title	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
21	Recreation Supervisor	Annual Salary \$ 57,948 Hourly \$ 27.86	\$ 59,397 \$ 28.56	\$ 60,882 \$ 29.27	\$ 62,404 \$ 30.00	\$ 63,963 \$ 30.75	\$ 65,562 \$ 31.52	\$ 67,202 \$ 32.31	\$ 68,882 \$ 33.12	\$ 70,604 \$ 33.94	\$ 72,370 \$ 34.79
22	Assistant to the City Manager	Annual Salary \$ 47,466 Hourly \$ 22.82	\$ 48,653 \$ 23.39	\$ 49,869 \$ 23.98	\$ 51,116 \$ 24.58	\$ 52,394 \$ 25.19	\$ 53,704 \$ 25.82	\$ 55,046 \$ 26.46	\$ 56,421 \$ 27.13	\$ 57,834 \$ 27.80	\$ 59,278 \$ 28.50
23	Administrative Analyst	Annual Salary \$ 41,372 Hourly \$ 19.89	\$ 42,407 \$ 20.39	\$ 43,467 \$ 20.90	\$ 44,553 \$ 21.42	\$ 45,667 \$ 21.96	\$ 46,809 \$ 22.50	\$ 47,980 \$ 23.07	\$ 49,179 \$ 23.64	\$ 50,408 \$ 24.23	\$ 51,669 \$ 24.84
24	Analyst (various) Human Resources Analyst Senior Accountant	Annual Salary \$ 55,820 Hourly \$ 26.84	\$ 57,216 \$ 27.51	\$ 58,646 \$ 28.20	\$ 60,112 \$ 28.90	\$ 61,615 \$ 29.62	\$ 63,156 \$ 30.36	\$ 64,734 \$ 31.12	\$ 66,353 \$ 31.90	\$ 68,012 \$ 32.70	\$ 69,712 \$ 33.52
32	Senior Network Administrator	Annual Salary \$ 69,338 Hourly \$ 33.34	\$ 71,071 \$ 34.17	\$ 72,848 \$ 35.02	\$ 74,669 \$ 35.90	\$ 76,546 \$ 36.80	\$ 78,449 \$ 37.72	\$ 80,411 \$ 38.66	\$ 82,421 \$ 39.63	\$ 84,482 \$ 40.62	\$ 86,594 \$ 41.63
31	Police Lieutenant	Annual Salary \$ 102,489 Hourly \$ 49.27	\$ 105,051 \$ 50.51	\$ 107,678 \$ 51.77	\$ 110,369 \$ 53.06	\$ 113,129 \$ 54.39	\$ 115,956 \$ 55.75	\$ 118,856 \$ 57.14	\$ 121,828 \$ 58.57	\$ 124,873 \$ 60.04	\$ 127,994 \$ 61.54

September 24, 2019 Resolution 19-49 Amendment to Confidential-Exempt positions: Ranges 21, 22, 23, 24, and 32 TO RECEIVE 2.1% COLA increase effective 7/1/2019
November 12, 2019 Added Police Lieutenant position Resolution 19-62



City of Sierra Madre Agenda Report

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

Sue Spears, City Clerk
Michael Amerio City Treasurer

TO: Honorable Mayor Harabedian and Members of the City Council

FROM: Laura Aguilar, Assistant City Clerk, Administrative Services Manager

REVIEWED BY: Gabriel Engeland, City Manager

DATE: November 12, 2019

SUBJECT: CONSIDERATION OF RESOLUTION 19-63 CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISION OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES; AND

CONSIDERATION OF URGENCY ORDINANCE NO. 1419-U REPEALING SECTION 2.04.090 OF THE SIERRA MADRE MUNICIPAL CODE RELATING TO "PROCEDURE FOR FILLING A CITY COUNCIL MEMBER VACANCY."

STAFF RECOMMENDATION

Staff recommends that the City Council approve Resolution 19-63 calling and giving notice of the holding of a general municipal election to be held on Tuesday, November 3, 2020 for the election of certain officers as required by the provision of laws of the State of California relating to general law cities; and adopt Urgency Ordinance 1419-U repealing section 2.04.090 of the Sierra Madre Municipal Code relating to "Procedure for filling a City Council Member vacancy."

