

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

**Tuesday, July 24, 2018**

**6:30 pm**

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

*Denise Delmar, Mayor  
John Harabedian, Mayor Pro Tem  
Rachelle Arizmendi, Council Member  
John Capoccia, 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 any item on the agenda will be called at the time the agenda item is brought forward. 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.

**PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA:**

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

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

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

**PLEDGE OF ALLEGIANCE AND  
INVOCATION/INSPIRATION**

Council Member Rachelle Arizmendi

**APPROVAL OF AGENDA**

Vote of the Council to proceed with City business.

**APPROVAL OF MEETING MINUTES**

Approval of City Council minutes from the regular meeting on July 10, 2018 and Special Joint Session with the Library Board of Trustees on July 10, 2018.

**REPORT OUT FROM CLOSED SESSION**

City Attorney report from the closed session.

**MAYOR AND CITY COUNCIL REPORTS**

Council Member activities relating to City business.

**PUBLIC COMMENT**

Regarding items not on the Agenda.

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## **ACTION ITEMS**

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### **1. CONSENT**

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| <p>a) <b>NOTICE OF COMPLETION<br/>FY 2017/2018 STREET<br/>IMPROVEMENT PROJECT</b></p>   | <p>Recommendation that the City Council accept the completed work for the Fiscal Year 2017-2018 Street Improvement Project and direct staff to file a <i>Notice of Completion</i> with the Los Angeles County Clerk/Recorder.</p>   |
| <p>b) <b>FY 2018-2019 BLANKET PURCHASE<br/>ORDERS FOR VENDORS IN<br/>EXCESS OF \$45,000</b></p>   | <p>Recommendation that the City Council approve the issuance of blanket purchase orders for vendors in excess of \$45,000 for Fiscal Year 2018-2019.</p>  |
| <p>c) <b>GRANULAR ACTIVATED CARBON<br/>REPLACEMENT</b></p>  | <p>Recommendation that the City Council award a contract in the amount of \$122,000 to Carbon Activated Corporation for the replacement of virgin carbon in the City's granulated treatment vessels.</p>  |
| <p>d) <b>RECOMMENDATION TO APPROVE<br/>PLANS AND SPECIFICATIONS FOR<br/>WATER MAIN REPLACEMENTS AT<br/>VARIOUS CITY LOCATIONS AND<br/>DIRECTION TO CITY STAFF TO<br/>SEEK CONSTRUCTION BIDS</b></p> | <p>Recommendation that the City Council approve plans and specifications for the replacement of water mains at various City locations, and direct staff to advertise the project for bids; recommendation that the City Council approve a change in the order authorizing OnWard Engineers to design an alternate bid schedule and specifications for the installation of C-900 PVC pipe in the amount not to exceed \$6,480.00</p> |
| <p>e) <b>ADOPTION OF RESOLUTION 18-39<br/>OF THE CITY COUNCIL OF THE<br/>CITY OF SIERRA MADRE<br/>APPROVING CERTAIN DEMANDS</b></p>   | <p>Recommendation that the City Council approve Resolution 18-39 for approval of payment of City warrants in aggregate amount of \$598,594.82; Library warrants in the aggregate amount of \$3,429.43, and payroll transfer in the aggregate amount of \$317,014.75 for fiscal years ending June 2018 and June 2019.</p>  |

### **DISCUSSION**

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| <p>2. <b>DOWNTOWN PEDESTRIAN SAFETY</b></p>   | <p>Recommendation that the City Council authorize the installation of flashing crosswalk signs at four pedestrian crosswalks in the Downtown District.</p>  |
| <p>3. <b>DISCUSSION REGARDING TITLE 17,<br/>ZONING, CHAPTER 17.22.130 –<br/>RECORDATION REQUIRMENT FOR<br/>SECOND UNIT PERMIT</b></p> | <p>Recommendation that the City Council provide staff with direction.</p>   |
| <p>4. <b>PENSION RATE STABILIZATION PLAN</b></p>  | <p>Recommendation that the City Council approve Resolution 18-40, a Resolution approving a fund balance policy for the General Fund; authorize the lump sum pre-payment to CalPERS for PERS Unfunded Accrued Liability and the budget amendments necessary to fund the payment; and authorize the establishment of a Pension Rate Stabilization (115) Trust Fund.</p> |

**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](http://www.cityofsierramadre.com), and during normal business hours at City Hall, 232 W. Sierra Madre Blvd. and at the Sierra Madre Public Library, 440 W. Sierra Madre Blvd.

**LIVE BROADCASTS**

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

**MEETING ASSISTANCE**

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

**ADJOURNMENT**

The City Council will adjourn to a Public Hearing at this same place on Tuesday, July 31, 2018.



**CITY OF SIERRA MADRE**  
**SPECIAL JOINT MEETING OF THE CITY COUNCIL**  
**AND LIBRARY BOARD OF TRUSTEES MINUTES**

SIERRA MADRE CITY COUNCIL,  
SUCCESSOR AGENCY AND  
PUBLIC FINANCE AUTHORITY

**Tuesday, July 10, 2018 – 7:00 pm**

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

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

Mayor Denise Delmar called the meeting to order at 7:20 p.m. City Clerk Sue Spears called the roll.

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

Absent: None

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

**INTRODUCTION OF THE LIBRARY BOARD OF TRUSTEES**

Library Board of Trustees in attendance were Chair Patricia Hall, Vice Chair Shannon King, Trustees Rich Procter, Rod Spears, and Barry Ziff

**APPROVAL OF AGENDA AS PRESENTED:**

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

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

Council Member Goss seconded the motion to approve the agenda as presented.

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

Noes: None

Absent: None  
Abstain: None

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

## **AGENDA ITEMS FOR DISCUSSION:**

### **1. Recap of Library Survey Results**

City Manager Engeland reported on the Library Survey that included a PowerPoint presentation. The summary of the survey is as follows:

- A majority of residents support (a) services that include an up-to-date collection of materials, (b) moving select programs from the Library to other locations in the City, and (c) selling the back lot to pay for facility repairs.
- A majority of residents do not support (a) moving the Library to a new location, (b) a significant reduction in services, and (c) a parcel tax to pay for a new Library or enhanced services.

Mayor Delmar asked if any Member of the Council had questions on this item. Council members did not ask any questions.

Mayor Delmar opened the meeting for Public Comment on this item. Seeing no one come forward, Mayor Delmar closed Public Comment and moved the agenda to Item #2 – Discussion of the Vision of the Library Board.

### **2. Discussion of the Vision of the Library Board**

Library Board of Trustee Chair Hall thanked the City Council for having this joint meeting and reported that there was consensus among the Library Board of Trustees regarding the four available options and introduced Trustee Procter to address their findings.

Trustee Procter read a Library Vision Statement as a description of the Sierra Madre Library 10 years from now, a summary of which follows:

- The Library is the pride of the City and a living symbol of the commitment of Sierra Madre residents to create an engaged, thriving community. It serves the community in so many ways, it is hard to believe that it was once controversial.
- Book lovers can find what they want in a modern, well-lit, comfortable environment that invites them to browse, to sit and read, and meet friends.
- Parents find a cheerful, inviting Children's Room, with overstuffed chairs designed for a parent and child to sit together and read. The room is designed for events where children can bond with parents as they learn to love reading and narrative storytelling.
- Patrons looking for other media – movies, music, books on disc, digital books, etc. – can find what they are looking for, thanks to intuitive way-finding, easy access, and the friendliest, most helpful staff anywhere.

- Community groups can now meet in comfortable and friendly dedicated spaces that are used just about every night. Book lovers can read in peace and quiet, children and parents can share a hands-on learning event involving Lego bricks and robotic hardware, and the Civic Club can meet to plan their next Summer concert in the park – that is over 100 people enjoying the Library at the same time without disturbing one another.
- This new Library is flexible and agile. Spaces are designed to transform as community needs change and technologies evolve. Patrons know that this Library will be a community asset long into the future because it is always changing and always addressing community needs.

Trustee Procter then outlined the Trustees' preference Library Plan. He said that the options that the Trustees considered were (a) fix the existing Library, which would cause a loss of 22% in the collection, (b) fix the existing Library and add meeting rooms (Modest Library Rebuild – would meet the Vision Statement within current staffing), and (c) the ambitious new Library (Fully Outfitted New Building). Trustee Procter reported that the Trustees' preference is Option b – the Modest Library Rebuild because it has all the virtues of the current Library with none of the problems, i.e. ADA safe, earthquake compliant, comfortable, well lit, and friendly. He said that this Library can serve Sierra Madre for 60 years and will delight all groups that it serves today in dedicated spaces such that there are no conflicts in space usage at the same time. Trustee Procter stated that such a Library will show the world that Sierra Madre walks the walk, every Sierra Madre resident can say that they helped build the Library, we did this together, and this is why I love Sierra Madre.

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

Council Member Capoccia commented that the issue of the Library has been discussed since the 1970s, asked what is different now, why is this the right time to do this as opposed to the past, and why is the Board of Trustees providing a vision of why residents should pay a tax.

Trustee Chair Hall said that 10 years ago there were multiple public forms making a case as to why we needed a new Library, and, at that time, people were willing to pay a parcel tax. She said that community education is critical to letting people know what they will be given/what they will realize from this kind of investment in their community. Trustee Chair Hall also stated that there needs to be an emotional component to this, the Library is not just a building (people do not give to bricks and mortar) and people give to needs. She also stressed the necessity of letting people know how it benefits the community, how it benefits children, how this enhances programs, and that is what people give to. Trustee Chair Hall stated that approach to raising money is the same regardless of the issue, gets people to feel emotionally involved, and the money comes because people want to see this wonderful project. In addition, she said that we can overcome what the survey is saying because we are not really asking for that much.

In response to a question from Trustee Chair Hall, City Manager Engeland said that the estimated parcel tax calculations are \$20.24 per parcel per month for a 30-year bond (full cost Modest Library Rebuild and \$16.20 per parcel month for a 30-year bond (Modest Library Building with fundraising and lot sale). He said that those are estimates with many variables that could change.

Mayor Delmar asked why the Trustees chose the Modest Library Rebuild option, instead of the dream building. Trustee Chair Hall said that the Modest Library Rebuild is still a new building at a cost of about \$8.9M and is about 4,500 square feet less than the dream building. Trustee Procter said that the dream building would require more staffing and that the Modest Library Rebuild can be designed to work within the current staffing.

City Manager Engeland said that the only option that Staff feels will not need additional Library staff is the minimal investment and selling the back lot. He said that Staff built into the costs of any new building, at different levels, both costs of depreciation for life cycle of new assets and (when you talk about 75% - 125% square footage increase, even with design considerations) the anticipated need for additional Library staff. City Manager Engeland that that Staff will be recommending that funding for adequate maintenance as well as adequate staffing be included in any proposed parcel tax.

Trustee Procter disagreed and suggested that the design can be done to keep staff costs lower and that we need to tweak the assumptions. Trustee Ziff said that the #1 Minimal Investment Option had a fault in that programs would have to be moved to different venues, which would require additional staff.

Mayor Delmar asked about Trustee opposition to maintaining and expanding the current Library. Trustee Procter stated that it makes more sense in the long term to build a new Library that is robust, meets all State requirements, is energy efficient, is space efficient, and gives 60 years of use instead of just 10 – 20 years.

Discussion among Council Members and Trustees occurred regarding why we need more capacity for the Library and comments included: if we build it they will come, the community has demonstrated that they have a passion for and interest in the Library, the need for more space for historical archives, and the need for more space for teens in the Library. It was highlighted that, to make the current Library earthquake safe and ADA compliant, the Library will lose approximately 1/3 of the collection and people want more not less. Other comments included: if we demonstrate what will happen to make the Library safe and ADA compliant, people will see what they will lose what they desperately love, the Library vision is compelling, and this is a good opportunity to lay the issues out and sell them to the community with specificity in a careful and respectful manner, and the Library vision as described was not included in the survey and people were not able to vote for that.

Mayor Pro Tem Harabedian requested an explanation regarding why revamping the current Library loses part of the collection and services, Acting Library Services Manager Schofield stated that, per estimates obtained, replacing the current shelving with ADA compliant shelving and to make it look nice/not as cluttered would result in a 1/3 loss of its adult book collection and that, to accommodate the current collection, it would require 1,500 square feet more space. Regarding the Library programming and space sharing, she reported that people have complained about the noise level when the youth are there, as they can no longer use the basement. Acting Library Services Manager Schofield said that any program being conducted takes over the main Library and that people are always asking for a separate room to conduct programs, a meeting room, and quiet areas to study.

Council Member Arizmendi asked a question regarding staffing and the four Library options. City Manager Engeland said that, in general, the more complex the plan and the more complex the funding source the more staff time that is necessary, but that Staff time can be made available for any option that the Council chooses.

Associate Librarian Smart called attention to the 2017 Library Facility Master Plan page 21 (Additional Considerations) as showcasing the issues with the current interior space and has photos of the difficulties in programming. Trustee Spears stated that the reason for the loss in book space is that the aisle space is currently 36" and the requirement is now 46", so that several lines of bookcases are lost with ADA compliance.

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

- Joan Maguire, Sierra Madre, said that (a) the current Library is an amazing space, but tiny, (b) the Library is absolutely crammed, (c) the children's programs are noisy, (d) there is not enough space for adults to study, (e) the basement items are old, (f) Sierra Madre can do better, (f) she supports a modest building to house all programs in quiet spaces, and (h) a modest rebuild is the way to go.
- Charlie Fry, Sierra Madre, said that he is concerned about the funding.
- Emmet Maguire, Sierra Madre, said that (a) he loves the Sierra Madre Library, (b) he thinks razing the current building is playing with fire, (c) he sees a committed small group that does not represent the will of the City, and (d) he supports a parcel tax, but thinks that he is in the minority.
- Toni Buckner, Sierra Madre, said that (a) she agrees that the current Library building is not sufficient, is totally inadequate, is not safe, and is not serving the community (b) we have fought this battle for too long, (c) yes people do not want to pay taxes, (d) Sierra Madre deserves to invest in the Library, (e) the Library is not a building, it is a service (f) the Library is a commitment to the community, history, our children, seniors, future, and serves everyone, (g) it is time to make that commitment, (h) she appreciates that the Library Board of Trustees looked at the staffing levels as a reasonable target, and (i) the current building is not worth saving.
- Gary Hood, Sierra Madre, said that (a) he had provided the City Council and Trustees each with a copy of a 27 page report/study that he authored that included 30 sources for funding a new Library, (b) suggested that robots could perform some staffing duties, (c) cited a March 2016 survey that showed that over 350 libraries in the US have closed and libraries are not the hub of the community, (d) he is excited about the Library and thinks that it can and should be hub of the community, (e) we can have the best library anywhere around at almost no cost, (f) there is no reason that we cannot have a Library that everyone wants to come to, (g) given the opportunity people will want to help pay for the costs, (h) committees can be formed to seek funding for the Library and we will not need a parcel tax, and (i) the Friends of the Library has approximately \$1M in its coffers.
- Bill Patzert, Sierra Madre, said that (a) he is proponent of a new Library, (b) the Library Survey was unfortunately worded so the responses were ambiguous in that everyone loves the Library but no one want to pay for it, (c) the motto in Sierra Madre is do not raise my taxes, (d) he does not like to pay federal taxes, but likes to pay local taxes, (e) really creative libraries (big and small) are being built all across the United States at a cost of approximately \$1M per 1,000 square feet, (f) there have been no drawings (rough or otherwise) as to what new Library would look like, just a lot of talk and hand waving, (g) the elected City Council has the opportunity to leave a legacy in Sierra Madre by building something special for the kids, seniors, and the tweeners, and (h) the City Council can do something out of the ordinary and come up with a \$12M parcel tax, not everyone would love you, but will remember you 60 years from now.
- Margaret Quigley, President of the Friends of the Sierra Madre, said that the Friends of the Library (a) has approximately \$600,000, (b) gives the Library annually \$55,000 for its budget and for any requests for extra items, (c) all the money given to the Library is upon request,

as it is the job of the City and Trustees to determine those needs, and (d) would be happy to actively fundraise for more in the future, working with the City Council and Trustees.

Mayor Delmar asked if anyone else would like to come forward to speak on this item. Seeing no one come forward, Mayor Delmar closed Public Comment and brought the discussed to the funding options and a timeline.

### **3. Funding Options and Tentative Timelines**

Mayor Delmar commented that she felt that the #1 Minimal Investment Option is not one favored by anybody. No Council Member Trustee responded to that comment.

Council Member Arizmendi asked, for the #1 Minimal Investment Option (\$1.4M), where the funding would come from. Mayor Delmar referenced the Staff Report and said that funding would come from the sale of the back lot and fundraising, with no bond or parcel tax.

City Manager Engeland reported on the Library Facility Options that included a PowerPoint presentation, with the names of the options originating from different sources, tentative timelines, and the monthly per parcel cost of a 30-year bond/parcel tax, as follows:

#### **1. Minimal Investment: \$1,400,000 (2017 Library Master Plan)**

- Addresses ADA compliance deficiencies, structural & seismic issues, necessary building repairs, and deferred maintenance items
- No new funding required for adequate operations or maintenance
- Potential funding: sale of back lot & fundraising
- Parcel Tax: none
- Timeline: immediate

#### **2. Meaningful Improvement: \$3,700,000 (2017 Library Master Plan)**

- With a 5,000 square foot addition
- A 2-story off the back is not a viable option
- Adding space to the front is a viable option
- Parcel Tax: \$5.44 per month per parcel for 30 years
- Timeline: 2020 or sooner depending on fundraising and/or bond/parcel tax

#### **3. Modest Library Rebuild: \$8,900,000 (Library Board of Trustees)**

- Raze building and replace with a new 14,000 square foot structure
- Addresses all needs identified in Library Master Plan
- Adjacent lot may or may not be used in construction
- Potential funding: fundraising, bond/parcel tax, & sale of the back lot may not be possible
- Parcel Tax: \$20.24 per month per parcel for 30 years
- Parcel Tax + Fundraising: \$16.20 per month per parcel for 30 years
- Timeline: 2020 or later

#### **4. Fully Outfitted New Building: \$11,130,000 (Joe Matthews Report)**

- Raze building and replace with a new 2-story 18,500 square foot structure
- Addresses all needs identified in Library Master Plan
- Adjacent lot will be used in construction and not available for sale
- Potential funding: fundraising & bond/parcel tax

- Parcel Tax: \$26.06 per month per parcel for 30 years
- Parcel Tax + Fundraising: \$22.58 per month per parcel for 30 years
- Timeline: 2020 or later

City Manager Engeland outlined that a parcel tax is a “flat rate” tax where the rate can vary based on the “type” of property, but not based on the value of the property.

- All parcel taxes are “special taxes,” even if the money is placed in the General Fund.
- All parcel taxes require a 2/3 vote to pass.
- Special taxes may be raised at a Special Election or a General Election.
- Procedure is to call the election and place the ballot measure on it (same procedure as for a General Tax).

Mayor Delmar called on Trustee Chair Hall to speak about the “Library Foundation.” Trustee Chair Hall reported that the Board of Trustees has begun to put together a five-member steering committee to begin the process of creating a Library Foundation as a 501(c)3 foundation, which includes application to the IRS, etc. She briefly outlined the next steps as follows:

- (a) Need a project goal (needs to be decided) that they can “sell”.
- (b) Recruit foundation board members, usually individuals who can give a significant gift (project must be decided before recruitment).
- (c) Conduct public informational forums/meetings at various places and times (to include small venues/homes, requires architectural drawings, handouts, presentations, & time for questions).
- (d) Written case statement that includes an emotional and historical component.
- (e) Feasibility study (includes interviews with 40 – 60 from the general public) to determine how much money can be raised (how much money is needed & how much to ask the public for).
- (f) Campaign mode, which requires the hiring of a campaign manager and staff (the cost of which can be offset with fundraising) and includes setting up appointments, marketing, marketing materials, packets, brochures, etc.
- (g) Process takes approximately one year.
- (h) The Library Foundation would be separate and apart from the Friends of the Library.
- (i) The Library Foundation would be responsible for corporate gifts, major gifts, grants, planned giving, and endowment plans, all of which takes time.
- (j) To make all of this happen (regardless of the decision regarding the Library) there will have to be sustained leadership among City Staff, the City Council, and volunteers to convince the community to move forward.

In response to a question from Mayor Delmar, Trustee Chair Hall said that the first task of the Library Foundation would be fundraising. Council Member Capoccia asked whether the Library Foundation would be able to commit to a certain fundraising amount/percentage to help determine a parcel tax amount. Trustee Chair Hall stated that most of the money raised during a Foundation Campaign could be used to outfit the Library.

Council Member Goss said that the City and Council need to take the lead, decide what we want, decide what we want to ask the tax payers to pay for, and then ask the Library Foundation what it can reasonably raise.

Mayor Delmar clarified that the City Council needs to give Staff direction regarding which Library options need further research to be brought back to Council.

Council Member Arizmendi asked about the ways a parcel tax gets on the ballot. City Manager Engeland said that a parcel tax can be put forward on a special or general election. He stated that, practically speaking, a date of 2020 was estimated as the time (if Council were to give direction tonight) it would take to do the work to begin getting firm costs, design, site plan, and architectural

drawings and come back to the City Council regarding the actual costs as compared to the current estimates.

City Attorney Highsmith said that, regardless of who authors a parcel tax (whether it is a citizen's initiative or the Council), it requires a 2/3 vote to pass. She stated that, if the Council does it, then the Council has the opportunity to look at the project, how much money is needed, can create an ordinance or description of the parcel tax and the purposes of it. City Attorney Highsmith suggested that any Library parcel tax be called a Library Special Tax, as it still requires a 2/3 vote. In addition, she said that other cities that have done this have been most successful when the city creates the ordinance for a Library Special Tax. City Attorney Highsmith reported that a citizen's initiative would require the signatures of 5% of the number of registered voters in the last gubernatorial election who actually voted for a governor.

In response to a question from Mayor Delmar, City Attorney Highsmith said that a library parcel tax would be likely be separate tax from a potential Storm water MS4 Permit parcel tax and that any tax requires a 2/3 vote. She said that California legislative analyst studies say that people are more likely to vote for and support a special tax because they know what the money is being used for.

In response to a question from Mayor Pro Tem Harabedian as to whether the City would propose floating a bond up front and the parcel tax pays back that bond over 30 years, City Attorney Highsmith said that is one way of doing it, as the money raised is for debt service on a bond.

Mayor Pro Tem Harabedian said that a question is, if we decide today that the Modest Library Rebuild is what we want, whether the Library Foundation and/or the Friends of the Library efforts are better spent in helping the City to run a campaign to help pass a parcel tax for the full amount of the costs. He suggested that Sierra Madre model what other neighboring cities have done recently to get a parcel tax passed.

Trustee Chair Hall said that the Foundation can raise funds in perpetuity because there will be ongoing expenses and that is basically what a foundation does. Mayor Delmar said that there is no reason that the Trustees could not do a Foundation, but that Mayor Pro Tem Harabedian's point is that the Foundation would not be fundraising for the Library rebuilding costs and that a parcel tax would cover all such costs. Council Members Capoccia and Goss agreed that Library Foundation fundraising as a way to sell a parcel tax as a package would influence voters to approve it.

There was consensus among the Council members that the Modest Library Rebuild is the preferred option, with Council Member Capoccia indicating that he would like to fit it in and sell the lot to reduce the burden on the tax payers. Trustee Ziff stated that, while selling the back lot may bring funds, we would lose southern access to the Library which many people use to enter/exit the Library property, the parking lot may not have sufficient space for cars to turn around, and the Library may need more parking, not less.

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

- Robert Stockly, Sierra Madre, said that (a) we have to do something and thinks that they are on the right track to the correct option, (b) he is suggesting, as a viable option, the creation of a Library District for construction costs and ongoing support, (c) the Library is an emotional draw for the community, lends itself to the vision of the Library Trustees, and that is what sells, and (d) maybe now is the time.
- Dee Alcorn, Sierra Madre, said that (a) the Library has been underfunded for years, (b) he would like to see action regarding the Library now, (c) he thinks that the Library Foundation is necessary to show that we have community support and long-term commitment, (d) the

funding needs to be resolved, and (e) he thinks that the community will support a parcel tax, but there is a need to do the necessary work of community outreach/education.

Mayor Delmar asked if anyone else would like to come forward to speak on this item. Seeing no one come forward, Mayor Delmar closed Public Comment and brought the item to the task of providing direction to Staff, unless Council wanted further discussion.

Council Member Arizmendi stated that she looks at the City budget as a whole and the City's major priorities, loves the Library Trustees Vision, wants to be there and see how we can do it, but not in the form of a parcel tax. She said that she is concerned about the other City priorities, water mains, MS 4 Permit anticipated costs, and police/fire/core services costs. Council Member Arizmendi said that she thinks that a Library parcel tax can be sold as part of an emotional plea, but personally does not think that the City should spend its resources and time in terms of staff on this. In response to a question from Council Member Capoccia, Council Member Arizmendi said that she is supporting the #1 Minimal Investment Option.

Council Member Goss said that he is supporting the Modest Library Rebuild Option (recommended that the name be changed), thinks that, when you let people know what they will get in the new Library and what it will be cost, people will think that it is a bargain, and that a Library parcel tax can be sold. He stated that this is a rare opportunity to provide the community with a vision thinking about ourselves and what we really value, a Library is a civilized place, people are doing noble things, and it is worth it. Trustee Procter stated that the phrase he had used was "a courageous conversation, meaning thinking long term, and what do we want for our kids and grandkids". Council Member Goss said that he is supporting a Library parcel tax and hopes a majority of his colleagues will support it.

Mayor Delmar reminded everyone that the Council is not deciding tonight regarding a parcel tax, but just providing direction to Staff to bring information back to the Council.

Mayor Pro Tem Harabedian said that people will vote with their feet and pen at the ballot box, any material change in the Library would have to be done through a parcel tax and is convinced that we can get it done. He stated that his view is that the City needs to raze and rebuild the Library, as the most cost-efficient option. He acknowledged, however, there may be other voters who say that, priority wise, this is not on the top of their list and are OK the minimal investment option. Mayor Pro Tem Harabedian said that he is supporting the Modest Library Rebuild Option and moving forward is determining whether we can sell that. Regarding the Library Foundation and its role, he said that, should the City Council decide to move forward on a parcel tax (however many vote for it), his personal view is that the Council be prepared to ask the voters for the total cost and not expect the Library Foundation to be responsible for some of those costs. Council Member Harabedian stated that the Library Foundation has an important role, beyond fundraising millions of dollars for something like this.

Council Member Capoccia said that he is in favor of a Modest Library Rebuild Option and the point is what is the best way to get it done, and what is the fall back option, even if it means selling the back lot.

Mayor Delmar said that the Council needs information on what it will look if we sell the back lot and repurpose the current Library space, is not as optimistic that a parcel tax will pass, and the Council has to be responsible and to look at other options. She stated that everyone agrees that we want to be able to support and fix the Library, make it safe, and, given we do not have the finances to do that, it is dependent upon the voters. Mayor Delmar asserted her grave concern with putting a

parcel tax on the ballot for the Library when we have \$24M costs coming down the pike for storm water. Mayor Delmar stated that she would like to see the Modest Library Rebuild Option but is not optimistic that it will pass.

Mayor Delmar said that (and Council ultimately agreed) that the options to be brought back with more information and considerations for Council review and to decide are (1) #3 Modest Library Rebuild and (2) #1 Minimal Investment Option as a backup/fallback plan, as the Council still has the responsibility to do something, even if a parcel tax does not pass. She said that the Council cannot make a solid decision based on the current information and there is a need for more firm costs, timeline, need for drawings, transition planning costs, other issues to be addressed, etc. Mayor Delmar repeated that a decision regarding the Modest Library Rebuild Option has not been made because the Council does not yet have sufficient information.

In response to a question from Mayor Pro Tem Harabedian, City Attorney Highsmith clarified that it would take a vote of four of the five Council Members to put a parcel tax on the ballot.

Mayor Delmar concluded by confirming that Staff has sufficient direction to move forward, thanked the Library Board of Trustees for their work in putting this together, and asserted her hope that we can do a Modest Library Rebuild and get the people out there to vote for it.

