

CITY COUNCIL
REGULAR MEETING
Agenda
March 15, 2023, 7:00 PM



Mayor	Emmanuel J. Estrada
Mayor Pro Tem	Monica Garcia
Councilmember	Alejandra Avila
Councilmember	Jean M. Ayala
Councilmember	Daniel Damian

Welcome to your City Council Meeting

We welcome your interest and involvement in the City's legislative process. This agenda includes information about topics coming before the City Council and the action recommended by city staff. You can read about each topic in the staff reports, which are available on the city's website and in the Office of the City Clerk.

Please Note: Electronic devices are to be turned off while meetings are in session.

How to watch

The City of Baldwin Park provides two ways to watch a City Council meeting:

In Person



Most City Council meetings take place at City Hall, 14403 E. Pacific Ave., Baldwin Park, CA 91706

Online



Audio streaming will be available at

https://www.youtube.com/channel/UCFLZ0_dDFRjy59rhiDZ13Fq/featured?view_as=subscriber
http://baldwinpark.granicus.com/ViewPublisher.php?view_id=10

Reasonable Accommodations

Individuals with disabilities may request an agenda packet in appropriate alternative formats as required by the Americans with Disability Act of 1990. Reasonable accommodations and auxiliary aids will be provided to effectively allow participation in the meeting. Please contact the City Clerk's Office at (626) 960-4011.

Public Comments

The public is encouraged to address the City Council or any of its Agencies listed on this agenda on any matter posted on the agenda or on any other matter within its jurisdiction. In accordance with Chapter 39 of the Baldwin Park Municipal Code, Speakers must address the Council as a whole and refrain from making impertinent, slanderous, or profane remarks or disrupt the peace of the meeting. Speaker cards are available at the podium and by request with the City Clerk.

Public Communication

There is a three-minute speaking time limit. This is the time set aside to address the City Council. Please notify the City Clerk if you require the services of an interpreter. No Action may be taken on a matter unless it is listed on the agenda, or unless certain emergency or special circumstances exist. The legislative body or its staff may: 1) Briefly respond to statements made or questions asked by persons; or 2) Direct staff to investigate and/or schedule matters for consideration at a future meeting. [Government Code §54954.2] If you wish to comment on agenda items and are unable to physically appear in person, please email your name, place of residence, item number or topic and a phone number where you will be available between the hours of 7:00 PM during City Council Meetings to comments@baldwinpark.com.

Notice Regarding California Environmental Quality Act (CEQA) Determinations

Pursuant to CEQA, a "project" is defined as a "whole action" subject to a public agency's discretionary funding or approval that has the potential to either (1) cause a direct physical change in the environment or (2) cause a reasonably foreseeable indirect physical change in the environment. "Projects" include discretionary activity by a public agency, a private activity that receives any public funding, or activities that involve the public agency's issuance of a discretionary approval and is not statutorily or categorically exempt from CEQA. (Pub. Res. Code § 21065.) To the extent that matters listed in this Agenda are considered "projects" under CEQA, their appropriate CEQA determination will be listed below each recommendation. If no CEQA determination is listed, it has been determined that the action does not constitute a "project" under CEQA.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

REPORT FROM CLOSED SESSION

ANNOUNCEMENTS

The City Council are also members of the Board of Directors of the Housing Authority, and Finance Authority, which are concurrently convening with the City Council this evening and each Council Member is paid an additional stipend of \$30 for attending the Housing Authority meeting and \$50 for attending the Finance Authority meeting.

PROCLAMATIONS, COMMENDATIONS & PRESENTATIONS

Presentation – Welcome and Introduce Chief Deputy City Clerk Shirley Quinones.

Proclamation – Proclaim Women’s History Month, presented to Gloria Gratianna Muniz, Business Owner El Taco-Nazo.

Proclamation – Proclaim American Red Cross Month, presented to Patty Madera, Interim Director of the San Gabriel & Pomona Valleys.

PUBLIC COMMUNICATIONS

CONSENT CALENDAR

All items listed are considered to be routine business by the City Council and will be approved with one motion. There will be no separate discussion of these items unless a City Councilmember so requests, in which case, the item will be removed from the general order of business and considered in its normal sequence on the agenda.

1. City of Baldwin Park’s Warrants and Demands

Staff recommends that the City Council ratify the attached Warrants and Demands Register.

2. Treasurer’s Report City – January 2023

Staff recommends that Council receive and file the Treasurer’s Report for January 2023.

