

AGENDA – Revised
REGULAR MEETING
SIERRA MADRE CITY COUNCIL
Tuesday, July 24, 2012
Closed Session – 4:30 pm
Open Session - 6:30 pm
City Hall Council Chambers
232 W. Sierra Madre Boulevard

Josh Moran, Mayor
Nancy Walsh, Mayor Pro-Tem
John Capoccia, Council Member
John Harabedian, Council Member
Chris Koerber, Council Member

Nancy Shollenberger, City Clerk
Richard Mays, City Treasurer

PUBLIC COMMENT

The Council will listen to the public on any item on the agenda. The City Council cannot legally take action on any item not scheduled on the agenda. Such items may be referred for administrative action or scheduled on a future agenda. Comments will generally be limited to three minutes per speaker.

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. If additional time is needed, the Mayor will allow for same at the end of the agenda.

CLOSED SESSION

CALL TO ORDER/ROLL CALL

Mayor Moran, Mayor Pro Tem Walsh, Council Member
Capoccia, Council Member Harabedian, and Council Member
Koerber

PUBLIC COMMENT

Regarding Closed Session Items

RECESS TO CLOSED SESSION REGARDING:

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation Pursuant to California Government Code Section 54956.9(a)

The City Council/Agency finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

John Ellins; Jesse Toribio v City of Sierra Madre

Case number GC048667

CONFERENCE WITH LEGAL COUNSEL

Existing Litigation Pursuant to California Government Code Section 54956.9(a)

The City Council/Agency finds, based on advice from legal counsel, that discussion in open session will prejudice the position of the local agency in the litigation.

John Ellins v City of Sierra Madre, et. al

Case number CV09-03971

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation Pursuant to California Government Code Section 54956.9(b)

A point has been reached where, in the opinion of the City Council/Agency on the advice of it legal counsel, Based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City Council/Agency.

Number of Potential Cases: 2

Facts and circumstances that might result in litigation but which the City/Agency believes are not yet known to potential plaintiff or plaintiffs.

CONFERENCE WITH LEGAL COUNSEL

Anticipated Litigation Pursuant to California Government Code Section 54956.9b(3)(C)

A point has been reached where, in the opinion of the City Council/Agency on the advice of it legal counsel, Based on the below-described existing facts and circumstances, there is a significant exposure to litigation against the City Council/Agency.

Receipt of Claim pursuant to Tort Claims Act or other written communication from Sierra Madre Police Officer's Association threatening litigation (copy available for public inspection in the City Manager's Office).

OPEN SESSION

CALL TO ORDER/ROLL CALL

Mayor Josh Moran, Mayor Pro Tem Nancy Walsh, Council Member John Capoccia , Council Member John Harabedian, Council Member Chris Koerber

PLEDGE OF ALLEGIANCE & INVOCATION/INSPIRATION

Mayor Josh Moran

REPORT OUT FROM CLOSED SESSION

Mayor will request from the City Attorney a report from the closed session.

APPROVAL OF AGENDA

Majority vote of the Council to proceed with City business.

MAYOR AND CITY COUNCIL REPORTS

Brief reports of individual Council Member activities relating to City business occurring since the last City Council meeting.

PUBLIC COMMENT

Regarding items not on the Agenda.

PRESENTATION

Sierra Madre Rose Float Association
President Robert Young

ACTION ITEMS

1. CONSENT CALENDAR –

- a) **ADOPTION OF RESOLUTION NO. 12-71 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS**

Recommendation that the City Council approve Resolution No. 12-71 for approval of payment of City Warrants in aggregate amount of \$252,322.13; Sierra Madre Library warrants in the aggregate amount of \$1,069.56 and Payroll Transfer in the aggregate amount of \$331,055.91 for the fiscal year ending June 30, 2012 and 2013.

- b) **APPROVAL OF RESOLUTIONS 12-65 AND 12-64, ADOPTING TERMS AND CONDITIONS OF EMPLOYMENT FOR FIRE DEPARTMENT EMPLOYEES AS WELL AS AN UPDATED CLASSIFICATION PLAN AND SALARY MATRIX FOR THE FIRE CAPTAIN POSITIONS**

Recommendation that the City Council approve Resolutions No. 12-65 Adopting Terms and Conditions of Employment for Fire Department Employees as well as Resolution No. 12-64 Adopting an Updated Classification Plan and Salary Matrix for Fire Captain Positions.

- c) **REVIEW OF SIERRA MADRE CHANNEL GUIDELINES FOR SUBMISSIONS**

Recommendation that the City Council review and approve the revisions to the channel guidelines.

- d) **RESOLUTION NO. 12-63 GRANTING TEMPORARY USE PERMIT 12-16 FOR HOUSEHOLD HAZARDOUS WASTE ROUND-UP**

Recommendation that the City Council adopt Resolution No. 12-63 approving TUP No. 12-16.

- e) **CONSIDERATION OF RESOLUTION NO. 12-70, DESIGNATION OF VOTING DELEGATE AND ALTERNATE FOR LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE AND BUSINESS MEETING**

Recommendation that the City Council authorize Resolution No. 12-70, designating Mayor Moran and Council Member Harabedian as the City's voting delegate and alternate to the League's Annual Conference and Business meeting.