**ADJOURNMENT:**

Mayor Delmar asked for a motion to adjourn.

Council Member Arizmendi made a motion to adjourn the meeting.

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

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

Noes: None

Absent: None

Abstain: None

The motion to adjourn was passed unanimously.

THIS SIERRA MADRE CITY COUNCIL SPECIAL JOINT MEETING OF THE CITY COUNCIL AND LIBRARY BOARD OF TRUSTEES MEETING WAS ADJOURNED at 9:31 p.m. to a Regular Meeting to be held on Tuesday, July 24, 2018, in the Sierra Madre City Hall Council Chambers.

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Denise Delmar, Mayor

Minutes taken and prepared by:

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Sue Spears, City Clerk



**CITY OF SIERRA MADRE**  
**CITY COUNCIL REGULAR MEETING MINUTES**

SIERRA MADRE CITY COUNCIL  
SUCCESSOR AGENCY AND  
PUBLIC FINANCE AUTHORITY

**Tuesday, July 10, 2018 - 6:30 pm**

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

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

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

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

Absent: None

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

**PLEDGE OF ALLEGIANCE AND INVOCATION/INSPIRATION**

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

**APPROVAL OF AGENDA AS PRESENTED**

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

Council Member Arizmendi moved to approve the agenda as presented.

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

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

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

### **APPROVAL OF MINUTES**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- a) SECOND READING OF ORDINANCE 1399 REAUTHORIZING THE CITY'S PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS SUPPORT FEE - Recommendation that the City Council read Ordinance No. 1399 by title only, for second reading, waive further reading, and adopt Ordinance 1399, an ordinance of the City Council amending Ordinance 1398 and reauthorizing the City's , an ordinance amending and reauthorizing the City's Public, Educational, and Governmental (PEG) Access Support Fee.
- b) CANCELLATION OF BOTH REGULAR AUGUST 2018 CITY COUNCIL MEETINGS – Recommendation that the City Council approve the cancellation of both the August 7 and August 21, 2018 City Council meetings and direct staff to pay all necessary expenses during that time.
- c) CONSIDERATION OF AMENDINGMENT TO THE RAFTELIS FINANCIAL CONSULTANTS PROFESSIONAL SERVICES AGREEMENT TO COVER ADDITIONAL COSTS RELATED TO THE WATER AND WASTEWATER RATE STUDY - Recommendation that the City Council approve a payment of \$22,471 for additional consultant costs associated with the preparation of the City's Water and Wastewater Cost of Services Analysis and appropriate said amount from the Fiscal Year 2017-2018 Water Enterprise Fund.
- d) CONSIDERATION OF RESOLUTION NO. 18-34: AUTHORIZING THE EXECUTION AND DELIVERY OF A FIRST AMENDMENT TO THE 2017 INSTALLMENT PURCHASE AGREEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS AND THE TAKING OF ALL OTHER ACTIONS REQUIRED IN CONNECTION THEREWITH – Recommendation that the City Council approve Resolution 18-34 authorizing the execution and delivery of a First Amendment to the 2017 Installment Purchase Agreement and authorizing the execution and delivery of documents and the taking of all other actions required in connection therewith.

- e) ADOPTION OF RESOLUTION 18-38 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council approve Resolution 18-38 for approval of payment of City warrants in aggregate amount of \$120,398.52; Library warrants in the aggregate amount of \$6,694.44, and a payroll transfer in the aggregate amount of \$394,737.68 for fiscal years ending June 2018 and June 2019.

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

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

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

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

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

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

Council Member Arizmendi seconded the motion for approval.

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

Noes: None

Absent: None

Abstain: None

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

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

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

Council Member Capoccia said that he is asking for the creation of a City Council letter or resolution to the Los Angeles County Board of Supervisors opposing the proposed parcel tax for the following reasons: (a) any monies paid from this tax will not benefit Sierra Madre, as 95% of San Gabriel Valley water is already percolated, either at the Santa Fe Spreading Grounds or as far south as the Whittier Narrows, (b) the two basic justifications for the proposed tax are flawed, (c) funding for MS4

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

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

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

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

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

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

Mayor Delmar clarified that the City Council is not discussing the MS 4 Permit (as the City is obligated to do that now) and that Staff and Council Member Capoccia are asking that the City Council send a letter to the LA Board of Supervisors opposing this proposed parcel tax. In response to a question from Mayor Delmar, Management Analyst Carlson said that, if the LA Board

of Supervisors moves forward with the parcel tax proposal and it passes by a 2/3 vote, the City cannot opt out of the resulting parcel tax.

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

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

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

Discussion among the Council Members took place expressing that Council Members Capoccia's points were compelling, the tax is not well thought out, this proposed parcel tax is premature, that this proposed parcel tax is not the correct way to fund the stated issue to be addressed, and that the proposed parcel tax appears to be complicated and unfinished.

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

## **ADJOURNMENT**

Mayor Delmar asked for a motion to adjourn.

Council Member Arizmendi made a motion to adjourn the meeting.

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

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

Noes: None

Absent: None

Abstain: None

The motion to adjourn was passed unanimously.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 7:13 p.m. to a Regular Meeting to be held on Tuesday, July 24, 2018, in the Sierra Madre City Hall Council Chambers.

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Denise Delmar, Mayor

Minutes taken and prepared by:

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Sue Spears, City Clerk



# City of Sierra Madre Agenda Report

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

Sue Spears, City Clerk  
Michael Amerio City Treasurer

TO: Honorable Mayor and Members of the City Council

FROM: Chris Cimino, Director of Public Works *CC*

REVIEWED BY: Gabriel Engeland, City Manager *GE*

DATE: July 24, 2018

SUBJECT: **NOTICE OF COMPLETION, FY 17-18 STREET IMPROVEMENT PROJECT**

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## **SUMMARY**

On April 24, 2018, City Council awarded the FY 2017-18 Street Improvement Project to Hardy and Harper Inc. The project commenced May 09, 2018 and all work was completed to staff's satisfaction as of July 10, 2018.

## **STAFF RECOMMENDATION**

Staff recommends that the City Council accept the completed work on behalf of the City and direct staff to file a *Notice of Completion* (NOC) with the Los Angeles County Clerk/Recorder.

## **FINANCIAL REVIEW**

Council approved \$1,079,100.00 for the FY 2017-18 Street Improvement Project at its April 24, 2018 City Council Meeting. One progress payment was made during the project for \$418,129 on June 26, 2018. The second progress payment (\$433,229) and the final invoice (\$181,483) for the project, less the retention of 5% are in the warrants tonight for your approval. The retention of (\$51,642.06) will be released thirty days after the NOC is processed. Funding for this project is comprised from the City of Pasadena (\$116,326) for their section of Michillinda Avenue, STP-I/Metro Fund Exchange (\$192,586.38), Proposition C (\$190,000) and Measure R (\$411,000), Measure M Funds (\$100,000) and the new RMRA (SB-1) Funds (\$62,800). Prop C funds are being used for North Michillinda Avenue, Mt. Trail Avenue and West Grand View Avenue, the remaining Measure M and Measure R Funds and General Fund monies will be used for West Laurel Avenue, Highland Avenue and East Montecito Avenue. The final cost reflects a decrease of \$46,250.00 from the total amount awarded.

NOTICE OF COMPLETION, FY 17-18 STREET IMPROVEMENT PROJECT

July 24, 2018

Page 2 of 3

Upon the full completion of any Public Works project, it is normal to file a Notice of Completion with the County Clerk/Recorder. The filing and recordation of a Notice of Completion starts a 30-day clock under which all project subcontractors with cause of action must file their liens against the City. At the end of the 30 day period the City releases the bonds held by the City and funds retained from the prime contractor's payment requests (typically 5%.)

**ANALYSIS**

On January 24, 2018 the City Council directed staff to advertise the 2017-18 street resurfacing project for bids. The following streets were approved for construction in the 2017-18 Street Improvement Project.

Street	Limits of Work
East Montecito Avenue	Baldwin Avenue to Mountain Trail Avenue
Michillinda Avenue	Sierra Madre Blvd. to Fairview Avenue
West Laurel	Sunnyside Avenue to Hermosa Avenue
Highland Avenue	Lima Street to Auburn Avenue
West Grand View Avenue	Hermosa Avenue to Baldwin Avenue
Fairview Avenue	Sierra Keys Drive to Crestvalle Avenue

On April 24, 2018, the City Council awarded the construction of the project to Hardy and Harper Inc., based upon that firm's low bid of \$981,000. An additional amount of \$98,100 was included in the award to cover contingencies; bringing the project to a not-to-exceed amount of \$1,079,100.

Public Works determined there was a section of Grove Street that has been overlooked during previous street projects in the neighborhoods. The price for this work was \$1,555.54 to include this street for a Chip and Slurry Seal treatment on the surface. Through the change order process staff was able to include this street with this project at a very minimal price and well under the contingency of the amount awarded.

The change order pertaining to the unforeseen grade changes that were created when the ADA ramps were installed at the corners of Michillinda Avenue and Montecito Avenue, Highland Avenue and at Alegria Avenue came at a cost of \$20,345. Also the quantities changed a little for sidewalk and curb and gutter replacement at the discretion of the inspector during the project to have a completed project in the end.

Staff has determined that Hardy and Harper Inc. completed the project in a timely, safe and efficient manner.

**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](http://www.cityofsierramadre.com).

Attachments: (NOC; FY 2017-18 Street Improvement Project)

When recorded mail to:

City of Sierra Madre  
232 W. Sierra Madre Blvd.  
Sierra Madre, CA 91024

## **NOTICE OF COMPLETION OF WORK**

NOTICE IS HEREBY GIVEN, that the City of Sierra Madre, of Los Angeles County, California, as Owner of the Property hereinafter described, caused improvements to be made to said property, to wit: FY 2017-2018 STREET IMPROVEMENT PROJECT; the contract for the doing of which was heretofore entered into on the 5<sup>TH</sup> day of MAY, 2018, which contract was made with Hardy and Harper, as Contractor; that the work on said improvements was substantially completed on the 10<sup>TH</sup> day of July, 2018; and accepted on the 24<sup>th</sup> day of July, 2018; that title to said property vests in the City of Sierra Madre of Los Angeles County, California; that the property hereinafter referred to and on which said improvements were made is described as follows: CONTRACTOR PROVIDED LABOR, MATERIALS AND EQUIPMENT FOR THE RESURFACE OF NORTH MICHILLINDA AVENUE FROM SIERRA MADRE BOULEVARD TO FAIRVIEW ANENUE, FAIRVIEW AVENUE FROM SIERRA KEYS DRIVE TO CRESTVALLE DRIVE, WEST GRAND VIEW AVENUE FROM HERMOSA AVE TO BALDWIN AVENUE, WEST LAUREL FROM SUNNYSIDE AVENUE TO HERMOSA AVENUE, EAST MONTECITO AVENUE FROM BALDWIM AVENUE TO MT. TRAIL AVENUE, AND NORTH MT. TRAIL AVENUE FROM ALEGRIA AVENUE TO 30 FEET SOUTH OF GRANDVIEW AVENUE.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

STATE OF CALIFORNIA}  
COUNTY OF LOS ANGELES} SS.

City of Sierra Madre

by \_\_\_\_\_  
Christopher M Cimino

Christopher Cimino, being first duly sworn, deposes and says: that he is Director of Public Works of the City of Sierra Madre of Los Angeles County, California; that the City of Sierra Madre of Los Angeles County, California, is the Owner of said property described in the foregoing notice; that he has read the foregoing notice and knows the contents thereof, and that the facts stated herein are true.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of California  
County of Los Angeles

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by LAURA AGUILAR, NOTARY PUBLIC, provide to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

\_\_\_\_\_  
Notary Public in and for said County and State (Seal)



# City of Sierra Madre Agenda Report

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

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

TO: Honorable Mayor and Members of the City Council

FROM: Hillary Guirola-Leon, Senior Accountant *HGL*

REVIEWED BY: Gabriel Engeland, City Manager *GE*

DATE: July 24, 2018

SUBJECT: FY 2018-2019 Blanket Purchase Orders over \$45,000

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## **SUMMARY**

This report seeks City Council approval of annual blanket purchase orders identified in Exhibit A.

## **STAFF RECOMMENDATION**

Staff recommends the City Council approve the issuance of Blanket Purchase Orders (BPO's) detailed in attached exhibit.

## **FINANCIAL REVIEW / SOURCE OF FUNDING**

The amounts are included in the FY2018-19 budget.

## **ANALYSIS**

Blanket Purchase Orders are Purchase Orders that are issued by City departments on an annual basis for repetitious purchases of goods and supplies and City Council approved services for the year. BPO's are set-up for vendors that the City has an account with or obtains goods or services throughout the year, to eliminate the need for a PO each time a purchase is made. Per the City's purchasing policy purchases over \$45,000 require City Council approval, therefore BPO's over this amount are presented to City Council for approval.

## **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](http://www.cityofsierramadre.com).

Attachment: Exhibit A

DEPARTMENT	VENDOR	DESCRIPTION	AMOUNT
Administrative Svcs	RingCentral Inc.	VOIP Telephone Svcs	\$ 58,600
Administrative Svcs	Tyler Technologies	Maintenance fees	\$ 158,000
Administrative Svcs	Colantuono, Highsmith & Whatley, PC	Legal Services	\$ 126,000
Administrative Svcs	Rogers, Anderson, Malody & Scott, LLP	Audit Svcs	\$ 61,000
Planning & CP	Willdan Associates	Inspection & Plan Check Svcs	\$ 300,000
Planning & CP	Hong Tam	Plan Check Svcs	\$ 100,000
Fire	City of Glendale/Verdugo	Dispatching Service	\$ 76,800
Library	Baker & Taylor Inc.	Books & Reference	\$ 55,500
Utilities	Aqua Metric	Water meter purchase installation	\$ 1,244,200
Utilities	San Gabriel Valley Municipal Water District	Water Purchase	\$ 391,700
Utilities	San Gabriel Valley Municipal Water District	Loan Mira Monte Reservoir	\$ 145,700
Public Works	Merchants Landscape Svcs	Landscape Maintenance	\$ 144,000
Public Works	West Coast Arborist, Inc.	Tree Maintenance	\$ 76,000
Public Works	First transit	Dial A Ride Gateway Coach Transportation	\$ 144,300
Public Works	Pinnacle Petroleum	Gasoline and diesel fuel	\$ 100,000
Public Works	Kevork Tcharkhoutian	FY18/19 Retainer	\$ 9,600
Public Works	Kevork Tcharkhoutian	FY18/19 City Engineer Services Plan Check	\$ 45,000



# City of Sierra Madre Agenda Report

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

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

TO: Honorable Mayor and Members of the City Council

FROM: Jose Reynoso, Utility Services Director

REVIEWED BY: Gabriel Engeland, City Manager *9/24*

DATE: July 24, 2018

SUBJECT: **Granular Activated Carbon (GAC) Replacement**

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## **STAFF RECOMMENDATION**

Staff recommends City Council award a contract in the amount of \$122,000 which includes a 10% contingency to Carbon Activated Corporation for the replacement of virgin carbon in our lead GAC treatment vessels to be completed in August of 2018. Once completed, based on current contamination levels staff estimates the next carbon replacement will be required in August of 2019.

## **ALTERNATIVES**

City Council may award the contract for replacement of GAC to Carbon Activated Corporation or direct staff to solicit bids for GAC replacement extending the GAC change-out to late September or early October of 2018.

## **SUMMARY**

Each of the ten (10) GAC vessels located at the City Yard contain 20,000 lbs. of granular virgin coconut shell carbon used as a water treatment method to remove volatile organic compounds from our groundwater supply. As the carbon gets saturated with Volatile Organic Compound (VOC) it begins to lose its ability to trap and filter VOC's. The City's operating permit with the State Water Resources Control Board outlines when the carbon needs to be replaced. Current levels at the 100% port have reached 50% of the maximum contamination level and have become fully saturated. The fully saturated carbon no longer has the ability to trap or absorb VOC's and needs to be replaced.

## Granular Activated Carbon Replacement

July 24, 2018

Page 2 of 3

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### ANALYSIS

The GAC Treatment Vessels located in the City Yard were installed in 2006. The vessels are designed to remove all Volatile Organic Compounds currently found in our ground water. The City has very low levels of VOC's in the form of Trichloroethylene (TCE) and Tetrachloroethylene (PCE) in wells #3, #5, and #6.

Combined levels of VOC's have reach 2.5 or half of the Maximum Contaminate Level (MCL) of 5 parts per billion (ppb). The City's operating permit with the California State Water Resources Control Board (SWRCB) requires the carbon be replaced when the lead vessels 100% port reaches 75% of the MCL. VOC contaminants have reached 50% of the MCL at the 100% port and appear to be fully saturated no longer capable of absorbing VOC's. This results in leaching of VOC into the newly installed carbon in the 5 lag vessels.

There are 20,000 lbs. of carbon in each of 10 vessels. The August carbon replacement process will consist of removing spent carbon from the 5 lead vessels and replacing it with virgin coconut shell carbon as required by our operating permit.

Depending on contamination levels, replacement virgin coconut shell carbon has a lifespan in our treatment vessels of up to 12 months. In April of 2018 we replaced carbon in 5 vessels. This change-out will replace the carbon from the 5 remaining vessels. Once completed providing contamination levels remain constant the next projected replacement can be anticipate in one year.

In March of 2018 four companies submitted a bid for the 2018 GAC replacement project:

Carbon Activated Corporation	\$107,000.00
Prominent Systems Inc. (PSI)	\$115,000.00
Jacobi Carbons Inc.	\$124,000.00
Calgon Carbon Corporation	\$145,600.00
Carbon Activated Corporation adjusted cost	\$111,000.00

Carbon Activated Corporation (CAC) was the low bidder. CAC has consistently been the low bidder for every GAC replacement since 2009. The four previous GAC replacements conducted by CAC were completed on time with no issues.

Carbon Activated Corporation offered to extend the pricing offered to the City of Sierra Madre for an additional change out of five vessels to be conducted in the summer of 2018. However in the last few months there has been a slight increase in the amount of \$.07 per pound of virgin coconut shell carbon. The adjusted offer is lower than the #2 bid by \$4,000 and is for the same scope of work as the March project. Including the removal and disposal of 100,000 lbs. of spent GAC and replacement with 100,000 lbs. of virgin coconut shell 12x30 mesh GAC meeting or exceeding the given specifications.

## **Granular Activated Carbon Replacement**

July 24, 2018

Page 3 of 3

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The total cost of the carbon replacement is \$122,000.00 with a contingency of \$11,000 in the event the spent carbon has solidified and cannot be extracted conventionally as a slurry mixture of carbon and water.

Although staff has previously worked with Carbon Activated with good results, staff checked references on the firm to ensure their quality of work has remained unchanged.

The City of Santa Monica is pleased to work with CAC. Geo Herrera of City of Santa Monica stated, "Carbon Activated Corporation competes over 40 GAC change outs per year does an outstanding job."

Mike Garland of City of San Bernardino stated, "CAC meets our expectations, we've worked with them for several years."

### **FINANCIAL REVIEW**

The GAC Carbon Replacement was budgeted for in the FY 2018-2019 budget. The available funding allows for project contingencies in the amount of \$11,000 or 10% of the amount of the bid.

### **CEQA / ENVIRONMENTAL**

This project, consisting of the replacement of spent carbon, is categorically exempt from review under CEQA pursuant to Guidelines section 15302, subdivision (c), which exempts "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including... (c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity."

### **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](http://www.cityofsierramadre.com).



# City of Sierra Madre Agenda Report

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

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

TO: Honorable Mayor and Members of the City Council

FROM: Chris Cimino, Director of Public Works

REVIEWED BY: Gabriel Engeland, City Manager

DATE: July 24, 2018

SUBJECT: **RECOMMENDATION TO APPROVE PLANS AND SPECIFICATIONS FOR WATER MAIN REPLACEMENTS AT VARIOUS LOCATIONS AND DIRECT STAFF TO SEEK CONSTRUCTION BIDS**

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## **STAFF RECOMMENDATION**

Staff recommends that the City Council approve plans and specifications for the replacement of water mains at various locations attached herein and direct staff to advertise the project for bids. Staff also requests approval to change the order authorizing the contract engineer, OnWard Engineers to design an alternate bid schedule and specifications for the installation of C-900 PVC pipe in the amount not to exceed \$6,480.

## **ALTERNATIVES**

The City Council may approve the plans and specifications for the replacement of water mains at various locations and:

1. Direct staff to advertise the project for receiving bids including the alternate bid schedule to include C-900 PVC pipe.
2. Defer advertisement of the project for bids until such a time as the new water rates are approved.
3. Direct staff to advertise the project for bids as is with the original bid schedule.

## **SUMMARY**

Staff is requesting to solicit bids for the following water mains to be replaced:

1. West Montecito Avenue from Auburn Avenue to Baldwin Avenue;
2. Winsor Lane;
3. Santa Anita Court from Sierra Place to Rancho Road;
4. San Gabriel Court from Sierra Place to Rancho Road;
5. Fane Street;

## **PLANS AND SPECIFICATIONS FOR WATER MAIN REPLACEMENTS AT VARIOUS LOCATIONS AND DIRECT STAFF TO SEEK CONSTRUCTION BIDS**

July 24, 2018

Page 2 of 3

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6. Colony Avenue;
7. Holdman Avenue;
8. South Canon Place cul-de sac;
9. Oak Meadow Place cul-de-sac; and
10. Rancho Road from Sierra Madre Blvd. to San Gabriel Court.

The bid schedule will be designed for each section to be bid separately so staff will be able to reduce the amount of segments if necessary to fit the CIP Budget amount for this fiscal year.

### **ANALYSIS**

On September 12, 2017, the City Council approved an aggressive water main replacement program starting this current fiscal year. Onward Engineering designed eighteen total segments (blocks) of water mains for replacement from the City's Water Master Plan identified as the most critical in need of immediate replacement. Designing 18 sections will allow staff to have readily designed plans and specifications for water main replacement; "shovel ready" projects for the next couple years. Onward Engineering has completed the plans and specifications for each section, including two cul-de-sac's that would be necessary to replace when doing the adjacent streets.

The complete project as designed by Onward Engineering has an engineer estimate of over three million dollars (\$3,000,000). The streets selected for this year's replacement are identified on the Water Master Plan as the top of the list for replacement at an estimate of \$1.7 million. The estimate for accomplishing these replacements exceed the amount funded in this year's budget. It is staffs experience that the estimate could be high depending on how busy the industry is at the time of bidding. By going to bid in the beginning of the fiscal years staff believes will be to our advantage. With Council approval staff will direct the Engineer to include in the bid schedule two options of pipe material. There will be the industry standard Ductile Iron pipe and a less expensive C-900 Poly Vinyl Chloride Pipe in the bid schedule so we will be able to choose what will work better for the system. Staff will make the decision that best suits the installation and what fits into our budget. C-900 PVC is estimated to have a 25% cost savings versus the standard Ductile Iron Pipe. The Ductile Iron Pipe is rated as a 100 year pipe by American Water Works Association (AWWA). The PVC Pipe is installed throughout the country and is also rated as a 100 year pipe by AWWA.

If staff is directed to seek bids at this time, the bid date will be set for September 5, 2018 and the soonest the project would come back to the City Council for award of construction contract would be September 25, 2018, which would allow for a construction start the middle/late October.

## **PLANS AND SPECIFICATIONS FOR WATER MAIN REPLACEMENTS AT VARIOUS LOCATIONS AND DIRECT STAFF TO SEEK CONSTRUCTION BIDS**

July 24, 2018

Page 3 of 3

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The bid documents consist of 148 pages of specifications and 15 sheets of 24"x 36" plans. The documents are available for review at the public works counter in City Hall. Upon approval by City Council, the bid documents will be made available on the City's website.

### **FINANCIAL REVIEW**

2018-19 Budget Staff recommended an aggressive water main replacement program and in the CIP Budget we set aside \$1.2 million. Completion of this phase will eliminate eight of the twenty highest priority "leaker" segments.

### **CEQA / ENVIRONMENTAL**

This project, consisting of the replacement of existing water mains with similarly sized pipelines, is categorically exempt from review under CEQA pursuant to Guidelines section 15302, subdivision (c), which exempts "replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity."

### **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](http://www.cityofsierramadre.com).

Attachment:

**RESOLUTION NUMBER 18-39**

**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 \$598,594.82 ; Sierra Madre Library Warrants in aggregate amount of \$3,429.43 and Payroll Transfer in the aggregate amount of \$317,014.75 for the fiscal year ending June 30, 2018 and 2019.

**APPROVED AND ADOPTED** this 24th day of July, 2018.

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Mayor, City of Sierra Madre, California

I hereby certify that the foregoing Resolution Number was adopted by the City Council of the City of Sierra Madre at a regular meeting held on the 24<sup>th</sup> day of July, 2018.