3. Meeting Minutes

It is recommended that the City Council approve meeting minutes for the following City Council Meetings: • Special Meeting of March 3, 2023 • Regular Meeting of March 3, 2023

4. Grant Funding Reimbursement Update – Compressed Natural Gas (CNG) Facility Located at Badillo Street and Ramona Boulevard

It is Staff’s recommendation that the City Council receive and file grant reimbursement and close-out documents for South Coast Air Quality Management District (AQMD) in the amount of \$400,000.00 and Los Angeles County Cooperative Agreement in the amount of \$400,000.00. Total reimbursed amount received is \$800,000.00.

5. **Waive Formal Bid Procedures for the Purchase of Janitorial Supplies Through the OMNIA Partners Master Agreement**

It is recommended that the City Council: 1) Find (i) that it would be uneconomical to follow purchasing procedures since the supplies are available through an existing contract with the State and (ii) State previously completed the bidding process and (iii) that the welfare of the public therefore would be promoted by dispensing with the purchasing procedures as allowed in the City's Purchasing Ordinance Chapter 34 section 37 (A); and 2) Approve the procurement of janitorial supplies from Waxie Sanitary Supply; and 3) Authorize Recreation and Community Services Director to award the contract on a yearly basis, but not to exceed five (5) years as long as vendor continues to offer State pricing; and 4) Authorize Recreation and Community Services Director to expend \$27,000 from Account 100-60-620-53100-00000 and \$27,000 from 252-60-620-53100-00000 for a total approximately of \$54,000; and 5) Authorize the Chief Executive Officer to enter into an agreement for the services, subject to the approval of the City Attorney.

6. **Approval of Annual Report for Military Equipment**

It is recommended that the City Council approve the renewal of Ordinance No. 1471 and the updated inventory of Military Equipment report.

7. **Resolution No. 2023-008 Initiating the Proceedings and Ordering Preparation of the Engineer's Report for the Citywide Landscape and Lighting Maintenance Assessment District for FY2023-2024**

Staff recommends that Council adopt Resolution No. 2023-008 entitled, "A Resolution of the City Council of the City of Baldwin Park, California, authorizing the initiation of the proceedings and ordering the preparation of the Engineer's Report for the FY 2023-2024 levy of annual assessments for the City of Baldwin Park Landscaping and Lighting Maintenance District pursuant to the provisions of Division 15, Part 2 of the State of California Streets and Highway Code."

8. **Resolution No. 2023-009 initiating the proceedings and ordering preparation of the Engineer's Report for the Parks Maintenance Assessment District for FY2023-2024**

It is recommended that the City Council 2 Staff recommends that Council adopt Resolution No. 2023-009 entitled, "A Resolution of the City Council of the City of Baldwin Park, California, authorizing the initiation of the proceedings and ordering the preparation of the Engineer's Report for the FY 2023-2024 levy of annual assessments for the City of Baldwin Park Parks Maintenance Assessment District pursuant to the provisions of Division 15, Part 2 of the State of California Streets and Highways Code."

9. **Authorize Submittal of Applications for Southern California Edison's Charge Ready Light Duty Program for Electric Vehicle (EV) Charging Stations at the Metrolink Station and 14226 Ramona Blvd.**

Staff recommends that the City Council authorize staff to submit the Charge Ready Light Duty Program applications to Southern California Edison.

10. **Approval of Resolution No. 2023-010 Authorizing the Chief Executive Officer to Enter into the Settlement Agreements with Walgreens Co., Walmart, Inc., CVS Health Corporation/ CVS Pharmacy Inc., Teva Pharmaceutical Industrials Ltd., And Allergan Finance LLC/Allergan Limited, agree to the Terms of the State-Subdivision Agreements, and Authorize Entry into the State-Subdivision Agreements with the Attorney General**

It is recommended that the City Council adopt the attached Resolution to opt into these settlements and elect to receive payments directly, unless the City intends to pursue its own litigation against these parties.

11. **Approve Possessory Tax Reimbursement to B Diamond Infra LLC (“Diamond”), for Wireless Facility Located at Morgan Park**

It is recommended that the City Council authorize the Director of Finance to make necessary budget amendments to cover the possessory tax reimbursement.

PUBLIC HEARING

12. **Baldwin Park HOME-ARP Allocation Plan**

It is recommended that the City Council conduct a public hearing to consider approving the City’s HOME-ARP Allocation Plan due to HUD by March 31, 2023.

