



CITY OF SIERRA MADRE
CITY COUNCIL REGULAR MEETING MINUTES

SIERRA MADRE CITY COUNCIL
SUCCESSOR AGENCY AND
PUBLIC FINANCE AUTHORITY

Tuesday, January 14, 2020 - 6:30 pm
Sierra Madre City Hall Council Chambers
232 W. Sierra Madre Blvd., Sierra Madre, CA 91024

CALL TO ORDER/ROLL CALL MEMBERS OF THE CITY COUNCIL

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

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

Absent: None

Also Present: Gabe Engeland, City Manager
Teresa Highsmith, City Attorney
Laura Aguilar, Assistant City Clerk/Administrative Services Manager
Kyle Bailey, Acting Police Lieutenant
James Carlson, Management Analyst
Chris Cimino, Public Works Director
Vincent Gonzalez, Director of Planning & Community Preservation
Miguel Hernandez, Human Resources Manager
Jim Hunt, Interim Police Chief
Sophia Kownatzki, Management Analyst
Leila Regan, Associate Librarian
Jose Reynoso, Utilities Services Director
Christine Smart, City Librarian
Sue Spears, City Clerk

PLEDGE OF ALLEGIANCE AND INSPIRATION

Council Member Arizmendi led the Pledge of Allegiance and read a quote written by Dr. Martin Luther King, in honor of Dr. King's birthday next week and tonight's Democratic Presidential Debate.

APPROVAL OF MEETING AGENDA

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

Council Member Arizmendi moved to approve the agenda as presented.

Mayor Pro Tem Capoccia seconded the motion.

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

Noes: None

Absent: None

Abstain: None

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

REPORT ON THE CLOSED SESSION – JANUARY 14, 2020

City Attorney Highsmith reported that the City Council met with the legal counsel in closed session to (1) review a matter of existing litigation, Stonehouse vs the City of Sierra Madre, no action was taken, and that direction was provided to the legal counsel and (2) review a matter of anticipated litigation and direction was provided to the City Attorney.

APPROVAL OF MINUTES

Mayor Harabedian asked for the approval of the Minutes of the Regular Council Meeting of December 10, 2019.

Council Member Goss moved to approve the Minutes of the Regular Council Meeting of December 10, 2019, as presented.

Council Member Arizmendi seconded the motion.

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

The motion to approve the Minutes of the Regular Council Meeting of December 10, 2019, as presented was passed by a unanimous vote.

MAYOR AND CITY COUNCIL REPORTS

- A. Mayor John Harabedian congratulated the Sierra Madre Rose Float Association and volunteers for continuing to make Sierra Madre proud with winning the "2020 President's Award."
- B. Mayor Pro Tem John Capoccia invited and encouraged people to attend the 2020 Mayor's State of the City Address being held on January 23, 2020 @ Sierra Madre Middle School from 5:00 – 7:30 p.m.
- C. Council Member Rachelle Arizmendi congratulated the Sierra Madre Rose Float Association and volunteers for this year's winning entry.
- D. Council Member Gene Goss congratulated the Sierra Madre Rose Float Association and volunteers for winning the "2020 President's Award."

PUBLIC COMMENT ON NON-AGENDA ITEMS

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

- Leila Regan, Sierra Madre Library Youth Services Librarian, announced that (1) the Sierra Madre Library has been awarded two grants (a) through the CA State Library Association, nine themed mental health kits for kids to help them develop and label their emotions, both social-emotional skills and healthy strategies for managing their feelings and (b) through the Growing Together Pasadena Grant, the SM Library is launching a "1,000 Books Before Kindergarten Program" on 1/25/20, (2) in partnership with the Kensington, SM Library is providing a once monthly intergenerational story time, and (3) tickets to this year's One Book One City event featuring Father Boyle are already sold out
- Edward Garcia, Sierra Madre Community Foundation President, announced and invited the public to attend a special event, "Whiskey and Wine," celebrating the Sierra Madre Community Foundation's 20 years serving Sierra Madre, to be held on February 22, 2020, with ticket sales now available on-line @sierramadrefoundation.org.
- Erick Carrouche, Sierra Madre, spoke about an incident that occurred on 10-30-2019 and he alleged that negligence by City Staff caused damage to his vehicle.
- John Hiller, Sierra Madre, announced that Baha'is for Service is available to assist the community.