AYES:

NOES:

ABSTAIN:

**City of Sierra Madre  
Department of Finance  
Warrant Register Recap  
City Council Meeting of July 24, 2018**

**CITY OF SIERRA MADRE AND SIERRA MADRE LIBRARY**

City of Sierra Madre Warrant .....	\$598,594.82
Sierra Madre Library Warrant .....	\$3,429.43
Payroll #14 Transfer.....	\$317,014.75

**Warrant Register 7/24/18**

**Attachment 1A**

Fiscal Year	Description	Amount	Page #
FY 1718	Manual Warrants	4,839.76	1-3
FY 1819	Manual Warrants	21,208.00	4-6
FY 1718	General Warrants - Utility Bills	14,849.09	7-8
FY 1819	General Warrants - Utility Bills	3,153.94	9
FY 1718	General Warrants	477,876.17	10-13
FY 1819	General Warrants	76,667.86	14-15
	Total	598,594.82	

Fiscal Year	Description	Amount	
FY1718	Library Warrants	2,529.43	16
FY 1819	Library Manual Warrants	900.00	16-17
	Total	3,429.43	

Date: 7/12/18	Payroll #14 Electronic Tansfers From: City of Sierra Madre-General Acct. To: City of Sierra Madre-Payroll Acct.	\$317,014.75	
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City of Sierra Madre, CA

# Check Approval Register

*Page 1*

Packet: APPKT04073 - MTW063018  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/05/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Bank Code	Payment Type				
Fund: 10000 - GENERAL FUND					
1497	MOUNTAIN VIEWS NEWS				
APBWEST	Check	<u>CM140513</u>	Public Hearing Notice Publications	10000.12000.52206	585.17
				<b>Fund 10000 Total:</b>	<b>585.17</b>
				<b>Report Total:</b>	<b>585.17</b>



# Check Approval Register

*Page 2*

Packet: APPKT04084 - CC063018  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/10/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>INV022889</u>	GE- REG 12 CONFERENCE	10000.12000.53409	25.00
		<u>INV022888</u>	GE- 2018 RENEWAL APPLICATION	10000.12000.53409	185.00
		<u>INV022872</u>	VG- FIRE INSP TRAINING	10000.40000.53402	573.00
		<u>INV022871</u>	VG- PKNG TRAINING	10000.40000.53402	10.00
		<u>INV022899</u>	DC- TRAINING	10000.50000.52205	85.00
		<u>INV022870</u>	JO- PRESENTATION MATERIAL	10000.50000.53102	73.36
		<u>INV022894</u>	DC- SUPPLIES	10000.50000.53300	150.00
		<u>INV022891</u>	DC- MWTR FOOD FOR VOLUNTEERS	10000.50000.53306	56.94
		<u>INV022890</u>	DC-SUPPLIES	10000.50000.53306	44.00
		<u>INV022892</u>	DC- TRAINING	10000.50000.53409	384.00
		<u>INV022893</u>	DC- ROOM SUPPLIES	10000.50000.53801	506.08
		<u>CM0000362</u>	DC- CREDIT ON A MISCARGE	10000.50000.53999	-73.35
		<u>INV022897</u>	KN- RETURN ON RADIO COMM PURCHASE	10000.61000.53301	-32.83
		<u>INV022896</u>	KN- RADIO COMM PURCHASE	10000.61000.53301	32.83
<b>Fund 10000 Total:</b>					<b>2,019.03</b>
<b>Fund: 29005 - LIBRARY GRANTS</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>INV022867</u>	JS- DVD'S FOR STEAM PROGRAM	29005.90000.53999	165.60
<b>Fund 29005 Total:</b>					<b>165.60</b>
<b>Fund: 37006 - SENIOR CENTER</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>INV022877</u>	RS- RECEPTION SUPPLIES	37006.72000.53999	149.62
		<u>INV022879</u>	RS- SUPPLIES FOR SENIOR EVENT	37006.72000.53999	24.98
		<u>INV022878</u>	RS- RECEPTION SUPPLIES	37006.72000.53999	143.02
<b>Fund 37006 Total:</b>					<b>317.62</b>
<b>Fund: 39006 - FRIENDS OF THE LIBRARY DONATION FUND</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>INV022869</u>	JS- RUBBER STAMPS	39006.90000.53999	71.55
		<u>INV022868</u>	JS- DIGITIZING LIBRARY PLANS	39006.90000.56002	45.99
<b>Fund 39006 Total:</b>					<b>117.54</b>
<b>Fund: 60002 - INT SVC FND - ADMINISTRATION</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>CM0000364</u>	CRD FOR BANK FEES	60002.30000.53999	-114.64
<b>Fund 60002 Total:</b>					<b>-114.64</b>
<b>Fund: 60007 - INT SVC FND - PERSONNEL AND RISK MGMT</b>					
<u>0378</u>	SMART & FINAL				
APBWEST	Check	<u>INV022895</u>	SUPPLIES FOR INTERVIEWS	60007.70100.53999	22.97
<b>Fund 60007 Total:</b>					<b>22.97</b>
<b>Fund: 71000 - WATER ENTERPRISE FUND</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>INV022874</u>	JR- TOOL SUPPLIES	71000.81100.53205	88.00
		<u>INV022898</u>	JR- SMALL TOOLS	71000.81100.53205	14.90
<b>Fund 71000 Total:</b>					<b>102.90</b>
<b>Fund: 77003 - SPECIAL EVENTS</b>					
<u>0823</u>	BANK OF AMERICA				
APBWEST	Check	<u>INV022887</u>	RS- SENIOR EXCURSION	77003.00000.13100	50.00
		<u>INV022880</u>	RS- SENIOR EXCURSION	77003.79003.52999	586.08
		<u>INV022881</u>	RS- MWTR SUPPLIES	77003.79007.52999	167.10
		<u>INV022883</u>	RS- MWTR SUPPLIES	77003.79007.52999	21.88

Packet: APPKT04084 - CC063018

Check Date: 07/10/2018

Vendor Set: 01 - Vendor Set 01

Page 3

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Bank Code	Payment Type				
APBWEST	Check	<u>INV022882</u>	RS- MWTR SOUVENIRS	77003.79007.52999	319.50
		<u>INV022886</u>	RS- MAGNETS FOR 4TH OF JULY	77003.79012.52999	221.62
		<u>INV022885</u>	RS- FOURTH OF JULY EVENT	77003.79012.52999	257.39
				<b>Fund 77003 Total:</b>	<b>1,623.57</b>
				<b>Report Total:</b>	<b>4,254.59</b>



City of Sierra Madre, CA

# Check Approval Register

*Page 4*

Packet: APPKT04086 - DNLDMEN071518  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/11/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund:</b> 77003 - SPECIAL EVENTS					
<u>VEN03170</u>	DONALD MARCOS MENDONCA				
APBWEST	Check	<u>81024106</u>	BAND PERFORMERS AT MEMORIAL PARK 07151 77003.79012.52999		900.00
				<b>Fund 77003 Total:</b>	<b>900.00</b>
				<b>Report Total:</b>	<b>900.00</b>



City of Sierra Madre, CA

# Check Approval Register

Page 5

Packet: APPKT04093 - PDMNCK071018  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/11/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund:</b> 10000 - GENERAL FUND					
0759	EXECUTIVE INFORMATION SERVICES				
APBWEST	Check	<u>7996</u>	FY 18-19 BLANKET PO	10000.50000.52200	19,308.00
<b>Fund 10000 Total:</b>					<b>19,308.00</b>
<b>Report Total:</b>					<b>19,308.00</b>



City of Sierra Madre, CA

# Check Approval Register

*Page 6*

Packet: APPKT04098 - COMMSVC071118(FY1819)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/12/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund:</b> 77003 - SPECIAL EVENTS					
<u>VEN02142</u>	PHIL ERNST				
APBWEST	Check	<u>INV022938</u>	CONCERT IN THE PARK	77003.79002.52999	1,000.00
<b>Fund 77003 Total:</b>					<b>1,000.00</b>
<b>Report Total:</b>					<b>1,000.00</b>



Packet: APPKT04099 - UB070918(FY1718)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/12/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>					
<u>0642</u>	VERIZON WIRELESS - LA				
APBWEST	Check	<u>9809822768</u>	CELL PH CHGS 6/26-7/25/18	10000.64000.53301	2,277.27
<b>Fund 10000 Total:</b>					<b>2,277.27</b>
<b>Fund: 32005 - LIGHTING DISTRICT #1 - OAKWOOD/VISTA</b>					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-070717</u>	ELEC CHGS 6/1-7/1/18	32005.83500.55003	140.75
<b>Fund 32005 Total:</b>					<b>140.75</b>
<b>Fund: 32006 - LIGHTING DISTRICT - ZONE A</b>					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-070717</u>	ELEC CHGS 6/1-7/1/18	32006.83000.55003	244.22
<b>Fund 32006 Total:</b>					<b>244.22</b>
<b>Fund: 32007 - LIGHTING DISTRICT - ZONE B</b>					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-070717</u>	ELEC CHGS 6/1-7/1/18	32007.83000.55003	1,040.52
<b>Fund 32007 Total:</b>					<b>1,040.52</b>
<b>Fund: 38005 - GAS TAX FUND</b>					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-070717</u>	ELEC CHGS 6/1-7/1/18	38005.83500.55003	4,172.32
<b>Fund 38005 Total:</b>					<b>4,172.32</b>
<b>Fund: 60000 - INT SVC FND - FLEET</b>					
<u>0216</u>	THE GAS COMPANY				
APBWEST	Check	<u>11826147883-061911</u>	GAS CHGS 6/1-7/1/18	60000.83100.55001	372.05
<b>Fund 60000 Total:</b>					<b>372.05</b>
<b>Fund: 60001 - INT SVC FND - FACILITIES MGT</b>					
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2011946423-070717</u>	ELEC CHGS 6/1-7/1/18	60001.83200.55003	164.37
		<u>2036613305A-070511</u>	ELEC CHGS 6/4-7/3/18	60001.83200.55003	1,833.97
<u>0216</u>	THE GAS COMPANY				
APBWEST	Check	<u>16861877005-070911</u>	GAS CHGS 6/5-7/5/18	60001.83200.55004	78.80
		<u>19591871009-070911</u>	GAS CHGS 6/5-7/5/18	60001.83200.55004	20.27
		<u>13511935002-071011</u>	GAS CHGS 6/6-7/6/18	60001.83200.55004	31.29
<b>Fund 60001 Total:</b>					<b>2,128.70</b>
<b>Fund: 60003 - INT SVC FND - TECHNOLOGY</b>					
<u>0642</u>	VERIZON WIRELESS - LA				
APBWEST	Check	<u>9809822768</u>	CELL PH CHGS 6/26-7/25/18	60003.30000.55005	1,378.00
<b>Fund 60003 Total:</b>					<b>1,378.00</b>
<b>Report Total:</b>					<b>11,753.83</b>



City of Sierra Madre, CA

# Check Approval Register

*Pages*

Packet: APPKT04070 - UB070318  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/03/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>					
<u>VEN02792</u>	FRONTIER CALIFORNIA INC				
APBWEST	Check	<u>20915157430511995</u>	LA CNTY SHRFF 6/28-7/27/18	10000.50000.55005	242.91
		<u>31000157630511995</u>	LA CNTY SHRFF PH CHGS 6/28-7/27/18	10000.50000.55005	140.60
<u>1439</u>	TIME WARNER CABLE				
APBWEST	Check	<u>8448300220179789-0</u>	LA CNTY WAN 6/27-7/26/18	10000.50000.52200	283.44
		<u>8448300220027467-0</u>	FD CABLE CHGS 7/1-7/31/18	10000.61000.52200	60.35
<b>Fund 10000 Total:</b>					<b>727.30</b>
<b>Fund: 60003 - INT SVC FND - TECHNOLOGY</b>					
<u>VEN02792</u>	FRONTIER CALIFORNIA INC				
APBWEST	Check	<u>31016998450619065</u>	PH CHGS 6/16-7/15/18	60003.30000.55005	87.98
<u>VEN03086</u>	GC PIVOTAL LLC				
APBWEST	Check	<u>GC_INV_1135796</u>	DSCL MON CHGS 8/1-8/31/18	60003.30000.52200	1,557.81
<u>0942</u>	TELEPACIFIC COMMUNICATIONS				
APBWEST	Check	<u>104941585-0</u>	PH SVCS 6/23-7/22/18	60003.30000.55005	462.19
<u>1439</u>	TIME WARNER CABLE				
APBWEST	Check	<u>8448300220137019-0</u>	CABLE SVCS 7/6-8/5/18	60003.30000.52200	259.98
<b>Fund 60003 Total:</b>					<b>2,367.96</b>
<b>Report Total:</b>					<b>3,095.26</b>



Packet: APPKT04100 - UB070918(FY1819)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/12/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>					
<u>1439</u>	TIME WARNER CABLE				
APBWEST	Check	<u>8448300220131806</u>	CABLE SVC PD EQUIP 1-12	10000.50000.52200	439.29
		<u>8448300220164625</u>	CABLE SVCS PD EQUIP 13-23 7/12-8/11/18	10000.50000.55005	215.76
<b>Fund 10000 Total:</b>					<b>655.05</b>
<b>Fund: 60001 - INT SVC FND - FACILITIES MGT</b>					
<u>0129</u>	AT&T				
APBWEST	Check	<u>81824637835914-062</u>	TELECOM DIV 6/23-7/22/18	60001.83200.55005	167.26
<u>0384</u>	SOUTHERN CALIF. EDISON CO.				
APBWEST	Check	<u>2036613305-070518</u>	ELEC CHGS 6/4-7/3/18	60001.83200.55003	203.77
<b>Fund 60001 Total:</b>					<b>371.03</b>
<b>Fund: 60003 - INT SVC FND - TECHNOLOGY</b>					
<u>VEN02792</u>	FRONTIER CALIFORNIA INC				
APBWEST	Check	<u>62635514140920175</u>	PH CHGS 7/1-7/30/18	60003.30000.55005	570.05
<u>VEN03086</u>	GC PIVOTAL LLC				
APBWEST	Check	<u>GC_INV-1135796</u>	DSL CHGS 8/4-8/31/18	60003.30000.52200	1,557.81
<b>Fund 60003 Total:</b>					<b>2,127.86</b>
<b>Report Total:</b>					<b>3,153.94</b>



Page 10

Packet: APPKT04115 - GENA072418(FY1718)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/16/2018

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>							
<u>0514</u>	ANDREA WALSH						
APBWEST	Check			<u>INV022985</u>	Recreation Classes - Yoga	10000.77000.52200	152.10
<u>1552</u>	ARNOLD'S FRONTIER HARDWARE						
APBWEST	Check			<u>085717</u>	FY 2017-18 HARDWARE SUPPLIES	10000.61000.53204	52.53
				<u>085671</u>	FY 2017-18 HARDWARE SUPPLIES	10000.61000.53204	6.56
				<u>085726</u>	FY 2017-18 HARDWARE SUPPLIES	10000.61000.53204	10.31
				<u>085788</u>	FY 2017-18 HARDWARE SUPPLIES	10000.61000.53204	4.37
<u>1662</u>	ARNOLD'S FRONTIER HARDWARE						
APBWEST	Check			<u>085385</u>	MEMORIAL PARK DRIVEWAY	10000.70000.53999	46.78
<u>0122</u>	ARNOLD'S FRONTIER HARDWARE						
APBWEST	Check			<u>085622</u>	FY 17-18 PARK MAINTENANCE SUPPLIES	10000.83300.53001	15.94
				<u>085419</u>	FY 17-18 PARK MAINTENANCE SUPPLIES	10000.83300.53001	4.36
				<u>085645</u>	FY 17-18 PARK MAINTENANCE SUPPLIES	10000.83300.53001	46.92
				<u>085794</u>	FY 17-18 PARK MAINTENANCE SUPPLIES	10000.83300.53001	44.08
				<u>085551</u>	FY 17-18 PARK MAINTENANCE SUPPLIES	10000.83300.53001	17.25
				<u>085565</u>	FY 17-18 PARK MAINTENANCE SUPPLIES	10000.83300.53001	4.80
<u>1200</u>	BLUE DIAMOND MATERIALS						
APBWEST	Check			<u>1227863</u>	ASPHALT	10000.83500.53206	21.05
				<u>1227714</u>	ASPHALT	10000.83500.53206	47.15
<u>VEN03072</u>	CA DEPT OF TAX AND FEE ADMINISTRATION						
APBWEST	Check			<u>57-425204-073118</u>	DIESEL FUEL TAX APR-JUN 2018	10000.00000.21003	383.40
<u>VEN02208</u>	CALIFORNIA BUILDING STANDARDS COMMISSION						
APBWEST	Check			<u>INV022982</u>	QUARTERLY BASRF FEES APR-JUN 2018	10000.00000.23207	104.15
<u>0169</u>	CITY ELECTRIC SUPPLY						
APBWEST	Check			<u>PDA/005789</u>	Inv# PDA 004616	10000.83300.53001	383.25
<u>1087</u>	CITY OF ARCADIA						
APBWEST	Check			<u>18-02</u>	FY 2017-18 BATTALION CHIEF SERVICES	10000.61000.52100	850.00
<u>0636</u>	CYNTHIA SIRLIN						
APBWEST	Check			<u>INV022984</u>	Recreation Classes - Tai Chi Chuan	10000.77000.52200	62.40
<u>1681</u>	DEPT OF CONSERVATION						
APBWEST	Check			<u>INV022981</u>	QUARTERLY FEES APR-JUN 2018	10000.00000.23206	78.00
<u>0713</u>	DEPT OF JUSTICE						
APBWEST	Check			<u>313025</u>	blanket po - fingerprinting	10000.50000.52200	64.00
<u>VEN01935</u>	DIVISION OF THE STATE ARCHITECT						
APBWEST	Check			<u>INV022903</u>	DISABILITY ACCESS AND EDUC FEE 04/18-06/18	10000.00000.23400	86.80
<u>0397</u>	KEVORK TCHARKHOUTIAN						
APBWEST	Check			<u>2018-006R</u>	FY 17-18 RETAINER	10000.82000.52100	800.00
				<u>2018-006D</u>	development review services	10000.82000.52100	1,720.00
<u>VEN01628</u>	LAW ENFORCEMENT MEDICAL SERVICES, INC						
APBWEST	Check			<u>13722</u>	BLOOD WITHDRAWAL	10000.50000.53304	165.00
<u>0786</u>	OFFICE DEPOT, INC						
APBWEST	Check			<u>157480018001</u>	SUPPLIES	10000.70000.53100	286.84
				<u>157480019001</u>	SUPPLIES	10000.70000.53100	31.74
				<u>157480019002</u>	SUPPLIES	10000.70000.53100	31.74
				<u>157479173001</u>	SUPPLIES	10000.70000.53100	43.90
				<u>157480020001</u>	SUPPLIES	10000.70000.53100	6.33
<u>VEN01624</u>	OMEGA SOLUTIONS						
APBWEST	Check			<u>INV022904</u>	BACKGROUND INVESTIGATION	10000.50000.52100	750.00
<u>0332</u>	PETTY CASH FUND-ADMIN						
APBWEST	Check			<u>INV022911</u>	CONFERENCE MATERIAL-PARK & REC ACADMY	10000.70000.53402	77.89
<u>0333</u>	PETTY CASH FUND-PD						
APBWEST	Check			<u>INV022905</u>	TRAINING/PARKING	10000.50000.52205	8.00
				<u>INV022907</u>	TRAINING/PARKING	10000.50000.52205	8.00

Page 11

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
APBWEST	Check			<u>INV022906</u>	CHAIRS	10000.50000.53999	150.00
<u>VEN01256</u>	SKY BLUEPRINT & SUPPILES INC						
APBWEST	Check			<u>B50206</u>	PRINTING	10000.40000.53102	102.15
<u>VEN02018</u>	SUZETTE OTLEWIS						
APBWEST	Check			<u>INV022937</u>	FY 2017-18 CE/QJ SERVICES	10000.64000.52205	500.00
<b>Fund 10000 Total:</b>							<b>7,167.79</b>
<b>Fund:</b>	37004 - LOCAL TRANSPORTATION/PROP A						
<u>1455</u>	FIRST TRANSIT INC						
APBWEST	Check			<u>11476969</u>	FY 17-18 DIAL A RIDE GATEWAY COACH TRANSP	37004.70000.52203	12,331.01
<u>0267</u>	REGIONAL TAP SERVICE CENTER						
APBWEST	Check			<u>6006936</u>	CPOS Tap Card	37004.70000.52001	75.00
<b>Fund 37004 Total:</b>							<b>12,406.01</b>
<b>Fund:</b>	37006 - SENIOR CENTER						
<u>0332</u>	PETTY CASH FUND-ADMIN						
APBWEST	Check			<u>INV022934</u>	COMM YARD SALE SUPPLIES	37006.72000.53999	60.00
				<u>INV022933</u>	COMM YARD SALE SUPPLIES	37006.72000.53999	53.75
				<u>INV022908</u>	ORDER AMERICAN RECEPTION SUPPLIES	37006.72000.53999	68.37
<b>Fund 37006 Total:</b>							<b>182.12</b>
<b>Fund:</b>	37009 - LOCAL TRANSIT PROGRAM/PROP C						
<u>1337</u>	HARDY & HARPER, INC.						
APBWEST	Check			<u>44727</u>	FY 2017-18 Street Resurfacing Project	37009.83500.52200	76,291.78
<b>Fund 37009 Total:</b>							<b>76,291.78</b>
<b>Fund:</b>	38004 - ENVIRONMENTAL FUND						
<u>0271</u>	LAWN MOWER CORNER						
APBWEST	Check			<u>10291</u>	EQUIP MAINTENANCE	38004.83300.52302	36.11
<b>Fund 38004 Total:</b>							<b>36.11</b>
<b>Fund:</b>	38007 - MEASURE R						
<u>1337</u>	HARDY & HARPER, INC.						
APBWEST	Check			<u>44727A</u>	RETENTION	38007.00000.23500	-21,661.49
				<u>44727</u>	FY 2017-18 Street Resurfacing Project	38007.83500.52200	164,973.93
<b>Fund 38007 Total:</b>							<b>143,312.44</b>
<b>Fund:</b>	38013 - RMRA						
<u>1337</u>	HARDY & HARPER, INC.						
APBWEST	Check			<u>44727</u>	FY 2017-18 Street Resurfacing Project	38013.83500.52200	31,365.84
<b>Fund 38013 Total:</b>							<b>31,365.84</b>
<b>Fund:</b>	40000 - CAPITAL PROJECTS FUND						
<u>1337</u>	HARDY & HARPER, INC.						
APBWEST	Check			<u>44727</u>	FY 2017-18 Street Resurfacing Project	40000.83500.52200	160,598.31
<b>Fund 40000 Total:</b>							<b>160,598.31</b>
<b>Fund:</b>	60000 - INT SVC FND - FLEET						
<u>1025</u>	CALIFORNIA J P I A						
APBWEST	Check			<u>UST001040</u>	UNDERGROUND STORAGE 2017/2018 REVISED	60000.83100.52401	172.00
<u>0186</u>	DANIELS TIRE SERVICE						
APBWEST	Check			<u>200343556</u>	FY 17-18 TIRES	60000.83100.53208	2,331.20
<u>0360</u>	QUINN COMPANY						
APBWEST	Check			<u>PC810812929</u>	FY 17-18 HEAVY EQUIPMENT PARTS	60000.83100.53208	47.60
<u>0403</u>	TRIANGLE TRUCK PARTS						
APBWEST	Check			<u>324950</u>	FY 17-18 TRUCK EQUIPMENT AND PARTS	60000.83100.53208	19.41
<u>1390</u>	VALLEY POWER SYSTEMS						
APBWEST	Check			<u>130210</u>	FY 17-18 FD ENGINE REPAIR	60000.83100.52200	1,878.14
<b>Fund 60000 Total:</b>							<b>4,448.35</b>
<b>Fund:</b>	60001 - INT SVC FND - FACILITIES MGT						
<u>0714</u>	CINTAS CORPORATION #693						
APBWEST	Check			<u>693123805</u>	UNIFORM	60001.83200.53303	122.96
<u>VEN02997</u>	DYNAMIC BUILDING MAINT INC						
APBWEST	Check			<u>14</u>	FY 17-18 JANITORIAL SERVICES MONTHLY	60001.83200.52200	2,919.00
<u>1639</u>	GMS ELEVATOR SERVICES INC						
APBWEST	Check			<u>92909</u>	FY 17-18 ELEVATOR MAINTENANCE	60001.83200.52200	175.00

Page 12

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<u>1724</u>	LAWRENCE ROLL-UP DOORS INC	APBWEST	Check	<u>1819858</u>	FY 17-18 FD ROLL UP DOOR MAINTENANCE	60001.83200.52200	297.00
<b>Fund 60001 Total:</b>							<b>3,513.96</b>
<b>Fund: 60002 - INT SVC FND - ADMINISTRATION</b>							
<u>0786</u>	OFFICE DEPOT, INC	APBWEST	Check	<u>157424363001</u>	Office Supplies	60002.30000.53100	259.91
<u>0332</u>	PETTY CASH FUND-ADMIN	APBWEST	Check	<u>INV022936</u> <u>INV022909</u>	POSTAGE COUNTY REGISTER COPY CODE	60002.30000.53100 60002.30000.53102	38.00 12.00
<b>Fund 60002 Total:</b>							<b>309.91</b>
<b>Fund: 60003 - INT SVC FND - TECHNOLOGY</b>							
<u>1167</u>	COMMUNITY MEDIA OF THE FOOTHILLS	APBWEST	Check	<u>318</u> <u>332</u>	SM PRODUCTION SERVICES-JAN 2018 FY 17-18 SIERRA MADRE PRODUCTION SERVICES	60003.30000.52100 60003.30000.52100	2,331.01 2,331.01
<u>0429</u>	XEROX CORPORATION	APBWEST	Check	<u>093762814</u> <u>093762812</u> <u>093762813</u>	FY 17-18 COPIER LEASE FY 17-18 COPIER LEASE FY 17-18 COPIER LEASE	60003.30000.53210 60003.30000.53210 60003.30000.53210	404.40 841.76 322.22
<b>Fund 60003 Total:</b>							<b>6,230.40</b>
<b>Fund: 60007 - INT SVC FND - PERSONNEL AND RISK MGMT</b>							
<u>1359</u>	HIRERIGHT, LLC	APBWEST	Check	<u>H134684</u>	BACKGROUND SCREENING SERVICES	60007.70101.52100	59.64
<u>0913</u>	IRWINDALE INDUSTRIAL CLINIC	APBWEST	Check	<u>2130-801126</u>	DOT FIRE/PW/PD/CH PHYSICAL	60007.70101.52106	170.00
<u>VEN01176</u>	METLIFE SMALL MARKET	APBWEST	Check	<u>INV022978</u>	DENTAL JULY 18 KM05736666-0001	60007.00000.21603	129.82
<u>0702</u>	MIGUEL HERNANDEZ	APBWEST	Check	<u>INV022902</u>	PARAMEDIC ORAL PANEL SUPPLIES	60007.70100.53999	35.91
<u>0332</u>	PETTY CASH FUND-ADMIN	APBWEST	Check	<u>INV022913</u> <u>INV022912</u>	MILEAGE/TRAINING PARKING/TRAINING	60007.70100.52205 60007.70100.52205	24.52 8.00
<b>Fund 60007 Total:</b>							<b>427.89</b>
<b>Fund: 71000 - WATER ENTERPRISE FUND</b>							
<u>0122</u>	ARNOLD'S FRONTIER HARDWARE	APBWEST	Check	<u>085658</u> <u>085669</u> <u>085421</u> <u>085542</u> <u>085684</u> <u>085432</u> <u>085440</u> <u>085650</u> <u>085521</u> <u>085453</u>	FY 17-18 WATER MAINTENANCE SUPPLIES FY 17-18 WATER MAINTENANCE SUPPLIES	71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200 71000.81100.53200	2.93 14.22 4.29 7.11 28.40 17.51 13.74 4.56 37.03 15.32
<u>1200</u>	BLUE DIAMOND MATERIALS	APBWEST	Check	<u>1227714</u> <u>1227863</u>	ASPHALT ASPHALT	71000.81100.53206 71000.81100.53206	188.60 84.22
<u>VEN01500</u>	INLAND WATER WORKS SUPPLY CO.	APBWEST	Check	<u>S1013419.001</u> <u>S1013126.001</u> <u>S1012230.002</u>	Open PO - Distribution system repair supplies Open PO - Distribution system repair supplies Open PO - Distribution system repair supplies	71000.81100.53200 71000.81100.53200 71000.81100.53200	1,007.95 1,517.40 267.84
<u>VEN03094</u>	ONWARD ENGINEERING	APBWEST	Check	<u>4293</u> <u>4123</u>	FY 2017-18 ENGINEERING DESIGN WATER MAIN FY 2017-18 ENGINEERING DESIGN WATER MAIN	71000.81100.52100 71000.81100.52100	22,755.00 5,092.50
<u>0158</u>	VULCAN MATERIALS COMPANY	APBWEST	Check	<u>71861845</u>	ASPHALT COLD MIX	71000.81100.53206	464.30
<b>Fund 71000 Total:</b>							<b>31,522.92</b>
<b>Fund: 77003 - SPECIAL EVENTS</b>							
<u>1455</u>	FIRST TRANSIT INC						

Page 13

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
APBWEST	Check	<u>11476969</u>	FY 17-18 DIAL A RIDE GATEWAY COACH TRANSP	77003.79012.52999	12.34
<u>0332</u>	PETTY CASH FUND-ADMIN				
APBWEST	Check	<u>INVQ22935</u>	SENIOR EXCURSION/DRIVER'S TIP	77003.79003.52999	50.00
<b>Fund 77003 Total:</b>					<b>62.34</b>
<b>Report Total:</b>					<b>477,876.17</b>



Page 14

Packet: APPKT04108 - GEN072418(FY1819)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/13/2018

