

**AGENDA**  
**REGULAR MEETING**  
**SIERRA MADRE CITY COUNCIL &**  
**COMMUNITY REDEVELOPMENT AGENCY**  
**Tuesday, July 28, 2009**  
**Closed Session – 5:00 PM**  
**Open Session – 6:30 PM**  
**City Hall Council Chambers**  
**232 W. Sierra Madre Boulevard**

*MaryAnn MacGillivray, Mayor*  
*Don Watts, Mayor Pro-Tem*  
*John Buchanan, Council Member*  
*Joe Mosca, Council Member*  
*Kurt Zimmerman, Council Member*

*Nancy Shollenberger, City Clerk*  
*George Enyedi, 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 5:00 PM**

**CALL TO ORDER/ROLL CALL**

Council Member/Board Members of the Community  
Redevelopment Agency

**PUBLIC COMMENT**

Regarding Closed Session Items

**RECESS TO CLOSED SESSION REGARDING CONFERENCE WITH LEGAL COUNSEL:**

**INITIATION  
OF LITIGATION**

**Pursuant to Calif. Government Code Section 54956.9(c)**  
Number of Potential Cases – Two (2)

**EXISTING  
LITIGATION**

**Pursuant to Calif. Government Code Section 54956.9 (a)**  
Case Name: Stonehouse Homes LLC v. Sierra Madre et al

Case #'s: BC355516, (Appellate Case No. B195552) BS105493, BS105770, BC361569,  
BS108294

**EXISTING  
LITIGATION**

**Pursuant to Calif. Government Code Section 54956.9(a)**

Case Names: Stonehouse Homes LLC and One Carter LLC v. Sierra Madre et al.

Case #'s: BS106081 and BC 362808

**EXISTING  
LITIGATION**

**Pursuant to Calif. Government Code Section 54956.9(a)**

Case Name: Sierra Madre Police Officers Association v. City of Sierra Madre  
Case #: GS011712

## OPEN SESSION 6:30 PM

### PLEDGE OF ALLEGIANCE & INVOCATION/INSPIRATION

Council Member Kurt Zimmerman

### APPROVAL OF AGENDA

Majority vote of the Council to proceed with City business.

### APPROVAL OF MINUTES

Approval of Minutes from the closed session, Community Redevelopment Agency session, and the regular City Council meeting of July 14, 2009

### 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.

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### ACTION ITEMS\*

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#### CONSENT CALENDAR

1.
  - a. **ADOPTION OF RESOLUTION NO. 09-56 OF THE CITY COUNCIL OF THE CITY OF SIERRA MADRE APPROVING CERTAIN DEMANDS**

Recommendation that the City Council approve Resolution No. 09-56 for payment of City Warrants #23956; #24091 - #24093; #24096 - #24225 in the aggregate amount of \$380,921.99; Sierra Madre Library warrants #24227 - #24237 in the aggregate amount of \$5,618.15 and Payroll Transfer in the aggregate amount of \$318,315.19 for the fiscal year ending June 30, 2009.
  - b. **AUTHORIZATION OF PAYMENTS ON BEHALF OF CRA**

Recommendation that the City Council approve the \$2,000.00 addition to the revolving note for the demands paid by the City on behalf of the Community Redevelopment Agency.
  - c. **SECOND READING – ORDINANCE NO. 1297 – AN ORDINANCE OF THE CITY OF SIERRA MADRE AMENDING TITLE 9 (“PUBLIC PEACE, MORALS, AND WELFARE”) BY ADDING CHAPTER 9.52 REGULATING LOUD PARTIES, GATHERINGS, AND EVENTS**

Recommendation that the City Council read the Ordinance by title, waive further reading and adopt Ordinance No. 1297.