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

PRESENTATION TO 2019 SIERRA MADRE GIRLS SOFTBALL ALL STARS

Mayor Harabedian congratulated and presented a City of Sierra Madre Certificate of Recognition to the Sierra Madre Girls Softball Association, which had two teams that successfully represented the City of Sierra Madre during the 2019 All-Star Season. He thanked Heather Young for calling this to the City Council's attention.

- **The 14U Warriors**, managed by Tom McCarthy, won the Northern B District Championship going undefeated in the tournament. This was the first year that the 14U team played in the B Division. Following their District championship, they were the bronze medalists in the State Championship

in Lancaster. The team members were Abi Blea, Bella Ferrari, Destinee Kaya, Alexi Lopez, Allyssa Marquez, Bryanna Marquez, Ellie McCarthy, Marissa Moreno, Gabby Prado, Julia Pevsner, Jocelyn Rodriguez, Mahelia Thomas, Zoe Thomas, and Adriana Valdez. The assistant coaches were Dave Ferrari, Mike Lopez, Marty Moreno, Jeff Reisbeck, and Jeremy Thomas.

- **The 10U Heat**, managed by Nate Covey, won the Northern B District Championship in their second year in the B Division. They qualified in the top 16 of the B State Championship and placed fifth in the Western Nationals B Championship in Moorpark. The team members were Alyssa Cordeiro, Ryen Covey, Mackey Delgado, Olivia Ferrari, Peyton Fox, Mischa Luelong, Mikalah Ortega, Mya Partida, Phoebe Perez, Bella Prado, Katelynn Wilder, and Jessie Young. The assistant managers were Lalo Delgado, Phil Prado, and Debbie Wilder.

PRESENTATION - UPDATE ON THE WATER SUPPLY OF THE CITY OF SIERRA MADRE

Utilities Services Director Reynoso and City Manager Engeland reported on this item that included a PowerPoint presentation titled “*Sierra Madre Water Update.*” The report was for information only and no action was required of the City Council.

The report began with an update on the joint well with Sierra Madre & Arcadia and an announcement that the San Gabriel Valley Municipal Water District took a historic step yesterday in ensuring Sierra Madre’s ground water sustainability for future generations by committing \$1.8M to Sierra Madre for its portion of the joint well. Utilities Services Director Reynoso also distributed fliers regarding this year’s Water Forum to be held on April 16, 2020 to talk about regional issues and ground water sustainability for our local area.

A comparison from the information provided in the PowerPoint is as follows:

<u>SM Water Supply 2016 – In Crisis</u>	<u>SM Water Supply 2020 – Considerably Improved</u>
Water Availability – the 500 ft. rule (940 acre feet). <ul style="list-style-type: none"> • Local water capable of meeting 40.8% of water demand. 	Water Availability – the 500 ft. rule (940 acre feet). <ul style="list-style-type: none"> • Local water capable of meeting 40.8% of water demand.
Raymond Basin Management Board Sierra Madre Spreading Program – imported water from District connection meets remaining demand.	Imported water from District connection meets remaining demand: <ul style="list-style-type: none"> • SGVMWD/MET agreement – up to 2,500 acre feet/annually. • Arcadia wheeling agreement – as necessary/requested. • Joint Well (planned) – 1,000 acre feet annually.
Water Infrastructure: <ul style="list-style-type: none"> • 28% of water mains have failed or are failing. • 36% will need replacement in near future. • A majority of pipes are 70 years beyond their useful life. • Estimated cost of \$5.5 M to replace failed pipes. 	Water Infrastructure Investment: <ul style="list-style-type: none"> • Implemented water main replacement program, replacing many failed mains. • Invested \$5.3M in infrastructure (FY 2017-2020), which includes invested \$2.6M in infrastructure FY 2019-2020.
Water loss at 29%.	Water loss projected at less than 10% in 2020-21.
Leaks annually = 425.	Converted 80% of water users to AMI (100% by June 2020).
Water Financial Performance: <ul style="list-style-type: none"> • \$0.22 of every \$1.00 in water system is debt. • 55% of total debt payments are non-principal. • Water bond payments are 100% interest only (since 2001). 	Water Financial Performance: <ul style="list-style-type: none"> • Refinanced debt without adding payments. • Debt payments reduced from \$420,000 to \$230,000 annually.
Bond Rating of “BBB” and “Negative Watch”.	Bond Rating improved to “A”, with an outlook of “Stable”.