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>							
<u>VEN02871</u>	CYBERREEF SOLUTIONS INC						
APBWEST	Check			<u>2124</u>	CARRIER FEES AND SURCHARGES 7/1-7/31/18	10000.50000.52200	299.78
<u>0908</u>	STANCIL CORPORATION						
APBWEST	Check			<u>9760</u>	FY 18-19 BLANKET PO	10000.50000.52200	1,321.00
<u>1368</u>	SWANK MOTION PICTURES INC						
APBWEST	Check			<u>RG 2529748</u>	MOVIES IN THE PARK	10000.79008.52999	693.00
<u>0404</u>	TOM'S UNIFORMS						
APBWEST	Check			<u>11167</u>	FY 18-19 BLANKET PO	10000.50000.53303	76.65
<u>VEN01208</u>	VERSATILE INFORMATION PRODUCTS, INC						
APBWEST	Check			<u>080118073119-4</u>	FY 18-19 BLANKET PO	10000.50000.52200	1,158.00
<b>Fund 10000 Total:</b>							<b>3,548.43</b>
<b>Fund: 37004 - LOCAL TRANSPORTATION/PROP A</b>							
<u>0352</u>	SAN GAB VALLEY COUNCIL OF GOVERNMENTS						
APBWEST	Check			<u>4025</u>	MEMBERSHIP FY 1819	37004.70000.53409	1,599.97
<b>Fund 37004 Total:</b>							<b>1,599.97</b>
<b>Fund: 37006 - SENIOR CENTER</b>							
<u>VEN01524</u>	MOTION PICTURE LICENSING CORP						
APBWEST	Check			<u>504155655</u>	MOTION PICTURES LICENSE	37006.72000.52200	322.21
<b>Fund 37006 Total:</b>							<b>322.21</b>
<b>Fund: 37009 - LOCAL TRANSIT PROGRAM/PROP C</b>							
<u>0352</u>	SAN GAB VALLEY COUNCIL OF GOVERNMENTS						
APBWEST	Check			<u>4025</u>	MEMBERSHIP FY 1819	37009.80000.53409	2,000.20
<b>Fund 37009 Total:</b>							<b>2,000.20</b>
<b>Fund: 38003 - CLEAN AIR FUND (AQMD)</b>							
<u>0352</u>	SAN GAB VALLEY COUNCIL OF GOVERNMENTS						
APBWEST	Check			<u>4025</u>	MEMBERSHIP FY 1819	38003.80000.53409	1,300.04
<b>Fund 38003 Total:</b>							<b>1,300.04</b>
<b>Fund: 60000 - INT SVC FND - FLEET</b>							
<u>1025</u>	CALIFORNIA J P I A						
APBWEST	Check			<u>UST001052</u>	UNDERGROUND STORAGE TANKS 2018/2019	60000.83100.52401	1,084.00
<b>Fund 60000 Total:</b>							<b>1,084.00</b>
<b>Fund: 60002 - INT SVC FND - ADMINISTRATION</b>							
<u>1280</u>	L.A. COUNTY AUDITOR-CONTROLLER						
APBWEST	Check			<u>INV022983</u>	LAFCO OPERATING COSTS FY 18-19	60002.30000.53999	495.20
<u>0352</u>	SAN GAB VALLEY COUNCIL OF GOVERNMENTS						
APBWEST	Check			<u>4025</u>	MEMBERSHIP FY 1819	60002.30000.53409	4,385.76
<b>Fund 60002 Total:</b>							<b>4,880.96</b>
<b>Fund: 60007 - INT SVC FND - PERSONNEL AND RISK MGMT</b>							
<u>0277</u>	LIEBERT CASSIDY WHITMORE						
APBWEST	Check			<u>1461686</u>	Legal Membership FY18/19	60007.70100.52201	3,795.50
<b>Fund 60007 Total:</b>							<b>3,795.50</b>
<b>Fund: 71000 - WATER ENTERPRISE FUND</b>							
<u>VEN03147</u>	BANNER BANK						
AP EFT WEST	Electronic Funds Transfer			<u>INV022988</u>	INTEREST ON LN#72198478	71000.30000.58002	56,114.96
<b>Fund 71000 Total:</b>							<b>56,114.96</b>
<b>Report Total:</b>							<b>74,646.27</b>



City of Sierra Madre, CA

# Check Approval Register

Page 15

Packet: APPKT04109 - RET072418(FY1819)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/13/2018

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 60007 - INT SVC FND - PERSONNEL AND RISK MGMT</b>							
<u>1428</u>	DAN GINTER						
APBWEST	Check		<u>INV022989</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	404.32	
<u>1044</u>	JESSE TORIBIO						
APBWEST	Check		<u>INV022993</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	202.16	
<u>1156</u>	JOHN FORD						
APBWEST	Check		<u>INV022991</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	283.02	
<u>VEN01660</u>	LISA VOLPE						
APBWEST	Check		<u>INV022990</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	323.45	
<u>1113</u>	RUBEN ENRIQUEZ						
APBWEST	Check		<u>INV022994</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	404.32	
<u>2016</u>	STEVE POCK						
APBWEST	Check		<u>INV022992</u>	RETIREE HEALTH INSURANCE	60007.70100.51302	404.32	
<b>Fund 60007 Total:</b>						<b>2,021.59</b>	
<b>Report Total:</b>						<b>2,021.59</b>	



City of Sierra Madre, CA

# Check Approval Register

Page 16

Packet: APPKT04105 - LIB072418(FY1718)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/13/2018

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 10000 - GENERAL FUND</b>							
<u>1801</u>	YAMADA ENTERPRISES						
APBWEST	Check			<u>18065</u>	Guest Chairs	10000.90000.53999	2,233.80
<b>Fund 10000 Total:</b>							<b>2,233.80</b>
<b>Fund: 39006 - FRIENDS OF THE LIBRARY DONATION FUND</b>							
<u>VEN03171</u>	SIGNARAMA						
APBWEST	Check			<u>3527</u>	REPLACEMENT BROKEN AFRAMES	39006.90000.53999	295.63
<b>Fund 39006 Total:</b>							<b>295.63</b>
<b>Report Total:</b>							<b>2,529.43</b>



City of Sierra Madre, CA

# Check Approval Register

*Page 17*

Packet: APPKT04120 - MNCKLIB071618(FY1819)  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/16/2018

Vendor Number	Vendor Name	Bank Code	Payment Type	Invoice #	Invoice Description	Account Number	Distribution Amount
<b>Fund: 39006 - FRIENDS OF THE LIBRARY DONATION FUND</b>							
<u>VEN02966</u>	KRES MERSKY						
APBWEST	Check			<u>20180721</u>	SUMMER PERFORMER	39006.90000.53999	400.00
<b>Fund 39006 Total:</b>							<b>400.00</b>
<b>Report Total:</b>							<b>400.00</b>



Packet: APPKT04085 - MANLIB070918  
Vendor Set: 01 - Vendor Set 01

Check Date: 07/11/2018

Vendor Number	Vendor Name	Invoice #	Invoice Description	Account Number	Distribution Amount
Bank Code	Payment Type				
<b>Fund: 39006 - FRIENDS OF THE LIBRARY DONATION FUND</b>					
<u>VEN03100</u>	BILLY BONKERS MAGIC				
APBWEST	Check	<u>INV022900</u>	SUMMER PROGRAM	39006.90000.53999	250.00
<u>VEN02087</u>	BUBBLEMANIA AND COMPANY				
APBWEST	Check	<u>00013615</u>	SUMMER PROGRAM	39006.90000.53999	250.00
<b>Fund 39006 Total:</b>					<b>500.00</b>
<b>Report Total:</b>					<b>500.00</b>



# City of Sierra Madre Agenda Report

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

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

TO: Honorable Mayor and Members of the City Council

FROM: Chris Cimino, Director of Public Works *CC*

REVIEWED BY: Gabriel Engeland, City Manager *GE*

DATE: July 24, 2018

SUBJECT: Downtown Pedestrian Safety

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## **SUMMARY**

City staff, with the assistance of John Leveillee, PE, LS, TE from RKA Engineering, conducted a study to review potential traffic calming measures, pedestrian safety, and the mid-block crosswalk in the Downtown District along Sierra Madre Boulevard between Lima Street and Baldwin Avenue and Baldwin Avenue from Suffolk to Highland Avenue. The concerns are specifically related to potential pedestrian safety issues including, bow-out vegetation growth and pedestrian crosswalks.

## **STAFF RECOMMENDATION**

It is recommended that staff continues with traffic enforcement and the installation of flashing crosswalk signs at four uncontrolled pedestrian crosswalks.

Based on phasing of traffic calming and pedestrian safety measures, staff recommends the following:

- a. Continued increased enforcement
- b. Installation of solar-powered crosswalk signs at four (4) of uncontrolled locations, in an amount not to exceed \$25,000, utilizing the accounts of the Downtown Assessment Lighting Districts A and B.
- c. Enhancing signage and striping per the CA MUTCD at five (5) uncontrolled locations, in an amount not to exceed \$2,100.

- d. Remove two 2 uncontrolled crosswalks at West Sierra Madre Blvd. at Park Avenue and at North Hermosa Avenue.

## **FINANCIAL REVIEW**

The costs required in implementing the traffic calming measures outlined above will come from the Downtown Lighting Districts A and B. A set of flashing crosswalk signs for each section is around \$6,500. There are four crosswalks for the signage and flashing light for a total expenditure not to exceed of \$25,000. Public Works staff will perform the installation of the signs. There will be no additional cost for enforcement. Enforcement is already instituted with an officer on duty.

## **ANALYSIS**

Sierra Madre Boulevard is the major east-west roadway through the City of Sierra Madre. Sierra Madre Boulevard provides service from the cities of Pasadena to the west and Arcadia to the east. It is also the main street of the downtown business district. Sierra Madre Boulevard is striped with one travel lane in each direction. The posted speed limit is 25 mph through downtown. On-street parking is generally available on both the north and south curb lines. Parking on the south side of Sierra Madre Boulevard is parallel from Lima Avenue east approximately 450 feet and changes to angle parking from the Civic Center east to Baldwin Avenue. Parking on the north side of Sierra Madre Boulevard is parallel parking throughout downtown. Sierra Madre Boulevard is controlled by all-way Stop signs at Lima Street and Baldwin Avenue. All side streets intersecting Sierra Madre Boulevard are stop sign controlled. Pedestrian crosswalks are provided at Lima Street, mid-block at the Civic Center, North Hermosa Avenue (an offset intersection), South Hermosa Avenue, Auburn Avenue, Windsor Lane, Kersting Court and Baldwin Avenue. The controlled crosswalk are Lima and at Baldwin with stop signed intersections.

North and South Baldwin Avenue is also a main street of the Downtown District, South Baldwin Avenue is striped with one travel lane in each direction. The posted speed limit is 35 mph. On-street parallel parking is generally available on both the east and west curb lines. North Baldwin Avenue posted speed limit is 25 mph, parking on the east side of North Baldwin Avenue is angle parking from Sierra Madre Boulevard North to Montecito Avenue and changes to parallel parking from Montecito Avenue to Highland Avenue. The west side of North Baldwin Avenue has angle parking from Kersting Court to Highland Avenue. Pedestrian crosswalks are provided at Esperanza Avenue, Sierra Madre Boulevard, Montecito Avenue, West Montecito Avenue and Highland Avenue. The controlled crosswalks are Sierra Madre Boulevard and Highland Avenue with Stop signed intersections.

In 2006, between Lima Street and Baldwin Avenue underwent significant landscaping and streetscape improvements. The improvements included a series of landscaped islands within the street right-of way. The intent of the landscaped islands was to

beautify the area and provide greater pedestrian safety by decreasing the time a pedestrian was in conflict with on-street traffic. It was also envisioned that the narrower travel lanes on Sierra Madre Boulevard would calm motorist's speeds.

### **Existing Conditions**

The streetscape installed on Sierra Madre Boulevard along with the landscaping provides a very scenic environment for the downtown business district. However, the landscaping needs significant maintenance attention. It must be trimmed continuously to prevent it from interfering with motorist's ability to observe pedestrians entering marked crosswalks as well as pedestrians being able to see on-coming traffic. Traffic speeds have not calmed as anticipated. The speeds observed at certain times of the day along with potential sight limitations add to the overall safety concerns in the area.

The CA MUTCD provides guidance for these type of crosswalks stated as "Because non-intersection pedestrian crossings are generally unexpected by the road user, warning signs should be installed for all marked crosswalks at non-intersection locations and adequate visibility should be provided by parking prohibitions."

### **Potential Traffic Calming and Pedestrian Safety Improvement**

There are a number of traffic safety improvements and or devices available that when implemented could improve safety both for pedestrians and motorists. For the City of Sierra Madre and specifically, the downtown business district, one or more of the following strategies are being considered.

1. Increased enforcement of all existing traffic regulations.
2. Flashing crosswalks signs controlled by pedestrians.
3. Added signage and striping for driver's visibility.

Staff is recommending that flashing crosswalk signs be installed at four uncontrolled crosswalks in the downtown districts area; Sierra Madre Boulevard at City Hall, Baldwin Avenue and Kersting Court, Sierra Madre Boulevard and Kersting Court and at Baldwin and Mariposa Avenue. Pedestrians entering the crosswalk will touch a button that will start flashing in both directions alerting the drivers there are pedestrians waiting to cross. The flashers will also have a tone to notify the sight impaired it is safe to cross.

The following paragraphs list some of the most common types of equipment and enhancements to improve pedestrian safety and calm traffic.

#### **1. Increased Enforcement.**

Research has shown the most effective way to improve pedestrian safety and obtain compliance with speed and other traffic related issues is through strict and continuing enforcement

**2. Installation of Solar Powered Flashing Crosswalk Signs.**

Each side of a crosswalk has a sign with a series of amber lights underneath and facing on-coming traffic. The flashing crosswalk signs can be activated manually by pushing a pole mounted buttons, placed on the sidewalk adjacent to the crosswalk.

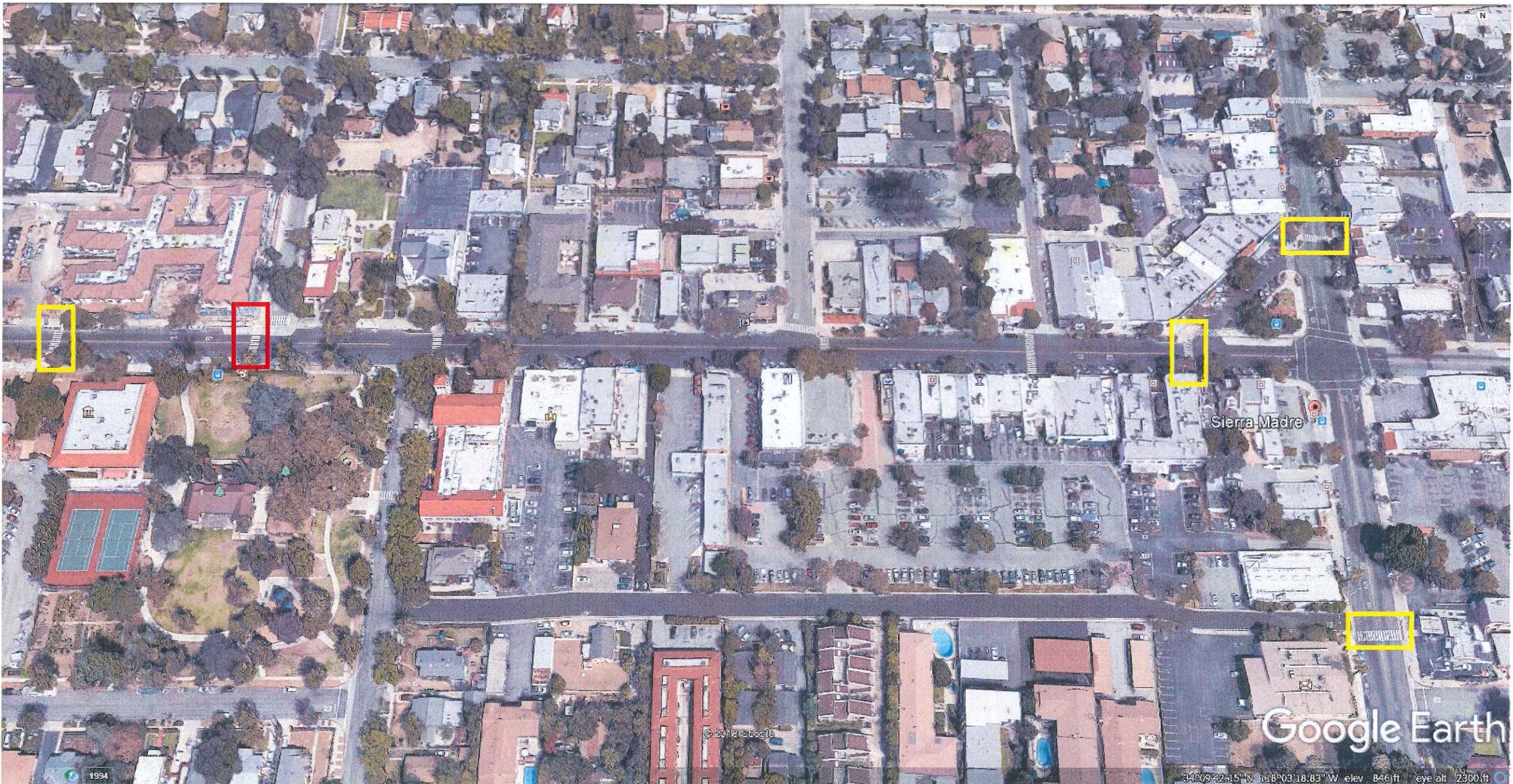
- 3.** Removal of the two existing crosswalk will take place during the next street project. When removing striping in the street and particularly crosswalks they need to be removed completely and not just painted over.

**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](http://www.cityofsierramadre.com).

Attachment: RKA Engineering Report  
GIS pictures of each proposed crosswalk





Sierra Madre

Google Earth

1994

© 2018 Google

34°09'42.15" N 118°03'18.83" W elev 846 ft eye alt 2300 ft

# Engineering and Traffic Study Uncontrolled Crosswalks

Baldwin Avenue  
West Sierra Madre Blvd

April, 2018

Submitted to:

**City of Sierra Madre**  
232 West Sierra Madre Blvd.  
Sierra Madre, CA 91024

Prepared by:



398 Lemon Creek Drive, Suite E  
Walnut, CA 91789  
(909) 594-9702

## **1. INTRODUCTION AND PURPOSE OF STUDY**

The City of Sierra Madre has a thriving downtown commercial area which is surrounded by high density residential areas, City Hall, the City's Library, and public parks. The two main streets which provide access to these uses are North Baldwin Avenue and West Sierra Madre Boulevard. There are a large number of pedestrians who utilize these two roadways to access the various uses along these corridors, and the City has accommodated this use by installing marked crosswalks at every controlled intersection in the downtown area, and adding 13 uncontrolled crosswalks at other locations.

The downtown area lies primarily northwest of the intersection of Baldwin Ave and Sierra Madre Blvd. Approximately 2000 lineal feet along North Baldwin Ave and approximately 3000 lineal feet along West Sierra Madre Blvd comprise the access to this district. In this one mile section, the City has installed 13 uncontrolled crosswalks, sometimes referred to as mid-block crosswalks. This means there is no stop sign or traffic signal at the crosswalk location. An uncontrolled crosswalk can lead to an assumption by the pedestrian that they are protected against approaching motorists, when clearly this is not the case. If the approaching motorist is not attentive, there is a potential for vehicle/pedestrian collisions. Various steps can be taken to preclude potential collisions, such as additional signage, traffic calming structures, and enhanced warning devices.

The City of Sierra Madre's staff was successful in obtaining grant funds to enhance the safety at several of these uncontrolled crosswalks. Since they do not have enough funding to add safety enhancements at all the crosswalk locations, they have requested an Engineering Traffic Study (ETS) to examine the current use and configuration of each of the crosswalks and a recommendation related to each crosswalk.

## **2. THE STUDY**

The California Manual of Uniform Traffic Control Devices (CA MUTCD) does not provide a significant amount of guidance related to "non-intersection" pedestrian crossings. When the cross street has posted speed limits exceeding 40 mph, there are some directives in the CA MUTCD, however none of these crosswalks qualify for this condition. In order to determine the apparent level of safety at each of these crosswalks, pedestrian counts were taken at all legs of the crosswalk, including the intersecting movements as well as the movements parallel with the subject street. This gives a general indication of how many pedestrians utilize each crosswalk in relation to the other crosswalks.

It should be noted that the pedestrian counts were performed on a Saturday for those crosswalks which were within the commercial area, and on a Tuesday for those crosswalks adjacent to the City Hall area. The theory was to try and capture the highest pedestrian use at each crosswalk. Counts were taken during both the morning and afternoon anticipated peak hours.

In addition to the pedestrian traffic at each crosswalk location, the approaching speed of vehicles, and the physical configuration of the crosswalks were considered when ranking the relative risk associated with each crosswalk. Lastly, the Average Daily Traffic (ADT) of vehicles intersecting each crosswalk was provided, to give an indication of conflicting vehicle traffic.

All of the above information is summarized in the attached spreadsheet. The crosswalk location column reflects the location of the crosswalk in relation to the nearest uncontrolled street intersection. The morning (AM) and evening (PM) pedestrian counts are a total of the two direction pedestrian counts in each direction, and the Total #'s for each intersection is the cumulative number of pedestrian movements (all directions) at the nearest uncontrolled intersection.

The crosswalks were then ranked against each other based on the perceived risk of the conditions at each crosswalk. City staff has determined that the grant funding received is sufficient to install pedestrian push button flashers at four (4) of the crosswalk locations. The following section will analyze each crosswalk location and justify its ranking given in the spreadsheet.

### **3. RESULTS AND RECOMMENDATIONS**

#### **West Sierra Madre Blvd at North Hermosa Avenue**

This crosswalk, located at the west side of this uncontrolled intersection, is the third crosswalk in just several hundred feet, located between the crosswalk at City Hall and another at South Hermosa Avenue. Its close proximity to the other two crosswalks, low crossing volumes, and the fact that it does not serve a special need, renders it superfluous. It is recommended that this crosswalk be removed.

#### **West Sierra Madre Blvd at Park Avenue**

This is another crosswalk which is being recommended to be removed. It is the furthest removed from the high density downtown area, and the approach speed of vehicles travelling east-bound along West Sierra Madre Blvd. is higher than expected. Improvements could be made to enhance the safety of this crossing, however there is very little pedestrian utilization of this crosswalk and there is no special attractor or

facility adjacent to the crosswalk to justify maintaining it in place. For these reasons, it is recommended that this crosswalk also be removed.

#### **South Hermosa Avenue at Memorial Park Drive Entrance**

This crosswalk, one of only two off of the two main roadways being covered by this study, provides direct access into Memorial Park across South Hermosa Avenue. As one of several park entrances, this crosswalk sees little pedestrian traffic. South Hermosa Avenue is a posted 25 mph roadway, and the average daily traffic is only 1300 vehicles per day, so the approach speeds and vehicular volumes at this crosswalk do not prompt a need for any enhancements. It is recommended that the standard signing and striping per the CA MUTCD be maintained.

#### **North Baldwin Avenue at East Laurel Avenue**

#### **North Baldwin Avenue at Alegria Avenue**

These are the two school crosswalks being examined as part of this study. Both of these crosswalks experience high use during the morning and afternoon peak school times. These peak times are typically about 20 minutes long for each period, and then there is little to no use of the crosswalks. This use pattern for the school crosswalks is expected by motorists in the vicinity, and the approach speeds are controlled by the school speed limits. In addition, school crossing guards should be employed by the schools to further enhance the safety of students utilizing the crosswalks. Since these crosswalks primarily serve the schools, any crosswalk enhancements which the schools feel are required should be funded by the schools or by Safe Routes to Schools grants which are available.

#### **West Sierra Madre Blvd at Winsor Lane**

This crosswalk is located in the middle of the downtown shopping district. It is one of the longest crosswalks, with the furthest distance between sidewalks on the north and south sides of West Sierra Madre Blvd. The pedestrians which utilize this crosswalk have to pass through parked cars on each side of the street before they enter the vehicle travel way, but this also gives the pedestrian more reaction time to view oncoming vehicles and vice versa. Vehicles have already slowed for the downtown district by the time they reach this crosswalk, so the approach speeds are minimal. The pedestrian crossing numbers are significant; however it is not one of the busiest crosswalks. The risk ranking for this crosswalk is 8, and the recommendation is to maintain the standard crosswalk markings and signage at this location.

### **North Baldwin Avenue at East Montecito Avenue**

Similar to the previous crosswalk, this crosswalk is located in the middle of the downtown shopping district. The sidewalks at this location have been extended into the roadway, decreasing the distance that pedestrians have to walk to completely cross the street. This reduced crossing distance can be both a benefit and a potential detriment to the safety of the pedestrians utilizing the facility. The reduced crossing distance does decrease the time that the pedestrian spends in the roadway, however it also places the pedestrian closer to the vehicle travel way when they step off the curb. This decreases the reaction time for the motorist, and the pedestrian needs to consider this decreased reaction time before entering the crosswalk. The crosswalk has significant pedestrian volumes, but the slow approach speeds and downtown environment tend to increase the safety at this location. The risk ranking for this crosswalk is 7, and the recommendation is to maintain the standard crosswalk markings and signage at this location.

### **West Sierra Madre Blvd at South Hermosa Avenue**

This crosswalk is located between the downtown shopping district and the City civic complex. It is one of three uncontrolled crosswalks which lie in close proximity to one another, with the adjacent crosswalk to the west being recommended for removal. The pedestrian volumes at this crosswalk are the highest of the three in this area; however the approach speeds are lower since vehicles have slowed for the civic complex, Memorial Park, and the downtown shopping district. The sidewalks on both sides of the roadway have been extended into the street; however parked cars travelling in the west bound direction could have their vision impeded at the crosswalk by parked cars. This crosswalk received the 6<sup>th</sup> highest risk rating, however it should be considered for enhancements if the City receives additional funding at a later date due to the line of sight issue. The crosswalk should be clearly marked with signage and striping per the CA MUTCD.

### **West Sierra Madre Blvd at Auburn Avenue**

This is another crosswalk located in the downtown shopping district. This crosswalk is the nearest facility to the high density residential housing to the north. As such it has a higher than normal percentage of children and elderly utilizing it to access the attractors on the south side of Sierra Madre Blvd. The pedestrian crossing volumes at this crosswalk are some of the highest in the downtown district, and like most of the crosswalks in this area, the vehicle approach speeds are low. The extended sidewalks on both sides of the roadway have reduced the crosswalk length, and the line of sight from both directions is not impeded by parked cars. This crosswalk received the 5<sup>th</sup> highest risk rating, primarily due to the higher percentage of seniors and children using

this crossing (according to City staff). This crosswalk should also be considered for enhancements if the City receives additional funding in the future. The crosswalk should be clearly marked with signage and striping per the CA MUTCD.

#### **West Sierra Madre Blvd at Kersting Court.**

This crossing of West Sierra Madre Blvd immediately west of Kersting Ct. is the busiest crosswalk in the downtown shopping district. It is located at the center of the downtown district. There are three different vehicular approaches to this crosswalk, and although the approach speeds are very slow, there are a significant number of driver distractions in the area. Drivers approaching this crosswalk from either direction are inundated by visual distractions in the form of vehicles moving in and out of parking stalls, store signage and the stop controlled intersection with North Baldwin Avenue immediately east of this location. This crosswalk received the 4<sup>th</sup> highest risk rating, due to the high pedestrian crossing movements and the degree of driver distraction. This crosswalk should be considered for enhancements at this time.

#### **South Baldwin Avenue at Mariposa Avenue.**

This crosswalk lies one block south of the downtown shopping district. It primarily serves the Post Office on South Baldwin Avenue. The pedestrian volumes at this crossing are on the lower end of the spectrum; however it crosses the roadway with the highest posted speed limit of any in this study (35 mph). This greatly impacts the approach speeds at the crosswalk, especially for those motorists approaching from the south. In addition, there are a large number of mature trees in the parkway along both sides of South Baldwin Avenue, which can affect the line of sight of approaching motorists. For these reasons, this crosswalk was given the 3<sup>rd</sup> highest risk ranking, and is recommended to receive the visual crossing enhancements being proposed by City staff.

#### **North Baldwin Avenue at Kersting Court.**

This crossing of North Baldwin Avenue immediately north of Kersting Ct. is the second busiest crosswalk in the downtown shopping district. Similar to the crossing of West Sierra Madre Blvd at Kersting Ct., there are a number of distractions for the drivers in this area. The sidewalk extends into the street decreasing the length of the crosswalk, but as discussed earlier, this can lead to decreased reaction times for the motorists, especially when dealing with distracted pedestrians more intent on their next shopping destination than their own safety. City staff has reported that this is the only crosswalk where they have received a reported collision between a pedestrian and a vehicle. Given these factors, this crosswalk received the second highest risk ranking, and should receive the visual crossing enhancements proposed by City staff.

### West Sierra Blvd at City Hall.

Simply by looking at the number of pedestrian crossings at this crosswalk, one would not understand why this crosswalk received the highest risk ranking of any crosswalk in the study. It is one of the furthest west along West Sierra Madre Blvd, so the approach speed of vehicles could be slightly higher, but it is still within a 25 mph speed zone. The primary and sole reason that this crossing received the ranking it did is its location immediately adjacent to the City's largest senior assisted living facility. Seniors typically require more time to complete their crossing maneuver, and their reaction time is the slowest. This crossing provides the seniors with direct access to the police station, City Hall, shopping, and especially Memorial Park. Motorists need to be warned of seniors entering this crosswalk, and the push button activated flashers being proposed by City staff will provide that early warning.