**2. PUBLIC HEARING –
CONSIDERATION OF ORDINANCE NO. 1330 ADOPTING CHAPTER 1.14 OF THE MUNICIPAL CODE REGARDING PUBLIC NUISANCES, CODE ENFORCEMENT FEES, AND ATTORNEY'S FEES**

Recommendation that the City Council open a Public Hearing, receive public comment, and consider Ordinance No. 1330 adopting Chapter 1.14 of the Sierra Madre Municipal Code regarding public nuisances code enforcement fees, and attorney's fees.

**3. PUBLIC HEARING –
SPECIFIC PLAN NO. 11-01 – KENSINGTON
SPECIFIC PLAN: A SPECIFIC PLAN TO
GOVERN THE DEVELOPMENT AND
OPERATION OF AN ASSISTED LIVING
FACILITY WITH ANCILLARY
COMMERCIAL USES ON PROPERTY
LOCATED AT 225-245 W. SIERRA MADRE
BOULEVARD**

Recommendation that the City Council open a Public Hearing, receive public comment and consider approval of the CUP, Specific Plan, and Municipal Code Text Amendment, as amended.

**MUNICIPAL CODE TEXT AMENDMENT NO.
11-04: AN AMENDMENT TO TITLE 17
(ZONING) OF THE SIERRA MADRE
MUNICIPAL CODE TO INCORPORATE THE
KENSINGTON SPECIFIC PLAN
REGULATIONS**

**CONDITIONAL USE PERMIT NO. 11-08: A
REQUEST TO CONSTRUCT AND OPERATE
AN ASSISTED LIVING FACILITY ON
PROPERTY LOCATED AT 225-245 W.
SIERRA MADRE BOULEVARD**

**4. DISCUSSION –
CONSIDERATION OF RESOLUTION 12-69,
CALLING AND GIVING NOTICE OF THE
HOLDING OF A CONSOLIDATED SPECIAL
MUNICIPAL ELECTION TO BE HELD ON
TUESDAY, NOVEMBER 6, 2012 FOR THE
SUBMISSION TO THE VOTERS OF AN
INITIATIVE TO AMEND THE DENSITY
LIMITATION OF MEASURE V TO PERMIT
DEVELOPMENT OF AN ASSISTED LIVING
FACILITY, CONSISTENT WITH THE
KENSINGTON SPECIFIC PLAN TO BE
LOCATED AT 33 NORTH HERMOSA
AVENUE AND 245 WEST SIERRA MADRE
BOULEVARD**

Recommendation that the City Council provide direction regarding any modification to Resolution numbers 12-69, 12-68, 12-67, 12-66, and the Indemnification and Hold Harmless Agreement, and authorize approval.

**CONSIDERATION OF RESOLUTION 12-68,
AUTHORIZING CERTAIN COUNCIL
MEMBERS TO SUBMIT ARGUMENTS
REGARDING AN INITIATIVE TO AMEND
“MEASURE V” TO PERMIT DEVELOPMENT
OF AN ASSISTED LIVING FACILITY,
CONSISTENT WITH THE KENSINGTON
SPECIFIC PLAN, TO BE LOCATED AT 33
NORTH HERMOSA AVENUE AND 245 WEST
SIERRA MADRE BOULEVARD**

**CONSIDERATION OF RESOLUTION 12-67,
PROVIDING FOR THE FILING OF
REBUTTAL ARGUMENTS FOR CITY
MEASURES SUBMITTED AT MUNICIPAL
ELECTIONS**

**CONSIDERATION OF RESOLUTION 12-66, A
RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF SIERRA MADRE,
CALIFORNIA, REQUESTING THE BOARD
OF SUPERVISORS OF THE COUNTY OF LOS
ANGELES TO CONSOLIDATE A SPECIAL
MUNICIPAL ELECTION TO BE HELD ON
NOVEMBER 6, 2012 WITH THE STATEWIDE
GENERAL ELECTION TO BE HELD ON THE
DATE PURSUANT TO SECTION 10403 OF
THE ELECTIONS CODE**

**CONSIDERATION OF KENSINGTON
ELECTION INDEMNIFICATION AND HOLD
HARMLESS AGREEMENT**

**5. DISCUSSION –
CONSIDERATION OF APPOINTMENTS TO
THE PLANNING COMMISSION AND
DISCLOSURE OF COMMISSIONER
APPLICATION FORMS**

Recommendation that the City Council provide staff with direction regarding the appointment of two Planning Commissioners and the disclosure of applicant information.

**6. DISCUSSION –
COUNCIL SUCSSION POLICY**

Recommendation that the City Council provide staff with direction regarding the drafting of a Council succession policy.

PUBLIC COMMENT

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.

PUBLIC HEARING

The appellant and/or applicant will each be provided a total of ten (10) minutes to address their item. A portion of their allotted time may be reserved for rebuttal or a summary conclusion at the close of public comment. All other speakers will be limited to a total of three continuous minutes, which cannot be delegated. These rules will be enforced but may be changed by appropriate City Council action.

AVAILABILITY OF AGENDA MATERIALS

Materials related to an item on this Agenda submitted to the Council after distribution of the agenda packet, are available for public inspection at the public counter at City Hall, 232 W. Sierra Madre Blvd., at the Library, 440 W. Sierra Madre Blvd., during normal business hours, and on the City's website at www.cityofsierramadre.com

LIVE BROADCASTS

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

MEETING ASSISTANCE

City Hall Council Chambers is physically accessible and assistive listening devices are available at the meeting. If you require special assistance, please call the City Manager's office at (626) 355-7135 at least 48 hours prior to the meeting.

ADJOURNMENT

The City Council/CRA will adjourn to a Regular Meeting at this same place on Tuesday, August 14, 2012.