<p>Budget deficits projected every year into the future.</p> <ul style="list-style-type: none"> Budget deficits are structural, cash is being reduced. Excess water charges constitute 16% of City's water revenue. 	<p>Budget surplus is projected each year into the future.</p> <ul style="list-style-type: none"> Excess water penalties eliminated.
<p>Infrastructure investment in water is less than \$300,000 annually.</p>	<p>Infrastructure investment in water is \$5.3M in FY 2017-2020, includes \$2.6M invested in infrastructure in FY 2019-2020.</p>

Utilities Services Director Reynoso responded to City Council Member questions as follows:

- Regarding Stetson Report Option B – Is the imported water put directly into our distribution system? – We are exploring the option of taking the water, doing some additional treatment, and putting it into the distribution system.
- Is the joint well providing Sierra Madre untreated water or is Arcadia treating it before delivering it into the system? – A requirement of drilling a well in the main basin is to provide treatment at the source. This means that the water goes into Arcadia's system treated and gets delivered to Sierra Madre as treated. There have been no issues with this process in the past.
- Regarding the chloramine issue – Is there a new process now available and are we confident about it? – The City of South Pasadena did a study and found that, if enough chlorine is added, it destroys the ammonia and then restores just a free chlorine without the ammonia and that chemistry seemed to work in their system. This results in water that is effectively no longer chloramine, which solves the problem.

Mayor Harabedian commended the rate payers who have gone through two rate increases since 2013 and enabled the City to actually pay for millions of dollars of infrastructure improvements. The rate increases are paying for the pipes/system that is very old and needs to be updated and the results are a good return on the money being paid/spent.

Mayor Pro Tem Capoccia reflected that, in 2012, the City was in a race to the bottom of the aquifer, with the water level continually dropping and that this was a critical time. He cited that one of the issues was that Sierra Madre was not being credited with the water being pumped from its aquifer and a legal battle ensued with the City of Arcadia. He credited/applauded the remarkable expertise and negotiating skills of City Manager Engeland, Utilities Services Director Reynoso, and Staff for taking Sierra Madre from a state of crisis to where we are now as partners with Arcadia.

Utilities Services Director Reynoso noted that the building process included the creation of the SMART (Sierra Madre Arcadia Aquifer Recovery Team) group and, over the last seven years, they are working together for the benefit of the basin and that it shows in the commitment from both cities.

PRESENTATION - UPDATE ON THE 2019 WATER MAIN REPLACEMENT

Public Works Director Cimino reported on this item that included a PowerPoint presentation titled "2019 Water Main Replacement Update." The report was for information only and no action was required of the City Council. The PowerPoint included pictures of the 2019 Water Main Replacement Project and some of the challenges/obstacles faced regarding extremely large boulders. Public Works Director Cimino said that, because of the obstacles, the Water Main Replacement is approximately 60 days over the allocated days to do this project and that Change Order #2 (around \$205,000) to complete the project will be forthcoming to the City Council at a future meeting.

Mayor Pro Tem Capoccia commended Public Works Director Cimino for his efficient management of the water main replacement project and commented that the \$250,000 in change orders is reasonable, given the remarkable challenges encountered during the work.

Regarding the blue pipes, Public Works Director Cimino said that the 10" pipe is a PVC pipe called C900, it is relatively new in the industry, it is easy for two men to carry the pipe, making installation easier which brings the cost down on the bidding process, and is a 100 year pipe (guaranteed for 50 years).

- De Alcorn, Sierra Madre, thanked the City Council, City Manager, Staff for their excellent job in addressing Sierra Madre's infrastructure issues.

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

PRESENTATIONS REGARDING GUN VIOLENCE RESTRAINING ORDERS AND CALIFORNIA RED FLAG LAWS

Acting Police Lieutenant Bailey reported on this item that included a PowerPoint presentation titled "Sierra Madre Police Department – Gun Violence Restraining Orders/California "Red Flag Laws." The report was for information only and no action was required of the City Council. Per the PowerPoint,

What is a GVRO – Gun Violence Restraining Order

A Court Order that allows law enforcement to proactively address future firearm violence by (1) Removal of firearm from unstable or dangerous individual and (2) "Red Flags" Name in DOJ system. Beginning 9-1-2020, immediate family co-workers, employers, and teachers can also petition the courts for a GVRO.

Types of GVRO'S

- Temporary or Emergency – Expires after 21 days or become permanent.
- Ex Parte GVRO – Expires or becomes permanent.
- Permanent GVRO – Involves a hearing process and could be granted (for 1-5 years) or be dismissed.

Qualifying Factors for a GVRO – Articulate facts and circumstances

- Any evidence that indicates an increased risk of violence.
- Mental health issues.
- Pattern of violence within the past year towards self or others.
- Prior arrest/convictions.
- Recent acquisitions of firearms, ammo, & deadly weapons.
- Represents immediate & present danger (Emergency).
- Threat to harm self/others within the prior six months.

