

AGENDA
REGULAR MEETING
SIERRA MADRE CITY COUNCIL &
COMMUNITY REDEVELOPMENT AGENCY
Tuesday, May 12, 2009
Closed Session – 5:30 PM
Open Session – 6:30 PM
City Hall Council Chambers
232 W. Sierra Madre Boulevard
Sierra Madre, California 91024

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 5:30 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:

ANTICIPATED LITIGATION

Pursuant to Calif. Government Code Section 54956.9(b)(3)(C)

Number of cases: One

A point has been reached where, in the opinion of the City Council/Agency on the advice of its 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 the Government Claims Act or other written communication from the County of Los Angeles and the Los Angeles County Flood Control District threatening litigation (copy available for public inspection in the City Clerk's Office)

**CONFERENCE WITH
LABOR NEGOTIATOR**

Pursuant to Calif. Government Code Section 54957.6

City Negotiators:

Elaine Aguilar, City Manager, Karin Schnaider, Administrative Services Director and Elisa Weaver, Director of Community and Personnel Services

Employee Organizations:

- Police Officers Association
- Classified Employees Association
- Confidential and Exempt Employees
- Management
-

OPEN SESSION 6:30 PM

**PLEDGE OF ALLEGIANCE &
INVOCATION/INSPIRATION**

Council Member Joe Mosca

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 April 28, 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.

ACTION ITEMS*

1. CONSENT CALENDAR -

**a. ADOPTION OF RESOLUTION
NO. 09-33 OF THE CITY
COUNCIL OF THE CITY OF
SIERRA MADRE APPROVING
CERTAIN DEMANDS**

a. Recommendation that the City Council approve Resolution No. 09-33 for payment of City Warrants #23501; #23503-#23607 in the aggregate amount of \$339,773.91; Sierra Madre Library warrants #23611-#23622 in the aggregate amount of \$1,319.20 and Payroll Transfer in the aggregate amount of \$238,386.55 for the fiscal year ending June 30, 2009.

**b. AUTHORIZATION OF
PAYMENTS ON BEHALF OF
CRA**

b. Recommendation that the City Council approve the \$20,618.80 addition to the revolving note for the demands paid by the City on behalf of the Community Redevelopment Agency

c. ADOPTION OF RESOLUTION 09-029, APPROVING THE PROPOSED SALE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 2009/2010

d. WATER BILLING PROCEDURES

e. SECOND READING OF ORDINANCE NO. 1290 AMENDING TITLE 1 OF THE SIERRA MADRE MUNICIPAL CODE TO ESTABLISH AN ADMINISTRATIVE ENFORCEMENT PROCESS AND CONSIDERATION OF RESOLUTION 09-18 SETTING FORTH ADMINISTRATIVE FEES AND PENALTIES FOR VIOLATIONS OF THE SIERRA MADRE MUNICIPAL CODE

c. Recommendation that the City Council adopt Resolution 09-29 approving the sale of the City's remaining CDBG funds to the city of La Mirada in exchange for General Fund dollars with the resulting funds designated for city tree maintenance.

d. Recommendation that the City Council adopt the Water Utility Billing Procedures.

e. Recommendation that the City Council pass second reading of Ordinance No. 1290 amending Title 1 of the Municipal Code to establish an administrative enforcement process, read the Ordinance by title only, and approve Resolution 09-18 setting forth Administrative Fees and Penalties.

2. PUBLIC HEARING – REGARDING PARCEL MAP (PM) 09-01 AND CONSIDERATION OF RESOLUTION 09-30 (131 E. ORANGE GROVE AVENUE)

Recommendation that the City Council adopt Resolution 09-30, approving Parcel Map 09-01, a request to subdivide the property at 131 E. Orange Grove Avenue

3. DISCUSSION – BRUSH CLEARANCE INFORMATION

Recommendation that the City Council direct staff to receive and file this report.

4. DISCUSSION – HISTORIC PRESERVATION ISSUES

Recommendation that the City Council provide staff with direction.

5. DISCUSSION – MONTHLY FINANCIAL REPORT, FEBRUARY-APRIL 2009 WITH PROJECTED GENERAL FUND

Recommendation that the City Council direct staff to receive and file this report.

6. DISCUSSION – CONSIDERATION OF SUSPENSION OR DECREASE IN UTILITY USERS TAX

Recommendation that the City Council provide staff with direction.

7. DISCUSSION – CONSIDERATION OF EXTERNAL REVIEW OF FISCAL YEAR 2006/2007 FINANCIAL AUDIT

Recommendation that the City Council provide staff with direction.

8. DISCUSSION – MODIFICATIONS TO COUNCIL MEETING AGENDA FORMAT

Recommendation that the City Council provide staff with direction.

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, May 26, 2009

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