#### **4. SUMMARY**

The risk ranking determined by this study is a direct comparison between the crosswalks analyzed as part of this study. There is no determination as to the safety level of each crosswalk location. The CA MUTCD provides Guidance in Chapter 3B for these types of crosswalks stated as *"Because non-intersection pedestrian crossings are generally unexpected by the road user, warning signs (See Section 2C.50) should be installed for all marked crosswalks at non-intersection locations and adequate visibility should be provided by parking prohibitions."* The City has taken steps to comply with this guidance at the crosswalk locations studied by this report.



Data assembled 3/28/2010

**City of Sierra Madre**  
**Uncontrolled Crosswalk Analysis**  
**Baldwin Avenue and Sierra Madre Blvd**

Intersection	Uncontrolled Crosswalk Location	AM Crossings	PM Crossings	Total #'s for Intersection	Posted Speed Limit	Cross Street Traffic Volumes	Ranking by Risk	Comments
North Baldwin Ave. at Allegria Ave.	South Side	378	210	736	30	3548	9	School Crosswalk, lower numbers outside school times. Southbound approach is downhill.
North Baldwin Ave. at East Laurel Ave.	South Side	0	0	109	30	3548	10	School Crosswalk, lower numbers outside school times. Southbound approach is downhill.
North Baldwin Ave. at E. Monticello Ave.	South Side	39	97	290	25	3548	7	Dense Commercial Area, diagonal on-street parking, low approach speeds.
North Baldwin Ave. at Kersting Ct.	North Side	138	119	386	25	3548	2	Reported pedestrian collisions, pop-out sidewalk reduces driver reaction time, high pedestrian use.
South Baldwin Ave. at Mariposa Ave.	South Side	32	27	180	35	9222	3	Higher approach speeds from south decrease reaction time for motorists at crosswalk.
West Sierra Madre Blvd. at Kersting Ct.	West Side	211	145	436	25	8327	4	Pop-out sidewalk reduces driver reaction time, heavy pedestrian use.
West Sierra Madre Blvd. at Winsor Lane	West Side	76	75	555	25	8327	8	Dense Commercial Area, diagonal on-street parking, low approach speeds.
West Sierra Madre Blvd. at Auburn Ave.	East Side	87	59	397	25	8327	5	Churches and Park in area, Senior and children frequent this crossing.
West Sierra Madre Blvd. at South Hermosa Ave.	East Side	35	38	304	25	8327	6	High density residential area adjacent to downtown area.
West Sierra Madre Blvd. at North Hermosa Ave.	West Side	10	10	143	25	8327	Remove	Close proximity to 2 other crosswalks, recommend this crosswalk be removed.
West Sierra Madre Blvd. at City Hall	West Side	24	7	31	25	8327	1	Adjacent to Senior Assisted Living, provides access to downtown area.
West Sierra Madre Blvd. at Park Ave.	East Side	12	8	20	30	8327	Remove	Higher approach speeds, difficult to protect pedestrians, low pedestrian volumes, Recommend removal.
South Hermosa Ave. at Memorial Park Drive Entrance	At Entrance to Park	7	15	22	25	1361	11	Low approach speeds, minor cross traffic, and little pedestrian use.

# **Appendix A**

## **Pedestrian and Traffic Counts**

Prepared by National Data & Surveying Services

## Pedestrians

Location: N Baldwin Ave & Alegria Ave  
City: Sierra Madre

Date: 2/6/2018  
Day: Tuesday

TIME	Pedestrians				TOTAL
	South Leg		East Leg		
	EB	WB	NB	SB	
7:00 AM	0	1	1	0	2
7:15 AM	0	4	0	6	10
7:30 AM	16	18	3	21	58
7:45 AM	140	31	7	30	208
8:00 AM	15	0	6	2	23
8:15 AM	1	0	1	3	5
8:30 AM	1	1	0	2	4
8:45 AM	1	149	1	2	153
3:00 PM	48	46	27	3	124
3:15 PM	12	2	4	1	19
3:30 PM	1	12	1	6	20
3:45 PM	0	6	0	2	8
4:00 PM	3	21	1	0	25
4:15 PM	11	14	6	0	31
4:30 PM	19	4	4	2	29
4:45 PM	11	0	3	3	17
<b>Totals</b>	<b>279</b>	<b>309</b>	<b>65</b>	<b>83</b>	<b>736</b>

## Pedestrians

Location: N Baldwin Ave & E Laurel Ave  
City: Sierra Madre

Date: 2/6/2018  
Day: Tuesday

TIME	Pedestrians				TOTAL
	South Leg		East Leg		
	EB	WB	NB	SB	
7:00 AM	0	1	1	2	4
7:15 AM	0	0	2	3	5
7:30 AM	2	1	1	9	13
7:45 AM	0	1	7	4	12
8:00 AM	1	0	2	0	3
8:15 AM	1	1	2	3	7
8:30 AM	0	0	1	1	2
8:45 AM	0	0	1	1	2
3:00 PM	0	0	6	28	34
3:15 PM	0	1	1	2	4
3:30 PM	0	2	0	0	2
3:45 PM	0	1	1	4	6
4:00 PM	3	1	2	1	7
4:15 PM	0	1	0	2	3
4:30 PM	0	0	0	2	2
4:45 PM	0	0	2	1	3
<b>Totals</b>	<b>7</b>	<b>10</b>	<b>29</b>	<b>63</b>	<b>109</b>

Prepared by National Data & Surveying Services

## Pedestrians

Location: N Baldwin Ave & E Montecito Ave  
City: Sierra Madre

Date: 2/6/2018  
Day: Tuesday

TIME	Pedestrians				TOTAL
	South Leg		East Leg		
	EB	WB	NB	SB	
7:00 AM	1	1	0	4	6
7:15 AM	2	1	1	0	4
7:30 AM	0	0	3	1	4
7:45 AM	3	2	3	3	11
8:00 AM	2	8	3	8	21
8:15 AM	1	3	3	2	9
8:30 AM	2	5	2	5	14
8:45 AM	3	5	2	6	16
3:00 PM	8	8	4	9	29
3:15 PM	3	6	6	8	23
3:30 PM	6	9	4	6	25
3:45 PM	5	4	4	2	15
4:00 PM	4	7	2	13	26
4:15 PM	8	2	8	10	28
4:30 PM	4	6	4	8	22
4:45 PM	9	8	10	10	37
<b>Totals</b>	<b>61</b>	<b>75</b>	<b>59</b>	<b>95</b>	<b>290</b>

## Pedestrians

Location: N Baldwin Ave & Kersting Ct  
City: Sierra Madre

Date: 2/3/2018  
Day: Saturday

TIME	Pedestrians				TOTAL
	North Leg		West Leg		
	EB	WB	NB	SB	
11:00 AM	3	10	0	5	18
11:15 AM	7	8	1	1	17
11:30 AM	12	10	0	2	24
11:45 AM	10	8	6	12	36
12:00 PM	8	13	9	1	31
12:15 PM	9	8	3	7	27
12:30 PM	9	12	3	1	25
12:45 PM	6	5	2	5	18
4:00 PM	8	4	4	3	19
4:15 PM	9	11	5	4	29
4:30 PM	9	1	1	1	12
4:45 PM	9	2	6	1	18
5:00 PM	7	6	9	2	24
5:15 PM	15	15	6	12	48
5:30 PM	5	11	9	4	29
5:45 PM	4	3	0	4	11
<b>Totals</b>	<b>130</b>	<b>127</b>	<b>64</b>	<b>65</b>	<b>386</b>

Prepared by National Data & Surveying Services

## Pedestrians

**Location:** S Baldwin Ave & Mariposa Ave  
**City:** Sierra Madre

**Date:** 2/3/2018  
**Day:** Saturday

TIME	Pedestrians				TOTAL
	South Leg		West Leg		
	EB	WB	NB	SB	
11:00 AM	3	4	2	1	10
11:15 AM	5	3	3	3	14
11:30 AM	0	2	5	3	10
11:45 AM	2	0	2	5	9
12:00 PM	0	1	10	8	19
12:15 PM	0	2	3	1	6
12:30 PM	5	1	3	11	20
12:45 PM	2	2	4	3	11
4:00 PM	2	2	8	2	14
4:15 PM	0	1	1	1	3
4:30 PM	5	5	4	8	22
4:45 PM	0	0	1	3	4
5:00 PM	0	1	2	1	4
5:15 PM	6	0	3	1	10
5:30 PM	3	1	4	10	18
5:45 PM	1	0	4	1	6
<b>Totals</b>	<b>34</b>	<b>25</b>	<b>59</b>	<b>62</b>	<b>180</b>

## Pedestrians

Location: Kersting Ct & Sierra Madre Blvd  
City: Sierra Madre

Date: 2/3/2018  
Day: Saturday

TIME	Pedestrians				TOTAL
	North Leg		West Leg		
	EB	WB	NB	SB	
11:00 AM	2	3	19	14	38
11:15 AM	2	3	15	14	34
11:30 AM	1	1	10	14	26
11:45 AM	0	2	7	10	19
12:00 PM	1	10	17	14	42
12:15 PM	5	1	12	12	30
12:30 PM	2	3	15	11	31
12:45 PM	6	1	13	14	34
4:00 PM	0	11	4	9	24
4:15 PM	2	3	6	5	16
4:30 PM	2	4	13	16	35
4:45 PM	1	5	9	9	24
5:00 PM	3	3	7	9	22
5:15 PM	0	2	6	4	12
5:30 PM	1	0	9	16	26
5:45 PM	2	4	13	4	23
<b>Totals</b>	<b>30</b>	<b>56</b>	<b>175</b>	<b>175</b>	<b>436</b>

## Pedestrians

Location: Windsor Ln & Sierra Madre Blvd  
City: Sierra Madre

Date: 2/3/2018  
Day: Saturday

TIME	Pedestrians				TOTAL
	North Leg		West Leg		
	EB	WB	NB	SB	
11:00 AM	18	18	10	11	57
11:15 AM	16	11	7	3	37
11:30 AM	5	4	2	3	14
11:45 AM	13	14	8	9	44
12:00 PM	10	11	2	2	25
12:15 PM	9	16	3	3	31
12:30 PM	3	18	0	6	27
12:45 PM	11	3	5	2	21
4:00 PM	10	23	5	5	43
4:15 PM	12	11	3	11	37
4:30 PM	8	11	8	6	33
4:45 PM	7	17	3	6	33
5:00 PM	26	14	7	0	47
5:15 PM	21	16	4	3	44
5:30 PM	7	19	3	4	33
5:45 PM	7	15	2	5	29
<b>Totals</b>	<b>183</b>	<b>221</b>	<b>72</b>	<b>79</b>	<b>555</b>

Prepared by National Data & Surveying Services

## Pedestrians

Location: Auburn Ave & Sierra Madre Blvd  
City: Sierra Madre

Date: 2/3/2018  
Day: Saturday

TIME	Pedestrians				TOTAL
	North Leg		East Leg		
	EB	WB	NB	SB	
11:00 AM	5	6	8	4	23
11:15 AM	9	6	6	4	25
11:30 AM	8	1	0	6	15
11:45 AM	7	9	3	5	24
12:00 PM	4	5	10	1	20
12:15 PM	6	11	6	7	30
12:30 PM	5	10	4	9	28
12:45 PM	8	1	10	4	23
4:00 PM	8	21	2	2	33
4:15 PM	2	2	2	5	11
4:30 PM	5	7	4	0	16
4:45 PM	7	11	3	8	29
5:00 PM	21	10	10	0	41
5:15 PM	14	14	5	4	37
5:30 PM	5	5	2	5	17
5:45 PM	8	10	0	7	25
<b>Totals</b>	<b>122</b>	<b>129</b>	<b>75</b>	<b>71</b>	<b>397</b>

## Pedestrians

Location: S Hermosa Ave &amp; Sierra Madre Blvd

Date: 2/3/2018

City: Sierra Madre

Day: Saturday

TIME	Pedestrians				TOTAL
	South Leg		East Leg		
	EB	WB	NB	SB	
11:00 AM	6	5	1	1	13
11:15 AM	4	3	3	0	10
11:30 AM	6	3	4	2	15
11:45 AM	16	8	1	5	30
12:00 PM	4	5	0	0	9
12:15 PM	6	12	0	8	26
12:30 PM	8	14	1	4	27
12:45 PM	8	13	5	1	27
4:00 PM	4	7	2	3	16
4:15 PM	6	13	2	7	28
4:30 PM	3	8	0	5	16
4:45 PM	6	4	1	3	14
5:00 PM	7	4	2	4	17
5:15 PM	9	6	0	2	17
5:30 PM	9	17	2	2	30
5:45 PM	4	2	1	2	9
<b>Totals</b>	<b>106</b>	<b>124</b>	<b>25</b>	<b>49</b>	<b>304</b>

## Pedestrians

Location: N Hermosa Ave & Sierra Madre Blvd  
 City: Sierra Madre

Date: 2/3/2018  
 Day: Saturday

TIME	Pedestrians				TOTAL
	North Leg		West Leg		
	EB	WB	NB	SB	
11:00 AM	1	6	0	0	7
11:15 AM	1	6	0	1	8
11:30 AM	4	2	0	1	7
11:45 AM	3	4	4	0	11
12:00 PM	4	6	0	0	10
12:15 PM	4	1	0	2	7
12:30 PM	2	6	0	1	9
12:45 PM	1	0	0	1	2
4:00 PM	1	0	1	1	3
4:15 PM	3	7	1	0	11
4:30 PM	5	3	0	0	8
4:45 PM	3	5	0	0	8
5:00 PM	11	4	0	1	16
5:15 PM	9	4	2	0	15
5:30 PM	8	6	2	0	16
5:45 PM	2	1	2	0	5
<b>Totals</b>	<b>62</b>	<b>61</b>	<b>12</b>	<b>8</b>	<b>143</b>

## Pedestrians

Location: City Hall & Sierr  
 City: Sierra Madre

Date: 2/3/2018  
 Day: Saturday

TIME	Pedestrians		
	Mid Block		
	NB	SB	TOTAL
11:00 AM	3	4	7
11:15 AM	2	1	3
11:30 AM	0	1	1
11:45 AM	3	2	5
12:00 PM	0	0	0
12:15 PM	2	0	2
12:30 PM	3	0	3
12:45 PM	1	2	3
4:00 PM	1	0	1
4:15 PM	0	0	0
4:30 PM	0	0	0
4:45 PM	2	0	2
5:00 PM	2	0	2
5:15 PM	0	2	2
5:30 PM	0	0	0
5:45 PM	0	0	0
<b>Totals</b>	<b>19</b>	<b>12</b>	<b>31</b>

Prepared by National Data & Surveying Services

## Pedestrians

Location: Park Ave & Sierr  
City: Sierra Madre

Date: 2/3/2018  
Day: Saturday

TIME	Pedestrians		
	Mid Block		
	NB	SB	TOTAL
11:00 AM	0	2	2
11:15 AM	0	2	2
11:30 AM	1	2	3
11:45 AM	0	1	1
12:00 PM	1	0	1
12:15 PM	1	0	1
12:30 PM	0	0	0
12:45 PM	1	1	2
4:00 PM	0	0	0
4:15 PM	0	3	3
4:30 PM	0	0	0
4:45 PM	3	0	3
5:00 PM	2	0	2
5:15 PM	0	0	0
5:30 PM	0	0	0
5:45 PM	0	0	0
<b>Totals</b>	<b>9</b>	<b>11</b>	<b>20</b>

## Pedestrians

Location: S Hermosa Ave

Date: 2/3/2018

City: Sierra Madre

Day: Saturday

TIME	Pedestrians		
	Mid Block		
	EB	WB	TOTAL
11:00 AM	0	2	2
11:15 AM	0	0	0
11:30 AM	3	0	3
11:45 AM	0	1	1
12:00 PM	0	0	0
12:15 PM	0	0	0
12:30 PM	0	0	0
12:45 PM	1	0	1
4:00 PM	2	0	2
4:15 PM	6	0	6
4:30 PM	0	0	0
4:45 PM	0	1	1
5:00 PM	0	0	0
5:15 PM	3	0	3
5:30 PM	0	0	0
5:45 PM	3	0	3
<b>Totals</b>	<b>18</b>	<b>4</b>	<b>22</b>

**VOLUME**

N Baldwin Ave Bet. Alegria Ave & Kersting Ct

Day: Tuesday  
Date: 2/6/2018

City: Sierra Madre  
Project #: CA18\_5082\_001

DAILY TOTALS					NB	SB	EB	WB	Total
					1,732	1,816	0	0	3,548

AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	2	1			3	12:00	38	33			71
00:15	2	0			2	12:15	30	38			68
00:30	1	1			2	12:30	25	40			65
00:45	1	6	0	2	1	12:45	24	117	24	135	48
01:00	0	1			1	13:00	26	23			49
01:15	0	0			0	13:15	25	40			65
01:30	0	2			2	13:30	21	38			59
01:45	1	1	0	3	1	13:45	29	101	38	139	67
02:00	0	1			1	14:00	25	53			78
02:15	1	0			1	14:15	48	43			91
02:30	1	1			2	14:30	42	34			76
02:45	1	3	0	2	1	14:45	54	169	36	166	90
03:00	0	1			1	15:00	39	55			94
03:15	2	0			2	15:15	35	32			67
03:30	1	2			3	15:30	46	23			69
03:45	0	3	0	3	0	15:45	26	146	22	132	48
04:00	1	2			3	16:00	28	26			54
04:15	0	3			3	16:15	20	26			46
04:30	1	3			4	16:30	32	28			60
04:45	0	2	4	12	4	16:45	28	108	37	117	65
05:00	0	6			6	17:00	30	30			60
05:15	2	4			6	17:15	23	25			48
05:30	2	11			13	17:30	30	25			55
05:45	1	5	9	30	10	17:45	30	113	22	102	52
06:00	4	17			21	18:00	31	21			52
06:15	5	18			23	18:15	35	19			54
06:30	7	15			22	18:30	37	18			55
06:45	10	26	28	78	38	18:45	24	127	16	74	40
07:00	17	40			57	19:00	32	16			48
07:15	23	39			62	19:15	18	15			33
07:30	35	47			82	19:30	13	12			25
07:45	60	135	70	196	130	19:45	20	83	3	46	23
08:00	26	37			63	20:00	14	16			30
08:15	22	32			54	20:15	19	10			29
08:30	17	26			43	20:30	16	7			23
08:45	22	87	31	126	53	20:45	13	62	6	39	19
09:00	23	38			61	21:00	14	4			18
09:15	42	33			75	21:15	18	3			21
09:30	45	31			76	21:30	6	9			15
09:45	56	166	37	139	93	21:45	11	49	6	22	17
10:00	33	25			58	22:00	15	1			16
10:15	26	26			52	22:15	1	4			5
10:30	17	29			46	22:30	5	2			7
10:45	21	97	37	117	58	22:45	6	27	3	10	9
11:00	28	25			53	23:00	4	2			6
11:15	18	24			42	23:15	5	0			5
11:30	18	37			55	23:30	2	1			3
11:45	23	87	37	123	60	23:45	1	12	0	3	1
<b>TOTALS</b>	<b>618</b>	<b>831</b>			<b>1449</b>	<b>TOTALS</b>	<b>1114</b>	<b>985</b>			<b>2099</b>
<b>SPLIT %</b>	<b>42.7%</b>	<b>57.3%</b>			<b>40.8%</b>	<b>SPLIT %</b>	<b>53.1%</b>	<b>46.9%</b>			<b>59.2%</b>

DAILY TOTALS					NB	SB	EB	WB	Total
					1,732	1,816	0	0	3,548

AM Peak Hour	09:15	07:00			07:15	PM Peak Hour	14:15	13:30			14:15
AM Pk Volume	176	196			337	PM Pk Volume	183	172			351
Pk Hr Factor	0.786	0.700			0.648	Pk Hr Factor	0.847	0.811			0.934
7 - 9 Volume	222	322	0	0	544	4 - 6 Volume	221	219	0	0	440
7 - 9 Peak Hour	07:15	07:00			07:15	4 - 6 Peak Hour	16:30	16:15			16:30
7 - 9 Pk Volume	144	196	0	0	337	4 - 6 Pk Volume	113	121	0	0	233
Pk Hr Factor	0.600	0.700	0.000	-0.000	0.648	Pk Hr Factor	0.883	0.818	0.000	0.000	0.895

Prepared by NDS/ATD

**VOLUME**

S Baldwin Ave & Mariposa Ave

Day: Tuesday  
Date: 2/6/2018

City: Sierra Madre  
Project #: CA18\_5082\_002

DAILY TOTALS					NB	SB	EB	WB	Total
					4,261	4,961	0	0	9,222

AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL
00:00	7	8			15	12:00	70	94			164
00:15	6	5			11	12:15	67	90			157
00:30	3	3			6	12:30	69	95			164
00:45	4	20	2	18	6	12:45	73	279	95	374	168
01:00	1	2			3	13:00	69	71			140
01:15	4	3			7	13:15	79	94			173
01:30	1	1			2	13:30	60	79			139
01:45	2	8	2	8	4	13:45	108	316	91	335	199
02:00	1	2			3	14:00	86	94			180
02:15	3	1			4	14:15	80	104			184
02:30	1	1			2	14:30	85	122			207
02:45	1	6	2	6	3	14:45	55	306	127	447	182
03:00	0	2			2	15:00	70	142			212
03:15	2	1			3	15:15	108	75			183
03:30	1	6			7	15:30	76	79			155
03:45	1	4	1	10	2	15:45	101	355	85	381	186
04:00	1	3			4	16:00	81	74			155
04:15	3	7			10	16:15	61	95			156
04:30	2	8			10	16:30	58	91			149
04:45	3	9	8	26	11	16:45	88	288	75	335	163
05:00	5	15			20	17:00	64	84			148
05:15	6	14			20	17:15	80	88			168
05:30	5	20			25	17:30	69	69			138
05:45	12	28	31	80	43	17:45	96	309	83	324	179
06:00	12	41			53	18:00	65	78			143
06:15	14	46			60	18:15	71	66			137
06:30	26	42			68	18:30	65	55			120
06:45	42	94	49	178	91	18:45	75	276	48	247	123
07:00	54	86			140	19:00	75	60			135
07:15	68	77			145	19:15	44	58			102
07:30	81	114			195	19:30	34	49			83
07:45	54	257	106	383	160	19:45	39	192	35	202	74
08:00	65	96			161	20:00	35	37			72
08:15	58	82			140	20:15	37	35			72
08:30	64	84			148	20:30	40	28			68
08:45	60	247	77	339	137	20:45	32	144	15	115	47
09:00	70	72			142	21:00	33	40			73
09:15	89	80			169	21:15	30	28			58
09:30	84	68			152	21:30	25	23			48
09:45	81	324	72	292	153	21:45	25	113	21	112	46
10:00	83	83			166	22:00	30	19			49
10:15	83	88			171	22:15	15	15			30
10:30	57	68			125	22:30	11	17			28
10:45	71	294	89	328	160	22:45	17	73	8	59	25
11:00	84	85			169	23:00	17	10			27
11:15	65	72			137	23:15	6	6			12
11:30	59	89			148	23:30	6	8			14
11:45	78	286	88	334	166	23:45	4	33	4	28	8
<b>TOTALS</b>	<b>1577</b>	<b>2002</b>			<b>3579</b>	<b>TOTALS</b>	<b>2684</b>	<b>2959</b>			<b>5643</b>
<b>SPLIT %</b>	<b>44.1%</b>	<b>55.9%</b>			<b>38.8%</b>	<b>SPLIT %</b>	<b>47.6%</b>	<b>52.4%</b>			<b>61.2%</b>

DAILY TOTALS					NB	SB	EB	WB	Total
					4,261	4,961	0	0	9,222

AM Peak Hour	09:15	07:30			07:15	PM Peak Hour	15:15	14:15			14:15
AM Pk Volume	337	398			661	PM Pk Volume	366	495			785
Pk Hr Factor	0.947	0.873			0.847	Pk Hr Factor	0.847	0.871			0.926
7 - 9 Volume	504	722	0	0	1226	4 - 6 Volume	597	659	0	0	1256
7 - 9 Peak Hour	07:15	07:30			661	4 - 6 Peak Hour	17:00	16:15			17:00
7 - 9 Pk Volume	268	398	0	0	661	4 - 6 Pk Volume	309	345	0	0	633
Pk Hr Factor	0.827	0.873	0.000	0.000	0.847	Pk Hr Factor	0.805	0.908	0.000	0.000	0.884

**VOLUME**

W Sierra Madre Blvd Bet. Kersting Ct & Park Ave

Day: Tuesday  
Date: 2/6/2018

City: Sierra Madre  
Project #: CA18\_5082\_003

DAILY TOTALS		NB	SB	EB	WB	Total
		0	0	4,635	3,692	8,327

AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL			
00:00			1	5	6	12:00			83	69	152			
00:15			3	2	5	12:15			63	54	117			
00:30			6	1	7	12:30			66	74	140			
00:45			1	11	3	11	12:45		76	288	57	254	133	542
01:00			0	0	0	13:00			67	49	116			
01:15			0	3	3	13:15			73	60	133			
01:30			0	1	1	13:30			77	58	135			
01:45			2	2	0	4	13:45		86	303	69	236	155	539
02:00			0	1	1	14:00			96	57	153			
02:15			2	0	2	14:15			108	86	194			
02:30			1	0	1	14:30			106	98	204			
02:45			0	3	1	2	14:45		119	429	89	330	208	759
03:00			1	0	1	15:00			97	120	217			
03:15			1	3	4	15:15			110	82	192			
03:30			1	0	1	15:30			108	63	171			
03:45			1	4	0	3	15:45		116	431	67	332	183	763
04:00			0	0	0	16:00			101	71	172			
04:15			0	1	1	16:15			118	71	189			
04:30			4	0	4	16:30			106	71	177			
04:45			2	6	1	2	16:45		124	449	73	286	197	735
05:00			2	2	4	17:00			113	68	181			
05:15			6	5	11	17:15			113	72	185			
05:30			3	3	6	17:30			107	59	166			
05:45			15	26	4	14	17:45		119	452	71	270	190	722
06:00			13	10	23	18:00			112	75	187			
06:15			23	13	36	18:15			110	55	165			
06:30			22	25	47	18:30			103	52	155			
06:45			32	90	23	71	18:45		84	409	49	231	133	640
07:00			24	43	67	19:00			76	41	117			
07:15			71	77	148	19:15			44	36	80			
07:30			98	84	182	19:30			47	29	76			
07:45			85	278	107	311	19:45		25	192	23	129	48	321
08:00			76	87	163	20:00			34	25	59			
08:15			60	85	145	20:15			26	24	50			
08:30			55	72	127	20:30			25	34	59			
08:45			77	268	69	313	20:45		21	106	20	103	41	209
09:00			55	65	120	21:00			26	23	49			
09:15			60	38	98	21:15			21	11	32			
09:30			45	56	101	21:30			14	10	24			
09:45			57	217	61	220	21:45		12	73	12	56	24	129
10:00			67	50	117	22:00			12	9	21			
10:15			67	51	118	22:15			11	11	22			
10:30			44	52	96	22:30			13	8	21			
10:45			56	234	39	192	22:45		7	43	3	31	10	74
11:00			64	61	125	23:00			2	13	15			
11:15			92	56	148	23:15			6	7	13			
11:30			84	64	148	23:30			4	2	6			
11:45			68	308	85	266	23:45		1	13	3	25	4	38
<b>TOTALS</b>			1447	1409	2856	<b>TOTALS</b>			3188	2283	5471			
<b>SPLIT %</b>			50.7%	49.3%	34.3%	<b>SPLIT %</b>			58.3%	41.7%	65.7%			

DAILY TOTALS		NB	SB	EB	WB	Total
		0	0	4,635	3,692	8,327

AM Peak Hour	07:15	07:30	07:15	PM Peak Hour	16:15	14:15	14:15				
AM Pk Volume	330	363	685	PM Pk Volume	461	393	823				
Pk Hr Factor	0.842	0.848	0.892	Pk Hr Factor	0.929	0.819	0.948				
7 - 9 Volume	0	0	546	624	1170	4 - 6 Volume	0	0	901	556	1457
7 - 9 Peak Hour	07:15	07:30	07:15	4 - 6 Peak Hour	16:15	16:00	16:15				
7 - 9 Pk Volume	330	363	685	4 - 6 Pk Volume	461	286	744				
Pk Hr Factor	0.800	0.890	0.842	0.848	0.892	0.929	0.979	0.944			