What the SMPD Wants the Community to Know

- Newer law/challenges.
- Due Process & the 2nd Amendment.
- Officer training is taking place.
- Community Education: www.Courts.ca.gov
- Public can call the SMPD if there are any questions or concerns.

Mayor Harabedian asked if any Council Members had questions on the presentation.

Acting Police Lieutenant Bailey responded to City Council Member questions as follows:

- Why is it taking until September 2020 before individuals can petition the court for an GVRO? – The law went into effect in 2016 and was specific to law enforcement only petitioning the courts. The law has since been amended to allow individuals to petition the court beginning 9-1-2020.
- If resident's have a concern, is the recommendation that they call the SMPD? – The emergency protective order is an option that is available to law enforcement currently so residents with concerns are encouraged to contact the SMPD for assistance and response.
- Regarding qualifying factors for a GVRO, is the list generalizing the factors? – The important part of the list is that a GVRO requires a series of articulable facts and the examples listed help describe situations/factors which would assist a judge in making the decision to grant a GVRO.
- If reported to the PD, what is the process for a temporary GRVO or permanent GRVO? – The SMPD has the authority to contact a judge to articulate the circumstances leading to the request for a court order and the order would remain in effect for 21 days at which time no action could be taken or the PD can follow-up and request a permanent order, which requires going before a judge with the other party affected by the order.
- Do all GRVOs require a judge order? – Yes.
- How is the confiscation of the guns handled? - There are a variety of ways this is handled, depending on the circumstances and could include a search warrant to effect the order, as an extreme case.

- Is the reporting party confidential? – As of now, it has not been a concern because the PD is the party requesting the GVRO and serving the paperwork. At this time, it is unclear how that will be handled if persons other than the PD request the GVRO.
- How many GVROs have been issued in Sierra Madre? – Zero, however other alternatives using other authorities have been used to confiscate handguns or firearms from individuals.

Mayor Harabedian opened the meeting for Public Comment on this issue.

- Deb Sheridan, Sierra Madre, thanked the City Council for agendaing this item and suggested training the public on how to report such incidents.
- Steven Cuevas, Pasadena, spoke about the importance of the GVRO as a tool to address gun violence.
- Cindy Montoya, Sierra Madre & gun violence survivor, spoke about *Moms Demand Action*, the importance of connecting with the police department in reporting these incidents, and the need for training to ensure that people of color are not targeted.

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

Mayor Harabedian concluded this item by indicating that the City Council will follow up on ensuring that training for the public occurs and includes *Moms Demand Action*.

AGENDA ACTION ITEMS:

1. CONSENT CALENDAR

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

- (a) ADOPTION OF RESOLUTION 20-01 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council approve Resolution 20-01 for approval of payment of City warrants in the aggregate amount of \$363,506.84; Sierra Madre Library warrants in the aggregate amount of \$12,932.22; and payroll transfer in the aggregate amount of \$355,711.47 for fiscal year ending June 30, 2020.
- (b) ADOPTION OF RESOLUTION 20-03 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS - Recommendation that the City Council approve Resolution 20-03 for approval of payment of City warrants in the aggregate amount of \$241,183.69 ; Sierra Madre Library warrants in the aggregate amount of \$6,057.50; and payroll transfer in the aggregate amount of \$325,609.38 for fiscal year ending June 30, 2020.
- (c) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE, CALIFORNIA, ESTABLISHING FEES FOR ACCESSORY DWELLING UNIT APPLICATIONS IN ACCORDANCE WITH SIERRA MADRE MUNICIPAL CODE CHAPTER 17.22 – ACCESSORY DWELLING UNITS - Recommendation that the City Council adopt Resolution 20-02 establishing a processing fee for accessory dwelling unit applications in accordance with the cost recovery analysis provided pursuant to Sierra Madre Municipal Code Section 17.22.180 – Fees, Title 17.22 – Accessory Dwelling Units.

Mayor Harabedian asked if any Council Members had questions on Consent Items 1a or 1b. No questions were asked.

Mayor Harabedian opened the meeting for Public Comment on the Consent Items 1a or 1b. Seeing no one, Mayor Harabedian closed Public Comment and brought the matter back to the Council for a motion.

Mayor Pro Tem Capoccia made a motion to approve Consent Items 1a & 1b as presented.

Council Member Arizmendi seconded the motion.