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| <p><b>d. SECOND READING – ORDINANCE NO. 1296 – MUNICIPAL CODE TEXT AMENDMENT (MCTA) NO. 09-01; AMENDING CHAPTER 17.36 (“C COMMERCIAL ZONE”) IN ITS ENTIRETY AND REPEALING CHAPTER 17.37 AND SECTION 17.60.030 (B) OF THE SIERRA MADRE MUNICIPAL CODE</b></p>      | <p>Recommendation that the City Council waive further reading and adopt Ordinance No. 1296 (MCTA 09-01) and associated Negative Declaration, as amended</p>   |
| <p><b>e. 2009 ENGINEERING AND TRAFFIC SURVEY</b></p>  | <p>Recommendation that the City Council receive and file the completed 2009 Engineering and Traffic Survey.</p>   |
| <p><b>f. RECOMMENDATION TO AUTHORIZE THE CITY MANAGER TO EXECUTE AND SIGN ON BEHALF OF THE CITY AN APPLICATION FOR RECEIPT OF FEDERAL FUNDS REQUIRING CITY MATCH FUNDS FOR WATER SYSTEM IMPROVEMENTS</b></p>  | <p>Recommendation that the City Council authorize the City Manager to execute the Application for Federal Assistance committing the City to its participation of the required matching funds (\$198,409) in order to release the FY 2009 federal grant funds.</p>   |
| <p><b>g. APPROVAL OF EXPENDITURE OF \$20,055 FOR SLURRY SEAL APPLICATION TO ORANGE GROVE AVENUE</b></p>   | <p>Recommendation that the City Council approve an expenditure in the amount of \$20,055 from budgeted street maintenance funding for the expansion of Arcadia’s slurry seal project to include the Sierra Madre side of Orange Grove Avenue.</p>   |
| <p><b>h. GENERAL PLAN UPDATE: REVIEW OF DRAFT RFP (REQUEST FOR PROPOSALS) FOR CONSULTANT SELECTION</b></p>  | <p>Recommendation that the City Council authorize the release of the RFP.</p>   |
| <p><b>2. PUBLIC HEARING – RESOLUTION 09-54 – ADOPTION OF THE LOCAL DEVELOPMENT REPORT (LDR) AND SELF-CERTIFICATION OF THE CITY’S CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP).</b></p>  | <p>Recommendation that the City Council conduct a public hearing and approve Resolution 09-54; finding that the City of Sierra Madre is in conformance with the CMP and adopt the 2009 CMP Local Development Report (LDR).</p>  |
| <p><b>3. PUBLIC HEARING – CONSIDERATION OF AN EXTENSION OF VESTED RIGHTS FOR TRACT MAP # 54016 FOR DEVELOPMENT OF PROPERTY KNOWN AS ONE CARTER AVENUE AND AN EXTENSION OF THE DEFERRED IMPROVEMENT AGREEMENT FOR THE SAME PROPERTY – RESOLUTION NO. 09-55</b></p> | <p>Recommendation that the City Council grant with conditions the request for a one-year extension of Tract map #54016, to August 22, 2010, for the development of property known as One Carter Avenue provided the applicant complies with conditions no later than August 21, 2009. Also, staff recommends that City Council grant the extension of the DIA, with conditions, for up to six months, to permit the developer to complete the required improvements, provided the applicant complies with the conditions specified in the staff report no later than August 21, 2009.</p> |

4. **DISCUSSION –  
APPROVAL OF THE HART PARK HOUSE  
DESIGN CONCEPT** Recommendation that the City Council approve the concept prepared by Onyx Architects and direct staff to bid the complete project, with the provision of additive alternate bid items for Phases 2 through 4 items of work.
5. **DISCUSSION –  
CONSIDERATION OF APPOINTMENTS  
TO THE GENERAL PLAN STEERING  
COMMITTEE** Recommendation that the City Council provide staff with direction regarding the appointment of General Plan Steering Committee members.
6. **DISCUSSION –  
CITY OF SIERRA MADRE STRATEGIC  
PLAN GOALS AND OBJECTIVES UPDATE** Recommendation that the City Council receive and file the report on the City of Sierra Madre April 9, 2009 – October 1, 2009, Strategic Plan Objectives.

#### **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. These rules will be enforced but may be changed by appropriate City Council action.

#### **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.

#### **ACTION ITEMS**

Regardless of a staff recommendation on any agenda item, the City Council will consider such matters, including action to approve, conditionally approve, reject, or continue such item. Further information on each item may be procured from the Office of the City Manager.

#### **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., and at the Library, 440 W. Sierra Madre Blvd., during normal business hours.

#### **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**

The City Hall Council Chamber is physically accessible and assistive listening devices are available at the meeting. 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/CRA will adjourn to a Regular Meeting at this same place on Tuesday, August 11, 2009

**As a courtesy to others, we ask that cellular phones be turned off during the meeting.**