Prepared by NDS/ATD

**VOLUME**

S Hermosa Ave & Memorial Park Dr entrance

Day: Tuesday  
Date: 2/6/2018

City: Sierra Madre  
Project #: CA18\_5082\_004

DAILY TOTALS					NB	SB	EB	WB	Total
					691	670	0	0	1,361

AM Period	NB	SB	EB	WB	TOTAL	PM Period	NB	SB	EB	WB	TOTAL	
00:00	0	0			0	12:00	13	11			24	
00:15	0	0			0	12:15	11	10			21	
00:30	0	1			1	12:30	22	12			34	
00:45	0	0	1		0	12:45	10	56	9	42	19	98
01:00	0	0			0	13:00	9	13			22	
01:15	0	0			0	13:15	12	13			25	
01:30	0	0			0	13:30	14	10			24	
01:45	1	1	0		1	13:45	15	50	11	47	26	97
02:00	0	0			0	14:00	16	10			26	
02:15	0	0			0	14:15	17	14			31	
02:30	0	1			1	14:30	17	25			42	
02:45	0	0	1		0	14:45	22	72	20	69	42	141
03:00	0	0			0	15:00	25	23			48	
03:15	0	0			0	15:15	15	13			28	
03:30	1	0			1	15:30	18	15			33	
03:45	0	1	1	1	1	15:45	12	70	7	58	19	128
04:00	0	0			0	16:00	13	13			26	
04:15	0	0			0	16:15	11	7			18	
04:30	0	0			0	16:30	11	13			24	
04:45	0	1	1		1	16:45	18	53	13	46	31	99
05:00	1	0			1	17:00	16	12			28	
05:15	0	1			1	17:15	16	20			36	
05:30	0	3			3	17:30	17	14			31	
05:45	1	2	0	4	1	17:45	10	59	13	59	23	118
06:00	6	1			7	18:00	6	8			14	
06:15	4	2			6	18:15	6	10			16	
06:30	3	1			4	18:30	4	10			14	
06:45	5	18	3	7	8	18:45	9	25	6	34	15	59
07:00	6	6			12	19:00	10	8			18	
07:15	10	8			18	19:15	10	14			24	
07:30	12	18			30	19:30	5	4			9	
07:45	13	41	22	54	35	19:45	3	28	2	28	5	56
08:00	11	14			25	20:00	5	10			15	
08:15	8	12			20	20:15	7	5			12	
08:30	11	9			20	20:30	9	8			17	
08:45	9	39	10	45	19	20:45	2	23	3	26	5	49
09:00	8	8			16	21:00	6	3			9	
09:15	10	5			15	21:15	5	4			9	
09:30	6	7			13	21:30	0	2			2	
09:45	14	38	11	31	25	21:45	2	13	2	11	4	24
10:00	9	9			18	22:00	2	2			4	
10:15	11	11			22	22:15	0	1			1	
10:30	11	12			23	22:30	4	1			5	
10:45	15	46	11	43	26	22:45	1	7	0	4	1	11
11:00	10	15			25	23:00	2	1			3	
11:15	11	12			23	23:15	2	0			2	
11:30	10	15			25	23:30	0	1			1	
11:45	14	45	13	55	27	23:45	0	4	1	3	1	7
<b>TOTALS</b>	<b>231</b>	<b>243</b>			<b>474</b>	<b>TOTALS</b>	<b>460</b>	<b>427</b>			<b>887</b>	
<b>SPLIT %</b>	<b>48.7%</b>	<b>51.3%</b>			<b>34.8%</b>	<b>SPLIT %</b>	<b>51.9%</b>	<b>48.1%</b>			<b>65.2%</b>	

DAILY TOTALS					NB	SB	EB	WB	Total
					691	670	0	0	1,361

AM Peak Hour	11:45	07:30			07:30	PM Peak Hour	14:15	14:15		14:15	
AM Pk Volume	60	66			110	PM Pk Volume	81	82		163	
Pk Hr Factor	0.682	0.750			0.786	Pk Hr Factor	0.810	0.820		0.849	
7 - 9 Volume	80	99	0	0	179	4 - 6 Volume	112	105	0	0	217
7 - 9 Peak Hour	07:15	07:30			07:30	4 - 6 Peak Hour	16:45	16:45			16:45
7 - 9 Pk Volume	45	66	0	0	110	4 - 6 Pk Volume	67	59	0	0	126
Pk Hr Factor	0.885	0.750	0.000	0.000	0.786	Pk Hr Factor	0.931	0.738	0.000	0.000	0.875



# City of Sierra Madre Agenda Report

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

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

TO: Honorable Mayor Del Mar and Members of the City Council

FROM: Vincent Gonzalez, Planning & Community Preservation Director 

REVIEWED BY: Gabe Engeland, City Manager 

DATE: July 24, 2018

**SUBJECT: DISCUSSION REGARDING TITLE 17, ZONING, CHAPTER  
17.22.130 – RECORDATION REQUIREMENT FOR SECOND UNIT  
PERMIT**

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## **STAFF RECOMMENDATION**

It is recommended that the City Council provide staff with direction.

## **ALTERNATIVES**

1. Take no action.
2. Keep covenant, but remove language in the zoning code regarding periodic inspections as the City already has this right when a code violation is suspected.
3. Remove covenant in its entirety and direct staff to make a recommendation on short term rentals, which the covenant seeks to restrict.

## **SUMMARY**

At the request of City Council, staff is providing this report to inform a discussion regarding the City's regulations requiring a deed restriction and covenant for the new construction or conversion of a garage or accessory structure to a second dwelling unit. City staff has received a complaint(s) from a property owner(s) who is unwilling to execute the required documentation for a second unit application and expressed during public comment at the June 12, 2018 City Council Meeting that the City Council should consider removal of the deed restriction and covenant requirements for second units.

The City Council is discussing this matter to determine if modifications or omission of the deed restriction and covenant is warranted.

## **ANALYSIS**

### **Background**

The City of Sierra Madre recognizes that second units are a valuable form of housing. Second units provide housing within existing neighborhoods for family members, elderly, in-home health care providers, persons with disabilities and others, at below market rates. Homeowners who create second units benefit from added income and an increased sense of security.

The City of Sierra Madre 2014-2021 Update of the Housing Element included a proactive program to promote the development of new second units and to legalize existing second units which met certain criteria through an amnesty program. The California Department of Housing and Community Development also recognizes second units as affordable housing units which are counted toward the City's Regional Housing Needs Assessment allocations.

**Assembly Bill 1866** – The passage of AB 1866 (effective July 2003) required local governments to use a ministerial process for second unit applications for the purpose of facilitating production of affordable housing. AB 1866 allowed cities to impose development standards on second units addressing issues such as building size, parking, height, setbacks, and lot coverage. In order to comply with the legislation, the Sierra Madre City Council in 2004 adopted Chapter 17.22 of the Zoning Code to permit second units in the R-1 and R-H residential districts.

Since adoption of the second unit ordinance in 2004, the City had received one application for a second unit permit as of 2012. In order to promote awareness of the program, the City distributed a citywide second unit survey in fall 2012. In response to this survey the City received two additional applications for new second units. At that time, the City recognized that the following ordinance provisions may be serving as a disincentive to property owners to add second units:

- Requirement to deed restrict rental units for lower income occupancy
- Limitations on unit size to one-bedroom and 600 square feet
- Requirement for adherence to R-1 development standards, including 7,500 square foot minimum lot size, 15-foot rear yard and 5-foot side yard setbacks

In order to better encourage and facilitate the provision of second units, the City adopted certain refinements to its second unit standards. More specifically, the City approved the following revisions to the Code which were adopted by City Council in December 2013:

- Elimination of the prior affordable rent and income restrictions
- Expansion of permitted locations from R-1 and R-H to all residential zone districts

- Increase in the permitted unit size from 600 square feet and one bedroom, to 800 square feet
- Allowance for second units above a garage and attached second units to be on the second floor
- Allowance for reduced setbacks through a minor CUP process

**Sierra Madre Second Unit Amnesty Program** – The City also acknowledged the existence of numerous second units in the community built illegally which may or may not meet basic health and safety guidelines. The City's goal was to legalize these units, bring them into the City's official housing stock to contribute towards meeting regional housing needs (RHNA) allocations, and make them safe and sanitary for current and future tenants. To achieve this goal, in October 2012, the City initiated a second unit amnesty program to allow property owners with second units not currently recognized as "units" in the 2000 Census the opportunity to register these units with the City without facing fines for non-permitted construction. As an incentive to property owners to apply for a second unit amnesty permit, the City offered certain modified standards to accommodate existing buildings, including:

- Elimination of the minimum parcel size established by the underlying zone
- Allowance for five foot side and rear yard setbacks, with provisions for reductions to zero foot setbacks subject to a minor conditional use permit process
- Exemption for up to 500 square feet of an amnesty second unit from the maximum permissible floor area limits
- Allowance for an increase in height from 15 to 25 feet for second units built above a garage
- Elimination of the second unit application fee.
- Other fees for planning-related services, minor conditional use permit applications, plan checks and building permits are assessed at 50% of the applicable fee

To receive a second unit amnesty permit, property owners were required to demonstrate the second unit did not have an individual address as of the 2000 census, did not have a building permit of record, and was constructed prior to January 1, 2006. All Health and Safety code violations were required to be corrected based on City building inspections of the second unit. Once these requirements were met, existing second units were issued a City permit, reported to the County assessor, and brought into the City's official housing stock.

As a result, Sierra Madre experienced significant interest in its second unit amnesty program, with 10 applications for amnesty received between October 2012 and July 2013.

**Senate Bill 1069** – In 2016, Governor Brown signed SB 1069, broadening the application of second units (Accessory Dwelling Units). A second unit may be

attached to, or detached from the primary dwelling unit, and provide complete, independent living facilities for up to two persons. The unit must fulfill the following conditions:

- May require that an applicant seeking to build an ADU not exceed the allowable total floor area ratio and lot coverage for the applicable zone
- Increased unit size to 1,200 square feet
- May require an owner to occupy either the primary dwelling or the ADU
- May restrict the ADU, if rented, to periods longer than 30 days (thereby prohibiting short-term rentals or “Airbnb” uses)
- May require that an ADU is not intended for sale separate from the primary dwelling
- May require an ADU to comply with local building codes
- May impose setback requirements for new ADU construction, other than for garage conversions;
- May impose parking, height, setback, lot coverage, landscape and architectural review and maximum unit size where the property is listed in the California Register of Historic Places
  - Other than for historic properties, SB 1069 does not specify any height limitations or limit the ability of a local agency to impose height standards/restrictions for an ADU.

Since July 2013, a total of 18 second unit applications have been processed to date with increasing interest from property owners.

**Deed Restriction and Covenant Requirement** – The current Second Unit Ordinance requires applicants to file a deed restriction and covenant with the Los Angeles County Assessor’s Office. A copy of the deed and covenant is included as Attachment A. Pursuant to Chapter 17.22.130 – Recordation, an applicant for a second unit permit is required to comply the provisions below:

As a prerequisite to obtaining a building permit, the applicant for a second unit permit shall cause to be recorded a covenant or deed restriction (in a form approved by the city attorney) specifying that the second unit will at all times comply with the provisions of this chapter and applicable state law. The recorded covenant shall run with the land, shall set forth the requirements of this chapter, and shall contain provisions implementing the requirements of this chapter, including but not limited to authorizing the city to make periodic inspections to ascertain compliance with the requirements of this chapter and the terms of the recorded covenant, and authorizing the city to abate any violation of this chapter at the cost of the then owner, including that the city may record a lien to recover the cost of such abatement proceedings including all reasonable administrative costs in connection therewith.

The deed restriction and covenant run with the land, therefore is applicable upon transfer of ownership of real property, meaning that new property owners are bound by the provisions cited above. The recordation also informs new property owners of the deed restriction through a title search.

### **City Survey – ADU Deed Restriction and Covenant Requirement**

Staff contacted the cities below to determine if a deed restriction and covenant are required in other jurisdictions. The results of the survey are as follows:

<b>City</b>	<b>Covenant Required</b>	<b>Annual Inspections</b>	<b>Rental period restrictions</b>
Sierra Madre	Yes	Yes	Yes (not less than 30-days)
South Pasadena	Yes	No	Yes (not less than 30-days)
Pasadena	Yes	No	Yes (not less than 30-days)
San Dimas	Yes	No	No
Glendora	No	No	Yes (not less than 30-days)
Arcadia	Yes	No	Yes (not less than 30-days)
Monrovia	Yes	No	Yes (not less than 30-days)
La Canada	Yes	No	No
Claremont	Yes	Yes	Yes (not less than 30-days)

The majority of the cities require a covenant recorded with the Los Angeles County Assessor's Office, impose rental period restrictions in an effort to prohibit Airbnb and Vacation Rental By Owner (VRBO) usage.

The question before the City Council is to determine if there is a need to retain the covenant provision as part of the second unit application process, or alter the covenant without reducing the ability of the City to ensure local ordinances are complied with.

As mentioned above, the current covenant does not restrict units to affordable rent levels. This provision was removed from the ordinance in December 2013. Furthermore, the covenant is silent on annual inspections; however, the Code provision in Section 17.22.130 – Recordation, requires the city to make periodic inspections.

Currently, no code enforcement inspections have been conducted to date to determine that the properties are in compliance with the provisions specified in the ordinance. The code enforcement provisions are to confirm that second units are not used as short-term rentals (less than 30-days) and that ongoing maintenance of the unit is in conformance with city building and fire codes.

It is staff's opinion, that as currently exercised, there does not appear to be any impact to the second unit program if the covenant is omitted from the ordinance requirement other than property transfer notification through title search if a property is sold.

If the City Council wishes to suspend the covenant, the Council should also consider amending the code provision requirement for periodic inspections.

The City will continue to report second units to HCD as affordable units through the RHNA allocation annual reporting process.

### **FINANCIAL REVIEW / SOURCE OF FUNDING**

There is no financial impact related to a potential code text amendments to Title 17, Chapter 17.22. Staff time was incurred in the preparation of the report.

### **ENVIRONMENTAL (CEQA)**

An Initial Study was prepared for the 2008-2014 Housing Element in accordance with the City's guidelines implementing the California Environmental Quality Act (CEQA). This Initial Study was undertaken for the purpose of deciding whether the measures identified in the Housing Element to fulfill the City's RHNA allocation may have a significant effect on the environment. On the basis of the Initial Study, City staff concluded that they will not have a significant effect on the environment, and a Negative Declaration was adopted by City Council on June 11, 2013. The project also qualifies for a Statutory Exemption pursuant to Section 15061(b)(3), in that the City can say with certainty that there is no possibility that the activity in question may have a significant effect on the environment because retaining or omitting the regulatory requirement of a deed restriction and covenant for a second unit is not likely to result in additional construction beyond that is already permissible.

### **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](http://www.cityofsierramadre.com).

#### **Attachments:**

Attachment A: Deed Restriction and Covenant

Exhibit A: Legal Description Requirement

Exhibit B: Chapter 17.22 – Second Units Ordinance

Attachment B: Covenant Samples from other Cities

**RECORDING REQUESTED BY  
CITY OF SIERRA MADRE**

WHEN RECORDED MAIL TO

City Clerk  
City of Sierra Madre  
232 W. Sierra Madre Blvd.  
Sierra Madre, CA 91024

No Recording Fee—Exempt  
Pursuant to Government Code Section 6103

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Space above this line for recorder's use

**DEED RESTRICTION AND COVENANT**

RECITALS

- A. THIS DEED RESTRICTION AND COVENANT (“Deed Restriction”) is made as of \_\_\_\_\_, 201\_ (the “Effective Date”) by and between \_\_\_\_\_, (“Grantors”) and the City of Sierra Madre, a municipal corporation (the “City”).
- B. Grantor is the owner of certain real property (the “Property”) located in the City of Sierra Madre, County of Los Angeles, State of California, and more particularly described on Exhibit A attached hereto and more commonly known as 150 S. Baldwin Avenue, Sierra Madre, California.
- C. Pursuant to Chapter 17.22 of the Sierra Madre Municipal Code, the Grantors desire to obtain a building permit to construct on the Property a second unit, as defined in Section 17.22.020 of the Municipal Code (the "Second Unit").
- D. Pursuant to Section 17.22.130, any owner of a property with a second unit constructed pursuant to Chapter 17.22 must record a deed restriction or covenant against the property.
- E. The Grantors agree to comply with Chapter 17.22 (Second Unit Ordinance) of the Sierra Madre Municipal Code, as a copy of which is attached as Exhibit B and incorporated by reference, as a condition of obtaining a building permit for a second unit on the Property.

NOW, THEREFORE, Grantors agree to this Deed Restriction pursuant to the terms contained herein:

1. Building Permit. In recognition of the City's consideration of a building permit to the Grantor to construct the Second Unit, Grantors hereby agree to the terms and conditions of this Deed Restriction and to record this Deed Restriction as a covenant running with the land in perpetuity.

2. Restriction on Rentals. Consistent with the residential zoning restrictions prohibiting hotel, motel or bed and breakfast type uses, Grantor agrees that the Second Unit may only be rented or leased for periods exceeding 30 days; no "short term rentals," e.g., rentals for periods of less than 30 days, including but not limited to, so-called vacation rentals or "Air BNB" uses are permitted.

3. Violations. Grantors agree if the City is required to abate any violations of this Deed Restriction, the costs of such abatement, including any and all administrative costs, court costs and attorneys' fees shall be the responsibility of the Grantors, and the City may record a lien against the Property to recover such costs of any abatement proceedings.

4. Running with the Land. The execution of this Deed Restriction by the Grantors shall constitute an agreement with the City of each provision, term and condition contained herein and shall be recorded as a covenant running with the land and which shall be binding in perpetuity upon the Property, the Grantors, and the heirs, devisees, assigns, transferees, and successors in interest of the Grantors.

5. Subsequent Transfers. Grantors agrees to incorporate (including incorporation by reference) the terms of this Deed Restriction in any deed or other legal instrument by which Grantors divests itself of any interest in all or a portion of the Property, including, without limitations, a leasehold interest. The failure of Grantors to perform any act provided in this section shall not impair the validity of this Covenant or limit its enforceability in any way.

6. City's Remedies. If the City determines that Grantors are in violation of the terms of this Deed Restriction or that a violation is threatened, the City shall give written notice to Grantors of such violation and demand corrective action sufficient to cure the violation and, where the violation involves injury to the Property resulting from any use or activity inconsistent with the purpose of this Deed Restriction, to restore the portion of the Property so injured. If Grantors fail to cure the violation within 30 days after receipts of notice thereof from the City, or under circumstances where the violation cannot reasonably be cured within a 30-day period, fails to begin curing such violation within the 30-day period, or fails to continue diligently to cure such violation until finally cured, the City may bring an action at law or in equity in a court of competent jurisdiction to enforce the terms of this Deed Restriction, to enjoin the violation by temporary or permanent injunction, to recover any damages to which it may be entitled for violation of the terms of this Deed Restriction or injury to any protected value, including damages for any loss thereof, and to require the restoration of the Property to the condition that existed prior to any such injury. If the City, in its sole discretion, determines that circumstances require immediate action to prevent or mitigate significant damage to the protected values of the Property, the City may pursue its remedies under this paragraph without waiting for the period provided for cure to expire. The City's rights under this paragraph apply equally in the event of either actual or threatened violations of the terms of this Deed Restriction, and Grantor agrees that the City's remedies at law for any violation of the terms of this Deed Restriction are inadequate and that the City shall be entitled to the injunctive relief described in this paragraph, both prohibitive and mandatory, in addition to such other relief to which the City may be entitled,

without the necessity of proving either actual damages or the inadequacy of otherwise available legal remedies. The City's remedies described in this paragraph shall be cumulative and shall be in addition to all remedies now or thereafter existing at law or in equity.

7. City's Discretion. Enforcement of the terms of this Deed Restriction shall be at the discretion of the City, and any forbearance by the City to exercise its rights under this Deed Restriction in the event of any breach of any term of this Deed Restriction by Grantor shall not be deemed or construed to be a waiver by the City of such term or of any subsequent breach of the same or any other term of this Deed Restriction or of any of the City's rights under this Deed Restriction. No delay or omission by the City in the exercise of any right or remedy on any breach by Grantors shall impair such right or remedy or be construed as a waiver.

8. Costs and Taxes. Grantors retain all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property. Grantors shall pay any and all taxes, assessments, fees, and charges levied by competent authority on the Property or on this Deed Restriction. It is intended that this Deed Restriction constitutes an enforceable restriction within the meaning of Article XIII, Section 8 of the California Constitution and that this Deed Restriction qualifies as an enforceable restriction under the provisions of California Revenue and Taxation Code Section 402.1.

9. General Provisions.

(a) Controlling Law. The interpretation and performance of this Deed Restriction shall be governed by the laws of the State of California.

(b) Severability. If a court or competent jurisdiction voids or invalidates on its face any provision to other persons or circumstances.

(c) No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

(d) Captions. The captions in this instrument have been inserted solely for convenience of reference, are not a part of this instrument, and shall have no effect upon construction or interpretation.

(e) Entire Agreement. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof. There are no representations or promises made to any party hereto concerning the subject matter of this Deed Restriction except as set forth herein. It is expressly understood by each of the parties that this Deed Restriction may not be altered, amended, modified, or otherwise changed in any respect or particular whatsoever, except by a writing executed by each Party hereto which expressly refers to this paragraph.

(f) Construction. Each of the parties represents and warrants that it has been represented in the negotiations for, and in the preparation of, this Deed Restriction by counsel of its own choosing, that it has read this Deed Restriction or has had it read to it by its attorney, and that it is fully aware of and understand its contents and its legal affect. Accordingly, this Deed Restriction

shall not be construed against any party, and the rule of construction that a Deed Restriction is construed against the party by which it is drafted shall not apply.

(g) Governing Law. This Deed Restriction shall be interpreted in accordance with the laws of the State of California, as applicable to residents of the state.

(h) Prevailing Party. If any party to this Deed Restriction initiates any proceeding to enforce, interpret, defend, defend against, or establish the applicability or validity of this Deed Restriction, the party which is determined by the court or administrative body to be the prevailing party in such proceeding shall be entitled to an award of its attorneys' fees and costs, in addition to any other relief provided by law.

(i) Notice. Any notice required by this Deed Restriction shall be given in writing by personal delivery or overnight delivery of a reputable courier for receipt on a business day to:

**THE CITY**

City of Sierra Madre  
Planning & Community Preservation Department  
232 W. Sierra Madre Blvd.  
Sierra Madre, California 91024

**GRANTORS**

Name:

Street Address:

Sierra Madre, CA 91024

(j) Counterparts. This Deed Restriction may be executed in any number of counterparts, each of which so executed shall be deemed an original of the Deed Restriction. These counterparts shall together constitute one Deed Restriction. The execution of this Deed Restriction by any of the parties will not become effective until the counterparts have been duly executed by all the parties.

(k) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Deed Restriction shall be liberally construed in favor of the grant to effect the purpose of this Deed Restriction and the policy and purpose California Government Code Sections 51070-51097. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of the Deed Restriction that would render the provision valid shall be favored over any interpretation that would render it invalid.

IN WITNESS WHEREOF, the parties have set their hands as of the date and date first above written.

## GRANTORS

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**EXHIBIT A**  
**Legal Description**

## **EXHIBIT B**

**URGENCY ORDINANCE NO. 1383-U**  
Municipal Code Text Amendment 16-04  
Effective Date: December 13, 2016

Chapter 17.22, entitled "Second Units (also referred to as Accessory Dwelling Units)," is hereby amended in its entirety with a new Chapter 17.22, which shall read as follows:

**Sections:**

- 17.22.005 - Findings and determinations.
- 17.22.010 - Purpose.
- 17.22.020 - Definition.
- 17.22.030 - Permitted areas.
- 17.22.040 - Standards of development—Generally.
- 17.22.050 - Allowable floor area.
- 17.22.060 - Height.
- 17.22.070 - Parking.
- 17.22.080 - Access and facilities.
- 17.22.085 - All other standards.
- 17.22.090 - Owner occupancy required.
- 17.22.095 – Rental Restrictions.
- 17.22.100 - Utilities.
- 17.22.110 - Ownership.
- 17.22.120 – Conversion of existing structures into second units.
- 17.22.130 - Recordation.
- 17.22.140 - Permit process.
- 17.22.150 - Permit termination.
- 17.22.160 - Permit revocation.
- 17.22.170 - Severability.

**17.22.005 - Findings and determinations.**

The City Council finds and determines:

A. Assembly Bill 1866, signed into law on September 29, 2002 by the Governor of the state of California and effective January 1, 2003, affecting, among other provisions of state law, California Government Code Sections 65852.2 and 65583.1, requires that as of July 1, 2003, all applications for second units be considered ministerially without discretionary review or hearing.

B. Senate Bill 1069, signed into law on September 27, 2016 by the Governor of the state of California and effective January 1, 2017, affecting, among other provisions of state law, California Government Code Sections 65582.1, 65852.2, 65583.1, 65589.4, 65852.150, 66412.2, 65852.2, introduces new development standards including allowable floor area, garage conversion requirements, setback provisions, rental restrictions, fire sprinkler requirements, and utility connections.

C. Various provisions of state law relating to the housing goals, objectives and needs, including regional housing needs, and requirements pertaining to the provision of affordable housing as applicable to the city, are affected by the requirements of Assembly Bill 1866 and the effect thereof on second housing units on residentially zoned property in the city.

D. The city finds that second dwelling units are a valuable form of housing. Second units provide housing within existing neighborhoods for family members, elderly, in-home health care providers, persons with disabilities and others, at below market rates. Homeowners who create second units benefit from added income and an increased sense of security.

E. The limitations set forth herein are necessary to protect the health and welfare of residents, and do not jeopardize the city's obligation to comply with Government Code Sections 65852.2 and 65583.1.

#### **17.22.010 - Purpose.**

The purpose of this chapter is to implement Assembly Bill No. 1866, Chapter 1062 of Stats. 2002. It is also the purpose of this chapter to allow for an increase in the supply of affordable housing in the city in conformance with the goals and policies of the housing element of the Sierra Madre general plan. It is the intent of the city to encourage secondary dwelling units and impose standards to enable homeowners to create second units that will not aggravate or create neighborhood problems. In doing so, and to ensure that no avoidable adverse impacts on the public health, safety, and general welfare result from the creation of a second unit, this chapter provides standards for the approval of such second units that limit the circumstances under which second units may be permitted consistent with the findings and determinations set forth in Section 17.22.005 and the purposes of this chapter.

#### **17.22.020 - Definitions.**

For the purpose of this chapter, a "second unit" also known as an "accessory dwelling unit," means an attached or a detached residential dwelling

unit which provides complete independent living facilities for one or more persons. It shall include permanent provisions for living, eating, cooking, sanitation, and shall have no more than one bedroom and shall be located on the same parcel as the single-family dwelling is situated.

“Converted or Conversion” means the repurposing of all or a portion of an existing structure as a second unit entirely within the existing structure building envelope and in accordance with all requirement residential building and construction standards set forth in the applicable California Building Codes.

“Short-term Rental” refers to a rental whereby a residence or a portion of a residence is rented to a tenant for a period of less than 30 days.

#### **17.22.030 - Permitted areas.**

One second unit shall be permitted only on residentially zoned lots with the following limitations : (i) no second unit shall be permitted on a lot having an existing guest house; (ii) no lot with a second unit shall be permitted to have a guest house; (iii) no existing guest house may be converted to a second unit except with full compliance with this chapter; and (iv) neither the primary residential dwelling unit nor the second unit shall be a mobile home, trailer, or vehicle; (v) no garage which satisfies the parking requirements of the primary unit shall be converted to a second unit without providing alternative required parking on-site.

#### **17.22.040 - Standards of development—Generally.**

All “second units” shall comply with the standards of development set forth in the following sections.