ALTERNATIVES

1. The Council may approve Resolution 19-63 calling for a general municipal election to be held on November 3, 2020; and
2. The Council may adopt Urgency Ordinance 1419-U repealing Ordinance 1333 and follow the procedures set forth in California Government Code - GOV § 36512; or
3. The Council may choose to not repeal Ordinance 1333 and direct staff to return to a future meeting with direction regarding the selection process for Council Member vacancy.

SUMMARY

At the October 22, 2019 City Council meeting, Councilmember Delmar resigned her seat on the City Council due to personal reasons related to the care of family members. The City Council requested staff to return to the next meeting with a resolution calling for an election on November 3, 2019 and

also requested staff draft an Urgency Ordinance repealing Ordinance 1333 which added Sierra Madre Municipal Code Section 2.04.090 “Procedure for filling City Council Member Vacancy.”

ANALYSIS

In November 2012, the Council adopted Ordinance 1333 adding Sierra Madre Municipal Code Section 2.04.090 - Procedure for filling City Council Member vacancy.

The procedure, as adopted, states:

- A. A vacancy exists when a city councilmember dies, resigns, or is absent without permission from all regular city council meetings for sixty days consecutively from the last regular meeting he or she attended.
- B. Within sixty days from the date of a city councilmember vacancy, the city council shall call a special election for the purpose of filling the vacancy for the remainder of the unexpired term of the vacant city council seat. The special election shall be held at the next general election which is scheduled to occur no sooner than one hundred fourteen days after the date on which the special election is called.
- C. In addition to the mandatory calling of a special election pursuant to subsection B, the city council may make a temporary appointment to fill the vacant position until the special election may be held and the newly elected councilmember is sworn in. A temporary appointment is restricted to persons having previously served as mayor of the City of Sierra Madre, identified on a list to be provided by the city clerk upon city council request. The list of prior mayors, which shall contain, at a minimum, the names of the five past mayors most recently serving the city, shall be prepared in chronological order listing their dates of service, with the most recent mayor appearing at the top of the list. Priority shall be given to the most recent past mayor, working through the list in chronological order (from most recent to least recent), until an appointment is made. Any appointment pursuant to this subsection must be by unanimous vote of the seated councilmembers.

Prior to the adoption of Ordinance 1333, the City applied California Government Code for filling vacancies on the City Council; specifically California Government Code GOV § 36512.

According to Government Code - GOV § 36512, the City Council may, within 60 days from the commencement of the vacancy either a) fill the vacancy by appointment for the remainder of the applicable term or b) call a special election to be held at the next regularly established election date which is not less than 114 days from the call of the special election. Govt. C. § 36512(b)

The City is scheduled to have a regular election in November 2020, a seat vacated by Council Delmar is not a planned vacancy and would be put to voters to fill the vacancy as a special election. The candidate elected to complete Council Member Delmar’s term would do so from November 2020 to November 2022.

FINANCIAL REVIEW/SOURCE OF FUNDING

There is no financial impact associated with the preparation of this report.

PUBLIC NOTICE PROCESS

This item has been noticed through the regular agenda notification process. Copies of the report are available via the City's website at www.cityofsierramadre.com, at the City Hall public counter, and the Sierra Madre Public Library.

Attachments

1. Draft Resolution 19-63
2. Draft Urgency Ordinance 1419-U

RESOLUTION NO. 19-63

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, CALLING AND GIVING NOTICE OF THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISION OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES

WHEREAS, under the provisions of the laws relating to general law cities in the State of California, a General Municipal Election shall be held on November 3, 2020, for the election of two City Council seats for the full-term of four years, one City Council partial-term seat to fill a City Council vacancy for a term ending in November 2022, a City Treasurer seat, and a City Clerk seat; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That pursuant to the requirements of the laws of the State of California relating to General Law Cities, there is called and ordered to be held in the City of Sierra Madre, California, on Tuesday, November 3, 2020, a General Municipal Election for the purpose of electing two (2) four-year City Council full-term seats, one (1) two-year City Council partial-term seat to fill a City Council vacancy for a term ending in November 2022, a City Treasurer seat, and a City Clerk seat; and

SECTION 2. That the ballots to be used at the election shall be in form and content as required by law.