13. **Public Hearing to Consider Resolution Setting Cannabis Permit Application Fees & Resolution Setting the Maximum Number of Commercial Cannabis Cultivation, Distribution & Manufacturing Permits**

It is recommended the City Council open the public hearing and consider any testimony concerning the adoption of the administrative fees, close the public hearing and adopt the following Resolutions: 1. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK, CALIFORNIA, ADOPTING ADMINISTRATIVE FEES RELATING TO COMMERCIAL CANNABIS APPLICATIONS BASED ON TIME AND MATERIALS; and 2. A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BALDWIN PARK ESTABLISHING THE MAXIMUM NUMBER OF COMMERCIAL CANNABIS PERMITS RELATED TO MANUFACTURING, CULTIVATION AND DISTRIBUTION

CEQA REVIEW

THE CITY COUNCIL FINDS THAT THESE RESOLUTIONS ARE NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO SECTIONS 15060(C)(2) (THE ACTIVITY WILL NOT RESULT IN A DIRECT OR REASONABLY FORESEEABLE INDIRECT PHYSICAL CHANGE IN THE ENVIRONMENT), AND 15060(C)(3) (THE ACTIVITY IS NOT A PROJECT AS DEFINED IN SECTION 15378) OF THE CEQA GUIDELINES, CALIFORNIA CODE OF REGULATIONS, TITLE 14, CHAPTER 3, BECAUSE IT HAS NO POTENTIAL FOR RESULTING IN PHYSICAL CHANGE TO THE ENVIRONMENT, DIRECTLY OR INDIRECTLY.

REPORTS OF OFFICERS

14. **Adoption of Resolution No. 2023-006 for City Council Appointments of Official Representatives and Alternates to Various Agencies/Organizations.**

It is recommended that the City Council nominate and appoint by a roll-call vote the official designated representatives and alternates and adopt Resolution No. 2023-006, the names of selected delegates will be added to the Resolution in a final format with the certified votes and appropriate signatures.

15. **Consideration of First Amendment to Chief of Police Employment Agreement - Robert A. Lopez**

It is recommended that the City Council approve the First Amendment to the Chief of Police Employment Agreement.

16. **Request Direction for the Baldwin Holiday Parade**

It is recommended that the City Council; 1.) Select Option for Baldwin Park Holiday Parade or provide an alternative direction; and 2.) Authorize the Recreation & Community Services Director to secure adjudication services for the Baldwin Park Holiday Parade.

17. **Approval and Adoption of Resolution No. 2023-007 and Consideration of a Memorandum of Understanding (MOU) with Goodwill Southern California to Re-Establish the NextGen Youth Workforce Program.**

It is recommended that the City Council: 1. Approve Resolution No. 2023-007 and the proposed MOU with the GSC; and 2. Authorize the Mayor to execute the MOU; and 3. Confirm the appropriation of \$68,507 of American Rescue Plan Act (ARPA) funds carried over from 2022 for Summer 2023; and 4. Authorize the CEO to make technical adjustments as may be necessary to carry out the direction of City Council.

18. **Fiscal Year 2022-23 Mid-Year Budget Presentation**

It is recommended that the City Council: 1. Review the mid-year analysis and approve the mid-year revenue and expenditure projections for the fiscal year ending June 30, 2023, and 2. Authorize the Director of Finance to complete all necessary budget amendments and appropriations.

**CITY COUNCIL ACTING AS SUCCESSOR AGENCY OF THE DISSOLVED
COMMUNITY DEVELOPMENT COMMISSION**

SA 1. **Successor Agency To The Dissolved Community Development Commission of The City of Baldwin Park Warrants and Demands**

Staff recommends that the Board ratify the attached Warrants and Demands Register

SA 2. **Treasurer's Report City – January 2023**

Staff recommends that the Board receive and file the Treasurer's Report for January 2023.

**CITY COUNCIL / CITY CLERK / CITY TREASURER / STAFF REQUESTS &
COMMUNICATION**

ADJOURNMENT

CERTIFICATION

I, Christopher Saenz, City Clerk of the City of Baldwin Park hereby certify that, under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall bulletin board not less than 72 hours prior to the meeting. Dated this 9th day of March 2023.



Christopher Saenz
City Clerk

For further information regarding agenda items, please contact the office of the City Clerk at (626) 960-4011 ext. 466 or via e-mail at kroman@baldwinpark.com. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Works Department or Risk Management at (626) 960-4011. Notification 48 hours prior to the meeting will enable staff to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 34.102.104 ADA TITLE II)