#### **17.22.050 - Allowable floor area.**

A. The total floor area of all buildings on the lot, including the second unit, shall not exceed the maximum floor area otherwise allowed in accordance with this title.

B. An attached second unit shall not exceed fifty percent of the existing living area (including a basement and attic) of the single family dwelling or 1,200 square feet, whichever is less.

C. The maximum floor area for a detached Second Unit shall not exceed 1,200 square feet.

#### **17.22.060 - Height.**

The maximum height of a detached new second unit shall be fifteen (15) feet as measured in accordance with the height provisions of the underlying residential zone.

**17.22.070 - Parking.**

One on-site parking space shall be designated for the second unit in addition to the required on-site parking for the primary dwelling unit. In order to accommodate required parking on site, parking for a second unit may be allowed in setback areas (in locations determined by the city) and through tandem parking.

**17.22.080 – Access and facilities.**

All new second units shall have a separate entrance and contain a separate kitchen and bathroom facility.

**17.22.085 - All other standards.**

Except as specifically provided in this chapter, all second units shall comply with all other provisions of this code applicable to the residential zone in which it is located, except as follows:

- A. New second units located on a reversed corner lot shall provide a minimum setback along the secondary frontage equal to the front yard setback of the underlying zone.
- B. The minimum required side yard setback of an existing accessory structure being converted to a second unit on a reversed corner lot shall be the same as that of the primary structure along the secondary frontage.

**17.22.090 - Owner occupancy required.**

The owner of the lot on which the second unit is located shall maintain either the primary single family dwelling unit or the second unit as his/her/their principal domicile as long as the second unit exists on the lot.

**17.22.095 – Rental Restrictions.**

No second unit shall be used as a “short term” rental.

### **17.22.100 - Utilities.**

Second units shall not have separate utility connections, but shall receive all utilities via the pre-existing principal unit, with the exception of telephone, cable television, and computer modem lines or other communication facilities.

### **17.22.110 - Ownership.**

The second unit may not be owned separately, or sold or hypothecated separately, from the primary dwelling unit, but may be rented or leased for a period not to exceed one year terms.

### **17.22.120 – Conversion of existing structures into second units.**

- A. Prior to the approval of a second unit permit for the conversion of an existing structure for which there is no record of a building permit being issued, satisfactory completion of a safety inspection by the City's Building Official and Fire Department is required. An applicant must commit to upgrade the second unit to health and safety codes in order to be granted approval of a second unit permit, including without limitations the following items:
  1. Independent entrance to second unit.
  2. Direct access to exterior of building from bedroom (door or window).
  3. Adequate light and ventilation in each habitable room.
  4. Minimum 7-foot-high ceiling in all rooms, kitchens, halls, and baths.
  5. Properly installed electrical wiring including separate access to electrical shut off.
  6. Structural Integrity:
    - a) Foundation not cracked, damaged, or shifting.
    - b) Framing not sagging or deteriorated.
  7. Comfort Heating:
    - a) Heating as required per the Building Code.
    - b) Separate access to gas shut-off, if applicable.
  8. Working Plumbing:
    - a) Kitchen and bathroom facilities with hot water.
    - b) Water heater strapped and properly vented.
    - c) Connection to approved sewage system.
  9. Fire Safety:
    - a) Hallways serving sleeping rooms must have smoke and carbon monoxide detectors.
    - b) Each sleeping room must have a smoke detector.

- B. Once an inspection by the City's Building Official and Fire Department occurs, the applicant is required to correct those items that are identified as violating current health and safety codes for the structure's current use even in the event that the applicant decides to withdraw the second unit permit application.

#### **17.22.130 - Recordation.**

As a prerequisite to obtaining a building permit, the applicant for a second unit permit shall cause to be recorded a covenant or deed restriction (in a form approved by the city attorney) specifying that the second unit will at all times comply with the provisions of this chapter and applicable state law. The recorded covenant shall run with the land, shall set forth the requirements of this chapter, and shall contain provisions implementing the requirements of this chapter, including but not limited to authorizing the city to make periodic inspections to ascertain compliance with the requirements of this chapter and the terms of the recorded covenant, and authorizing the city to abate any violation of this chapter at the cost of the then owner, including that the city may record a lien to recover the cost of such abatement proceedings including all reasonable administrative costs in connection therewith.

#### **17.22.140 - Permit process.**

All proposed second dwelling units are subject to review for compliance with the terms of this chapter by the director of Planning and Community Preservation. A second unit application must be submitted to the city along with the appropriate fee as established by the city council by resolution in accordance with applicable law, and a list, in a form required by the city for property owner notifications, of property owners within a three hundred foot radius of the property on which the second unit is proposed. Property owners within a three hundred-foot radius of the property for which a new second dwelling application is made shall be notified in writing of the second dwelling unit application at least twenty days prior to the date of the director's action on the second unit permit application. The director shall complete the review of the application for a second unit permit within thirty days of receipt of a complete submission. Review of, and the denial of or granting of, an application for a second unit permit by the city is a ministerial action. The director shall not approve an application for a second unit permit or issue a second unit permit unless the proposed second unit complies with the requirements of this chapter. The decision of the director shall be final and conclusive. An applicant who obtains a second unit permit shall be required to obtain a building permit for

the second unit. This chapter is not intended to amend the California Environmental Quality Act requirement relating to historic resources.

**17.22.150 - Permit termination.**

A second unit permit validly issued pursuant to this chapter shall terminate when any one or more of the following occur: (1) the permit is not used within one hundred eighty days from the date of permit issuance; (2) the permit has been abandoned or discontinued for one hundred eighty consecutive days; (3) the second unit owner files a declaration with the director of Planning and Community Preservation that the permit has been abandoned or discontinued and the second unit has been removed from the property; (4) the permit has expired by its terms; or (5) the permit has been revoked as provided in Section 17.22.160.

**17.22.160 - Permit revocation.**

In the event (i) a second unit permit was obtained by fraud or misrepresentation, or (ii) a permitted second unit dwelling is used, operated, or maintained in violation of this chapter or applicable state or federal law, or (iii) the second unit is has been used or is being used in a manner so as to constitute a public nuisance, the director of Planning and Community Preservation, on not less than ten days written notice to the second unit owner, may hold a permit revocation hearing which shall be heard by a hearing officer in accordance with applicable law. The director and the second unit owner shall each be permitted to present evidence with respect to the proposed permit revocation. The hearing officer shall issue a written decision within ten days of the conclusion of the hearing. The decision of the hearing officer shall be final. Upon revocation the second unit shall be removed; provided, however, if at the time of revocation there are tenants occupying the second unit pursuant to a valid and binding rental or lease agreement that is consistent with the provisions of this chapter, such tenants shall be permitted to continue to occupy the second unit until the expiration or earlier termination of the rental or lease agreement, and upon such expiration or earlier termination the second unit shall be removed. Nothing herein shall preclude or prevent the city from undertaking any other enforcement action with respect to the second unit which the city is otherwise authorized under this code or applicable state or federal law, including but not limited to the abatement of public nuisances.

**17.22.170 - Severability.**

If any part of this chapter is declared to be invalid or unenforceable, the city council declares that such invalidity shall be severable, and that it would have adopted every other provision hereof without regard to such invalidity.

RECORDING REQUESTED BY:  
AND WHEN RECORDED MAIL TO:

**CITY OF SAN DIMAS**  
Planning Department  
245 East Bonita Avenue  
San Dimas, California 91773

(Above Space for Recorder's Use only)

**COVENANT AND AGREEMENT LIMITING  
USE OF PROPERTY**

This Covenant and Agreement Limiting Use of Property (this "Agreement") is made as of this \_\_\_\_\_ day of \_\_\_\_\_, 20XX, by \_\_\_\_\_ ("Owner").

**RECITALS**

A. Owner owns fee title to certain real property located in the City of San Dimas, County of Los Angeles, State of California, commonly known as (street address) Street, as more particularly described' on Exhibit "A" attached hereto (the "Property").

B. Owner desires to construct upon the Property an "accessory dwelling unit," as defined in Section 18.38.010 of the San Dimas Municipal Code (the "Accessory Unit").

C. Pursuant to Chapter 18.38 of the San Dimas Municipal Code, the City of San Dimas ("City") will permit Owner to construct the Accessory Unit on the Property, provided that Owner complies with the requirements of said Chapter 18.38 and the terms and conditions of this Agreement, whereby Owner covenants and agrees, for itself and for any and all persons who become owner(s) of record fee simple title to the Property, that (i) so long as the Accessory Unit exists, either the Accessory Unit or the primary residence located on the Property (the "Primary Residence") shall be occupied by Owner or such person(s) succeeding to Owner's interest in the Property as its principal, place of residence, and (ii) in the event that the unit which is not occupied by owner is to be rented or otherwise occupied by any third party for consideration paid to or received by or for the account of Owner, then such unit must be rented and/or occupied by low or very low income individuals or families on the terms and conditions set forth herein.

NOW, THEREFORE, Owner hereby declares that all of the Property is held and shall be held, sold, conveyed, hypothecated, encumbered, leased, rented, used, occupied and improved subject to the restrictions, conditions and covenants set forth herein below. All of the restrictions, conditions and covenants herein shall run with the land and shall be binding on all of the Property and all of the parties having or acquiring any right, title or interest in the Property or any part thereof, their heirs, successors and assigns.

## **1. OCCUPANCY OF UNIT BY OWNER OF PROPERTY.**

(a) Owner hereby agrees, for itself and for any and all persons who become owner(s) of record fee simple title to the Property or any portion thereof, and their respective successors and assigns, that owner and such successors and assigns shall, at all times that the Accessory Unit exists on the Property, occupy either the Primary Residence or the Accessory Unit as said Owner's "principal place of residence." For purposes of this Agreement, owner's "principal place of residence" shall be deemed to be that place in which Owner's habitation is fixed and said Owner has the intention of remaining, and, whenever absent, has the intention of returning. Owner shall have only one principal place of residence.

(b) Owner hereby agrees that it shall notify the City in writing at least thirty (30) days prior to Owner ceasing to use either the Primary Residence or the Accessory Unit as its principal place of residence. In the event that Owner ceases to occupy either the Primary Residence or the Accessory Unit as its principal place of residence as described above, the City may deliver written notice to Owner notifying Owner of such breach and demanding that Owner, within thirty (30) days of such notice, either (i) cure such breach by resuming occupation of either the Primary Residence or the Accessory Unit as its principal place of residence or (ii) demolish the Accessory Unit or otherwise render the Accessory Unit unfit as a separate, independent living facility, to the satisfaction of the City, in its sole discretion, by, for example, removing all kitchen facilities and fixtures and personal property contained in the Accessory Unit used for the purpose of permitting the preparation and/or consumption of food.

## **2. AFFORDABLE HOUSING REQUIREMENTS.**

(a) Owner hereby agrees, for itself and for any and all persons who become Owner(s) of record fee simple title to the Property or any portion thereof, and their respective successors and assigns, that in the event that Owner enters into a lease or otherwise enters into an arrangement by which a party occupies or has the right to occupy, for consideration paid to or received by or for the account of owner, the unit which is not otherwise occupied by owner in accordance with Section 1 above, then such unit shall be leased by Owner at affordable rent to low or very low income individuals or families. As used herein, (a) "affordable rent" shall mean, with respect to low income persons or families, rent not in excess of 25 percent, nor less than 15 percent, of the gross income of the occupant person or family established by the California Department of Housing and Community Development or any successor agency thereto, (b) "low income individuals or families" shall mean individuals or families whose income does not exceed eighty percent (80 percent) of current median income levels, adjusted for household size, for the Los Angeles-Long Beach PMSA published from time-to-time by the Department of Housing and Urban Development pursuant to the authority of the Housing Act of 1937, and (c) "very low income individuals or families" shall mean individuals or families whose income does not exceed fifty percent (50 percent) of current median income levels, adjusted for household size, for the Los Angeles-Long Beach PMSA published from time-to-time by the Department of Housing and Urban Development pursuant to the authority of the Housing Act of 1937. For comparison purposes, low income and very low income levels for the Los

Angeles-Long Beach PMSA published by the Department of Housing and Urban Development as of May, 2015, were as follows:

HOUSEHOLD SIZE	HOUSEHOLD INCOME	
1	Low Income	\$47,850
	Very Low Income	\$29,900
2	Low Income	\$54,650
	Very Low Income	\$34,200
3	Low Income	\$61,500
	Very Low Income	\$38,450
4	Low Income	\$68,300
	Very Low Income	\$42,700

In the event the publication of such income levels by the Department of Housing and Urban Development is discontinued, then the applicable income levels shall be those promulgated by the California Department of Housing and Community Development or any successor agency thereto.

(b) In order to ensure the health and safety of the occupants leasing either the Primary Residence or the Accessory Unit in accordance with subsection (a) above, Owner agrees, for itself and its successors and assigns, that the number of persons occupying the unit shall not exceed two persons per sleeping room, which is the maximum occupancy permitted by the Department of Housing and Urban Development for housing units meeting the Housing Quality Standards required for Section 8 housing.

(c) In the event Owner fails to comply with the low income leasing or occupancy requirements specified in subsections (a) and/or (b) above, then the City may deliver written notice to Owner notifying Owner of such breach and demanding that Owner, within thirty (30) days of such notice, either (i) cure such breach by complying with the low income leasing and occupancy requirements set forth in subsections (a) and (b) , or (ii) cease leasing the unit not occupied by Owner.

(d) Owner shall maintain such records and satisfy such reporting requirements as may be reasonably imposed by the City to monitor compliance with the leasing requirements described in subsections (a) and (b) above, including without limitation the requirement that Owner deliver a certified report to the City on an annual basis, within thirty (30) days after the end of each calendar year, setting forth the name of each tenant, the unit occupied (whether the Primary Residence or the Accessory Unit), the income of the tenant, the tenant's occupancy status (i. e. , very low income or low income) and the amount of rent payable by the tenant, the number of sleeping rooms in the unit and the total number of persons occupying the unit. Owner shall also be required to have each prospective tenant complete a rental application prior to occupancy and to obtain evidence from each such tenant as reasonably necessary to confirm such tenant's qualification for occupancy of the unit as a very low or low income individual or family. In the event Owner fails to submit the certified report in the manner and within the time period

specified herein, and thereafter fails to submit the report within thirty (30) days of the City's notification to Owner of such failure, then Owner shall be subject to a City imposed civil fine of \$20.00 per work day for each work day thereafter that owner fails to deliver said report.

**3. COVENANTS SHALL RUN WITH THE LAND.**

Each and all of the covenants, conditions and restrictions contained in this Agreement are appurtenant to the Property and shall be binding upon all persons having or acquiring any right, title or interest in the Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of every portion of the Property and any interest therein.

**4. TERMINATION, AMENDMENT, APPROVAL.**

This Agreement may not be amended or modified unless consented to in writing signed and acknowledged by the City. This Agreement shall have a fifty (50) year term, with automatic renewals of 50 years, unless the Accessory Unit is earlier removed from the Property.

IN WITNESS WHEREOF, the undersigned, being the Owner herein, has executed this Agreement as of the date first set forth above.

OWNER:

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Sign Name

\_\_\_\_\_  
Print Name

STATE OF CALIFORNIA )  
 ) SS..  
 COUNTY OF LOS ANGELES )

On \_\_\_\_\_, before me, \_\_\_\_\_  
 \_\_\_\_\_ personally appeared \_\_\_\_\_

\_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
 Signature

(This area for official  
 notarial seal)

## Exhibit "A"

### Legal Description of the Property

The real property located in the City of San Dimas, County of Los Angeles, State of California, legally described as follows:

THE PROPERTY COMMONLY KNOWN AS (STREET ADDRESS), SAN DIMAS,  
CA 91773

(INSERT MEETS AND BOUNDS DESCRIPTION)

ASSESSOR PARCEL NUMBER:

CENSUS TRACT/BLOCK:

TOWNSHIP-RANGE-SECT:

MAP REFERENCE:



COV – ADU \_\_\_\_\_

### COVENANT ACCESSORY DWELLING UNIT

**PLEASE COMPLETE THE FOLLOWING INFORMATION (REQUIRED) :**

PROPERTY ADDRESS \_\_\_\_\_

APPLICANT(S) NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

PROPERTY OWNER(S) NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

E-MAIL ADDRESS \_\_\_\_\_

TELEPHONE NO. \_\_\_\_\_

THE PURPOSE OF THIS COVENANT IS TO ENSURE THAT THE ACCESSORY DWELLING UNIT CANNOT BE SOLD INDEPENDENTLY FROM THE MAIN DWELLING OR LOT. A COVENANT IS REQUIRED FOR EVERY ACCESSORY DWELLING UNIT. IT SHALL BE SUBMITTED TO PLANNING SERVICES PRIOR TO SUBMITTING PLANS FOR PLAN CHECK IN THE BUILDING DIVISION AND ONCE IT IS APPROVED, THE CITY WILL NOTARIZE THE DOCUMENT AND HAVE IT RECORDED WITH LOS ANGELES COUNTY RECORDER'S OFFICE. THE COVENANT WILL INCLUDE LEASE TERMS AND THE PROPERTY OWNER MUST OCCUPY THE MAIN DWELLING UNIT IF THE ACCESSORY DWELLING UNIT IS TO BE RENTED TO A SEPARATE PARTY.

**\*\*\*FILING REQUIREMENTS AND INSTRUCTIONS ARE ON PAGE 2\*\*\***

THE APPLICANT AND PROPERTY OWNER HEREBY DECLARE UNDER PENALTY OF PERJURY THAT ALL THE INFORMATION SUBMITTED FOR THIS APPLICATION IS TRUE AND CORRECT.

\_\_\_\_\_  
APPLICANT'S SIGNATURE

\_\_\_\_\_  
DATE

\_\_\_\_\_  
PROPERTY OWNER'S SIGNATURE

\_\_\_\_\_  
DATE

DATE FILED \_\_\_\_\_ RECEIPT NO. \_\_\_\_\_ PAID \_\_\_\_\_ RECEIVED BY \_\_\_\_\_

### **FILING REQUIREMENTS AND INSTRUCTIONS**

In order for this application to be processed without delay, the application must include all of the following materials. To ensure that your application package is complete, please check-off the boxes next to the required application materials.

- Completed application form
- Filing Fee \$315
- Grant Deed and Title Report. A title report shall be prepared by a title insurer, and dated no older than 90 days from the filing the Covenant.
- One copy of the approved plans (site plan, floor plan, and elevations) of the detached accessory structure(s) on 8 1/2" x 11" sized paper and a digital PDF copy saved on a CD. All plans shall include the dimensions. If the property is located within one of the City's five Homeowner Associations, then plans approved by the Association's Architectural Review Board shall be submitted.
- A check made payable to the L.A. County Recorder (\$18.00 for the first page and \$3.00 for each additional page).

**RECORDING REQUESTED BY**

City of La Cañada Flintridge

**AND WHEN RECORDED MAIL TO**

City of La Cañada Flintridge  
1327 Foothill Boulevard  
La Cañada Flintridge, California 91011-2137

(Space Above this Line for Recorder's Use)

**DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
(ACCESSORY DWELLING UNITS)**

This DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (ACCESSORY DWELLING UNITS) (hereinafter referred to as the "Declaration") is made this \_\_\_ day of \_\_\_\_\_, 201\_\_\_, by \_\_\_\_\_ (hereinafter referred to as the "Declarant").

WITNESSETH

- A. Declarant owns that certain real property located in the City of La Cañada Flintridge, County of Los Angeles, State of California, commonly known as \_\_\_\_\_, La Cañada Flintridge, California 91011 and more particularly described on Exhibit "A" attached hereto (hereinafter referred to collectively as the "Property").
- B. The Property is located in the \_\_\_\_\_ land use zone.
- C. Declarant desires to establish and maintain an Accessory Dwelling Units (hereinafter referred to as an "ADU") on the Property. An ADU is defined in section 11.33.010 of the La Cañada Flintridge Municipal Code as "an attached or a detached residential dwelling unit which provides complete independent living facilities for one or more persons characterized by physical features providing privacy for the occupants separate from the occupants of the primary dwelling unit, including a separate exterior entrance. If detached, it shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single-family dwelling is situated. If attached, it shares at least one wall with the primary unit and has separate permanent provisions for living, sleeping, eating, cooking and sanitation in the unit, whether or not it is connected to the primary unit by an interior door or hall."

- D. Section 11.33.020 of the La Cañada Flintridge Municipal Code provides that ADU's are permitted in the R-1 zone if the property owner satisfies the standards identified in said section.
- E. Declarant has applied to the City of La Cañada Flintridge to establish and maintain an ADU in conformance with Chapter 11.33 of the La Cañada Flintridge Municipal Code and applicable state law including, but not limited to, Government Code section 65852.2.
- F. Section 11.33.030 of the La Cañada Flintridge Municipal Code requires that Declarant record a covenant with the county recorder which shall identify the occupancy and use limitations of the Property in regards to the ADU pursuant to applicable law.
- G. The City of La Cañada Flintridge is the owner of fee or easement interests in real property adjacent to, or within the vicinity of the Property including, without limitation, public streets ("City Property"), which may be affected by use of the Property.

**NOW, THEREFORE, in consideration of the foregoing, Declarant declares, covenants, and agrees as follows:**

1. Declarant shall maintain the ADU on the Property in accordance with the applicable standards set forth in Chapter 11.33 of the La Cañada Flintridge Municipal Code and applicable state law including, but not limited to, Government Code section 65852.2, as each may be amended. In the event the La Cañada Flintridge Municipal Code is preempted by, or in conflict with state law, then state law shall govern.

2. The Property shall be held, transferred, encumbered, used, sold, conveyed, leased and occupied subject to the Declaration.

3. The Declaration shall run with the land, and shall be binding upon all persons having any right, title, or interest in the Property, or any portion thereof, their heirs, successors, and assigns, all subsequent owners of all or any portion of the Property, together with their grantees, heirs, executors, administrators, devisees, successors and assigns.

4. This Declaration is intended to benefit the public at large, the City Property and other public properties and to protect the public health safety and general welfare.

5. The Declaration shall therefore inure to the benefit of the City of La Cañada Flintridge and the City Property, unless and until amended or removed by express written agreement of the City of La Cañada Flintridge.

6. Enforcement of the Declaration shall be by proceedings identified in the City of La Cañada Flintridge Municipal Code at the time such enforcement action is undertaken.

**IN WITNESS WHEREOF, Declarant has duly executed this covenant and declaration as of the date set forth above.**

DECLARANT

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

APPROVED FOR RECORDING:

City of La Cañada Flintridge

By: \_\_\_\_\_  
Director of Community Development



## COVENANT AND AGREEMENT FOR ACCESSORY DWELLING UNIT

*When an accessory dwelling unit is legally created on or after January 1, 2017, a covenant shall be required as outlined in Section 17.50.275.B.6 (Accessory Dwelling Units, Location and operational standards) of the Pasadena Zoning Code. Outlined below is a list of steps necessary to record a covenant.*

*This checklist should be reviewed together with a Planner at the Permit Center, Zoning window #3 and the unrecorded covenant must be submitted with your plans. A covenant will not be accepted unless accompanied by plans submitted for plan check.*

- CONSULT A PLANNER:** Before initiating any work on an accessory dwelling unit, consult a planner to verify compliance with all applicable development standards as outlined in the Zoning Code, (i.e. setbacks, height, size, etc.). Please note this consultation is not intended to cover any building requirements or design issues. It is recommended that you consult with those departments to ensure all other requirements will be met prior to recordation of a covenant.
- COMPLETE "COVENANT AND AGREEMENT FOR ACCESSORY DWELLING UNIT":** The form "Covenant Agreement for Accessory Dwelling Unit" must be filled out completely. Provide all the requested information, including the legal description of the subject property. The information must be clear and legible in order to produce a readable photographic record. Signature of all property owners must be provided and notarized. (Refer to attached example.)
- SITE PLAN:** The site plan to be approved by Planning Staff must contain the words "Exhibit A" on top of the page in a conspicuous location. The site plan shall be of standard page size of 8-½" by 11". Other page sizes or additional pages will incur additional recording fees by the County Recorder. The site plan must contain the primary dwelling unit(s), all accessory structures, and the accessory dwelling unit on site. An interior floor plan of the accessory dwelling unit in question with proposed facilities shall also be provided. The site plan and floor plan must be clear and legible to produce a readable photographic record (refer to attached example).
- ZONING ADMINISTRATOR REVIEW:** When the above items have been completed, along with Page one being notarized, the covenant must then be submitted with your plans to the Permit Center. The packet will be reviewed by Planning Staff. Upon review and approval, the Zoning Administrator will sign the covenant and affix a City-approved stamp. **Without the Zoning Administrator's signature, the covenant will not be valid for recordation. Please do not record the covenant without the Zoning Administrator's signature.**
- RECORDING A COVENANT WITH THE COUNTY:** Upon receiving the Zoning Administrator's approval, staff will inform an applicant that the packet is ready to be picked up for recording. The applicant must then go to any of the four Registrar-Recorder/County Clerk's offices to record the covenant (locations are provided on the back of this form). For locations, hours of service, or any other Recorder questions, please call 1(800) 201-8999 or on the web at <http://www.lavote.net>.
- COPY OF COVENANT FOR FILE:** When the covenant has been recorded, a copy shall be submitted back to the Planning Department for filing. The final plans submitted for a building permit must match the site plan and floor plan contained in the recorded covenant. Any submitted inconsistencies in the plans will delay the issuance of a building permit.

Revised 3/21/18



**PASADENA PERMIT CENTER**  
[www.cityofpasadena.net/permitcenter](http://www.cityofpasadena.net/permitcenter)

## **COVENANT AND AGREEMENT FOR ACCESSORY DWELLING UNIT**

### **County of Los Angeles Registrar-Recorder/County Clerk Branch Office Locations**

#### **Norwalk**

Department Headquarters  
12400 Imperial Highway  
Norwalk, CA 90650  
(800) 201-8999

#### **Lancaster**

44509 16th Street West, Suite 101  
Lancaster, CA 93534  
(661) 945-6446

#### **LAX / Courthouse**

11701 South La Cienega Boulevard, 6<sup>th</sup> Floor  
Los Angeles, CA 90045  
(310) 727-6142

#### **Van Nuys**

14340 West Sylvan Street  
Van Nuys, CA 91401  
(818) 374-7176

RECORDING REQUESTED BY: )  
INSERT PROPERTY OWNERS )  
MAILING INFORMATION HERE )  
)

AND WHEN RECORDED MAIL TO: )  
ZONING ADMINISTRATOR )  
CURRENT PLANNING DIVISION )  
175 N. GARFIELD AVENUE )  
PASADENA, CA 91101 )

Space for Recorders Use Only

**COVENANT AND AGREEMENT FOR ACCESSORY DWELLING UNIT**

The undersigned hereby certify that they are the owners of the above described real property in the City of Pasadena, County of Los Angeles, State of California:

LEGAL DESCRIPTION: INSERT LEGAL DESCRIPTION OF PROPERTY HERE

also known as: INSERT PROPERTY ADDRESS HERE, Pasadena, CA. ZIP CODE

The above described real property contains an accessory dwelling unit located as set forth in the site plan attached hereto as Exhibit A. In accordance with Pasadena Municipal Code Section 17.50.275 (Accessory Dwelling Units), the undersigned hereby agree and covenant with the City of Pasadena that said accessory dwelling unit is in fact an accessory dwelling unit as that term is defined in the Pasadena Municipal Code Chapter 17.80.020 (Glossary of Specialized Terms and Land Use Types – Definitions), and shall be maintained as required therein.

This covenant and agreement shall run with the above described land and shall be binding upon the undersigned, and all future owners, encumbrances, their successors, heirs or assignees and shall continue in effect until released by the City of Pasadena.