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

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

Regarding Consent Item 1c - Mayor Harabedian asked for an explanation of the "Public Facilities Impact Fee" on ADUs and expressed his desire that it be eliminated, while keeping the administrative processing fees. City Manger Engeland reported that Staff has reviewed the item and supports the elimination of the "Public Facilities Impact Fee" on ADUs.

Mayor Harabedian made a motion to approve Consent Item 1c with the administrative processing fees as presented and eliminate the "Public Facilities Impact Fee" on ADU"s.

Council Member Goss second the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to approve Consent Item 1c as amended was passed by a unanimous vote.

2. DISCUSSION - RESOLUTION 20-04 AMENDING SECTION 3 OF THE CITY'S SOLID WASTE REMOVAL CONTRACT WITH ATHENS SERVICES TO INCORPORATE A RATE INCREASE TO COMPLY WITH STATE ASSEMBLY BILL 1594

Management Analyst Carlson reported on this item with the recommendation that the City Council adopt Resolution 20-04 amending Section 3 of the City's Solid Waste Removal Contract and approve the 8.81% increase to residential rates to comply with State Assembly Bill 1594 effective March 1, 2020. This is a onetime rate increase to offset Athens Services' costs in additional transportation and processing of the green waste for this program.

AB 1594 – "Residential Green Waste Program" mandates that, effective January 1, 2020, the Contractor shall comply with California Public Resources Code Section 41781.3 and shall divert Green Waste from use at the landfill as alternative daily cover. Contractor will continue to collect and haul Green Waste from Residential Units in accordance with the then-current procedures, but will commence compliance with AB 1594 by transferring all source-separated residential Green Waste (excluding Food Waste, food scraps, or other Green Waste not allowed for such diversion) to American Organics, or any other facility that can divert the Green Waste from the landfill, where the Green Waste may be counted as diversion for the City as provided by applicable law.

Mayor Harabedian asked if any Council Members had questions on this item.

Management Analyst Carlson responded to City Council Member questions as follows:

- Is this coming from the State with an eye on reducing methane emissions from landfills? – The primary focus of this program is to increase landfill capacity, with reducing methane emissions as the ancillary benefit.
- Can you explain the increase? – This is an 8.81% increase at this time, then it reverts into the regular rate increase structure that is included in the contract so that every year a CPI increase would be considered, as well as any gate fee or processing fee increase.

Christian Warner, Vice President of Government Affairs, responded to City Council Member questions as follows:

- How does the composting capture the greenhouse gases that are emitted as part of the biological process? – The organic material is becoming more of a soil amendment in helping the soil that it is added to reduce the gases that come from the soil.
- Do the landfills capture the methane gases? – Different landfills handle it differently. Athens Services has partnered with landfills that do capture that gas and are able to fill up its trucks with compressed natural gas throughout the night. However, there are landfills that do not do that and use different systems.
- Is methane gas emitted with composting? – A lot less than what would happen if you just left it in the landfill.
- Who owns the composting product and is it valuable? – Athens Services does own it, with about 70 – 80% of the compost produced at its facility getting sold (\$4 per ton) or transported to local farmers for zero revenue, and with 20 – 30% of it returned to the cities served as free compost giveaways. In many cases the compost is given away for free simply because the

composting facility is really there as a facility that is used for diversion (because of the State laws).

- Is this same rate increase being implemented across the board to all of the customers in other cities? – Athens Services is doing the same program for all cities in the area. However, Sierra Madre has a clause in its contract that benefits Sierra Madre more so than any of Athens' other cities, such that Sierra Madre is entitled to the lowest incremental cost for this program. No other city has a lower cost for this program than Sierra Madre.
- If the resolution was not approved, would Sierra Madre be out of compliance for diversion? – Per Assembly Bill 939, every city must meet or exceed at least 50% diversion and also must have certain recycling programs in place. If the City Council were to say we are not doing this, it would be eliminating a recycling program, which goes against Assembly 939 and then Sierra Madre would be subject to CalRecycles' fines and penalties, which could be as much as \$10,000 per day. In 2022, there is another Senate Bill 1383 that will deem it illegal to take green waste to a landfill.

Mayor Harabedian opened this item for Public Comment.

- De Alcorn, Sierra Madre, questioned the need for the rate increase.
- Leslee Hinton, Sierra Madre, asked if this rate increase will be subject to the UUT and whether another city has a lower percentage rate increase.