SECTION 3. That the Election Official is authorized, instructed and directed to procure and furnish any and all official ballots, notices, printed matter and all supplies, equipment and paraphernalia that may be necessary in order to properly and lawfully conduct the election.

SECTION 4. That the polls for the election shall be open at seven o'clock a.m. of the day of the election and shall remain open continuously from that time until 8:00 o'clock p.m. of the same day when the polls shall be closed, pursuant to Election Code Section 10242, except as provided in Section 14401 of the Election Code of the State of California.

SECTION 5. That in all particulars not recited in this Resolution, the election shall be held and conducted as provided by law for holding municipal elections.

SECTION 6. That notice of the time and place of holding the election is given and the Election Official is authorized, instructed and directed to give further or additional notice of the election, in time, form and manner as required by law.

SECTION 7. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

SECTION 8. The City Council authorizes the Election Official to administer said election and all reasonable and actual election expenses shall be paid by the City upon presentation of a properly submitted bill.

PASSED, APPROVED AND ADOPTED ON DECEMBER 10, 2019, by the following vote:

AYES:

NOES:

ABSENT:

John Harabedian, Mayor
City of Sierra Madre

ATTEST:

Sue Spears, City Clerk
City of Sierra Madre

APPROVED AS TO FORM:

Teresa L. Highsmith, City Attorney

URGENCY ORDINANCE NO. 1419-U

**AN ORDINANCE OF THE CITY OF SIERRA MADRE, CALIFORNIA
REPEALING SECTION 2.04.090 OF THE SIERRA MADRE MUNICIPAL
CODE RELATING TO “PROCEDURE FOR FILLING A CITY COUNCIL
MEMBER VACANCY.”**

**THE CITY COUNCIL OF THE CITY OF SEIRRA MADRE FINDS AS
FOLLOWS:**

WHEREAS, Government Code Section 36512 (c) authorizes a City Council to adopt an ordinance establishing procedures for the filling of a City Council vacancy, by calling a special election to be held at the next regularly established election date not less than 114 days from the date the special election is called, or by temporary appointment until the next special election is held; and

WHEREAS, Government Code Section 36512(b) provides, that in the absence of a City Council Ordinance to the contrary, the Council shall, within 60 days from the commencement of a City Council position vacancy, either fill the vacancy by appointment for the remainder of the unexpired term, or call a special election to fill the vacancy, which special election shall occur no earlier than 114 days from the date the special election is called; and

WHEREAS, in November 2012 the City Council adopted Ordinance 1333, adding Section 2.04.090 (“Procedure for filling City Council Member vacancy”); and

WHEREAS, Council Member Denise Delmar resigned her seat on the City Council on October 22, 2019 and the City Council shall, within 60 days from that date, either fill the vacancy by appointment for the remainder of the unexpired term, or call a special election to fill the vacancy; and

WHEREAS, the City Council strongly favors a repeal of Sierra Madre Municipal Code Section 2.04.090 to instead follow the default procedures set forth in California Government Section 36512.

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF SIERRA MADRE
DOES HEREBY ORDAIN AS FOLLOWS:**

SECTION 1. Sierra Madre Municipal Code 2.04.090 shall be repealed in its entirety and the City shall follow procedures set forth in California Government Code Section 36512.

SECTION 2. The City Council finds, pursuant to Government Code Section 36937(b), that it is necessary to take immediate action to amend the procedures to fill vacant City Council seats to protect the public peace, health and safety of the residents of the City of Sierra Madre.

SECTION 4. Upon adoption of this Urgency Ordinance, the Mayor shall sign and the City Clerk shall attest to the passage of this Ordinance. The City Clerk shall cause the same to be published once in newspaper of general circulation within fifteen (15) days after its adoption. This Urgency Ordinance shall become effective immediately upon its adoption.

PASSED, APPROVED and ADOPTED this 12th day of November, 2019.

John Harabedian, Mayor

ATTEST:

Sue Spears, City Clerk

APPROVED AS TO FORM:

Teresa Highsmith, City Attorney