PRINT NAME OF OWNER #1  
Print Name of Property Owner

PRINT NAME OF OWNER #2  
Print Name of Property Owner

PROPERTY OWNER #1  
SIGNATURE HERE  
Signature of Property Owner

PROPERTY OWNER #2  
SIGNATURE HERE  
Signature of Property Owner

INSERT DATE  
Dated

INSERT DATE  
Dated

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of California                    }  
County of Los Angeles            }

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (seal)  
Signature of Notary Public

**TO BE COMPLETED BY NOTARY PUBLIC**

DO NOT RECORD UNTIL PAGE 3 HAS BEEN COMPLETED BY THE CITY

FOR CITY OF PASADENA USE ONLY

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Signature of Zoning Administrator      Print Name of Zoning Administrator

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California      }  
County of Los Angeles      }

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

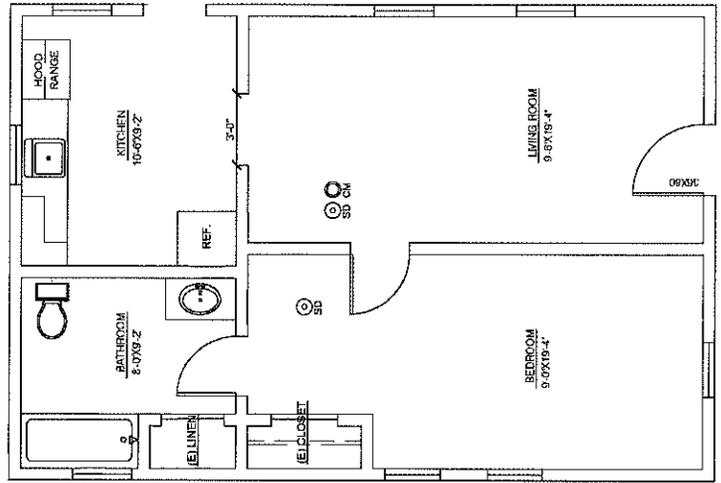
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

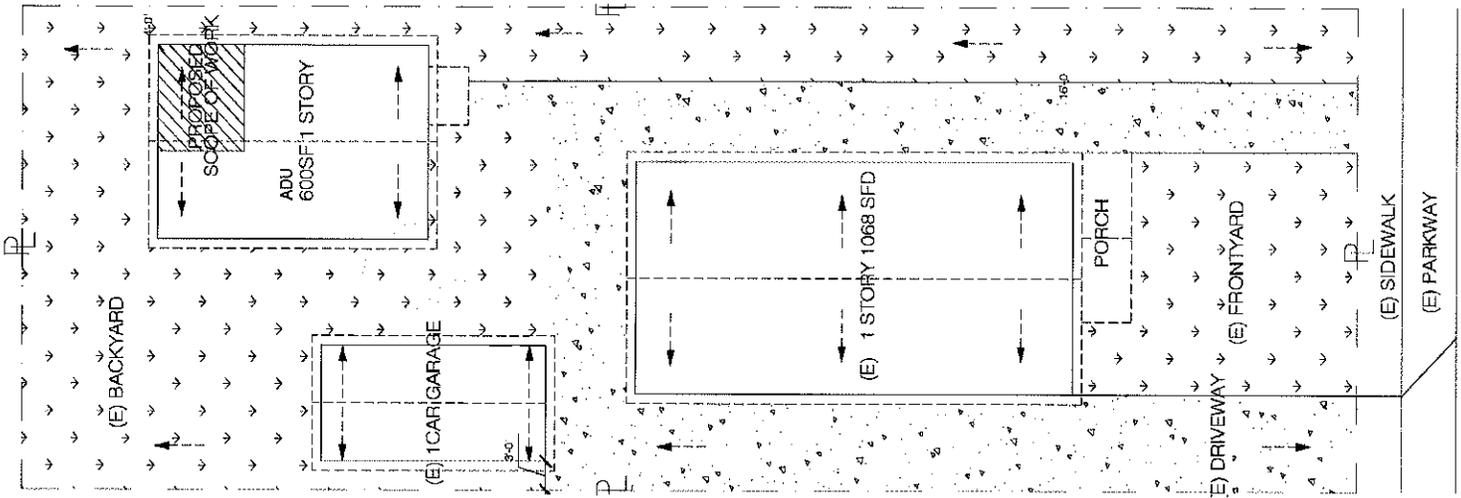
Signature \_\_\_\_\_ (seal)  
Signature of Notary Public

**EXHIBIT A**

Lot Size: 7,400 sq. ft.  
 Existing and proposed square footage (all structures): 1,968 sq. ft.  
 Proposed lot coverage: 26%  
 Proposed accessory dwelling unit square footage: 600 sq. ft.



**FLOOR PLAN - ADU**



**SITE PLAN**

RECORDING REQUESTED BY: )

)

)

)

AND WHEN RECORDED MAIL TO: )

)

)

)

)

Space for Recorders Use Only

**COVENANT AND AGREEMENT FOR ACCESSORY DWELLING UNIT**

The undersigned hereby certify that they are the owners of the above described real property in the City of Pasadena, County of Los Angeles, State of California:

LEGAL DESCRIPTION: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

also known as \_\_\_\_\_ Pasadena, CA. 9\_\_\_\_\_

The above described real property contains an accessory dwelling unit located as set forth in the site plan attached hereto as Exhibit A. In accordance with Pasadena Municipal Code Section 17.50.275 (Accessory Dwelling Units), the undersigned hereby agree and covenant with the City of Pasadena that said accessory dwelling unit is in fact an accessory dwelling unit as that term is defined in the Pasadena Municipal Code Chapter 17.80.020 (Glossary of Specialized Terms and Land Use Types – Definitions), and shall be maintained as required therein.

This covenant and agreement shall run with the above described land and shall be binding upon the undersigned, and all future owners, encumbrances, their successors, heirs or assignees and shall continue in effect until released by the City of Pasadena.

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Print Name of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Dated

ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }  
County of Los Angeles }

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_  
Signature of Notary Public

(seal)

DO NOT RECORD UNTIL PAGE 3 HAS BEEN COMPLETED BY THE CITY

**FOR CITY OF PASADENA USE ONLY**

Dated: \_\_\_\_\_ By: \_\_\_\_\_  
Signature of Zoning Administrator                      Print Name of Zoning Administrator

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California                      }  
County of Los Angeles                      }

On \_\_\_\_\_ before me, \_\_\_\_\_, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_ (seal)  
Signature of Notary Public

**ACCESSORY SECOND UNIT PERMIT  
Application Packet**



**Contents**

- **Description & List of Requirements**
- **Permit Application**
- **Draft Deed Restriction**
- **Municipal Code Section 16.333**



## **ACCESSORY SECOND UNIT PERMIT**

Description and List of Requirements

**City of Claremont, Community Development Department**

**207 Harvard Ave.**

**Claremont, CA 91711**

The State legislature has determined that the issue of affordable housing is of statewide concern, and accessory second units are a valuable form of housing in California, providing housing for family members, students, elderly, in-home health care providers, the disabled, and others, at below market prices while providing homeowners who create such units with added income and an increased sense of security.

In 2002, the California legislature passed AB 1866 which amended Government Code Section 65852.2 to require that any application for an accessory second unit in a residential district, received by the City after July 1, 2003, be considered ministerially without discretionary review or a hearing, and that such application be approved if the accessory second unit meets enumerated standards.

To comply with AB 1866, the City of Claremont has created the following packet to provide interested parties with the appropriate development standards and procedures for accessory second units.

Please note that if approved, all applicable fees relating to the development of an Accessory Second Unit must be paid before building permits are issued. This includes all building related and development impact fees.

The following items need to be submitted to the Planning Division to obtain a permit for an accessory second unit.

### **PLEASE PROVIDE ALL OF THE FOLLOWING:**

- Completed application.
- Site Plan (Show all existing and proposed structures and parking)
- Floor Plan of Second Unit
- Elevation Plans
- Draft Deed Restriction
- Statement describing intended occupant (i.e., renter, family member) and estimated monthly rent
- Landscape Plan for the area adjacent to Second Unit (if applicable)

If you have questions regarding any of the requirements, the Planning Division can be contacted at (909) 399-5470.

APPLICATION ATTACHED

Date: \_\_\_\_\_



# ACCESSORY SECOND UNIT PERMIT

Application

**City of Claremont, Community Development Department**

**207 Harvard Ave.**

**Claremont, CA 91711**

## APPLICANT INFORMATION

Name of Applicant(s):	
Address:	
Phone Number(s):	
Owner(s) of Record: <i>(If different from Applicant)</i>	
Address of Owner: <i>(If different from Applicant)</i>	
Phone Number(s): <i>(If different from Applicant)</i>	

## PROPERTY INFORMATION

Location of Property:	
Assessor Parcel Number(s)	
Existing Land Use (Zoning) Designation for the Parcel:	
Which unit will the property owner occupy? Primary Dwelling Unit or Accessory Second Unit?	

## CERTIFICATION STATEMENT

I/we certify that I/we are presently the legal owner(s) of the above-described property(ies). Further I/we acknowledge the filing of this application and certify that all the above information is true and accurate and that I/we have familiarized myself/ourselves with the relevant provisions of Claremont code. **(Note: a person acting as agent of the owner of record must attach a notarized letter of authorization from the legal owner.)**

Signature:		Date:	
Signature:		Date:	

Subscribe and sworn to me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Signature of City Clerk or Notary Public (seal)	
---	--

## FOR CITY USE ONLY

File Number:	-ASUP	Date:	
Received By:		Application fee:	<b>\$440</b>

One accessory second unit may be allowed on a residentially zoned lot provided that the lot contains no more than one existing single family dwelling. Additionally the property must meet the minimum lot size requirements and locational criteria specific to the property's zoning district.

<b>RS SINGLE FAMILY:</b>	
<i>RS 8,000</i>	Both of the following must be met: 1. The lot has direct vehicular access to and frontage upon an improved public alley in addition to a public street. 2. The lot meets one of the following additional criteria: a. The lot is located at the intersection of two or more streets and such streets are not arterial or collector streets from which there is no residential access; <u>or</u> b. The lot size is 12,000 square feet or greater.
<i>RS 10,000 RS 13,000 RS 20,000</i>	One of the following must be met: 1. The lot has direct vehicular access to and frontage upon an improved public alley in addition to a public street; <u>or</u> 2. The lot is located at the intersection of two or more streets, and such streets are not arterial or collector streets from which there is no residential access; <u>or</u> 3. The lot size is as follows: a. In RS (10,000) District – 14,000 sq. ft. or greater b. In RS (13,000) District – 16,900 sq. ft or greater c. In RS (20,000) District – 26,000 sq. ft or greater
<b>AV ARBOL VERDE:</b>	
<i>AV 1 AV 2</i>	One of the following must be met: 1. The lot is located at the intersection of two or more streets, and such streets are not arterial or collector streets from which there is no residential access; <u>or</u> 2. The lot size is 11,250 square feet or greater.
<b>RR RURAL RESIDENTIAL:</b>	
<i>RR 35,000 RR 1 Acre</i>	The lot size is as follows: 1. In RR (35,000) District – 35,000 sq. ft or greater. 2. In the RR (1.0 acre) District – One (1) acre or greater.
<b>HISTORIC CLAREMONT:</b>	
<i>HC 7,500</i>	The lot size shall be 12,000 square feet or greater, and shall contain no more than one dwelling unit.
<b>RM MEDIUM DENSITY:</b>	
<i>RM 2,000 RM 3,000 RM 4,000</i>	The lot size is as follows: 1. RM (2000) – 6000 square feet or greater. 2. RM (3000) – 6500 square feet or greater. 3. RM (4000) – 7000 square feet or greater.
<b>SPECIFIC PLAN:</b>	
<i>Meadowood Williams Claremont Hills The Grove Village Expansion</i>	The lot size is as follows: 1. SP 2 (Meadowood) – 16,900 square feet or greater. 2. SP 5 (Williams) – No second units are permitted in this plan area because the density of the project area is significantly greater than that which was allowed under the area's previous zoning. 3. In SP 6 (Claremont Hills) – a. Residential Estate (RE) lots – 17,500 square feet or greater b. Residential Hillside (RH) lots – 15,000 square feet or greater 4. SP 7 (The Grove) – No second units are permitted in this plan area because the density of the project area is greater than that which was allowed under the area's previous zoning and is greater than that of the surrounding area. 5. SP 8 (Village Expansion) – a. Residential Mixed Use (RMX) Zone – The lot shall be 6,000 square feet or greater, and shall contain no more than one single family dwelling. b. Residential (R) Zone – No accessory second units are permitted in this zone as the development approved in this zone has a density of 14 units to the acre which is among the highest in the City.



# ACCESSORY SECOND UNIT PERMIT

## Draft Deed Restriction

*Applicant shall complete the highlighted area on this draft. A final draft will be prepared by City, signed by the property owner(s) and recorded with the Los Angeles County Recorder before project is approved.*

**City of Claremont, Community Development Department**

**207 Harvard Ave.**

**Claremont. CA 91711**

### AGREEMENT IMPOSING RESTRICTIONS TO LAND USE

THIS AGREEMENT is entered into this \_\_\_\_\_ day of \_\_\_\_\_ by and between, \_\_\_\_\_ ("Owners") and the CITY OF CLAREMONT, a general law city duly organized and existing under the laws of the State of California (the "City").

### RECITALS

A. Owners are the owners of the certain real property, known as \_\_\_\_\_ ("Property Address"), Claremont, California (the "Property"), more particularly described as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
(Legal Property Description, *This can be found on your grant deed or title report. If needed, attach as separate document.*)

B. On \_\_\_\_\_, the Planning Division approved Planning Division (project \_\_\_\_\_ ASUP \_\_\_\_\_) to allow the creation of a \_\_\_\_\_ square-foot detached/attached second unit (hereafter referred to as "Second Unit") on a parcel that already included a \_\_\_\_\_ square-foot home (the "home"). The approved Accessory Second Unit is subject to a requirement that the property owner(s) reside within the Home or the Second Unit on the Property, and that such restrictions be made a covenant running with the land restricting the use of the Property and binding all Owners, successors and assigns.

C. The Claremont Municipal Code allows the City to impose conditions upon the requested accessory second unit, which are necessary to prevent or mitigate effects from the use of existing structures, which are potentially injurious to the health, safety, or general welfare of the citizens of the City.

D. The parties desire by this Agreement to provide the City with the power to enforce the non-rental restriction as a restriction running with the land against the Owners and their successors in interest (hereinafter "Owners" shall include successors in interest) and the Property.

NOW, THEREFORE, in view of the foregoing and in consideration of the mutual covenants herein contained, the parties hereby agree as follows:

## AGREEMENT

1. Property Owner to Reside on Premises. The property owner shall abide by the second unit provision of Chapter 16.333 of the Claremont Municipal Code as amended from time to time. The Property shall be used for single-family residential premises purposes only and at no time shall the property owner rent both units separately or allow the main house and the second unit to be sublet individually while the property owner resides elsewhere.
2. Binding Effect. The provisions in this Agreement are and shall be deemed to be covenants running with the land and shall bind and inure to the benefit of the respective heirs, successors and assigns of the parties. Owners specifically understand and agree that their interest in the Property may be conveyed, assigned, encumbered or otherwise alienated and that others not parties to this Agreement shall nevertheless be bound by the terms hereof to the extent that they acquire an interest in the Property.
3. Recordation of Agreement. As a condition of and prior to issuance of building permits to build the proposed Accessory Second Unit from the City, this Agreement shall be recorded in the records of Los Angeles County, California, as a covenant on the Property for the purpose of imparting notice to subsequent persons acquiring an interest on the Property.
4. Enforcement. The City Manager of the City (or his authorized representative) may upon obtaining an inspection warrant and providing written notice, enter the Property for the purposes of inspecting the use of the Addition during regular City Hall business hours. If, in the opinion of the City Manager (or of his authorized representative), the Owners are at any time in breach of the Agreement, the City shall give written notice to the Owners specifying the exact nature of the breach (the "Notice of Breach"), which shall be addressed to the Owners by certified mail at \_\_\_\_\_ (Property Address), and shall require that the Owners take appropriate corrective action within thirty (30) days of such receipt.  
  
If, within the time set forth in the Notice of Breach, Owners do not correct the situation, the City may exercise all rights and remedies available to it at law or in equity, specifically including the obtaining of a restraining order or injunction enjoining use of the Property and more specifically the Addition, in violation of this Agreement.
5. Right to Appeal. Owners shall have the right within ten (10) days of receipt of a Notice of Breach from the City, to file an appeal with the City Council of the City for a public hearing before the City Council. The decision of the City Council on such appeal shall be binding upon all parties.
6. Time is of the Essence. Time is of the essence in all aspects of this Agreement.
7. Attorney's Fees. In the event that legal action is required in order to enforce any of the rights and obligations described herein, the party prevailing in such action shall be entitled to reasonable expenses, attorney's fees and costs.
8. Entire Agreement. This Agreement contains the entire agreement between the parties relating to the use of the Accessory Second Unit and the parties have negotiated and agreed upon each and every part of this Agreement. Any modification to this Agreement must be in writing, signed by the parties and recorded in the County of Los Angeles, California.

9. Captions. Captions in this Agreement are inserted for convenience of reference only and do not define, describe or limit the scope of the intent of this Agreement or any of the terms hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date shown below, but this Agreement is effective as of the date and year first above written.

Property Owners:

DATE: \_\_\_\_\_, property owner

DATE: \_\_\_\_\_, property owner

DATE: \_\_\_\_\_

THE CITY OF CLAREMONT:

By: \_\_\_\_\_  
City Manager

**ACKNOWLEDGEMENTS**

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_ (Property owner), who proved to be on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

(Seal)

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_ (Property owner, *if more than one owner*), who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct,

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public

(Seal)

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

On \_\_\_\_\_, before me, \_\_\_\_\_, Notary Public, personally appeared \_\_\_\_\_ (City Manager), personally known to me to be the person who executed the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct,

WITNESS my hand and official seal.

\_\_\_\_\_  
Notary Public



# City of Sierra Madre Agenda Report

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

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

TO: Honorable Mayor and Members of the City Council

FROM: Marcie Medina, Assistant City Manager

REVIEWED BY: Gabriel Engeland, City Manager 

DATE: July 24, 2018

SUBJECT: **PENSION RATE STABILIZATION PLAN**

---

## **STAFF RECOMMENDATION**

Staff recommends the City Council approve the following:

1. Resolution No. 18-40 Approving a Fund Balance Policy for the General Fund.
2. Authorize the lump sum pre-payment to CalPERS for PERS UAL and the Budget Amendments necessary to fund the payment.
3. Authorize the establishment of a Pension Rate Stabilization (115) Trust Fund.

## **SUMMARY**

City staff has researched options to stabilize pension costs which are projected to continue to increase over time. The City has two options to stabilize the CalPERS Pension Costs: 1) Prepay the UAL payments above the annual required payment; and 2) Set-up a 115 trust fund for pension rate stabilization.

Staff recommends the prepayment of \$5 million to CalPERS for UAL beyond the annual payment to occur by July 31, 2018 and the establishment of a 115 Trust Fund to be funded at a later date, with oversight as directed by City Council. Staff is also recommending to revise the General Fund Balance Policy from 50% of General Fund operating revenues to 25% of General Fund operating revenues.

The recommended funding for pension stabilization comes from one-time revenues, excess funding in City Funds accumulated over time, excess General Fund balance above the current Fund Balance Policy, and excess fund balance due to the revision in Fund Balance Policy.

## **ANALYSIS**

### **General Fund Balance Policy**

The current General Fund Balance policy sets the General Fund Unassigned Fund Balance at 50% of operating revenues. Staff recommends the 50% be changed to 25% of operating revenues. This would provide for working capital of an average three months and would provide for sufficient cash flow for operations. The reduction in General Fund Unassigned Fund Balance would free up monies to fund pension rate stabilization.

### CalPERS UAL Lump Sum Prepayment

The City's CalPERS Pension costs are made of two components: The Employer Rate and the Unfunded Accrued Liability (UAL). The UAL portion is the portion of pension costs that the City could prepay. The annual required UAL payment has increased from \$754 thousand in FY16-17 to \$1 million for FY18-19 and is expected to increase by an additional 32% within the next five years. As of the most recent CalPERS Actuarial the UAL payment schedule reflects total payments of \$28.5 million due to CalPERS, including interest of \$14.9 million, for a net liability of \$13.6 million.

The lump sum prepayment of UAL of \$5 million would result in approximately \$6.9 million in savings for a total reduction in monies due to CalPERS of more than \$11.9 million. The annual required UAL payments would also be significantly reduced due to the recalculation of the UAL amortization schedule.

### Funding of Prepayment of UAL

There are several sources of funding which may be used to as a prepayment of \$5M of the UAL:

- Apply current General Fund balance above 50% (\$1.8M)
- Apply sale of SCE underground credits (\$628,000)
- Apply funding from close out of accounts/transfers (\$800,000)
- Revise minimum General Fund balance from 50% to 25% (\$2.5M)

The City's current General Fund Balance Policy provides for a minimum unassigned balance of 50% of General Fund Revenues. For the June 30, 2017, the Comprehensive Annual Financial Report (CAFR) reflected excess funds over the City's Fund Balance Policy of \$1.8 million. This monies are available to cover a portion of the \$5M prepayment of the UAL.

On April 2017, the City transferred SCE undergrounding credits to Laguna Beach in exchange for \$628 thousand, one-time revenues.

The City established a Capital Projects Fund in FY15-16 funding over \$800 thousand in projects from the General Fund that have not been completed. Also, the facilities fund has accumulated a fund balance that can be used to fund such CIP projects. The CIP projects could be funded by the facilities fund, freeing up the over \$800 thousand to be transferred back to the General Fund to fund a portion of the proposed prepayment of \$5M of the UAL.

Revising the General Fund Balance Policy to provide for a minimum unassigned balance of 25% of General Fund Revenues would make approximately \$2.5 million available to fund Pension Rate Stabilization.

In total the above sources of funding are \$5,728,000. Staff is recommending \$5 million be applied as a prepayment and \$600,000 is earmarked for the eventual funding of a 115 plan. The remaining funds, along with any surplus from the 2017-18 budget will remain in General Fund balance, above the 25% minimum fund balance.

Establish a Pension Rate Stabilization Trust Fund (115 Plan)

Section 115 Trust Funds are a fairly new tool available to Local California Governments. The following are the potential benefits of an irrevocable Pension Rate Stabilization Fund:

- The City would maintain local control over assets.
- The trust would allow for greater investment flexibility compared to the City's general investments.
- The depositing of funds into the trust may have a positive impact on the City's credit rating.
- The trust assets may be accessed to offset pension costs. This may help to stabilize pension expenditures or to free up those monies for other uses.

The purpose of a 115 Trust is to allow the City to deposit fund into the account and invest in instruments that have the potential to earn greater returns than can be achieved under the City's current investment policy. These funds can then be used to offset pension costs.

These funds would also remain under local control and would be available if needed for an emergency response, providing additional security for the City Council should the minimum General Fund balance be reduced from 50% to 25%.

There are two agencies that have received the IRS Private Letter Ruling for Approved Section 115 Trust of local governments that are in compliance with California Government Code; Public Agency Retirement Services (PARS) and Public Financial Management (PFM). At this point staff is recommending the establishment of the 115 Trust and earmarking funding of \$600 thousand, one year's PERS Rate payment estimate, for deposit at a later date. Staff will provide additional information on the administration and funding of the trust at a later time.

**FINANCIAL REVIEW**

The prepayment of \$5 million if UAL would increase pension expense for the current fiscal year, but would result in about \$6.9 million in interest savings.

The establishing of the 115 Trust would not have a fiscal impact. At the time of funding the trust, it would result in restricting available cash by transferring such monies from the general account to a trust fund.

**CEQA / ENVIRONMENTAL**

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](http://www.cityofsierramadre.com).

Attachment(s): Resolution No.18-40 Approving a Fund Balance Policy for the General

Fund

**RESOLUTION NO. 18-40**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE  
APPROVING A FUND BALANCE POLICY FOR THE GENERAL FUND.**

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

**WHEREAS**, the Government Finance Officers Association and the 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

**NOW, THEREFORE, THE CITY OF SIERRA MADRE DOES RESOLVE AS FOLLOWS:** That the following the attached Fund Balance Policy for the General Fund shall take effect immediately.

**PASSED, APPROVED AND ADOPTED** this 24<sup>th</sup> day of July, 2018.

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Denise Delmar, Mayor  
City of Sierra Madre, California

I hereby certify that the foregoing Resolution was adopted at a regular meeting of the City Council of the City of Sierra Madre held on the 24<sup>th</sup> day of July, 2018 by the following vote:

AYES:

NOES:

ABSENT:

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Sue Spears, City Clerk  
City of Sierra Madre, California

**CITY OF SIERRA MADRE  
FUND BALANCE POLICY FOR THE GENERAL FUND**

**1. PURPOSE**

The City of Sierra Madre (City) has an important responsibility to its citizens to carefully account for public funds, to manage municipal finances wisely and to plan the adequate funding of services to the public.

The City of Sierra Madre is dedicated to maintaining a reasonable fund balances sufficient to mitigate current and future risks (i.e., sudden, unexpected increases in employee benefits and other budgetary expenses and revenue shortfalls), plan for future needs and to ensure sufficient working capital is available to meet cash flow needs.

By maintaining a sufficient level of Fund Balance the City:

- Exercises good fiscal management by permitting the development of a more responsible and responsive long-term financial plan.
- Maintains or improves a strong bond rating, thereby reducing future interest expenses.
- Eliminates the need for short-term borrowing to handle cash flow between the start of the fiscal year and the receipt of revenue from taxes.
- Maximizes investment earnings by maintaining adequate levels of cash and investments.

**2. DEFINITION**

Fund Balance is the difference between a Fund's current assets (cash, short-term investments, receivables) expected to be available to finance operations in the immediate future and its current liabilities. Since the Governmental Accounting Standards Board (GASB) issued GASB Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, total Fund Balance is made up of five parts: non-spendable, restricted, committed, assigned and unassigned. The last three classifications comprise the unrestricted fund balance.

Non-spendable - Consists of the amounts that cannot be spent because they are in a non-spendable form. Examples include: prepaid insurance and inventory.

Restricted (Reserves) - Consists of amounts that are subject to externally enforceable legal purpose restrictions imposed by certain creditors, grantors, contributors, or laws and regulations of other governments; or through constitutional provisions or enabling legislation. Examples include: capital reserves, tax stabilization reserves, debt reserves, repair reserves, insurance reserve and other reserves allowed by State statutes.

Committed (Unrestricted) – Consists of amounts constrained to specific purposes by a government itself using its highest level decision making authority (City Council). The

## EXHIBIT A

City Council must take formal action before the end of the fiscal year to add or remove a constraint.

Assigned (Unrestricted) – Consists of amounts that are subject to purposes constraint by a government itself that represents an intended use established by the government's highest level decision making authority (City Council), or designee. The purpose of the assignment must be narrower than the purpose the General Fund. In governmental funds other than the General Fund, assigned fund balance represents the remaining amount that is not restricted or committed.

Examples include: fund balance restricted by formal actions by the City Council (resolutions, ordinances and local laws) constitute a constraint of resources and will result in an assignment of resources, also, encumbrances will typically be considered an assignment of resources.

Unassigned (Unrestricted) - This consists of all balances remaining after considering the other four categories and could result in a surplus or a deficit. Use of these balances are least constrained in this category.

### 3. GUIDELINES

The City Council shall propose budgets that provide for an Unassigned Fund Balance of not less than 25 percent of the total operating general fund revenues. This reserve would provide for working capital of three months average operating expenditures. This amount would provide sufficient cash flow for on-going operations.

- 3.1 If, at the end of a fiscal year, the Fund Balance falls below 25 percent, the City Manager shall prepare and submit a plan for expenditure reductions and/or revenue increases to the City Council. The City Council shall take action necessary to restore the Unassigned Fund Balance through the budgetary process to acceptable levels within a one to three year period.
- 3.2 In the event the fund balance is greater than 25 percent at the end of any fiscal year, the excess may be used in one or a combination of the following ways:
  - One time expenditures and capital expenditures that do not increase recurring operating costs; or
  - Other one-time costs, or the establishment of or increase in legitimate reservations or designations of fund balance.
  - Used to fund the pension rate fund plan.
- 3.5 Annually, as part Budget Adoption, the City Council shall review the current status of fund balance for the General Fund to determine adherence to the policies outlined above and undertake a plan of action to correct any necessary deficiencies noted by the City Council as part of their budget review process.