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

Mayor Harabedian asked Mr. Warner to respond to the questions, with his responses as follows:

- The process now requires that, instead of just being taken to a landfill, the material is being taken to a compositing facility in Victorville, which results in higher processing fees and higher transportation costs.
- Green waste can no longer be taken to landfills and be counted as diversion or recycling.
- Another city might have a lower rate adjustment percentage, but no other city is receiving the benefit of the lower incremental cost than Sierra Madre. Sierra Madre's incremental cost is \$39 (the addition of the transportation and processing) and the next city above that is approximately \$42. Sierra Madre is enjoying the lowest incremental because there is a section in Sierra Madre's contract that stipulates that.

City Manager Engeland said that Staff would have to research the impact of the increase on the UUT and would bring it back to the City Council at a future meeting

Mayor Harabedian brought the matter back to the City Council for a motion.

Council Member Arizmendi made a motion adopt Resolution 20-04 amending Section 3 of the City's Solid Waste Removal Contract and approve the 8.81% increase to residential rates to comply with State Assembly Bill 1594 effective March 1, 2020.

Mayor Pro Tem Capoccia seconded the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to adopt Resolution 20-04 amending Section 3 of the City's Solid Waste Removal Contract and approve the 8.81% increase to residential rates to comply with State Assembly Bill 1594 effective March 1, 2020 was passed unanimously.

3. DISCUSSION - ADOPTION OF ORDINANCE 1423 AMENDING MUNICIPAL CODE TO INCLUDE E-CIGARETTES

Management Analyst Kownatzki reported on this item with the recommendation that that the City Council read by title only, for first reading, and adopt Ordinance 1423, amending Title 5, Chapter 5.58 and Title 8, Chapter 8.06 and 8.28 of the Sierra Madre Municipal Code regulating smoking to include e-cigarettes and other electronic smoking devices.

Per the Staff Reported dated 1-14-20, Ordinance 1423 would amend all sections of the Sierra Madre Municipal Code regulating smoking to define and include the use of e-cigarettes. The proposed ordinance does not change where individuals can or cannot smoke; it simply defines and adds e-cigarettes to the list of prohibited smoking devices.

Mayor Harabedian asked if any Council Members had questions on this item.

City Manager Engeland responded to City Council Member Goss' question as follows:

- Could the City Council ban the sales of flavored cartridges inside the City of Sierra Madre?
- Staff will consult with the City Attorney and bring it back to the City Council.

Mayor Harabedian opened this item for Public Comment.

- Deb Sheridan, Sierra Madre, expressed support for Ordinance 1423.

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

Council Member Goss made a motion to read by title only, for first reading, and adopt Ordinance 1423, amending Title 5, Chapter 5.58 and Title 8, Chapter 8.06 and 8.28 of the Sierra Madre Municipal Code regulating smoking to include e-cigarettes and other electronic smoking devices.

Council Member Arizmendi seconded the motion.

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

Noes: None

Absent: None

Abstain: None

The motion to read by title only, for first reading, and adopts Ordinance 1423, amending Title 5, Chapter 5.58 and Title 8, Chapter 8.06 and 8.28 of the Sierra Madre Municipal Code regulating smoking to include e-cigarettes and other electronic smoking devices was passed by a unanimous vote.

NEW ITEMS PLACED FOR FUTURE AGENDAS:

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

ADJOURNMENT:

Mayor Harabedian asked for a motion to adjourn.

Council Member Goss made a motion to adjourn the meeting.

The motion was seconded by Council Member Arizmendi.

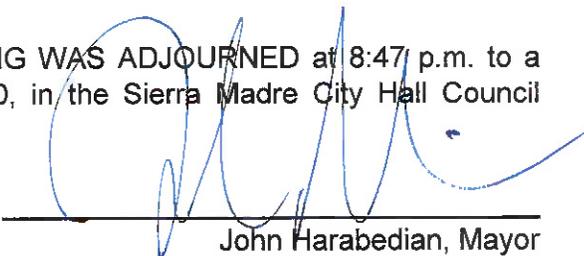
Ayes: Mayor John Harabedian, Mayor Pro Tem Capoccia, and Council Members Rachel Arizmendi and Gene Goss

Noes: None

Absent: None

The motion to adjourn was passed by a unanimous vote.

THIS SIERRA MADRE CITY COUNCIL REGULAR MEETING WAS ADJOURNED at 8:47 p.m. to a Regular meeting to be held on Tuesday, January 28, 2020, in the Sierra Madre City Hall Council Chambers.


John Harabedian, Mayor

Minutes taken and prepared by:


Sue Spears, City Clerk